



Securing the future... • Improving services  
• Enhancing quality of life • Making the best use of  
public resources

---

**2019**

**Book 1**

---

**MINUTES OF MEETINGS FROM  
28 November 2018 – 6 February 2019**



# INDEX

Items marked thus \* in the Minutes of Committees are items for the approval of the Council. All other items are submitted for the information of the Council.

<u>COMMITTEE</u>	<u>DATE</u>	<u>PAGE NUMBERS</u>
Strategic Policy and Resources Committee	28 November 2018	1-6
Strategic Policy and Resources Committee <i>Property Sub-Committee (Appendix I)</i>	16 April 2018	7-9
Strategic Policy and Resources Committee <i>Corporate Health, Safety and Wellbeing Consultative Committee (Appendix II)</i>	11 June 2018	10-12
Strategic Policy and Resources Committee <i>Employees Joint Consultative Committee (Appendix III)</i>	24 May 2018	13-17
Strategic Policy and Resources Committee <i>Perth and Kinross Integration Joint Board (Appendix IV)</i>	22 June 2018	18-24
Scrutiny Committee	28 November 2018	25-30
Local Review Body	11 December 2018	31-43
Planning and Development Management Committee	18 December 2018	44-80
Perth Common Good Fund Committee	19 December 2018	81-86
Aberfeldy Common Good Fund Committee	19 December 2018	87-88
Crieff Common Good Fund Committee	19 December 2018	89-90
Council	19 December 2018	91-99
Local Review Body	8 January 2019	100-111
Licensing Committee	10 January 2019	112-114
Planning and Development Management Committee	16 January 2019	115-129
Housing and Communities Committee	23 January 2019	130-134
Environment and Infrastructure Committee	23 January 2019	135-138
Audit Committee	30 January 2019	139-142
Lifelong Learning Committee	30 January 2019	143-147
Lifelong Learning Committee <i>Executive Sub-Committee (Appendix I)</i>	21 May 2018	148-149

<u>COMMITTEE</u>	<u>DATE</u>	<u>PAGE NUMBERS</u>
<b>Lifelong Learning Committee</b> <i>Joint Negotiating Committee for Teaching Staff (Appendix II)</i>	<i>18 September 2018</i>	150-152
<b>Local Review Body</b>	5 February 2019	153-158
<b>Strategic Policy and Resources Committee</b>	6 February 2019	159-162
<b>Strategic Policy and Resources Committee</b> <i>Appeals Sub-Committee (Appendix I)</i>	<i>10 December 2018</i>	163
<b>Strategic Policy and Resources Committee</b> <i>Corporate Health, Safety and Wellbeing Consultative Committee (Appendix II)</i>	<i>17 September 2018</i>	164-166
<b>Strategic Policy and Resources Committee</b> <i>Employees Joint Consultative Committee (Appendix III)</i>	<i>27 September 2018</i>	167-170
<b>Strategic Policy and Resources Committee</b> <i>Perth and Kinross Integration Joint Board (Appendix IV)</i>	<i>28 September 2018</i>	171-177
<b>Strategic Policy and Resources Committee</b> <i>Perth City Development Board (Appendix V)</i>	<i>14 November 2017</i>	178-183
<b>Scrutiny Committee</b>	6 February 2019	184-185

## **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 28 November 2018 at 10.00am.

Present: Councillors M Lyle, P Barrett, C Stewart, C Ahern (substituting for A Forbes), A Bailey, B Brawn (substituting for R McCall), S Donaldson, D Doogan, J Duff, G Laing, S McCole, T McEwan (substituting for B Band) Provost D Melloy, Councillors A Parrott, C Purves and C Shiers.

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Housing and Environment); K Donaldson, P Johnstone, S MacKenzie, C Mackie, L Simpson, G Taylor, S Walker and C Irons (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); N Ballantine, N Copland, S Coyle, F Crofts, D Fraser, D Littlejohn, A Seggie, N Simpson and S Terras (all Housing and Environment); and R Packham and J Smith, Perth and Kinross Health and Social Care Partnership.

Apologies: Councillors B Band, A Forbes and R McCall.

Councillor M Lyle, Convener, Presiding.

The Convener led discussion on Arts. 674-678, 681, 684 and 686-687; Vice-Convener P Barrett led discussion on Arts. 680, 683 and 685 and Vice-Convener C Stewart led discussion on Arts. 679 and 682.

### **674. WELCOME AND APOLOGIES**

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

### **675. DECLARATIONS OF INTEREST**

In terms of the Councillor's Code of Conduct, Councillor C Purves declared a non-financial interest in Arts. 684 and 686; Councillors C Ahern and A Parrott declared a non-financial interest in Art. 685 and Councillor C Stewart declared a financial interest in Art. 684 and a non-financial interest in Art. 686.

### **676. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Strategic Policy and Resources Committee**

The minute of meeting of the Strategic Policy and Resources Committee of 12 September 2018 (Arts. 496-505) was submitted, approved as a correct record and authorised for signature.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
28 NOVEMBER 2018

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

The minute of meeting of the Property Sub-Committee of 16 April 2018 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 11 June 2018 was submitted and noted. *(Appendix II)*

**(iv) Employees Joint Consultative Committee**

The minute of meeting of the Employees Joint Consultative Committee of 24 May 2018 was submitted and noted. *(Appendix III)*

**(v) Perth and Kinross Integration Joint Board**

The minute of meeting of the Perth and Kinross Integration Joint Board of 22 June 2018 was submitted and noted. *(Appendix IV)*

**677. REVENUE BUDGET 2018/19 – MONITORING REPORT NUMBER 2**

There was submitted a report by the Head of Finance (18/384), providing an update on (1) progress with the 2018/19 General Fund Revenue Budget based on the August 2018 ledger, updated for subsequent known material movements; and (2) the projected financial position of the Housing Revenue Account.

**Resolved:**

- (i) The contents of Report 18/384 be noted.
- (ii) The adjustments to the 2018/19 Management Revenue Budget, as detailed in Appendices 1 to 6 and Sections 2, 3 and 4 of Report 18/384, be approved.
- (iii) The 2018/19 service virements, as summarised in Appendices 2, 5 and 6 to Report 18/384, be approved.
- (iv) The Health and Social Care projected outturn, as summarised in Paragraphs 3.1 to 3.8 of, and Appendix 5 to, Report 18/384, be noted.
- (v) The Housing Revenue Account projected outturn summarised in Section 4 of, and Appendix 6 to, Report 18/384, be noted.

**678. COMPOSITE CAPITAL BUDGET 2018/28 AND HOUSING INVESTMENT PROGRAMME 2018/23 – MONITORING REPORT NUMBER 2**

There was submitted a report by the Head of Finance (18/385) (1) providing a summary position to date for the 10 year Composite Capital Programme for 2018/19 to 2027/28 and the 5 year Housing Investment Programme 2018/19 to 2022/23; and (2) seeking approval for adjustments to the programmes.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
28 NOVEMBER 2018

**Resolved:**

- (i) The contents of Report 18/385 be noted.
- (ii) The budget adjustments to the ten year Composite Capital Budget 2018/19 to 2027/28 as detailed in Sections 2 and 3 and summarised at Appendices I and II of Report 18/385, be approved.
- (iii) The budget adjustments to the Housing Investment Programme Budget 2018/19 to 2022/23 as detailed in Section 4 and summarised at Appendix III of Report 18/385, be approved.
- (iv) The position for individual projects reported within Sections 3 and 4 and summarised at Appendix IV of Report 18/385, be approved.

**679. RURAL PERTH AND KINROSS MICRO ENTERPRISE FUND AND MICRO CREDIT FUND**

There was submitted a report by the Chief Executive (18/393) (1) updating the Committee on the proposed Rural Micro Enterprise Fund and Micro Credit Fund; (2) seeking approval for the creation of a grants scheme targeted at small rural businesses and community enterprise projects; and (3) seeking approval in principle for the creation of a Micro Credit Fund.

**Resolved:**

- (i) The criteria for the Rural Micro Enterprise Fund as detailed in Appendix 1 to Report 18/393, be approved.
- (ii) The Head of Finance be authorised to continue discussions with interested parties and enter into a Service Level Agreement to deliver a Micro Credit Loan Fund.
- (iii) Eligibility of all business sectors for the Rural Micro Enterprise Fund with the exception of betting shops and off-licence shops, be approved.
- (iv) The maximum grant from the Rural Micro Enterprise Fund be £5,000.
- (v) The Rural Micro Enterprise Fund be indemnified against loss if a business in receipt of the grant ceases trading.

**680. TRANSFORMATION PROGRAMME 2015-2020**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/386), providing (1) an update on the Transformation Programme; and (2) an overview of progress with the Tayside Collaborative.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 18/386, be noted.
- (ii) The progress with the Tayside Collaborative work being undertaken, be noted.
- (iii) The allocation of £40,000 from the earmarked transformation reserve for the Cultural Trusts Transformation Project, be approved.

**681. CORPORATE PROPERTY ASSET MANAGEMENT TRANSFORMATION PROGRAMME**

There was submitted a report by the Executive Director (Housing and Environment) (18/387) seeking approval for the over-arching principles and methodology in respect of the Corporate Property Asset Management Transformation Programme to provide an overview of the delivery plan for the programme.

**Resolved:**

- (i) Progress of the Property Asset Management Programme, be noted.
- (ii) Recognition of the dependencies on delivering the anticipated programme savings, in particular that of the School Estate Review, be noted.
- (iii) The savings profile detailed in paragraph 1.26 of Report 18/387, be noted.
- (iv) The over-arching principles detailed in paragraph 3.3 of Report 18/387, be approved.
- (v) The Property Asset Management Programme proposals outlined in section 4 of Report 18/387, be approved.
- (vi) Consultation be undertaken with local members on the Property Asset Review.
- (vii) An update be submitted to this Committee to the Assistance to Business Occupation of Key Vacant Property in Perth and Kinross Through Non-Domestic Rates Relief report which was considered by the Committee in September 2017 (Report 17/281).

**682. FLEET AND MECHANICAL EQUIPMENT ASSETS ANNUAL STATUS REPORT**

There was submitted a report by the Executive Director (Housing and Environment) (18/388) presenting a status summary of the Council's Fleet and Mechanical Equipment Assets as at 31 March 2018.

**Resolved:**

- (i) The contents of Report 18/388, be noted.
- (ii) The Executive Director (Housing and Environment) be requested to continue to submit an annual report to committee on the performance of and investment in the Council's Fleet and Mechanical Equipment Assets in accordance with the approved Asset Management Plan including benchmarking information.
- (iii) Details on vehicles age and mileage be made available to Committee members and included in future reports, be agreed.

**683. DATA PROTECTION POLICY**

There was submitted a report by the Head of Legal and Governance Services (18/389) presenting a revised Data Protection Policy taking account of the new legal requirements introduced by the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
28 NOVEMBER 2018

**Resolved:**

The revised Data Protection Policy attached as Appendix 1 to Report 18/389, be approved.

**684. JOINT WORKING AGREEMENTS**

There was submitted a report by the Corporate Human Resources Manager (18/390) on proposals for Joint Working Agreements with other organisations and bodies.

**Resolved:**

- (i) The principles detailed in Report 18/390, to be followed when entering into, managing, monitoring and reviewing partnership arrangements, be approved.
- (ii) Authority be delegated to the Chief Executive for approving the details set out in all such other joint working or collaborative partnership arrangements that may be formed with Perth and Kinross Council.
- (iii) A twelve month pilot of the Health and Social Care Partnership Joint Working Agreement be approved with the effective commencement date when NHS Tayside and the Council have received formal authority of the documents and pilot.
- (iv) Delegated authority of Human Resources Procedures as set out in the Council's Scheme of Delegation, be approved.
- (v) The Chief Executive be authorised to approve any amendments or final introduction and/or cessation of the Health and Social Care Partnership Joint Working Agreement at the end of the twelve month pilot period.

**685. ARMED FORCES COVENANT – ANNUAL PROGRESS REPORT**

There was submitted and noted a report by the Chief Executive (18/392) providing members with an annual progress report in relation to the Council's commitment under the Armed Forces Covenant.

**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**

**686. PERTH AND KINROSS HEALTH AND SOCIAL CARE PARTNERSHIP**

There was submitted a report by the Corporate Human Resources Manager (18/394) seeking to review the job title and salary level for the post of Chief Officer in the Perth and Kinross Health and Social Care Partnership ahead of the commencement of a recruitment and selection process.

**Resolved:**

The post of Chief Officer be renamed Chief Officer/Executive Director – Health and Social Care on CO Grade 46, currently £103,278.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
28 NOVEMBER 2018

**687. VALEDICTORY**

The Convener referred to the retiral today of Gillian Taylor, Head of Democratic Services. Gillian had worked in Local Government for thirty-nine years, moving to Perth and Kinross Council in 1996 and had worked with many Councillors and Officers throughout that time.

Members passed on their best wishes to Gillian for her retirement.

~~~~~

## **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 Monday 16 April 2018 at 10.00am.

Present: Councillors M Lyle, B Band, P Barrett, D Doogan, G Laing, R McCall and C Stewart.

In Attendance: S Crawford, T Flanagan, G Key and K Lear (all Housing and Environment); G Boland (Education and Children's Services); C Flynn, G Fogg and C Irons (all Corporate and Democratic Services).

Councillor M Lyle, Presiding

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

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

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

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

### **3. MINUTES**

- (i) The minute of meeting of the Property Sub-Committee of 26 February 2018 was submitted and approved as a correct record.
- (ii) The minute of meeting of the Special Property Sub-Committee of 14 March 2018 was submitted and approved as a correct record.

### **4. APPOINTMENT OF VICE-CONVENER**

Councillor M Lyle seconded by Councillor R McCall, nominated Councillor P Barrett for the position of Vice-Convener of the Sub-Committee.

Councillor P Barrett was unanimously elected as Vice-Convener of the Sub-Committee.

### **5. SCHOOL ESTATE PROGRAMME PROGRESS UPDATE**

There was submitted a report by the Executive Director (Education and Children's Services) (18/130) (1) updating the Committee on the progress and proposals for delivering the current school projects within the Education and Children's Services School Estate Programme, (2) detailing key milestones which had been achieved and (3) detailing future projects.

**Resolved:**

- (i) The significant milestones achieved since the report to the Sub-Committee on 25 October 2017, be noted.
- (ii) The forward planning, as detailed in paragraphs 4.1 to 4.4 of Report 18/130, be noted.

**6. ENERGY CONSUMPTION IN COUNCIL BUILDINGS**

There was submitted a report by the Executive Director (Housing and Environment) (18/131 - Revised) with regard to energy consumption within the Property Estate, taking account of management initiatives and monitoring arrangements in place to deliver energy reduction and cost savings.

**Resolved:**

- (i) The efforts of the energy and engineering team in reducing energy consumption within the property estate, be noted.
- (ii) It be noted that the opportunity for future energy savings will become more challenging as the overall property estate was made more efficient through upgrade and refurbishment programmes.
- (iii) The Executive Director (Housing and Environment) be requested to submit a report to the sub-committee on the energy consumption within the property estate in a year's time.

**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. PROPOSAL FOR 2 LEASES IN AND 1 LEASE OUT AT BROXDEN, PERTH**

There was submitted a report by the Executive Director (Housing and Environment) (18/132) seeking approval to (1) lease in land for a Solar Array and also for the installation and operation of a Hydrogen Dispensing Station and (2) lease out car parking spaces at Broxden Park and Ride to Tesla Motors Limited for electrical vehicle charging stations.

**Resolved:**

- (i) A long ground lease from the John Dewar Lamberkin Trust (JDLT) be approved for a site of approximately 0.69ha shown in appendix 1 to report 18/132, adjacent to the current Broxden Park and Ride site for a solar array. The lease to 2 January 2083 be on terms as detailed in Report 18/132, and otherwise on terms to the satisfaction of the Executive Director (Housing and Environment) and the Head of Legal and Governance. It be noted that the lease will also be subject to obtaining the relevant Planning consent and Tay Cities deal funding.
- (ii) A lease from JDLT be approved for a site approximately 225m<sup>2</sup> of land, shown in appendix 2 of Report 18/132, to facilitate the installation of a hydrogen dispensing station. The lease for 20 years be on terms as detailed in Report 18/132 and otherwise on terms to the satisfaction of the Executive Director (Housing and Environment) and the Head of Legal and Governance.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 676(ii)) (Appendix I)  
28 NOVEMBER 2018

It be noted that the lease will also be subject to obtaining the relevant Planning consent and Tay Cities deal funding.

- (iii) A 15 year lease be granted to Tesla Motors Limited for the sole use of twelve car parking spaces at the Broxden Park and Ride to install vehicle charging stations for Tesla cars only. An appraisal of the proposed site be undertaken to ensure the charging stations were in a prominent location.  
The lease be granted on terms as detailed in Report 18/132, and otherwise on terms to the satisfaction of the Executive Director (Housing and Environment) and the Head of Legal and Governance.

~~~~~

**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 Chamber, Ground Floor, Council Building, 2 High Street, Perth on Monday 11 June 2018 at 10.00am.

**Present:**                   **Representing Perth and Kinross Council**  
Councillor K Baird  
Councillor E Drysdale  
Councillor S McCole  
G Boland (on behalf of Executive Director (Education and Children's Services))  
C Flynn (on behalf of the Chief Executive)  
P Steel (on behalf of Corporate Human Resources Manager)

**Trade Union Safety Representatives and Elected Representatives of Employee Safety Committees**  
M Blacklaws, SSTA  
L McLaren, Unite  
S Peddie, EIS (Substituting for M Swan)  
S Hope (UNISON)

**In attendance:**       S Crawford, Head of Property Services, The Environment Service  
J Handling, Health, Safety and Wellbeing Manager, The Environment Service  
L McGeorge, Property Compliance Team Leader, Environment Service  
K Molley, Professional Trainee, Corporate and Democratic Service

**Apologies:**           Councillor P Barrett, M Swan EIS, J Dickson, the Environment Service, T Todd, Unite.

**1.       DECLARATIONS OF INTEREST**

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

**2.       MINUTES**

The Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 12 March 2018 was submitted and approved as a correct record.

### **3. MATTERS ARISING**

#### **(i) Corporate Health Safety and Wellbeing Consultative Committee Review on Constitution and Remit Update**

In response to a query from Councillor Drysdale, Councillor McCole stated that the constitution and remit review meeting had been rescheduled to after the Consultative Committee meeting and a further update would be brought back to the next committee meeting.

### **4. HEALTH AND SAFETY PERFORMANCE INDICATORS – QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (Housing & Environment) (G/18/64) to inform and assist the Corporate Health, Safety & wellbeing Consultative Committee in monitoring health and safety performance across Perth and Kinross Council and (2) the report asks for the progress to be noted.

#### **Resolved:**

- (i) An overview of the Performance Monitoring Review outcomes for Quarter 4, 2017/2018, be noted.
- (ii) A summary of incidents reported to the Health and Safety Executive (HSE) for the period 1 January to 31 March 2018, be noted.
- (iii) Graph 1 summarises the cause of these reportable incidents and provides a comparison with incidents reported in the same period for 2016/17 and 2015/16. Four reportable incidents on Quarter 4 2017/18, be noted.
- (iv) A comparison of all employee reported incidents for Quarters 4 from 2017/18, 2016/17 and 2015/16, be noted.
- (v) An overview of the types of violence and aggression incidents reported by employees and non-employees, be noted.
- (vi) With regard to incidents reported by individuals who are not employees of the Council, Graph 3 shows neither a decrease nor increase in the number of incidents in comparison to Quarter 3 of 2016/17 however a decrease compared with Quarter 3 of 2015/16, be noted.
- (vii) The highest numbers of non-employee incidents were in relation to sharp objects incidents followed by Slip, Trip, Falls on same level, and explosion/fire/flammable materials. The majority of non-employee incidents involved Pupils, be noted.

### **5. FIRE SAFETY QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (G/18/63) preparing to inform and assist the Corporate Health, Safety & Wellbeing Consultative Committee in monitoring fire safety performance across Perth and Kinross Council; and (2) proving the Committee with the Fire Safety Key Performance Indicators for Quarter 4 of 2017/18 for noting.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (*Art. 676(iii)*) (*Appendix II*)  
28 NOVEMBER 2018

**Resolved:**

- (i) Four reported incidents of fire in Council premises, be noted.
- (ii) Twenty-two premises have outstanding actions from previous quarters' fire risk assessments, be noted.
- (iii) Scottish Fire and Rescue Service carried out 3 audits of Council premises, be noted.
- (iv) Five premises have outstanding actions from previous quarters' Scottish Fire and Rescue Audits, be noted.
- (v) Seven premises with outstanding actions from previous quarters, be noted.
- (vi) Three numbers of premises with outstanding actions from previous Scottish Fire and Rescue Service Audits, be noted.
- (vii) Four reported incidents of fire during Quarter 4 2017/18, be noted.

~~~~~



**PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
EMPLOYEES JOINT CONSULTATIVE COMMITTEE**

Minute of meeting of the Employees Joint Consultative Committee, held in Room 410 (Committee Room), 2 High Street, Perth on Thursday 24 May 2018 at 10.00am.

**Present: Representing Perth and Kinross Council:**

Councillors H Anderson; D Illingworth (on behalf of Councillor M Lyle), R McCall and S McCole (all Perth and Kinross Council); K Robertson (on behalf of Executive Director (Education and Children Services)).

**Present: Representing Trade Unions:**

S Hope, F Fraser, T Maric and M Dickson (UNISON);  
S Robertson, L McLaren and T Todd (Unite the Union).

**In Attendance:** K Donaldson (Corporate Human Resources Manager);  
S Flannigan (Environment Service); K Molley and P Steel (both  
Corporate and Democratic Services).

**Apologies:** Councillor M Lyle (Perth and Kinross Council) and H Meldrum  
(GMB)

*S Hope in the Chair*

**1. APPOINTMENT OF CONVENER AND VICE-CONVENER**

Nominations were sought for the appointment of Convener and Vice-Convener.

F Fraser seconded by T Maric nominated S Hope for the Office of Convener.

There being no other nominations S Hope was duly appointed Convener until February 2019.

Councillor R McCall seconded by Councillor D Illingworth nominated Councillor M Lyle for the Office of Vice-Convener.

There being no other nominations Councillor M Lyle was duly appointed Vice Convener until February 2019.

**2. APPOINTMENT OF JOINT SECRETARY**

Nominations were sought for the appointment of Joint Secretary for the Trade Union side.

S Hope seconded by F Fraser nominated L McLaren.

There being no other nominations, L McLaren was duly appointed Joint Secretary for the Trade Union side.

### **3. DECLARATIONS OF INTEREST**

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

### **4. MINUTE OF THE PREVIOUS MEETING**

The minute of meeting of the Employees Joint Consultative Committee of 30 November 2017 was submitted and approved.

### **5. MATTERS ARISING**

#### **(i) Council Construction Charter**

K Donaldson reported that P Steel had been involved in trying to incorporate the Council construction charter into the procurement strategy. G Ramsay was happy with the changes that had been made. In moving forward, K Donaldson emphasised the importance of meeting the requirements of the Council Construction Charter.

#### **(ii) Job Families and Job Matching**

K Donaldson reported that drafts proposals of job families are nearly at the stage of completion. Once this occurs, draft proposals will be sent out to unions for comments and feedback.

#### **(iii) Voluntary Severance Scheme (VSS)**

K Donaldson reported that 39 people had asked to go through the voluntary Severance Scheme (VSS). This will be monitored until the end of March 2019 in terms of service delivery to view the financial implications. K Donaldson suggested at looking into other options instead of using the Voluntary Severance Scheme (e.g flexible retirement and changes to working hours).

#### **(iv) Early Years Expansion**

K Robertson provided a handout of the report on Early Years Expansion which was agreed at the Life Long Learning Committee on 16 May 2018 (18/156) expanding funded Early Learning and Childcare (ELC) from 600 to 1140 hours by 2020. In terms of learning and teaching, it is necessary to engage and get staff involved as much as possible to see what their preferences are on the change of hours.

**6. CORPORATE WORKFORCE PLAN**

There was a presentation by K Donaldson on the Corporate Workforce Plan for Perth & Kinross Council 2018-2021. K Donaldson reported that the Council has now approved the Corporate Workforce Plan which is a vital tool for shaping the future workforce. Trade unions had been involved in a focus group when developing the plan. K Donaldson suggested in moving forward it is important to look at future skill requirements and take a sustainable approach.

In response to a query from L McLaren on reference to salary levels for HGV Drivers, K Donaldson reported that grades are determined through the Job evaluation scheme.

**Resolved:-**

The Corporate Workforce Plan be noted.

**7. TRADE UNION ACT 2017 – FACILITY TIME OFF REPORTING REQUIREMENT**

There was a report submitted (G/18/62) by Human Resources Manager providing information about the requirement for time spent on Trade Unions activities by Council employees to be recorded and reported on each year, as laid out in the Trade Union (Facility Time Publications Requirements) Regulations 2017.

T Todd expressed his concern of his service not having access to my MyView to enter any short time absences for trade union activities from work. P Steel emphasised that in moving forward access to the system should be made electronically so all employees can use MyView to record any absences. In response to a query from L McLaren on ensuring accuracy of timings of absences, P steel mentioned that it is possible to go online and edit the time later if you are unable to enter the details at the current time to show a correct record of absence.

K Donaldson highlighted that it is important to look at the system over the current year and analyse how well it is working.

**Resolved:**

The report on Trade Union Act 2017 – Facility Time off Reporting Requirement be noted.

**8. FIXED TERM CONTRACTS**

There was a report submitted (G/18/63) by Human Resources Manager, updating the Employees Joint Consultative Committee on changes to the Council's approach to fixed term contracts by introducing the option to recruit to a fixed term vacancy on a permanent basis where there is a clear business case and; (2) this approach will support the organisation in preparing for an

emerging future, ensuring we have a resilient, adaptable workforce and providing a return on the investment in skills and talent.

K Donaldson reported that the change in focus in the Customer and Business Support Review means it is now possible to review the higher than normal number of fixed term contracts which are in place. Having a permanent contract helps support the financial wellbeing of staff and removes uncertainty which can help reduce turnover. K Donaldson added that it would be worth looking at market testing roles where there is high turnover.

In response to a query from S Hope on competition across Scotland increasing despite single status, K Donaldson reported that each Council sets their own grades and has their own structure put in place under the evaluation scheme so similar jobs across different councils may be paid differently. K Donaldson explained the council uses benchmarking to compare ourselves with other local authorities to ensure grades are competitive.

**Resolved:**

The report on Fixed Term Contracts be noted.

**9. ETHICAL CARE CHARTER**

The Ethical Care Charter was submitted by UNISON focusing on home care and how well residents are being looked after in their own home. K Donaldson reported that the new framework agreements for the commissioning of homecare address most aspects of the charter. The Service continues to commission 15 minute visits and work is in progress to minimise this where possible. Care plans are outcomes focussed but visits are still commissioned on a task and time basis. The aim is to move to a different way of commissioning those visits and there will be a workshop later this year with care providers and social work teams to explore how we can move towards a system that allows providers and service users agree how their assessed needs can be met, improving the use of technology and minimising 15 minute visits.

**Resolved:**

The Ethical Care Charter be noted.

**10. MAXIMISING ATTENDANCE POLICY**

A verbal update was given by P Steel on the maximising attendance policy. P Steel reported that a meeting was being held with relevant officers to re-examine our approach to wellbeing and the Maximising Attendance Policy and ensuring that they reflect the General Data Protection Regulations. In moving forward, it is important to see what the current issues are and how the new framework can be implemented to reduce any problems.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 676(iv)) (Appendix III)  
28 NOVEMBER 2018

S Robertson emphasised that it is necessary to review the new data regulations over the summer period and assess how we are using data and what we do with it.

**Resolved:**

The update on Maximising Attendance Policy, be noted.

**11. OTHER COMPETENT BUSINESS**

There were no other items of business to be considered.

**12. DATE OF NEXT MEETING**

27 September 2018 at 10.00am

~~~~~

## PERTH AND KINROSS INTEGRATION JOINT BOARD

Minute of Meeting of the Perth and Kinross Integration Joint Board (IJB) held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Friday 22 June 2018 at 9.30am.

**Present:**

**Voting Members**

Councillor C Stewart, Perth and Kinross Council (Vice-Chair)  
Councillor C Ahern, Perth and Kinross Council  
Councillor E Drysdale, Perth and Kinross Council  
Councillor A Jarvis, Perth and Kinross Council  
S Hay, Tayside NHS Board (Chair)  
L Birse-Stewart, Tayside NHS Board

**Non-Voting Members**

J Pepper, Chief Social Work Officer, Perth and Kinross Council  
R Packham, Chief Officer  
J Smith, Chief Finance Officer  
J Foulis, NHS Tayside (up to and including Item 10.3)  
Dr C Rodriguez

**Additional Members**

Dr D Walker, NHS Tayside  
Dr A Noble, External Adviser to Board

**Stakeholder Members**

A Drummond, Staff Representative, NHS Tayside  
H MacKinnon, Third Sector Interface  
M Summers, Carer Public Partner (substituting for B Campbell)  
S Auld, Service User Public Partner (substituting for L Lennie)

**In Attendance:**

G Taylor, Clerk; S Hendry, C Mailer, and S Richards (all Perth and Kinross Council); H Dougall, V Aitken, C Jolly, D Mitchell, K Ogilvy and S Gourlay (all Perth and Kinross Health and Social Care Partnership); and D Huband, NHS Tayside.

**Apologies:**

Dr R Peat, Tayside NHS Board  
Dr D Carey, Independent Contractor  
Dr A Noble, External Advisor to Board  
Dr D Walker, NHS Tayside  
F Fraser, Staff Representative, Perth and Kinross Council  
B Campbell, Carer Public Partner  
L Lennie, Service User Public Partner  
D Fraser and E Devine (both Perth and Kinross Health and Social Care Partnership)

**1. WELCOME AND APOLOGIES**

S Hay welcomed all those present to the meeting and apologies were noted as above.

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made in terms of the Perth and Kinross Integration Joint Board Code of Conduct.

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth and Kinross Integration Joint Board of 23 March 2018 was submitted and approved as a correct record.

**4. ACTION POINT UPDATE**

There was submitted and noted the action point update for the Perth and Kinross Integration Joint Board as at 22 June 2018 (G/18/90).

**5. MATTERS ARISING**

**(i) Correspondence (Item 9.1 refers)**

S Hay referred to discussions that had taken place at the meeting of Perth and Kinross Council on 25 April 2018 regarding the decision at the previous meeting of the Board on the closure of Beechgrove Care Home.

It was confirmed that S Hay had subsequently held discussions with the Leader of Perth and Kinross Council, and that further meetings would be taking place between the Chief Officer, Chairman and Chief Executive of NHS Tayside and other Council Leaders within Tayside regarding communications between the relevant organisations.

**6. BOARD MEMBERSHIP UPDATE**

There was submitted a report by the Clerk to the Board (G/18/91) updating the Board on a number of recent appointments to the voting members of the Board. The report also made proposals in terms of the appointment of non-voting members to the Board, as well as further appointments to the Audit and Performance Committee.

**Resolved:**

- (i) The updated membership of the Board, set out in Appendix 1 of Report G/18/91, be noted;
- (ii) It be further noted that as of 21 July 2018, the voting members from Perth and Kinross Council would be Councillors C Stewart, C Purves, E Drysdale and

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 676(v)) (Appendix IV)  
28 NOVEMBER 2018

X McDade, with Councillors C Ahern, A Jarvis, T McEwan and A Bailey as Proxy members;

- (ii) Dr Douglas Lowden / Dr Cesar Rodriguez be appointed as non-voting / co-members of the Board.
- (iii) The terms of office for both Bernie Campbell and Maureen Summers in their respective roles as public partners be extended until 31 May 2019.
- (iv) Dr R Peat be appointed to the Audit and Performance Committee;
- (v) Councillor C Purves be appointed a member and Chair of the Audit and Performance Committee from 21 July 2018.

## **7. POSITION OF CLERK TO THE BOARD AND STANDARDS OFFICER**

The Board noted that the current Clerk to the Board, G Taylor, Head of Democratic Services, Perth and Kinross Council was retiring from her post on 30 November and would be resigning as Clerk with effect from 30 September 2018.

It was agreed that S Hendry, Team Leader (Committee Services), Perth and Kinross Council be appointed as Clerk and Standards Officer with effect from 1 October 2018.

## **8. REDESIGN OF SUBSTANCE USE SERVICES IN PERTH AND KINROSS**

There was submitted a report (G/18/92) by C Mailer, Chair of the Perth and Kinross Alcohol and Drug Partnership, providing an update on the redesign of substance use services and the implementation of a Recovery Oriented System Of Care in Perth and Kinross.

C Mailer and K Ogilvy provided the Board with a slide based presentation on the redesign of substance use services in Perth and Kinross.

### **Resolved:**

- (i) The progress to date, as set out in Report G/18/92, be noted;
- (ii) The proposed redesign in patient detox beds at Kinclaven, as set out in Report G/18/92, be noted;
- (iii) The redesign of community based substance use services, as set out in Report G/18/92, be approved;
- (iv) The Chair of the Alcohol and Drug Partnership be instructed to provide a further report on both reviews to the Board in June 2019.

## **9. FINANCE AND GOVERNANCE**

### **9.1 REVISION TO INTEGRATION SCHEME**

The Carers (Scotland) Act 2016 came into force on 1 April 2018. As part of the requirements of the legislation, provisions from the Act required to be incorporated into those regulations that support the Public Bodies (Joint Working) (Scotland) Act 2014. Local Authorities and Health Boards were required to revise Integration Schemes for Joint Boards to include the new list of functions and duties for delegation to the Boards. As this was a technical amendment to the Integration



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 676(v)) (Appendix IV)  
28 NOVEMBER 2018

Scheme, Scottish Ministers have approved these revisions made under delegated powers.

The Board noted the position and the updated Integration Scheme available at [www.pkc.gov.uk/ijb](http://www.pkc.gov.uk/ijb).

IT WAS AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT

### **9.3 2017/18 FINANCIAL POSITION**

There was submitted a report by the Chief Finance Officer (G/18/94) providing a summary of the issues impacting on the Board's financial position of Perth and Kinross IJB in 2017/18, for the year ended 31 March 2018.

**Resolved:**

The year end out-turn for 2017/18, as detailed in Appendix 1 to Report G/18/94, be noted.

### **9.5 AUDIT AND PERFORMANCE COMMITTEE - UPDATE**

Councillor C Ahern, Chair of the Audit and Performance Committee, provided the Board with a verbal update from the last [meeting of the Committee on 19 June 2018](#).

It was noted that in relation to governance and accountability arrangements, that the Chief Officer was continuing to have meetings with senior officers from both Perth and Kinross Council and NHS Tayside with work in progress.

It was noted that in relation to Clinical and Care Governance, it was agreed that a sub-committee of the Audit and Performance Committee be established to replace the current remit of the Clinical and Care Governance Forum.

It was noted that further discussions had taken place in relation to complaints for 2017/18, the Annual Performance Report for 2017/18, Annual Governance Statement and the Chief Internal Auditor's Annual Report and Assurance Statement 2017/18 for the IJB. The Unaudited Annual Accounts for 2017/18 had been approved by the Committee for consideration by the Board and T Gaskin and Fife, Tayside and Forth Valley (FTF) Internal Audit Services had been approved as the IJB's Chief Internal Auditor and Internal Auditors for 2018/19.

The Board noted the update.

### **9.2 UNAUDITED ANNUAL ACCOUNTS 2017/18**

There was submitted a report by the Chief Finance Officer (G/18/93) presenting the Board's Unaudited Annual Accounts for the financial year 2017/18 in accordance with the Local Authority Accounts (Scotland) Regulations 2014.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 676(v)) (Appendix IV)  
28 NOVEMBER 2018

It was noted that in relation to section 3.2 of the report, 2016/17 should be replaced by 2017/18. It was further noted that in relation to page 23 of the Accounts, the word reinstated should be added under the income and expenditure section.

**Resolved:**

The Chief Officer be authorised to sign the Unaudited Annual Accounts, as appended to Report G/18/93, prior to submission of the Accounts to the Controller of Audit by 30 June 2018.

#### **9.4 2018/19 FINANCE UPDATE**

There was submitted a report by the Chief Finance Officer (G/18/95) setting out an update on the development of the Board's 2018/19 Financial Plan and setting out the key financial risks to delivery of financial balance for the year ahead.

**Resolved:**

- (i) It be noted that a gap of £920k remains in the 2018/19 Financial Plan driven by Inpatient Mental Health and GP Prescribing, as set out in Report G/18/95.
- (ii) The key financial risks that may further impact on the ability of the Board to deliver financial balance, as set out in Report G/18/95, be noted;
- (iii) The non-recurring budget to be allocated by NHS Tayside in 2018/19 to meet specific Board funding commitments which have slipped from 2017/18, as set out in Report G/18/95, be noted;
- (iv) The confirmation of the £1.685M Scottish Government earmarked recurring funding to meet Primary Care and Mental Health priorities in Perth and Kinross be noted.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 11.22AM

## **10. DEVELOPING STRATEGIC OBJECTIVES**

### **10.1 CHIEF OFFICER STRATEGIC UPDATE**

There was submitted a report by the Chief Officer (G/18/96) providing an update on progress against tasks outlined in the rolling actions list for the Board.

**Resolved:**

- (i) The updates within Report G/18/96 on the following areas be noted:
  - Integrated Workforce Plan
  - Development of a Healthy Organisational Culture
  - Mental Health Transformation Programme
  - Working with Public Partners
  - Strategic Planning.
- (ii) The Chief Officer to submit a forward planner for 2019 Board meetings to the next meeting of the Board.

## **10.2 GP ENGAGEMENT FUNDING**

There was submitted a report by the Clinical Director (G/18/97) seeking approval for 2018/19 GP Engagement Funds to support effective GP Prescribing.

### **Resolved:**

The investment of £211k in 2018/19 for the GP Engagement Programme, as detailed in Report G/18/97, be approved.

## **10.3 TAYSIDE PRIMARY CARE IMPROVEMENT PLAN 2018 TO 2021**

There was submitted a report by the Clinical Director (G/18/98) seeking approval from the Integration Joint Board for the NHS Tayside Primary Care Improvement Plan.

Dr H Dougall and C Jolly provided the Board with a slide based presentation on the contents and proposals within the Improvement Plan.

### **Resolved:**

- (i) The content of the Tayside Primary Care Improvement Plan, in so far as it pertains to Perth and Kinross, and attached as Appendix 1 of Report G/18/98, be approved;
- (ii) The programme management approach being taken in Perth and Kinross in respect to the ongoing delivery of changes to General Medical Services, as detailed in Report G/18/98, be endorsed;
- (iii) In terms of the timescales, the Executive Management Team of the Perth and Kinross Health and Social Care Partnership be given authority to begin the necessary recruitment processes in line with the purpose of the Improvement Plan;
- (iv) The Chief Officer to meet with A Drummond regarding the concerns raised on the job evaluation process and report back to the next meeting of the Board;
- (v) The Clinical Director be instructed to submit updates on business cases to future meetings of the Board for information.

J FOULIS LEFT THE MEETING AT THIS POINT

## **10.4 ANNUAL PERFORMANCE REPORT 2017/18**

Due to the timescales involved in the publication of the Annual Performance Report 2017/18 by 31 July 2018, the Chief Officer be instructed to circulate the draft report to Board members for comment and a special meeting of the Audit and Performance Committee to be called to approve the report prior to 31 July 2018.

## **11. UPDATE REPORTS FOR INFORMATION**

There were submitted and noted the following reports for information:

- 11.1 **2017/18 WINTER PLAN REVIEW** – Report by Chief Officer (G/18/99)
- 11.2 **UPDATE ON THE IMPLEMENTATION OF THE SOCIAL CARE (SELF DIRECTED SUPPORT) (SCOTLAND) ACT 2013 IN PERTH AND KINROSS**  
– Report by Chief Officer (G/18/101)

**Note** – a further update on the above report to be provided to the Board in 12 months time.

- 11.3 **EQUALITY OUTCOMES PROGRESS REPORT** – Report by Chief Officer (G/18/101)
- 11.4 **TECHNOLOGY AND INNOVATION IN HEALTH AND SOCIAL CARE** –  
Report by Scottish Parliament Health and Sport Committee (G/18/102)
- 11.5 **ANNUAL REPORT FOR VOLUNTEERING IN NHS TAYSIDE 2017** – Report  
by NHS Tayside (G/18/103)

## 12. **FUTURE MEETING DATES 2018**

Friday 24 August 2018 at 9.30am – Briefing Session  
Monday 24 September 2018 – Training Workshop – Standards Commission  
for Scotland

**Friday 28 September 2018 at 9.30am – Board Meeting**

Friday 26 October 2018 at 9.30am – Briefing Session

**Friday 30 November 2018 at 9.30am – Board Meeting**

## 13. **VALEDICTORY**

The Chair referred to this being the last meeting of the Board for Helen MacKinnon from PKAVS who represented the Third Sector Interface. The Chair thanked Helen for her contribution to the work of the Board and wished her well in her new role.

~~~~~

## **SCRUTINY COMMITTEE**

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 28 November 2018 at 1.00pm.

Present: Councillors G Laing, S McCole, C Ahern, D Doogan, J Duff (from Art. 691 onwards) (substituting for Councillor H Coates) D Illingworth, T McEwan, A Parrott, C Purves and C Stewart.

In Attendance: S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Housing and Environment); R Packham and D Fraser (Perth and Kinross Health and Social Care Partnership); J Pepper, R Hill, J Chiles and R Drummond (all Education and Children's Services); C Hendry, C Mailer, P Marshall and E McLaughlin (all Housing and Environment); F Robertson, L Simpson, L Aitchison, S Hendry, M Mahmood, L Potter and D Williams (all Corporate and Democratic Services).

Apologies: Councillors M Barnacle and H Coates.

Councillor G Laing, Convener, Presiding.

### **688. WELCOME AND APOLOGIES**

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

### **689. DECLARATIONS OF INTEREST**

- (i) Councillor Laing declared a non-financial interest in Art. 691.
- (ii) Councillor C Ahern declared a non-financial interest in Art. 692(i).
- (iii) Councillors C Purves and C Stewart declared a non-financial interest in Art. 692(i) and (ii).

### **690. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 12 SEPTEMBER 2018**

The minute of meeting of the Scrutiny Committee of 12 September 2018 was submitted, approved as a correct record and authorised for signature.

HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, COUNCILLOR LAING VACATED THE CHAIR. COUNCILLOR MCCOLE, VICE-CONVENER, PRESIDED FOR THE FOLLOWING ITEM.

**691. UPDATE BY ARMS' LENGTH EXTERNAL ORGANISATION**

**(i) Live Active Leisure Ltd**

COUNCILLOR J DUFF ENTERED THE MEETING DURING CONSIDERATION OF THIS ITEM

P Cromwell, Chief Executive and D Longmuir, Board Member, Live Active Leisure, provided a verbal update on the transition between Chief Executives; financial performance and funding; work with national sporting organisations; marketing; and answered a number of questions from members.

Members sought assurance on matters such as: maintenance costs of facilities; visitor attendances at facilities; and services across Perth and Kinross.

Both the Vice-Convenor and the Convenor thanked the representatives of Live Active Leisure Ltd for their attendance and they left the meeting at this point.

COUNCILLOR LAING RESUMED THE CHAIR AT THIS POINT.

F ROBERTSON LEFT THE MEETING AT THIS POINT.

S DEVLIN AND B RENTON ENTERED THE MEETING AT THIS POINT.

**692. PERTH AND KINROSS HEALTH AND SOCIAL CARE PARTNERSHIP**

**(i) PERTH AND KINROSS HEALTH AND SOCIAL CARE PARTNERSHIP ANNUAL PERFORMANCE REPORT 2017/18**

There was submitted a report by the Chief Officer, Perth and Kinross Health and Social Care Partnership (18/398) presenting the Annual Performance Report for the Partnership for the year 2017/18, which was approved by the Perth and Kinross Integration Joint Board Audit and Performance Committee in July 2018. The Report set out performance against National Health and Wellbeing Outcomes, as well as progress towards the achievement of ambitions outlined within the Strategic Commissioning Plan 2016-19.

R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership, informed members that the submission of an Annual Report was a requirement of Scottish Government, and this was the second Annual Report published by Perth and Kinross Health and Social Care Partnership. R Packham added that data had been acquired from a number of sources.

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
28 NOVEMBER 2018

In response to a query from Councillor Illingworth regarding Care at Home, R Packham informed members that a review of the entirety of Care at Home provision was presently being undertaken.

In response to a query from Councillor Doogan regarding digitally enabled care, D Fraser, Health and Social Care Partnership, informed members that this was still at a trial stage, adding that the Telecare service was still operational.

In response to a query from Councillor McCole regarding Inpatient and mental health services, R Packham informed members that a significant amount of work was being undertaken with regards to mental health services across Tayside, in addition to there being a large amount of scrutiny surrounding mental health services across Tayside. R Packham added that an independent enquiry would be reporting in due course.

Councillor Laing requested that in future, as opposed to coming to Scrutiny Committee on an annual basis, representatives from the Perth and Kinross Health and Social Care Partnership provide an update to Scrutiny Committee three times a year.

**Resolved:**

The contents of Report 18/398, be noted.

**(ii) CARE INSPECTORATE INSPECTIONS 2017/18**

There was submitted a report by the Chief Officer, Perth and Kinross Health and Social Care Partnership (18/395) advising the Scrutiny Committee of the key findings of inspections carried out in Perth and Kinross by the Care Inspectorate during 2017/18. The Report highlighted some excellent performance and grades awarded by the Inspectorate across the majority of services, as well as some areas for improvement. A similar report had been noted by the Integration Joint Board on 28 September 2018.

Councillor Laing commended the high gradings throughout the Report, with Councillor Illingworth also commending the Report.

**Resolved:**

The contents of Report 18/395, be noted.

**693. HOUSING AND ENVIRONMENT SIX MONTH PERFORMANCE SUMMARY 2018-19 – EXCEPTION REPORT**

There was submitted a report by the Executive Director (Housing and Environment) (18/346) reviewing the performance of Housing and Environment against its Business Management and Improvement Plan (BMIP) for the period 1 April to 30 September 2018. A short video was played prior to consideration of this

item. The report had also been considered by the Housing and Communities Committee on 31 October 2018 and the Environment and Infrastructure Committee on 7 November 2018.

In response to a query from Councillor McEwan regarding the replication of Glenfarg Zero-Waste Challenge in other areas of Perth and Kinross, B Renton, Executive Director (Housing and Environment), stated that numerous schemes had been undertaken with Zero-Waste Scotland. However, due to a cessation in funding from Zero-Waste Scotland, there would now be a view for community groups to undertake such schemes, providing examples of Strathearn and Highland Perthshire.

**Resolved:**

The contents of Report 18/346, be noted.

C HENDRY AND C MAILER LEFT THE MEETING AT THIS POINT

**694. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC)  
STANDARDS AND QUALITY REPORT 2017-2018**

There was submitted a report by the Chief Social Worker (18/320), in compliance with National Guidance for Child Protection in Scotland 2014, providing an annual Standards and Quality Report for the Perth and Kinross Child Protection Committee (CPC). The Standards and Quality Report, for the academic year 2017-2018 provided an overview of key activities of the work of the CPC to protect children and young people from harm, abuse and exploitation. The report identified achievements, key strengths and area for further improvement. It also set out a programme of improvement for the next two years.

J Pepper, Chief Social Worker, informed members that the report had been considered by several groups and had been considered by Council at its meeting of 3 October 2018. She added that the report aided understanding on how to continue self-evaluation, and added that B Atkinson had recently been appointed as Independent Chair of both the CPC and the Perth and Kinross Adult Protection Committee.

**Resolved:**

The contents of Report 18/320, be noted.

**695. PERTH AND KINROSS ADULT PROTECTION COMMITTEE BI-ENNIAL  
REPORT 2016-18**

There was submitted a report by the Chief Social Worker (18/325) providing an update of the work of the Perth and Kinross Adult Protection Committee (APC) and activity over the 2016-2018 period. A bi-ennial report is required for submission to Scottish Government by law. This Report had been considered by Council at its meeting of 3 October 2018.



PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
28 NOVEMBER 2018

In response to a query from Councillor Laing regarding incidents in Care Homes, M Notman, Housing and Environment, informed Councillor Laing of the varying levels of incidents reported to the Adult Protection Committee, explaining that it would then be up to the Adult Protection Committee as to whether this met the threshold. Councillor Laing stated that it was positive that incidents were being reported.

**Resolved:**

The contents of Report 18/325, be noted.

R DRUMMOND LEFT THE MEETING AT THIS POINT

*THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 3.20PM.*

**696. RAISING ATTAINMENT STRATEGY UPDATE 2018**

There was submitted a report by the Executive Director (Education and Children's Services) (18/352) providing a 2018 progress update on the Raising Attainment Strategy 2016-2019. It also presented information on a range of measures designed to both improve performance and monitor progress of improvements. Progress and performance highlights were provided in the Executive Summary. The report had also been considered by the Lifelong Learning Committee on 31 October 2018.

In response to a query from Councillor Doogan regarding how to accelerate the gradual improvement in milestones, S Devlin, Executive Director (Education and Children's Services) informed members that work was being undertaken with colleagues in Health regarding speech and language therapy, also highlighting the importance of early intervention. R Hill, Education and Children's Services, added that work was being undertaken with schools on the provision of numeracy.

**Resolved:**

The contents of Report 18/352, be noted.

J CHILES AND R HILL LEFT THE MEETING AT THIS POINT

**697. COUNCIL COMPLAINTS PERFORMANCE REPORT 2017-18**

There was submitted a report by the Head of Legal & Governance Services (18/396) providing assurance that the Council had an adequate and effective Complaints Handling Procedure in place and details of work undertaken to improve the Council's handling of complaints and to support staff in dealing with complaints.

L Simpson, Head of Legal and Governance Services, highlighted to members that the procedures in place to deal with complaints were robust, and that very few cases had gone to the Scottish Public Services Ombudsman (SPSO).

Councillor Purves queried whether it might be useful to distinguish between operational and strategic complaints. In response, L Simpson informed members

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
28 NOVEMBER 2018

that the main concern of the SPSO was simply that there were complaints, rather than the specific nature of complaints.

In response to a query from Councillor Stewart regarding the monitoring and usage of complaints to contribute to continuous improvement, L Simpson informed members that with work with individual services on recognising, handling, and capturing complaints was taking place, and work was ongoing to utilise these aspects for continuous improvement.

**Resolved:**

The contents of Report 18/396 be noted, and it be further noted that performance of the Complaints Handling Procedure would continue to be monitored and reviewed throughout the year.

**698. DEVELOPER CONTRIBUTIONS**

There was submitted a report by the Executive Director (Housing and Environment) (18/397) providing information on the application of the Developer Contributions and Affordable Housing Supplementary Guidance to single house developments. Through a number of informal persons, the Committee had been provided with information in relation to the operation of the policy and supplementary guidance. The report provided background to the key areas which were identified for further consideration in relation to the application of the guidance.

In response to a query from Councillor Parrott regarding the length of time taken for contributions, E McLaughlin, Housing and Environment, informed members that with larger developments which can take longer to complete, Section 75 Legal Agreements can still be ongoing.

Councillor Doogan commented that presenting both received and outstanding contributions would provide the fullest picture with regards to contributions and it was agreed that this information should be circulated to members of both the Scrutiny Committee and Planning, Policy and Practice Member/Officer Working Group.

**Resolved:**

The contents of Report 18/397, be noted.

~~~~~

## **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 11 December 2018 at 10.30am.

Present: Councillors L Simpson, B Brawn, and R Watters.

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

Also Attending: C Brien (Housing and Environment); L Aitchison (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **699. DECLARATIONS OF INTEREST**

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

### **700. MINUTE**

The minute of meeting of the Local Review Body of 13 November 2018 was submitted and noted.

THE LOCAL REVIEW BODY UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.

### **701. DEFERRED APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(550)  
Planning Application – 18/00473/FLL – Erection of a wind turbine and associated works on land south east of Warlawhill Farm, Carnbo, Kinross – Ecotricity**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a wind turbine and associated works on land south east of Warlawhill Farm, Carnbo, Kinross.

It was noted that, at its meeting of 16 October 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) the applicant providing a set of full size photographs for VP's 9 and 10, and the additional photographs for VP's 7 and 8, and; (ii) an unaccompanied site visit. With all further information having been received, and the unaccompanied site visit having taken place on 5 December 2018, the Local Review Body reconvened.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 5 December 2018, insufficient information was before the Local Review Body to determine the matter without further procedure due to the lack of visibility during the site visit;
- (iii) a further unaccompanied site visit be carried out;
- (iv) following the completion of a further unaccompanied site visit, the application be brought back to the Local Review Body.

**702. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(555)  
Planning Application – 17/02026/FLL – Erection of 17 huts, formation of car parking and associated works on land at Gellybanks Farm, Bankfoot – Mr T Newall-Watson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 17 huts, formation of car parking and associated works on land at Gellybanks Farm, 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.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) the applicant be requested to submit a copy of previous appeal decision notice – reference PPA-340-2091;
- (iii) an unaccompanied site visit be carried out;
- (iv) following the receipt of all requested further information, the application be brought back to the Local Review Body.

- (ii) **TCP/11/16(557)  
Planning Application – 18/01142/FLL – Change of use from agricultural land to equestrian, siting 2 containers to provide field shelter and storage and formation of parting (in retrospect) at Cuil Farm, Boltachan, Aberfeldy – Ms A McLeod**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use from agricultural land to equestrian, siting 2 containers to provide field shelter and storage and formation of parting (in retrospect) at Cuil Farm, Boltachan, Aberfeldy.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

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 change of use from agricultural land to equestrian, siting 2 containers to provide field shelter and storage and formation of parking (in retrospect) at Cuil Farm, Boltachan, Aberfeldy, be refused for the following reasons:
  1. The proposal is contrary to Policies PM1A and PM1B (b) and (c) 'Placemaking', of the Perth and Kinross Local Development Plan 2014, as the design and layout of the unit, by virtue of its open nature on the South East elevation and confined layout, does not contribute positively to the quality of place or respect the rural environment in which the proposal is located. Furthermore, the proposal would set an undesirable precedent for similar future development in this area.
  2. The proposal is contrary to Policy ER6 (a) 'Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes', of the Perth and Kinross Local Development Plan 2014, as the siting of the unit in the open countryside erodes the visual amenity of the place, resulting in the landscape character of the area being compromised.

**Justification**

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

- (iii) **TCP/11/16(560)  
Planning Application – 18/00450/FLL – Siting of 4 holiday accommodation units, formation of a vehicular access and associated works, Hillview, Kinnard, Blairadam, Kelty – Mr D Allan**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the siting of 4 holiday accommodation units, formation of a vehicular access and associated works, Hillview, Kinnard, Blairadam, Kelty.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

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 siting of 4 holiday accommodation units, formation of a vehicular access and associated works, Hillview, Kinnard, Blairadam, Kelty, be refused for the following reasons:

1. The proposal is contrary to Policy ED4C (a), (b) and (c), Caravan sites, Chalets and Timeshare Development, of the Perth and Kinross Local Development Plan 2014. The proposal a) does not involve the expansion of an existing chalet park or b) is not the expansion of an existing facility nor is it replacing static caravans with more permanent structures or c) it does not meet a specific need by virtue of its quality or location.
2. The proposal is contrary to Policy ED3, Rural Business and Diversification, of the Perth and Kinross Local Development Plan 2014. It is not within or adjacent to a settlement boundary and it has not been demonstrated that the development would improve the quality of new or existing visitor facilities, allow a new market to be exploited or extend the tourism season.
3. The proposal is contrary to Policy PM1A, Placemaking, of the Perth and Kinross Local Development Plan 2014. The development would not contribute positively to the quality of the built and natural environment. The design and siting of the development does not respect the character and amenity of the place and does not create and improve links within and beyond the site, due to the high density of the proposal, the inadequate standard of amenity space, and the lack of landscaping and landscape containment.

**Justification**

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

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

(iv) **TCP/11/16(561)**  
**Planning Application – 18/00964/IPL – Erection of a dwellinghouse (in principle) on land 60 metres south west of 1 Couttie Bridge Cottage, Coupar Angus – Mr A Espley**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 60 metres south west of 1 Couttie Bridge Cottage, Coupar Angus.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle) on land 60 metres south west of 1 Couttie Bridge Cottage, Coupar Angus, be refused for the following reason:
  1. The proposal, by its physical location is not considered to be part of either a) an existing building group or, b) an infill site – both as defined by Policy RD3 of the Perth and Kinross Local Development Plan 2014 and Perth and Kinross Council's Housing in the Countryside Guide 2012. To this end, the proposal is contrary to both Policy RD3 of the Perth and Kinross Local Development Plan 2014 and Perth and Kinross Council's Housing in the Countryside Guide 2012 as the development fails to accord with any of six categories of acceptable development in relation to new housing in the open countryside.

**Justification**

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

**Note:** Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for the erection of a dwellinghouse (in principle) should be granted. In his view, whilst accepting that the proposal would be contrary to the Policy RD3 of the Perth and Kinross Local Development Plan 2014, and the associated Housing in the Countryside Guide 2012, the site would be suitable for a dwelling in this instance.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

- (v) **TCP/11/16(562)**  
**Planning Application – 18/00726/FLL – Change of use and alterations to agricultural steading to form 2 dwellinghouses, alterations to existing vehicular access and associated works (in part retrospect) at Hosh Farm Steading, The Hosh, Crieff, PH7 4HA – Mr R Findlay**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse change of use and alterations to agricultural steading to form 2 dwellinghouses, alterations to existing vehicular access and associated works (in part retrospect) vehicular access and associated works (in part retrospect) at Hosh Farm Steading, The Hosh, Crieff, PH7 4HA.

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 change of use and alterations to agricultural steading to form 2 dwellinghouses, alterations to existing vehicular access and associated works (in part retrospect) vehicular access and associated works (in part retrospect) at Hosh Farm Steading, The Hosh, Crieff, PH7 4HA, be refused for the following reason:
1. The proposal is contrary to Policy EP2, New Development and Flooding of the Perth and Kinross Local Development Plan 2014, as the proposed development is located in an area where there is a significant probability of flooding and a satisfactory flood risk assessment has not been provided to confirm that the increase in residential dwelling units on the site can be accommodated without an increase in the number of people potentially being at risk from flooding.

**Justification**

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

**Note:** The Members of the Local Review Body requested that, in the event of any further application for this site, consideration be given by the Council as Planning Authority to waiving the Developer Contribution relating to Education.



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

**(vi) TCP/11/16(563)**  
**Planning Application – 18/01255/FLL – Extension to dwellinghouse at 7 Ardblair Road, Blairgowrie – Mr C Duncan**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse extension to dwellinghouse at 7 Ardblair Road, Blairgowrie.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised 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 be requested to provide the Decision Notice and Report of Handling prepared by the Appointed Officer, recognising that those documents have no formal status.
- (ii) the applicant be requested to comment on the information contained in the Decision Notice and Report of Handling documents;
- (v) following the receipt of all requested further information, the application be brought back to the Local Review Body.

THERE FOLLOWED A 40 MINUTE RECESS

**(vii) TCP/11/16(564)**  
**Planning Application – 18/00912/FLL – Formation of a vehicular access at Crindledyke, High Street, Rattray, Blairgowrie – Mr E Mieзитis**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse formation of a vehicular access at Crindledyke, High Street, Rattray, 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.

**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.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

Thereafter, resolved by majority decision that:

- (ii) the Review application for the formation of a vehicular access at Crindledyke, High Street, Rattray, Blairgowrie, be refused for the following reasons:
1. In the interests of pedestrian and traffic safety; the restricted space and inability to park perpendicular or provide turning facilities within the site is contrary to policies contained with the National Roads Development Guide and Policy PM1B (e) of the Perth and Kinross Local Development Plan 2014, which states that all buildings, streets and spaces should create safe, accessible, inclusive places for people.
  2. The proposal is contrary to Perth and Kinross Local Development Plan 2014 Placemaking Policies PM1A and PM1B (c), which require development to contribute positively to the quality of the surrounding built environment and respect the character of and amenity of the place. The proposed development would not respect the character and amenity of the area due to the removal of a section of the original boundary wall and railings.
  3. The proposal does not accord with Perth and Kinross Local Development Plan 2014 Policy RD1: Residential Area. The front garden area makes a positive contribution to the setting and residential amenity of the house. It was further noted that alternative on street vehicular parking facilities exist nearby.

**Justification**

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

**Note:** Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for formation of vehicular access granted. In his view, the proposal complied with Policies PM1A and PM1B of Perth and Kinross Local Development Plan 2014, as he did not consider the road safety aspect to be significant and also reasoned there had been precedence of similar development in the area.

- (viii) **TCP/11/16(565)**  
**Planning Application – 18/00024/FLL – Alterations to building (in retrospect), staff accommodation, Dunalastair Hotel, Kinloch Rannoch, Pitlochry – Mr K Usmani**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to building (in

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

retrospect), staff accommodation, Dunalastair Hotel, Kinloch Rannoch, Pitlochry.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for alterations to building (in retrospect), staff accommodation, Dunalastair Hotel, Kinloch Rannoch, Pitlochry, be refused for the following reason:
  - 1. The dormer extensions, by virtue of the excessive proportions, inappropriate combined bulk, massing, design and composition, does compromise the character and architectural integrity of the host building, resulting in an adverse impact on the visual amenity of the area.. Approval would therefore be contrary to Policies RD1, PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that development contributes positively to the character and appearance of the area by complementing its surroundings in terms of design, appearance, scale and massing.

**Justification**

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

- (ix) **TCP/11/16(566)  
Planning Application – 18/01103/FLL – Alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol – Mrs A Anderson**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for alterations to dwellinghouse and boundary walls, erection of retaining wall, landscaping and associated landscaping works (in part retrospect), 2 Croft Terrace, Errol, be refused for the following reasons:
  1. There is a lack of provision of acceptable manoeuvring space within the curtilage of the site to enable a vehicle to enter and leave the site in forward gear. The proposal is, therefore, contrary to the overarching principles of Policy PM1B (e) of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.
  2. The development fundamentally alters the boundary line at the front of the property, to the detriment of the historic and visual relationship with the neighbouring property and to 2 Croft Terrace. Approval would therefore be contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, which seeks to safeguard listed buildings from inappropriate development.
  3. The proposed development is contrary to Policy HE3(a) of the Perth and Kinross Local Development Plan 2014, as the alteration to the boundary line at the front of the property does not protect or enhance the character or appearance of Errol 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.

**701. DEFERRED APPLICATIONS FOR REVIEW (Continued)**

- (ii) **TCP/11/16(543)**  
**Planning Application – 18/00489/IPL – Erection of a dwellinghouse (in principle) on land 100 metres north east of Logiebrae, Craigie, Clunie – Ms K Walker**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

(in principle) on land 100 metres north east of Logiebrae, Craigie, Clunie.

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 21 August 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) the Development Quality Manager submitting a copy of the appeal decision letter regarding planning application 08/01216/FUL; (ii) the Development Quality Manager supplying copies of relevant Eastern Area Development Plan policies as referred to in appeal decision regarding planning application reference 08/01216/FUL; (iii) the Development Quality Manager submit plans and decision notice for the erection of agricultural shed reference 09/00170/FUL; (iv) the Applicant be submitting any available documentation which illustrates and establishes the history and nature of the former use(s) of the ruinous building within the application site; (v) the Development Quality Manager commenting on the relevance of Local Development Plan Policy EP6(a), notably in relation to replacement buildings; (vi) an unaccompanied site visit. With all further information having been received, and the unaccompanied site visit having taken place on 5 December 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, with all requested further information having been received and having carried out a site visit on 5 December 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for erection of a dwellinghouse (in principle) on land 100 metres north east of Logiebrae, Craigie, Clunie, 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 satisfactorily comply with category 4 (e) (i), (ii) and (iii), Renovation or Replacement of Houses, as it has not been demonstrated that an appropriate replacement dwelling could be accommodated and that the site does not have established site boundaries capable of providing suitable enclosure. It is also considered that the proposal cannot satisfy any of the remaining categories – (1) Building Groups, (2) Infill Sites, (3) New Houses in the Open Countryside, (5) Conversion or replacement of

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

redundant non-domestic buildings, (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.

**Note:** Councillor Watters dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for erection of a dwellinghouse (in principle) be granted. In his view, the proposal complied with the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012, as he considered the site was contained in a defined area and would be appropriate to approve in principle.

(iii) **TCP/11/16(553)  
Planning Application – 18/00549/FLL – Erection of a  
dwellinghouse on land 20 metres west of 2 Errol Road, Main  
Street, Invergowrie – Mr R Kenneth**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a dwellinghouse on land 20 metres west of 2 Errol Road, Main Street, Invergowrie.

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 16 October 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With the unaccompanied site visit having taken place on 5 December 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 5 December 2018, 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 erection of a dwellinghouse on land 20 metres west of 2 Errol Road, Main Street, Invergowrie, be refused for the following reason:
  1. The proposal would both result in a constrained development, which would be out of character with the immediate area, and a development that would have an

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
11 DECEMBER 2018

adverse impact on the (historic) visual amenity of the area. To this end, the proposal is contrary to policies RD1 (a) and (c) and PM1A of the Perth and Kinross Local Development Plan 2014, which both seek to ensure that new developments do not have an adverse impact on the environment in which they are located.

2. The proposal would a) adversely affect the historic setting of a group of listed buildings, b) adversely affect the existing visual relationship between the listed former school buildings and the 'A' listed All Souls Church, and c) adversely affect the key views of same buildings from the north along Main Street. The proposal is therefore contrary to Policy HE2 of the Perth and Kinross Local Development Plan 2014, the Scottish Planning Policy 2014 and the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, all of which seek to ensure the protection of listed building settings from inappropriate developments.
3. Insufficient information has been submitted to demonstrate fully that the erection of a dwelling on the site would not adversely affect existing trees, some of which are subject to Tree Preservation Order, or to justify proposed tree removals. To this end, the proposal is contrary to the principles of Policy NE2B of the Perth and Kinross Local Development Plan 2014, which states that any planning application where trees are affected should be accompanied by a tree survey.

**Justification**

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

~~~~~

## **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 December 2018 at 10.00am.

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

In Attendance: A Condliffe, D Niven, J Scott, M Barr, D Littlejohn, D Salman and L Reid (all Housing and Environment); G Fogg, D Williams and L Aitchison (all Corporate and Democratic Services).

Apologies: Councillors M Barnacle.

Councillor R McCall, Convener, Presiding.

### **703. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting.

### **704. DECLARATIONS OF INTEREST**

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

### **705. MINUTES**

- (i) The signing of the minute of meeting of the Planning and Development Management Committee of 25 October 2018 (Arts. 601-605) was deferred.
- (ii) The signing of the minute of meeting of the Planning and Development Management Committee of 21 November 2018 (Arts. 699-673) was deferred.

### **706. DEPUTATIONS**

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

| <b>Planning Application No.</b> | <b>Art. No.</b> |
|---------------------------------|-----------------|
| 18/01214/AMM                    | 707(1)(ii)      |
| 18/01770/FLL                    | 707(2)(iii)     |



**707. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 18/01038/AMM - PERTH - Erection of 208 dwellinghouses, 30 flats, 11 garages, formation of roads infrastructure, sustainable urban drainage system (SUDS) pond, play area, open space, landscaping and associated works (matters specified in conditions 16/01348/IPM) (Phases 2-5), land south west of Dobbies Garden Centre, East Huntingtower, Perth – Report 18/399 – Barratt North Scotland**

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason - To ensure that the development is carried out in accordance with the plans approved.
2. No later than two months prior to the commencement of development hereby approved, an updated 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 felling, construction and operation programmes for Phases 2-5 shall be submitted to and be approved in writing by the Council as Planning Authority, in consultation with Scottish Environment Protection Agency. The CTMP shall identify measures to control the use of any direct access onto the A85 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan. The CEMP shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP.  
Reason - In the interest of protecting environmental quality; to mitigate the adverse impact of development traffic on the safe and efficient operation of the trunk road.
3. No dwelling shall be occupied until the agreed level of financial contribution with Transport Scotland to address

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

the impact of the development at the Broxden Roundabout on the A9 trunk road has been paid to Transport Scotland.

Reason - To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

4. Development shall not commence until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - The site lies adjacent to areas of archaeological significance.

5. Prior to the commencement of development a scheme, including a layout plan and cross-sections, that identifies the location and confirms adequate space within the below ground service zone is available to allow for possible future provision of district heating pipes shall be submitted for the further written agreement of the Council as Planning Authority. The scheme must include timescales and any phasing for provision of the service zone within the site. The agreed scheme shall thereafter be implemented in accordance with the agreed details and timescales.

Reason - To allow district heating to be incorporated within the site at a future date.

6. 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.

Reason - To prevent flood risk; to ensure that the efficiency of the existing drainage network is not affected.

7. Prior to commencement of development, full surface water drainage proposals to identify details proposed to mitigate plots at a level below the road shall be submitted

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

to and approved in writing by the Council as Planning Authority in consultation with the Flood Authority. The details as approved shall be implemented in full, concurrent with development and completed prior to the occupation the relevant dwellinghouse to which the drainage measures relate.

Reason - To alleviate flood risk at affected properties.

8. No part of the development shall be occupied until a MOVA (or equivalent) traffic signal control system is installed and operational at the A85/Huntingtower Park access signalised junction. This should be linked to an equivalent system at the A85 signalised junction with the A9 northbound on /off slip roads. The details of this shall be agreed in writing with the Planning Authority, in consultation with Transport Scotland.

Reason - To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

9. 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.

Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

10. The conclusions and recommended action points within the supporting updated Ecological Appraisal submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

11. All external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land including the A9 and that light spillage beyond the boundaries of the site is minimised to the satisfaction of the Council as Planning Authority.

Reason - In the interest of residential amenity; to ensure that there will be no distraction or dazzle to drivers on the road, and; that the safety of the traffic on the road will not be diminished

12. All existing trees and hedgerows shown to be retained (as detailed on plan refs: 18/01038/39 and 18/01038/40) shall be protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). No

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written agreement of the Council as Planning Authority.

Reason - To ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.

13. Any existing planting which, within a period of 5 years from the completion of each approved phase of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason - To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

14. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

15. Prior to the commencement of development hereby approved, the developer shall submit a glazing specification for all windows to bedrooms for the entire development, for the written approval of the Planning Authority. The windows shall have a minimum sound insulation performance to ensure that first floor bedrooms can achieve the following internal sound levels:

- Daytime 35 dB LAeq, 16 hour
- Night time 30 dB LAeq, 8 hour

Thereafter the approved window specification shall be installed to the satisfaction of the Planning Authority, prior to the occupation of each dwelling.

Reason - In the interests of residential amenity.

16. Prior to the commencement of development hereby approved, the developer shall submit a scheme including a plan of the affected properties for the proposed means of ventilation for all bedrooms that are required to be closed to achieve internal sound levels, as detailed below, for the written approval of the Planning Authority. This shall enable each bedroom to be adequately ventilated without the need for opening windows and thus minimising noise ingress. The sound insulation performance for the ventilation system shall have a minimum sound insulation performance to ensure that first floor bedrooms can achieve the following internal sound levels:

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

- Daytime 35 dB LAeq, 16 hour
- Night time 30 dB LAeq, 8 hour

Thereafter the approved scheme of ventilation shall be installed to the satisfaction of the Planning Authority prior to the occupation of each dwelling.

Reason - In the interests of residential amenity.

17. Prior to the commencement of development hereby approved, the developer shall submit a scheme, including timescales for the proposed eastern bund, eastern and southern acoustic barrier as outlined in Section 5 - Summary of Committed Mitigation and Figure 2 – Committed Mitigation of the Updated Noise Assessment (Dated 25/05/2018) prepared by ITP Energised, for the written approval of the Planning Authority. Thereafter these shall be constructed in accordance with the approved scheme.  
Reason - In the interests of residential amenity.
18. Prior to the commencement of the development hereby approved, details of the proposed southern boundary woodland felling and re-planting for the site shall be submitted for the further written agreement of the Council as Planning Authority. The re-planting scheme as subsequently agreed shall be implemented prior to the completion of or bringing into use of the development, whichever is the earlier. 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.
19. Any new planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.  
Reason – In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.
20. The adopted Core Path (METH/15) must not be obstructed during building works or on completion of the development. Any damage done to the route and/or the associated signage during building works must be made good before the development is completed or brought into use, whichever is the earlier.  
Reason - To ensure that public access is maintained at all reasonable times, to the local path network.
21. That notwithstanding the detail on the approved site plans (principally drawing ref: 18/01038/81), and for the avoidance of doubt, the two 'future access' points on the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

western boundary of the site which connect to LDP site H70 (Perth West), via Core Path METH/15, shall be constructed up to the edge of the western boundary in full, in conjunction with the occupation of plots 68 for the north most link and 132 and 281 for the south most link.

Reason - To ensure that suitable access can be effectively provided into the adjoining allocated site H70 of the Perth and Kinross Local Development Plan 2014.

22. Dust mitigation measures as detailed in the Air Quality Impact Assessment document (ref: 16/01348/16) by Energised Environments dated 11 August 2016 associated with the In Principle permission 16/01348/IPM shall be followed at all times during construction.

Reason - In the interests of residential amenity.

23. In conjunction with Condition 2, and two months 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 Plan (CTMP) 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;
  - k) arrangements for dealing with non-compliance;

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

- l) the CTMP as approved shall be strictly adhered to during the entire site construction programme, to the satisfaction of the Council as Planning Authority.  
Reason - In the interests of vehicle and pedestrian safety.
24. Prior to occupation of any residential units within Phases 2-5, the applicant shall replace and reposition where necessary the existing bus shelters to the rear of Travelodge (ref: 64803954), on the A85 (ref: 64802267) and on Castle brae (ref: 64800164) with new 3 bay enclosed bus shelters, with permanent internal electric power supply for lighting, flag mount bracket and flag and bus box carriageway markings with clearway to design, position and specification to the satisfaction of Perth & Kinross Council's Public Transport Unit.  
Reason – In the interests of sustainable travel.

**Justification**

The proposal is contrary to the Development Plan but there are material considerations to justify a departure there from.

**Procedural Notes**

The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.

In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contribution, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

**Informatives**

1. 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.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

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 developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
6. The applicant is advised that in terms of Sections 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 applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 they 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 (SEPA).
8. The applicant is advised they must consult with Transport Scotland, Trunk Road and Bus Operations through its Management Organisation (Transerv, Broxden House, Broxden Business Park, Lamberkine Drive, Perth PH1 1RA) on the terms and conditions, under Roads legislation, that require to be agreed to enable works within the trunk road boundary to be approved.
9. There is evidence of Hogweed present on the overall site. This is an invasive species which may require a licence from SEPA for its disposal. Advice should be sought from the Scottish Environment Protection Agency (SEPA).
10. Any changes to the approved site layout plan that requires a planning application shall also require a revised noise impact assessment to be submitted to demonstrate that the layout will not adversely affect the



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

resultant noise levels to external and internal amenity spaces.

11. A felling licence may be required for the removal of the southern boundary woodland. Forestry Commission Scotland should be contacted for advice.
12. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/01348/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC Public Access or at the Registers of Scotland ([www.ros.gov.uk](http://www.ros.gov.uk)).

- (ii) **18/01214/AMM - ALYTH - Masterplan and detailed approval of matters specified in conditions for Phase 1 comprising the erection of a care/nursing home, 20 dwellinghouses and 8 garages, erection of 3 class 4 business units, an energy centre, pumping station, 2 entrance buildings/access road and temporary bridge, a sustainable urban drainage system (SUDS) pond, parking areas, site infrastructure, burn realignment landscaping and associated works, land north of Pitcrocknie Farmhouse, Alyth – Report 18/400 – Glenisla Developments Ltd**

J Scott, advised that should the application be granted then Conditions 22(ii) should be amended to read:

- (ii) the external shell of the care home must be completed and fully wind and watertight prior to the occupation of the first residential dwelling within the site.

Mr M Smith, agent, and Mr M Officer, on behalf of the applicant, addressed the Committee, and, following their representation, withdrew to the public benches.

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice. For the avoidance of doubt, the masterplan (drawing ref: 18/01214/27) is hereby approved only insofar as the identification of general land uses and the phasing of development across the whole site. This approval does not grant permission for any operational development outwith Phase 1 or beyond the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

specific development approved within that phase as follows (and detailed on drawing ref: 18/01214/28):

- a) Erection of a 60 bed care home;
- b) Erection of 20 dwellinghouses (including 8 associated garages);
- c) Erection of 3 business units (Class 4);
- d) Erection of an Energy Centre;
- e) Erection of 2 Entrance/Storage buildings;
- f) De-culverting and realignment of Back Burn;
- g) Erection of a Pumping station; and
- h) The provision of a temporary haul road, including a temporary bridge over Back Burn.

Reason - To ensure that the development is carried out in accordance with the plans approved.

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.

Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

3. No biomass boilers shall be installed to the approved energy centre, without the prior written approval of the Council as Planning Authority or the submission of a revised air quality assessment. The methodology for the assessment shall be agreed in writing with the Council as Planning Authority, prior to the assessment being undertaken.

Reason – In the interests of residential amenity.

4. All plant and 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.

Reason - In the interests of residential amenity.

5. Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays.

Reason – In the interests of residential amenity.

6. 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

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.

Reason – To ensure a programme of archaeological works is carried out to safeguard and record any archaeological remains within the development area.

7. Prior to the commencement of the development hereby approved, protective fencing shall be erected around SM1575 Pitcrocknie Stone in a manner to be agreed in advance with the Council as Planning Authority in consultation with Perth and Kinross Heritage Trust. No works shall take place within the area inside that fencing without prior written agreement of the Council as Planning Authority in consultation with Perth and Kinross Heritage Trust.

Reason - To ensure the preservation of the historic environment.

8. 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). No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written agreement of the Council as Planning Authority.

Reason - To ensure adequate protection for the trees on the site during the construction, in the interests of the visual amenity of the area.

9. Any planting which, within a period of 5 years from the completion of the approved phase of development, in the opinion of the Council as 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.

Reason - To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

10. The adopted core paths (ALTH/100 and ALTH/4) must not be obstructed during building works or on completion of the development. Any damage done to the route and/or the associated signage during building works must be made good before the development is completed or brought into use, whichever is the earlier.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

- Reason - To ensure continued public access to the public paths and in the interests of public safety within the site.
11. Prior to the commencement of development full details of the Back Burn realignment design shall be submitted to and approved in writing by the Council as Planning Authority in consultation with SEPA. Thereafter, the agreed design shall be implemented in full prior to the occupation of the first dwelling.
- Reason - In order to take account of the flood risk from the adjacent watercourse.
12. Prior to the commencement of development topographic information should be submitted to and approved by the Council as Planning Authority in consultation with SEPA that clearly shows the height differences between the realigned Back Burn, existing ground levels, and finished floor levels of the proposed development. Thereafter, the agreed design shall be implemented in full prior to the occupation of the first dwelling.
- Reason - In order to take account of the flood risk from the adjacent watercourse.
13. All water-crossings including temporary crossings over the Back Burn shall be designed to convey the 1:200 year peak flow, giving due consideration to climate change, and a freeboard to mitigate against bridge blockage potential. The crossings shall be implemented in full prior to the occupation of the first dwelling.
- Reason - In order to take account of the flood risk from the adjacent watercourse.
14. Prior to the commencement of development of Phase 1 a detailed planting scheme shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter the approved scheme shall be implemented in full. For the avoidance of doubt this should include:
- Woodland enhancement for red squirrels
  - Ecological corridor and Back Burn edges
  - Ponds and surrounding area
- Reason - In the interests of protecting and enhancing biodiversity.
15. During Phase 1 all road gullies within 500m of the SUDS pond shall have a Wildlife Kerb installed adjacent to it to allow amphibians to pass safely.
- Reason - In the interests of protecting biodiversity.
16. During Phase 1 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 Council as 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

placed into them at the end of each working day and open pipework greater than 150mm outside diameter being blanked off at the end of each working day.

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

17. Prior to the commencement of development hereby approved, details of the location for the provision of a minimum of 1 bat brick or bat nest box and 1 Swift brick on each two-storey dwellinghouse shall be submitted and approved in writing by the Council as Planning Authority. Thereafter, the bat brick(s)/bat nest box(s) and Swift brick(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason - In the interests of enhancing biodiversity.

18. 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 Council as Planning Authority.

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

19. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used in Phase 1 shall be submitted to and agreed in writing by the Council as Planning Authority. Thereafter it shall be finished in accordance with the approved scheme.

Reason – In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality

20. During construction the public road shall be kept free from mud and debris at all times and suitable wheel cleaning facilities shall be provided within the site to prevent the deposition of mud and debris on to the public road.

Reason - In the interest of proper site management and to protect the amenity of the area.

21. Prior to the commencement of the development of Phase 1 hereby approved, the applicant shall submit for the further written agreement of the Council as Planning

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

Authority, in consultation with the Roads Authority (Structures and Flooding), 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 compounds;
- (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.

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

Reason - In the interest of proper site management and to protect the amenity of the area.

22. Prior to the commencement of development, a construction programme detailing the phasing and timing

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

of delivery of the elements approved in Phase 1 shall be submitted to and approved in writing by the Planning Authority. The construction programme shall specifically provide for the following.

- (i) the 3 business units must be fully serviced before the occupation of the first residential dwelling;
- (ii) the external shell of the care home must be completed and fully wind and watertight prior to the occupation of the first residential dwelling within the site.

Once approved, the construction programme and phasing will be implemented in accordance with the approved scheme.

Reason - To ensure the delivery of employment generating uses in early phases of the development.

### **Justification**

The proposal is considered to be in accordance with the Development Plan and there are no material considerations which justify refusal of the planning application.

### **Procedural Notes**

A Section 75 is required to deal with a financial contribution towards affordable housing; upgrade of Losset Road Core Path (ALTH/100 and ALTH/4) and bus service provision. Consent shall not be issued until the Section 75 Agreement has been signed and registered to take account of this application. The legal agreement should be concluded and completed within 4 months of the date of any Committee approval. Failure to conclude a legal agreement within 4 months will result in the planning application being re-assessed through failing to comply with the associated developer contributions policy and will be ultimately recommended for refusal under delegated powers.

### **Informatives**

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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

3. 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 developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
6. The applicant is advised that in terms of Sections 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 applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 they 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 (SEPA).
8. 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.
9. 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.
10. The applicant is encouraged to provide for hedgehog shelter, hibernation in, and commuting through the development, through the design of gardens, decking and access to gardens and greenspace. Access gaps in wooden fences should be 13cm x 13cm. Advice and assistance is available from the Tayside Biodiversity Partnership.
11. For future development phases of the masterplan and In Principle approval, there will be no structures within 46



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

metres of Pitcrocknie Stone Scheduled Monument to the east (Phase 2); within 62 metres of the stone to the southeast (Phase 3); and within 72 metres of the stone to the south (Phase 4).

12. For future development phases of the masterplan and In Principle approval, Nn structures within Phase 2, 3 and 4 and/or within the 100 metre radius around the Pitcrocknie Stone Scheduled Monument shall be above single storey in height.

**(iii) 18/01890/FLM - CRIEFF - Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to amend Condition 24 (road layout and timescale for undertaking) of planning permission 16/02217/FLM, land at Wester Tomaknock, Crieff – Report 18/401 – GS Brown Construction 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.  
Reason - To ensure that the development is carried out in accordance with the plans approved.
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.  
Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.
3. Prior to any phase of the development hereby approved being 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, in consultation with Transport Scotland. 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.  
Reason - In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

4. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.  
Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.
5. Prior to the occupation of any residential plot, details of the material specification, dimensions and finished level spot heights of public footpaths and cycle-ways shall be submitted to the Planning Authority for further written approval. This shall include details of dropped kerbs on footpaths at all junctions. The agreed details shall thereafter be undertaken to the satisfaction of the Council as Planning Authority, as part of an agreed delivery plan, prior to the completion of the development.  
Reason - In the interest of pedestrian and cycle safety.
6. Prior to the commencement of development, revised landscape drawings shall be submitted and reviewed for further written approval by the Council as Planning Authority in consultation with Community Greenspace; including enhanced planting at agreed locations and revised play area specifications. The subsequently approved play area(s) shall be designed, laid out and equipped in accordance with Perth & Kinross Council's current criteria for play area provision within six months of the commencement of development of the site. The play area and its facilities/equipment shall thereafter be maintained to the satisfaction of the Council as Planning Authority.  
Reason - In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.
7. The detailed landscaping and planting scheme as approved shall be undertaken and delivered commensurate with the residential development and fully completed prior to the completion of the development and thereafter maintained to the satisfaction of the Council as Planning Authority.  
Reason - In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.
8. 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.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

Reason - In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.

9. Prior to the commencement of development, a detailed open space and private open space plan and open space landscaping delivery plan, which clearly sets out areas proposed for both public adoption and phased delivery, shall be submitted to the Council as Planning Authority for further written in consultation with the Council's Community Greenspace Team. The agreed public landscaping elements shall thereafter be undertaken and delivered in line with the approved delivery plan and thereafter maintained to the satisfaction of Council as Planning Authority.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

10. Prior to the commencement of development, 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 unless otherwise agreed in writing by the Council as Planning Authority.

Reason - To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

11. Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

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

Reason - To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of the Development Plan.

12. Prior to the commencement of development 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 Council as Planning Authority, in consultation with Scottish Environment Protection Agency. Thereafter the development shall be fully undertaken in accordance with the CEMP unless otherwise agreed in writing by the Planning Authority.

Reason - In the interest of protecting environmental quality and of bio-diversity.

13. There shall be no land raising or the erection of solid boundaries within the 0.5% annual probability (AP) floodplain as shown on drawing number 13019/21/001A forming part of planning permission 16/02217/FLM.

Reason - In order to ensure that surface water arising from the development is adequately dealt with and that any sustainable urban drainage System (SUDS) does not increase flood risk elsewhere.

14. Prior to the commencement of development, precise details of the proposed surface water and foul drainage scheme shall be submitted to the Council as Planning Authority for the approval in writing. The required drainage details must include a full drainage impact assessment which must take into account the potential surface water run-off from all hard surfaces (including paving/road surfaces), and the ground levels associated with the proposal. The assessment must be carried out in accordance with the Council's Flood Risk and Flood Risk Assessment Developer Guidance. The approved details shall thereafter be implemented in full, commensurate with the development build out and thereafter retained in perpetuity.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

Reason – In order to ensure that surface water arising from the development is adequately dealt with and that any sustainable urban drainage system (SUDS) does not increase flood risk elsewhere.

15. Prior to the commencement of development, sustainable urban drainage system (SUDS) details shall be submitted to the Council as Planning Authority for approval in writing, in consultation with SEPA. 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, commensurate with the associated stage of the development and prior to the completion of the development.

Reason - To ensure the provision of provide effective drainage for the site.

16. 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.

Reason - In the interests of best practice surface water management: to avoid undue risks to public safety and flood risk during the construction phases.

17. The conclusions and recommended action points within the supporting biodiversity surveys submitted and hereby approved (plan ref 16/02217/80 and 16/02217/88) shall be fully adhered to, respected and undertaken as part of the construction phase of development.

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

18. 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 Planning Authority.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

19. 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.

Reason: In order to prevent animals from being trapped within any open excavations.

20. 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.

Reason - In the interests of enhancing environmental quality and of biodiversity.

21. Prior to the commencement of development hereby approved, details of the location and specification of the bat brick(s) or bat nest box(s) shall be submitted and approved in writing by the Council as Planning Authority. Thereafter, the bat brick(s) or bat nest box(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason - In the interests of enhancing environmental quality and of biodiversity.

22. Prior to the commencement of development, revised boundary landscape drawings shall be submitted for further written approval by the Council as Planning Authority, including full boundary treatment details (with elevations).

Reason - In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.

23. 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. This shall include a further detailed review of the elevation treatments on plots 65-76. The scheme as agreed shall be implemented prior to the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.

- 24 The approved layout and site plans, which includes a site access detail up to the eastern boundary of the site shall be constructed up to the edge of the eastern boundary in full, in conjunction with and no later than 3 years of the formation of the eastern public access, (bounding plots 49 and 50) or the occupation of any of the plots 42, 43 or 44, whichever is earlier.

Reason - To ensure that suitable access can be effectively provided into the adjoining part of the H57 allocation of the Perth and Kinross Local Development Plan 2014.

**Justification**

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

**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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

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 Environment Protection Agency.
  6. The applicant is advised that the detailed design of all sustainable urban drainage systems (SUDS) shall conform to 'PKC Flooding and Flood Risk 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 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.



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

11. The applicant is recommended to follow and incorporate all associated comments included within PKC Waste Services response (dated 04/07/2016 forming part of 16/02217/FLM planning permission documents). Further details and clarification of the requirements can be sought in discussion with the Council Waste Services Team.
12. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/02217/FLM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC Public Access or at the Registers of Scotland ([www.ros.gov.uk](http://www.ros.gov.uk)).

**(2) Local Applications**

- (i) 18/01290/FLL - PERTH - Demolition of buildings and dwellinghouse and erection of 39 flats and associated works - land east of Firview, Goodlyburn Terrace, Rannach Road, Perth – Report 18/402 – Barratt North Scotland**

Motion (Councillors W Wilson and E Drysdale)  
Refuse, for the following reasons:

The proposal is contrary to Policies PM1A, PM1B(c) and RD1A (a) of the Perth and Kinross Local Development Plan 2014, in addition to Policy 2 of TayPlan, as on the basis that the proposed density does not reflect the character of the surrounding area.

**Amendment (Councillors R McCall and B Band)  
Grant, subject to the following terms, conditions and  
informatives:**

**Conditions**

1. **The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.**
2. **Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping**

**proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.**

**Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**

- 3. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.**

**Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**

- 4. All flats hereby approved shall be used for the purposes of affordable housing as defined in Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance September 2016 to the satisfaction of the Council as Planning Authority.**

**Reason - To comply with the Council's policy on affordable housing.**

- 5. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved (doc ref: 18/01290/6) shall be fully adhered to, respected and undertaken as part of the construction phase of development.**

**Reason - In the interests of protecting environmental quality and of biodiversity.**

- 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.**

**Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**

- 7. The landscaped open space within the site shall be retained and maintained to the satisfaction of the Council as Planning Authority.**

**Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**

- 8. Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays.**

**Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.**

- 9. Prior to the commencement of any development on site full details of the proposed cycle parking/bike store facilities marked on the site layout plan hereby approved shall be submitted to and approved in writing by the Planning Authority. The details, as approved in writing, shall be implemented as part of the site development and completed prior to the occupation of any of the flats to the satisfaction of the Council as Planning Authority.**

**Reason - To ensure adequate provision of cycle parking on site.**

- 10. Development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;**

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

**Prior to the completion or bringing into use of any part of the development the measures to decontaminate the site shall be fully implemented in accordance with the scheme subsequently agreed by**

**the Council as Planning Authority. Verification that the scheme has been fully implemented must also be submitted to the Council as Planning Authority.**

**Reason - In order to deal with any potential contamination of the site as a result of its former use.**

11. **Prior to the commencement of any development on site details of the location of 4 bat bricks/boxes within the development shall be submitted to and agreed in writing by the Planning Authority. All bat bricks/boxes shall be installed prior to the occupation of any part of the development site.**  
**Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).**

12. **Prior to the commencement of any development on site details of the location of 8 swift bricks or swift boxes within the development shall be submitted to and agreed in writing by the Planning Authority. These shall be located in accordance with Swift Conservation guidance at eaves height. All swift bricks/boxes shall be installed prior to the occupation of any part of the development site.**  
**Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).**

#### **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**

**The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.**

**In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.**

#### **Informatives**

1. **This planning permission will last only for three years from the date of this decision notice, unless the**

- development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
  3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
  4. No work shall be commenced until an application for building warrant has been submitted and approved.
  5. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
  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.

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

9 members voted for the Amendment as follows:  
Councillors Anderson, Band, Brawn, Coates, Gray, Jarvis, McCall, Simpson and Watters.

3 members voted for the Motion as follows:  
Councillors Drysdale, James and Wilson.

**Resolved:**

In accordance with the Amendment.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

- (ii) **18/01684/FLL - CLEISH - Demolition of steading and erection of 8 dwellinghouses (in part retrospect) (change of house type for plots 6, 7 and 8), at land north west of Boreland House, Cleish – Report 18/404 – Thomson Homes**

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.
2. The rebuild of the roadside steading building (Plots 6, 7, 8) shall be completed prior to the commencement of any works of development of Plots 1 and 5 as shown in blue within the applicants control on the Site Layout Plan - Drawing Ref: 18/01684/2.  
Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality; to ensure the rebuild is completed.
3. Within 1 month of the date of this permission full engineering drawings of the roadside steading building (Plots 6, 7, 8) shall be submitted to and approved in writing by the Council as Planning Authority.  
Reason - To ensure that the development is carried out in accordance with the plans approved; to ensure a satisfactory standard of local environmental quality.
4. The development proposed for Plots 6, 7 and 8 shall be inspected by the Planning Authority at the following junctures.
  - Damp-proof course
  - Wall head level
  - Truss erectionDevelopment shall not progress beyond these junctures without the prior written approval of the Council as Planning Authority.  
Reason - To ensure the building resembles as closely as reasonably practicable the structure that was demolished contrary to previous permissions.
5. Within 1 month of the date of this permission, a sample of the mortar and stone from the demolished roadside steading building are to be sent to the Scottish Lime Centre Trust, or other such qualified body as previously approved, for analysis. The written report of the analysis shall be submitted to the Planning Authority as a matter of record. The recommendations and specifications of

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

the Scottish Lime Centre Trust, or other such qualified body as previously approved, shall be implemented in full accordance with the written record previously submitted and all to the satisfaction of the Council as Planning Authority.

Reason - To ensure the building resembles as closely as reasonably practicable the structure that was demolished contrary to previous permissions.

6. Prior to the cladding of the building a sample panel of the roadside steading wall measuring a minimum of 3m<sup>2</sup> shall be erected for inspection and approval by the Planning Authority. For the avoidance of doubt, the sample wall requires to include an example of the stone quoins, window lintels, jamb stone and cill to be used throughout the development.

Reason - To ensure the development resembles the building demolished as closely as reasonably practicable.

7. Within two months of the date of this permission or prior to the cladding of the building, details of the specification and quality of the proposed reuse of original stone, clay pantiles and all exterior materials shall be inspected on site for the approval of the Council as Planning Authority. The details as approved shall be implemented prior to the occupation and/or use of the development. For the avoidance of doubt the original stone is to be reused as much as is practically possible and any additional stone requirement must be with the prior agreement in writing by the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality; to ensure the development resembles the building demolished as closely as reasonably practicable.

8. All external doors and windows of Plots 6, 7 and 8 shall be first constructed in timber, with a painted finish of a colour agreed in writing by the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

9. Within two months of the date of this permission, details of the location and measures proposed for the safeguarding and continued operation, or replacement, of any septic tanks and soakaways/private water sources, private water supply storage facilities and/or private water supply pipes serving properties in the vicinity, sited within and running through the application site, shall be submitted to and approved in writing by the Council as Planning Authority. The approved protective or replacement measures shall be put in place before the site works commence and shall be so maintained throughout the period of construction.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

- Reason - In the interest of private water supplies.
10. The vehicular access to the development hereby approved shall be formed in accordance with the Council's Road Development Guide Type C Figure 5.7 access detail to the satisfaction of the Council as Planning Authority, prior to the occupation of any further dwellinghouses.
- Reason - In the interests of road safety.
11. Prior to the occupation of any of the dwellinghouses hereby approved, the gradient of the access shall not exceed 3% for the first 5.00metres measured back from the edge of carriageway and the access shall be constructed so that no surface water is discharged onto the public road.
- Reason - In the interests of road safety.
12. Prior to the occupation of any of the dwellinghouses hereby approved the mitigation measures identified on page 14 of the submitted bat report plan ref. 09/00500/20 shall be carried out in full in accordance with details which shall previously have been submitted to and approved in writing by the Council as Planning Authority. The approved bat boxes shall remain in place at all times thereafter and maintained free of obstruction to the satisfaction of the Council as Planning Authority.
- Reason - To safeguard the welfare of protected wildlife in the interests of the amenity of the area.
13. Prior to the occupation of any of the dwellinghouses hereby approved a barn owl nest box and ledge shall be incorporated into this development in accordance with details which must be submitted to and approved in writing by the Council as Planning Authority.
- Reason - To safeguard the welfare of protected wildlife in the interests of the amenity of the area.
14. Within 1 month of the date of this permission details of a road end bin store incorporating fencing and hard standing for the appropriate capacity of this development in either individual 240 litre bins or communal bins shall be submitted to and approved in writing by the Council as Planning Authority. The bin store should be no more than 10 metres from the road side. The bin store as agreed shall be completed prior to the occupation of the dwellinghouses hereby approved.
- Reason - In the interest of waste management and road safety.
15. Further development shall not commence on site until an evaluation for the potential of the site to be affected by contamination by a previous use has been undertaken and, as a minimum, a Preliminary Risk Assessment (Phase 1 Desk Study) has been submitted for consideration and accepted by the Council as Planning



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

Authority. If the preliminary risk assessment identifies the need for further assessment, an intrusive investigation shall be undertaken to identify;

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

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

Reason - In order to deal with any potential contamination of the site as a result of its former use.

16. Within two months of the date of this permission, a detailed landscaping and planting scheme for the application site shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or re-contouring of the site, species, height, size and density of trees and shrubs to be planted, and the scheme as approved shall be carried out and completed within 6 months of the occupation of any further house. Any tree, plant or shrub which, within a period of 5 years from planting dies becomes damaged or diseased shall be replaced with others of a similar size and species unless otherwise agreed in writing by the Council as Planning Authority.

Reason - To ensure details are acceptable to the Council as Planning Authority; to ensure a satisfactory standard of local environmental quality.

17. Prior to the construction of the external walls, a detailed coursing plan for the proposed rebuilt roadside steading building showing all external walls shall be submitted for the prior approval of this Council as Planning Authority. For the avoidance of doubt the coursing shall reflect as closely as possible that of the previous roadside steading building. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

**Justification**

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

**Procedural Notes**

The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.

If the payment is not paid up-front, a modification of the existing Section 75 Legal Agreement will require to be drafted in relation to securing Affordable Housing and Education contributions.

In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended))
2. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
3. An application for Building Warrant will be required.
4. If connection to the public mains proves to be impractical the following should be noted if a private water supply is utilised.  
The applicant should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
5. The applicant shall ensure the private water supply for the house/ development complies with the Water Scotland Act 1980 (Section 63) and the Private Water Supplies (Scotland) Regulations 2006. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

and consistently wholesome water supply shall be submitted to Perth and Kinross Council Environmental Health in line with the above act and regulations.

6. The applicant should be 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.
7. The attention of the applicant is specifically drawn to the condition requiring a Section 75 Agreement. The applicant is warned that the conclusion of a Section 75 Agreement normally takes at least 3 months and may take longer. Accordingly it is important to commence negotiations on a Section 75 Agreement as soon as possible. Please contact the planning case officer if you wish to pursue this agreement. The Council should normally be able to provide an initial draft of an Agreement. You should also note that you will be liable to pay the cost of the Council's reasonable expenses in this respect. You should know that commencement of work without complying with the condition concerning a Section 75 Agreement will render the development unauthorised and liable to Enforcement Action.

**(iii) 18/01770/FLL - INVERGOWRIE - Alterations to roundabout, landscaping and associated works, Swallow Roundabout, Invergowrie – Report 18/403 – Springfield Properties PLC**

**Resolved:**

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

**Conditions**

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

**Justification**

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

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
18 DECEMBER 2018

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 should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road contact should be made with Transport Scotland.
5. Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.
6. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practise for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.
7. The road works which are required will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges.
8. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

~~~~~

## **PERTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Perth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 19 December 2018 at 9.00am.

Present: Councillors C Ahern, B Band, P Barrett, A Coates, H Coates, D Doogan, E Drysdale, M Lyle, S McCole, A Parrott, J Rebbeck and W Wilson.

In Attendance: D Coyne, C Flynn, L Haxton, K Molley and J Salisbury (all Corporate and Democratic Services); and S Merone (Housing and Environment).

### **708. APPOINTMENT OF CONVENER**

Councillor B Band intimated at the meeting that he wished to step down as Convener, nominations were sought for the appointment of Convener.

The Committee agreed to appoint Councillor A Parrott as Convener of the Perth Common Good Fund Committee

Councillor A Parrott, Convener, Presiding.

### **709. WELCOME AND APOLOGIES**

Councillor A Parrott welcomed all present to the meeting and paid tribute to Councillor B Band for all his work as Convener of the Perth Common Good Fund.

### **710. DECLARATIONS OF INTEREST**

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

### **711. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth Common Good Fund Committee of 3 October 2018 (Arts.530-539) was submitted, approved as a correct record and authorised for signature.

### **712. MATTERS ARISING**

There were no matters arising

### **713. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/405) asking the Perth Common Good Fund Committee to consider 14 applications for financial assistance.

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
19 DECEMBER 2018

**Resolved:**

- (1) **Perth Grammar School**  
Perth Grammar School be awarded a grant of £1,000 towards the costs of a Madrid Cultural Experience trip.
- (2) **Menopause Cafe**  
Menopause Café be awarded a grant of £1,735 towards the costs of a Menopause Festival.
- (3) **Wednesday Tea Dance**  
Wednesday Tea Dance be awarded a grant of £245 towards the costs of a New Year Party.
- (4) **Tulloch Primary School Parent Council**  
Tulloch Primary School Parent Council be awarded a grant of £400 towards the costs of a School Pantomime.
- (5) **PKAVS Minorities Hub and Perth Chinese Community Association**

**Motion (Councillors D Doogan and S McCole)**

**PKAVS Minorities Hub and Perth Chinese Community Association be awarded a grant of £3,000 towards the costs of 2019 Chinese New Year Celebrations.**

First Amendment (Councillors P Barrett and W Wilson)

PKAVS Minorities Hub and Perth Chinese Community Association be awarded a grant of £5,000 towards the costs of 2019 Chinese New Year Celebrations.

Second Amendment (Councillors H Coates and A Coates)

PKAVS Minorities Hub and Perth Chinese Community Association be awarded a grant of £2,500 towards the costs of 2019 Chinese New Year Celebrations.

In accordance with Standing Order 58, a roll call vote was taken.

4 members voted for Amendment 1 as follows:  
Councillors C Ahern, P Barrett, M Lyle and W Wilson.

8 members voted for Amendment 2 as follows:  
Councillors B Band, A Coates, H Coates, D Doogan, E Drysdale, S McCole, A Parrott and J Rebbeck.

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

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
19 DECEMBER 2018

In accordance with Standing Order 58, a roll call vote was taken.

9 members voted for the Motion as follows:

Councillors C Ahern, B Band, A Coates, E Drysdale, D Doogan,  
M Lyle, S McCole, A Parrott and J Rebbeck.

1 member voted for the Second Amendment as follows:

Councillor H Coates.

2 members abstained as follows:

Councillors P Barrett and W Wilson.

**Resolved:**

In accordance with the Motion.

- (6) **Moncreiffe Tea Dancers**  
Moncreiffe Tea Dancers be awarded a grant of £426 towards the costs of Ongoing Dancing Events to Combat Loneliness.
- (7) **Perth and District Childminding Association**  
Perth and District Childminding Association to be awarded a grant of £140 towards the costs of Spring and Summer outings.
- (8) **Our Lady's Primary School Parent Council**  
Our Lady's Primary School Parent Council be awarded a grant of £700 towards the costs of a Christmas Pantomime.
- (9) **Perth Academy**  
Perth Academy be awarded a grant of £1,000 towards the costs of an S1 French Trip.
- (10) **People with A Mission Ministries**  
People With A Mission Ministries be awarded a grant of £1,500 towards the costs of a Perth Senior Citizens 2018 Christmas Appeal.
- (11) **Comann nam Parant Peairt**

**Motion (Councillors A Parrott and J Rebbeck )**

**Comann nam Parant Peairt be awarded a grant of £1,500 towards the costs of establishing a Gaelic Medium After School Club at Goodlyburn Primary School.**

Amendment (Councillors C Ahern and H Coates)

Comann nam Parant Peairt be awarded a grant of £1,300 towards the costs of establishing a Gaelic Medium After School Club at Goodlyburn Primary School.

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
19 DECEMBER 2018

In accordance with Standing Order 58, a roll call vote was taken.

8 members voted for the Motion as follows:

Councillors B Band, P Barrett, D Doogan, E Drysdale, S McCole, A Parrott, J Rebbeck and W Wilson.

3 members voted for the Amendment as follows:

Councillor C Ahern, A Coates and H Coates.

1 member abstained as follows:

Councillor M Lyle.

**Resolved:**

In accordance with the Motion.

**(12) Friendship Club**

Friendship Club be awarded a grant of £350 towards the costs of a Christmas Lunch and four Bus Trips throughout the year.

**(13) St John's Kirk of Perth**

**Motion (Councillors A Parrott and W Wilson)**

**St John's Kirk be awarded a grant of £1,500 towards the costs of Carillon Recitals for Civic Engagements 2019.**

Amendment (Councillors P Barrett and C Ahern)

St John's Kirk be awarded a grant of £2,600 towards the costs of Carillon Recitals for Civic Engagements 2019.

In accordance with Standing Order 58, a roll call vote was taken.

7 members voted for the motion as follows:

Councillors B Band, D Doogan, E Drysdale, S McCole, A Parrott, J Rebbeck and W Wilson.

5 members voted for the amendment as follows:

Councillors C Ahern, P Barrett, A Coates, H Coates and M Lyle.

**Resolved:**

In accordance with the Motion.

**(14) Pink Saltire**

Pink Saltire be awarded a grant of £1,850 towards the costs of LGBT History Month Heritage Hub in Perth.



#### **714. REVIEW OF CRITERIA**

There was submitted a report by Depute Chief Executive, Chief Operating Officer (18/407) asking Perth Common Good Fund Committee to approve the revised criteria for awarding funding.

**Resolved:**

- (i) The revised criteria for awarding funding from the Perth Common Good Fund, be approved.
- (ii) It be noted that the revised criteria will be used with effect from 1 April 2019

#### **715. 2018/19 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (18/406) providing details of the Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for the Perth Common Good Fund.

**Resolved:**

- (i) The Perth Common Good Fund Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 1 to Report 18/406, be noted.
- (ii) The use of Repair and Renewal Reserve to fund the £30,000 cost of works for the 2-4 North Methven Street shop, be approved.
- (iii) The use of the Repair and Renewal Reserve to fund the £50,000 cost of works for the 2 North Port shop, to be drawn down £15,000 in 2018/19 and £35,000 in 2019/20, be approved.
- (iv) The use of the Financial Assistance – Capital Grants budget to offset any overspend in the Small Grants budget, be approved.

**IT WAS RECOMMENDED 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**

#### **716. SITE (0.1478 Ha), HARBOUR ROAD, PERTH CONSENT TO APPROVE GROUND LEASE EXTENSION**

There was submitted a report by the Executive Director (Housing and Environment) (18/408) seeking approval to extend the length of the current ground lease of this site which is leased to Daltrade limited.

**Resolved:**

- (i) Consent be given to extend the ground lease to Daltrade Limited by 61 years to give a ground lease expiry date of 15 May 2092.
- (ii) It be noted that the Council will take this opportunity to review the ground lease and seek to reach agreement with the tenant to modernise, and vary, any terms of the ground lease as appropriate.

**717. LOWER CITY MILL PERTH – LEASE DISPOSAL TO PERTH HERITAGE TRUST**

There was submitted a report by the Executive Director (Housing and Environment) seeking approval from the Committee to grant a 30 year lease of the Lower City Mill A-Listed building at a nominal £1 per annum to Perth and Kinross Heritage Trust; and (2) this is to operate the building as a centre for architectural conservation, traditional building skills training and other heritage-based outreach activities.

**Resolved:**

- (i) It be noted that this report was considered at the Special Meeting of the Property Sub Committee on 18 December 2018, and feedback provided to this Committee.
- (ii) The lease of the Lower City Mills to PKHT for a nominal £1 per annum, be approved.
- (iii) Authority be delegated to Head of Legal and Governance and the Head of Planning and Development to agree detailed terms and conditions of the lease for the operation of the Lower City Mills as a centre for architectural conservation, traditional building skills training and other heritage-based outreach activities.

**718. VALIDICTORY**

Councillors M Lyle and D Doogan paid further tribute to Councillor B Band for his excellent service as Convener of the Perth Common Good Fund.

~~~~~

## **ABERFELDY COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Aberfeldy Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 19 December 2018 at 10.00am.

Present: Councillors M Williamson, P Barrett, J Duff, X McDade and M Lyle.

In Attendance: D Coyne, C Flynn, L Haxton, K Molley and J Salisbury (all Corporate and Democratic Services).

Councillor M Williamson, Convener, Presiding.

### **719. WELCOME AND APOLOGIES**

Councillor Williamson welcomed all present to the meeting.

### **720. DECLARATIONS OF INTEREST**

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

### **721. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Aberfeldy Common Good Fund Committee of 3 October 2019 (Arts.540-545) was submitted, approved as a correct record and authorised for signature.

### **722. MATTERS ARISING**

There were no matters arising.

### **723. ABERFELDY PUTTING GREEN – EXTENSION TO EXISTING CONCESSION**

There was a report submitted by Executive Director (Housing and Environment) (18/410) seeking approval from Aberfeldy Common Good Fund Committee to extend the existing concession to operate Aberfeldy Putting Green for a further three years.

#### **Resolved:**

Aberfeldy Community Putting Green's request for an extension of their current concession to run the Aberfeldy Putting Green for a further three years until 31 March 2022, be approved.

PERTH AND KINROSS COUNCIL  
ABERFELDY COMMON GOOD FUND  
19 DECEMBER 2018

**724. 2018/19 FINANCIAL STATEMENT**

There was a report submitted by Head of Finance (18/411) providing an update of the Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for the Aberfeldy Common Good Fund.

**Resolved:**

The Aberfeldy Common Good Fund Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 1 to Report 18/411, be noted.

~~~~~

## **CRIEFF COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Crieff Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 19 December 2018 at 10.10am.

Present: Councillors S Donaldson, P Barrett, R Brock, R McCall and M Lyle.

In Attendance: D Coyne, C Flynn, L Haxton, K Molley and J Salisbury (all Corporate and Democratic Services); and S Merone (Housing and Environment Services)

Councillor S Donaldson, Convener, Presiding.

### **725. WELCOME AND APOLOGIES**

Councillor Donaldson welcomed all present to the meeting.

### **726. DECLARATIONS OF INTEREST**

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

### **727. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Crieff Common Good Fund Committee of 3 October 2018 for (Arts.559-565) was submitted, approved as a correct record and authorised for signature.

### **728. MATTERS ARISING**

#### **(i) Advisory Non-Voting Member (Item 562 refers)**

Councillor S Donaldson advised that Crieff Community Council were to consider a nomination for an advisory non-voting member to the Crieff Common Good Fund at its next meeting.

### **729. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/412) asking Crieff Common Good Fund Committee to consider an application for financial assistance.

#### **Resolved:**

#### **(1) Crieff Choral Group**

Crieff Choral Group be awarded a grant of £200 towards the cost of their Haydn's Creation concert to be performed on 31 March 2019.

#### **(2) No applications for financial assistance be accepted for the remainder of the 2018/19 financial year.**

PERTH AND KINROSS COUNCIL  
CRIEFF COMMON GOOD FUND  
19 DECEMBER 2018

**730. 2018/19 FINANCIAL STATEMENT**

There was a report submitted by Head of Finance (18/413) providing an update of the Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for the Crieff Common Good Fund.

**Resolved:**

The Crieff Common Good Fund Income and Expenditure to 31 October 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 1 to the Report 18/413, be noted.

~~~~~

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

## COUNCIL MEETING

Minute of meeting of Perth and Kinross Council held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 19 December 2018 at 11.00am.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, J Duff, A Forbes, T Gray, D Illingworth, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade (excluding Art. 733(iii)) , T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Housing and Environment); R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership; J Pepper, Depute Director (Education and Children's Services) and Chief Social Work Officer; L Simpson, S Hendry, S MacKenzie, S Walker, C Flynn, L Potter, K Donaldson, K Ridley, S Flanigan, D McPhee and F Robertson (all Corporate and Democratic Services); D Littlejohn and S Merone (both Housing and Environment).

Apologies for Absence: Councillors I James, M Barnacle and F Sarwar.

Provost D Melloy, Presiding.

### 731. WELCOME AND APOLOGIES

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

### 732. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor X McDade declared a non-financial interest in Art. \*3(iii) (Equal Right of Appeal).\*

### 733. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39

In terms of Standing Order 39, the Council considered the following Motions:

#### (i) Payment of New Real Living Wage Rate

Motion (Councillors A Bailey and X McDade)

Council notes that an increase in the Real Living Wage to £9 per hour was announced by the Living Wage Foundation in early November. This increase takes into account higher transport costs, private rents and council tax bills that have already hit the pockets of our staff. As an accredited Living Wage Employer, Council would ordinarily pass on the new rate effective 1<sup>st</sup> April 2019.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

Council instead agrees to pay the new £9 per hour Real Living Wage rate effective November 5<sup>th</sup> 2019. The cost of doing so will be £15,300 to be funded from the projected under spend on the Unfunded Pensions budget reported to the Strategic Policy & Resources Committee on 28 November 2018. 114 staff members will benefit from this change plus approximately 140 casual/supply staff. This position will be kept under review in future financial years.

**Resolved:**

In accordance with the Motion.

**(ii) Brexit**

**Motion (Councillors W Robertson and L Simpson)**

**Following the excellent presentation by officers of this Council on the effects of Brexit on Perth and Kinross. It is expected to have significant economic and demographic consequences for this authority area. Depending on any terms agreed, there will be loss of access to markets and labour predicted to negatively affect the economy.**

**"Accordingly, Perth and Kinross Council supports the holding of a further referendum to give the UK public the final say on any terms agreed for Brexit, that referendum to include the option of the UK remaining in the EU."**

**Amendment (Councillors R McCall and C Ahern)**

That the Council does not believe that it is the role of local authorities to suggest holding a further referendum on a subject that has already been put to the electorate by any parliament.

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

20 members voted for the Motion as follows:

Councillors H Anderson, B Band, P Barrett, B Brawn, H Coates, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck, W Robertson, L Simpson, R Watters, M Williamson and W Wilson.

16 members voted for the Amendment as follows:

Councillors C Ahern, K Baird, R Brock, A Coates, J Duff, A Forbes, D Illingworth, A Jarvis, M Lyle, R McCall, X McDade, C Purves, C Reid, C Shiers and C Stewart; and Provost D Melloy.

1 members Abstained as follows:

Councillor A Bailey.

**Resolved:**

In accordance with the Motion.

COUNCILLOR X MCDADE LEFT THE MEETING AT THIS POINT.



PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

**(iii) Equal Right of Appeal**

Motion (Councillors C Purves and C Stewart)

That the Council:

- notes the progress of the Planning (Scotland) Bill;
- acknowledges that development is crucial to future economic growth and to tackle the current under-supply of housing, particularly affordable housing;
- understands concerns from local communities about the effects that large-scale developments will have on their communities and supports efforts to address these through increased consultation and developer contributions;
- notes that the Scottish Government's report on barriers to community engagement in planning found that "there is a serious lack of trust, respect and confidence in the system, and that community engagement exerts very little influence on planning outcomes";
- endorses the Scottish Government's suggestion of Local Place Plans as one way of giving local communities more influence over the forward-planning process;
- welcomes amendments by the Minister for Local Government, Housing and Planning and opposition parties to strengthen Local Place Plans to ensure that they are properly resourced, registered and taken into account in decision making;
- believes that any greater engagement of communities in the initial stages of the planning process will only be meaningful if Local Place Plans and Local Development Plans are adhered to;
- notes the current imbalance in the system whereby applicants can appeal decisions that go against them while communities cannot;
- therefore supports the concept of an equal right of appeal whereby:
  - those who have made formal representation on a planning application would be able to appeal a local-authority decision to the Scottish Government's Reporter in cases where the decision is contrary to the Local Development Plan or Local Place Plan, and
  - appeals may be made by either the developer or communities where due process has not been followed;
  - suggests that this would incentivize developers to bring forward better-quality applications in the first instance and therefore could reduce the number of appeals overall thereby speeding up the planning process; and
  - requests that the Leader of the Council writes to Minister for Local Government, Housing and Planning and the members of Local Government and Communities Committee informing them of the Council's position.

Amendment (Councillors R McCall and C Ahern)

Whilst I recognise the concerns of local communities I believe the process as it stands has adequate allowances and respectfully oppose the request for a 3<sup>rd</sup> party right of appeal to the planning bill currently progressing through the Scottish Parliament process.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

The current system allows the community the opportunity to halt an application in committee and, it is my experience that communities have reserved the decision of the planning department in many cases.

This additional right of appeal has been fully explored and it is believed could result in the process stagnating or even halting completely. This is a position that would be detrimental to the economic growth of Perth and Kinross as a whole and with High Streets all over the area suffering from changes in buying culture now is not the time to add further pressure to development and its financial advantages.

I therefore propose that we reject the terms of the proposed motion and await the outcome of the Planning Bill, currently progressing through the Scottish Parliament.

**Note:** Following a suggestion by Councillor Doogan, the mover and seconder of the amendment agreed to remove paragraphs 2 and 3 from the wording of the amendment.

**Revised Amendment (Councillors R McCall and C Ahern)**

**Whilst I recognise the concerns of local communities I believe the process as it stands has adequate allowances and respectfully oppose the request for a 3<sup>rd</sup> party right of appeal to the planning bill currently progressing through the Scottish Parliament process.**

**I therefore propose that we reject the terms of the proposed motion and await the outcome of the Planning Bill, currently progressing through the Scottish Parliament.**

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

30 members voted for the Revised Amendment as follows:

Councillors C Ahern, H Anderson, K Baird, B Band, P Barrett, B Brawn, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, J Duff, A Forbes, T Gray, D Illingworth, A Jarvis, M Lyle, R McCall, T McEwan, A Parrott, B Pover, J Rebbeck, C Reid, W Robertson, C Shiers, L Simpson, R Watters, M Williamson and W Wilson; and Provost D Melloy.

6 members voted for the Motion as follows:

Councillors A Bailey, R Brock, G Laing, S McCole, C Purves and C Stewart.

**Resolved:**

In accordance with the Revised Amendment.

COUNCILLOR X MCDADE RETURNED TO THE MEETING AT THIS POINT

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

**734. MINUTE OF PREVIOUS MEETING**

The minute of the meeting of Perth and Kinross Council of 3 October 2018 (Arts. 572-589) was submitted, approved as a correct record and authorised for signature.

**735. MINUTES OF MEETINGS OF COMMITTEES FROM 18 SEPTEMBER 2018 to 21 NOVEMBER 2018**

The decisions recorded in Arts. 515-571 and 590-673 copies of which had been circulated to all members of the Council, were submitted and noted, subject to the changes made to the Planning and Development Management Committee minutes at the meeting held on 18 December 2018.

**736. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2018/19 QUARTER 2**

There was submitted a report by the Head of Finance (18/415) (1) providing a summary of Loans Fund transactions for the quarter ending 30 September 2018; (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices, the Investment Strategy and the Prudential Indicators for the quarter ending 30 September 2018; and (3) providing a summary of the annual review of the Treasury Management Systems Document.

**Resolved:**

The contents of Report 18/415, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

**737. BIENNIAL REVIEW OF FINANCIAL REGULATIONS 2018**

There was submitted a report by the Head of Finance (18/416) (1) summarising the background and the process undertaken to carry out the biennial review of the Council's Financial Regulations; and (2) recommending approval of the revised Financial Regulations.

**Resolved:**

The Council's Financial Regulations, and the proposal to change the frequency of the review from 2 yearly to 3 yearly, as detailed in Appendix 1 to Report 18/416, be approved.

**738. REVENUE BUDGET 2019/20, 2020/21 & 2021/22 – REPORT NO. 1**

There was submitted a report by the Head of Finance (18/422) providing an update in relation to the Revenue Budget 2019/20, 2020/21 and 2021/22 in light of the information contained in the UK Budget announced on 29 October 2018 and the Scottish Budget announced on 12 December 2018.

**Resolved:**

The contents of Report 18/422 be noted.

### **739. EUROPEAN SOCIAL FUND EMPLOYABILITY PROGRAMMES**

There was submitted a report by the Depute Chief Executive (18/420) (1) providing an update on the European Social Fund Employability Programmes (2015-2010); (2) providing proposals for the period (2019-2023); and (3) asking the Council to consider the grant offer from the Scottish Government.

**Resolved:**

- (i) The beneficial impact of activities delivered since 2016, as set out in Report 18/420, be noted.
- (ii) Subject to the budget process, it be agreed to accept the grant offer from the Scottish Government, as set out in Report 18/420.
- (iii) The physical end date for activities to be 31 December 2022 with a financial end date of 31 March 2023.
- (iv) The request for match-funding for the Programme Management Office would be considered as part of the budget process.
- (v) The proposed activities for the third sector under Employability and Poverty activities be noted.

### **740. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2017/18**

There was submitted a report by the Chief Social Work Officer (18/419) (1) providing an overview of social work and social care in Perth and Kinross during financial year 2017/18; (2) setting out how social care and social work services were being delivered and the key challenges in planning and delivering statutory social work functions; and (3) highlighting how social care and social work services were responding to new responsibilities associated with major changes in legislation and shifts in policy direction as well as increasing demand and associated budget pressures.

**Resolved:**

The Chief Social Work Officer Annual Report 2017/18, as set out in Appendix 1 to Report 18/419, be approved.

*THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 1.05PM*

### **741. NATIONAL JOINT REVIEW OF LOCAL GOVERNANCE**

There was submitted a report by the Depute Chief Executive (18/417) presenting a draft response from Perth and Kinross Council to the National Joint Review of Local Governance.

**Resolved:**

- (i) The progress of the National Joint Review of Local Governance, as set out in Report 18/417, be noted.
- (ii) The key principles, contained in paragraph 3.1 of Report 18/417, be approved.
- (iii) The draft response, set out in Appendix 3 to Report 18/417, be approved subject to the following amendments:

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

- Section 2.3 – reference to be amended from Baltic States to Scandinavian models.
- Section 1.3 – reference to be added that Council not in favour of structural reform to recreate the regional Councils of the past.
- Further reference to be included regarding importance of Fiscal powers of Community Councils to maximise their contribution, as well as the need for more effective legislation that could drive the set-up of more Community Councils and strengthen their contribution.
- In relation to Local Action Partnerships, comment to be included that some elected members have concerns about striking the right balance between the need for flexibility and strong governance arrangements.

**742. BUILDING AMBITION – DEVELOPING TALENT**

There was submitted a report by the Chief Executive (18/418) (1) providing an overview of the key achievements since the last workforce report in 2017 and the approval of the Corporate Workforce Plan in February 2018; and (2) setting out the workforce priorities for the forthcoming year.

**Resolved:**

- (i) The progress and achievements over the course of 2018, as set out in Report 18/418, be noted.
- (ii) The priorities set out for the forthcoming year, as set out in Report 18/418, be endorsed.

**743. EQUALITIES PERFORMANCE REPORT 2017/18**

There was submitted a report by the Depute Chief Executive (18/414) seeking approval for the Equalities Performance Report 2017/18.

**Resolved:**

- (i) The contents of Report 18/414 be approved.
- (ii) It be noted that Report 18/414 would be submitted to the Scrutiny Committee on 6 February 2019.

**744. PLANNING POLICY, PRACTICE & IMPROVEMENT MEMBER/OFFICER WORKING GROUP REMIT**

There was submitted a report by the Executive Director (Housing and Environment) (18/421) outlining the proposed revised name and remit of a refreshed Member/Officer Working Group (MOWG) to provide a forum for discussion around land use planning policy, practice and improvement; particularly but not exclusively in light of the reforms proposed in the Planning (Scotland) Bill to be enacted in 2019.

**Resolved:**

- (i) The revised remit, name and membership for the Planning Policy, Practice & Improvement Member Officer Working Group, as set out in Report 18/421, be approved.
- (ii) Councillor M Barnacle be appointed as the fourth opposition member to the Group.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

**745. APPOINTMENTS TO COMMITTEES/PARTNERSHIP GROUPS/OUTSIDE BODIES**

**Resolved:**

- (i) Scrutiny Committee  
Councillor A Parrott to replace Councillor S McCole as Vice-Convenor of the Scrutiny Committee.
- (ii) Audit Committee
  - (a) Councillor S Donaldson to replace Councillor B Band as Vice-Convenor of the Audit Committee.
  - (b) Councillor M Williamson to replace Councillor B Band on the Audit Committee.
- (iii) Property Sub-Committee of the Strategic Policy and Resources Committee  
Councillor C Shiers to replace Councillor R McCall on the Property Sub-Committee.
- (iv) Community Planning Community Safety Outcome Delivery Group  
Councillor M Williamson to replace Councillor J Rebbeck on the Community Planning Community Safety Outcome Delivery Group.
- (v) COSLA Health and Social Care Board  
Councillor C Stewart to replace Councillor C Ahern on the COSLA Health and Social Care Board.
- (vi) Lifelong Learning Committee  
Councillor J Duff to replace Councillor A Coates on the Lifelong Learning Committee.

**746. AMENDMENTS TO SCHEME OF ADMINISTRATION**

**Resolved:**

The following changes to the Scheme of Administration be agreed:

Part 2 – Provisions Relating to Committees

8 Lifelong Learning Committee

Section 8.10.1 – Executive Sub-Committee – Amend as follows:

Comprising five members of the Council who are members of the Committee and three non-Council members from the Committee when considering educational matters.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
19 DECEMBER 2018

Part 3 – Delegation to Officials

20 Head of Legal and Governance

Section 20.1 – Additional Paragraph:

In the absence of the Head of Legal and Governance, Legal Managers shall be authorised to do anything delegated to the Head of Legal and Governance.

25 Statutory Appointments of Officers

Section 25.1 – Amend relevant sections as follows:

Local Government (Scotland) Act 1973

Section 34 – Proper Officer for receipt of Councillors' resignations – Chief Executive / Head of Legal and Governance.

Section 190 – Proper Officer for service of legal proceedings, notices, etc. on the Council – Chief Executive / Head of Legal and Governance / Legal Managers.

Section 191 – Proper Officer in respect of claims on behalf of the Council in sequestrations and liquidations – Head of Legal and Governance / Legal Managers.

Section 192 – Proper Officer for services of notices etc by Local Authority – Head of Legal and Governance / Legal Managers.

Sections 192-193 – Proper Officer for the purpose of the execution of Notices of Proceedings under the Housing (Scotland) Act 2001 – Executive Director (Housing and Environment).

Sections 192-193 – Proper Officer for the purposes of signing tenancy agreements under the Housing (Scotland) Act 2001 – Executive Director (Housing and Environment) / Head of Housing / Area Housing Managers.

Sections 193-194 – Proper Officer in respect of authentication of documents and certifying deeds – Head of Legal and Governance / Legal Managers.

Section 197 – Proper Officer in respect of arrangements for the inspection of depositing of documents – Chief Executive / Head of Legal and Governance / Democratic Services Manager.

Civic Government (Scotland) Act 1982

Section 113 – Proper Officer in respect of evidence of management rules – Head of Legal and Governance / Legal Managers.

~~~~~

## **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 8 January 2019 at 10.30am.

Present: Councillors L Simpson, H Anderson, R Watters and W Wilson.

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

Also Attending: C Brien (Housing and Environment); L Potter (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **1. DECLARATIONS OF INTEREST**

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

### **2. MINUTE**

Consideration of the minute of meeting of the Local Review Body of 11 December 2018 was deferred until a future meeting of the Local Review Body.

THE LOCAL REVIEW BODY UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.

COUNCILLOR W WILSON WITHDREW FROM THE MEETING AT THIS POINT.

### **3. DEFERRED APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(549) - Planning Application – 18/00584/FLL – Alterations to boundary wall, formation of vehicular access and car parking area, Perth Bridge Club, 49-51 King Street, Perth – Perth Bridge Club**

It was noted that at the first consideration of this Application for Review, at the meeting of the Local Review Body on 18 September 2018, the Local Review Body agreed that the same three members, Councillors L Simpson, H Anderson and R Watters, undertake the second consideration of the Application for Review.

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to boundary wall, formation of vehicular access and car parking area, Perth Bridge Club, 49-51 King Street, Perth.



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

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 18 September 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) the applicant providing revised site and existing elevation drawings to remove the ambiguities with the existing drawings, and the details of the proposal and the discrepancies between the existing and proposed measurements of the front wall and gate and the drawings before the Local Review Body at its meeting of 9 September 2019, and; (ii) comment from the appointed officer on the safety aspects of vehicles reversing into and out of the proposed parking area. With all further information having been received, 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 majority decision that:

- (ii) the Review application for alterations to boundary wall, formation of vehicular access and car parking area, Perth Bridge Club, 49-51 King Street, Perth, be granted subject to:
  1. The imposition of relevant terms, conditions and informatives, including a condition for the retention of sufficient walling to support a full length of the coping stone to the northern side of the original cast iron gate, the finishing of the exposed wall end with a dressed stone coin detail and the provision and retention of the proposed landscaping strip on the southern boundary of the proposed parking area.

**Justification**

The proposed development, with the imposition of relevant terms, conditions and informatives, was not assessed as being contrary to the Local Development Plan and was sufficiently compatible with Policy HE3: Conservation Areas of the Perth and Kinross Local Development Plan 2014, recognising the presence of similar developments in the area.

**Note:** Councillor Simpson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and alterations to boundary wall, formation of vehicular access and car parking area be refused. In his view, the proposal did not comply with Policy HE3: Conservation Areas of the Perth and Kinross Local Development Plan 2014 and compromised the integrity of

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

Conservation Areas, irrespective of the presence of other private parking provision in the locality.

COUNCILLOR R WATTERS LEFT THE MEETING AT THIS POINT.

COUNCILLOR W WILSON RETURNED TO THE MEETING AT THIS POINT.

**4. APPLICATIONS FOR REVIEW**

**(i) TCP/11/16(567) – Planning Application – 18/00750/IPL – Erection of a dwellinghouse (in principle) on land 40 metres north west of Trinity Gask Public Hall, Trinity Gask – Mr J Roberts**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 40 metres north west of Trinity Gask Public Hall, Trinity Gask.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle) on land 40 metres north west of Trinity Gask Public Hall, Trinity Gask, be refused for the following reasons:
1. The backland/tandem nature of the site to the rear of the existing building group is not in keeping with the existing road side building pattern of the existing building group. To this end, the proposal is contrary to the specific requirements of both the Building Groups and Infill Sites sections of the Council's Housing in the Countryside Guide 2012 and Policy RD3 of the Perth and Kinross Local Development Plan 2014, both of which seek to ensure that all proposals which extend building groups must respect the character, layout and building pattern of the group.
  2. The site does not have a) a good landscape framework which is capable of absorbing the proposal or b) site boundaries which are capable of providing a suitable setting. To this end, the proposal is contrary to the specific requirements the Building Groups section of the Council's Housing in the Countryside Guide 2012 and

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

Policy RD3 of the Perth and Kinross Local Development Plan 2014, both of which seek to ensure that all proposals which extend existing building groups takes place within definable sites that are formed by existing topography and/or well established landscape features and have a good landscape setting with suitable site boundaries.

**Justification**

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

**Note:** Councillor Wilson dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that the erection of a dwellinghouse (in principle) be granted. In his view, whilst the proposal did not fully comply with the Local Development Plan, he considered that the site was sufficiently contained by neighbouring buildings.

**(ii) TCP/11/16(568) – Planning Application – 18/01302/FLL – Erection of a dwellinghouse on land 30 metres north west of Nether Gothens Farm, Meikleour – Mr S G Mercer Nairne**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 30 metres north west of Nether Gothens Farm, Meikleour.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse on land 30 metres north west of Nether Gothens Farm, Meikleour, be granted subject to:
  - 1. The imposition of relevant conditions and informatives, including conditions regarding the provision of significant structural landscaping on land adjoining the application site and Nether Gothens Farm Cottage and archaeological matters.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

2. A suspensive condition preventing work from beginning on the proposed dwellinghouse until after the demolition of the existing wooden house on the site.

**Justification**

The proposed development, was not assessed as complying with Policy RD3 of the Perth and Kinross Local Development Plan 2014. However, recognising the presence of the derelict timber house and the prospect of providing a suitable landscape setting for the existing and proposed properties, the proposal was considered as being capable of securing an overall improvement to the existing condition of the site.

**Note:** Councillor Anderson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and erection of a dwellinghouse be refused. In his view, the proposal did not comply with Policy RD3 of the Perth and Kinross Local Development Plan 2014 and there was not sufficient evidence to justify overturning the Appointed Officer's decision.

**(iii) TCP/11/16(569) – Planning Application – 18/01180/FLL – Extension to dwellinghouse, Wester Ballindean Farm Cottage, East Inchtute, Perth, PH14 9QS – Mr & Mrs Smith**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse an extension to dwellinghouse, Wester Ballindean Farm Cottage, East Inchtute, Perth, PH14 9QS.

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 an extension to dwellinghouse, Wester Ballindean Farm Cottage, East Inchtute, Perth, PH14 9QS, be refused for the following reasons:
  1. The proposals, by virtue of their inappropriate design, form, detailing and materials, would have a significant adverse impact on the character and special interest of the Listed Building. Approval would therefore be contrary to Scottish Planning Policy 2014, Policies 2 and 9 of TAYplan 2017 and Policy HE2 of the Perth and Kinross

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

- Local Development Plan 2014, which seek to protect the character and special interest of Listed Buildings.
2. The proposals, by virtue of their inappropriate design, form, detailing and materials, would have an adverse impact on visual amenity. Approval would therefore be contrary to Policies PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that developments contribute positively to the quality of the surrounding built environment by respecting the character of 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.

**(iv) TCP/11/16(571) – Planning Application – 18/01335/FLL – Alterations to dwellinghouse, Lagan-Righ, Logierait, Pitlochry, PH9 0LH – Mrs A Gilmour**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to dwellinghouse, Lagan-Righ, Logierait, Pitlochry, PH9 0LH.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for alterations to dwellinghouse, Lagan-Righ, Logierait, Pitlochry, PH9 0LH, be refused for the following reason:
  1. The proposal, by its virtue of its unsympathetic design, inappropriate materials, bulk, scale and visual massing, excessive proportions, poor form and composition, would overwhelm and unbalance the existing cottage and compromise its architectural integrity, resulting in an adverse impact on the visual amenity of the cottage and surrounding area.

Approval would therefore be contrary to Policies PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

development contributes positively to the character and amenity of the place by complementing its surroundings in terms of design, 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.

**(v) TCP/11/16(572) – Planning Application – 18/01083/FLL – Erection of 4 dwellinghouses, 2 garages and associated works on land 45 metres south of Hillcrest, Maryburgh, Kelty – KJJ Properties Limited**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of 4 dwellinghouses, 2 garages and associated works on land 45 metres south of Hillcrest, Maryburgh, Kelty.

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 4 dwellinghouses, 2 garages and associated works on land 45 metres south of Hillcrest, Maryburgh, Kelty, be refused for the following reasons:
  1. The proposal is contrary to Policies PM1A, PM1B(b) and PM1B(c): Placemaking, of the Perth and Kinross Local Development Plan 2014, which requires that all development must contribute positively to the quality of the surrounding built and natural environment and that the design of the development should respect the character and amenity of the place. The proposed development, by virtue of the layout not reflecting the prevailing character of development, would constitute the overdevelopment of the site. As such, the proposal would not contribute positively to the area and would not respect the character, density or amenity of Maryburgh.
  2. The proposal is contrary to Policy RD1: Residential Areas, of the Perth and Kinross Local Development Plan 2014, which requires that all development must not have

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

an adverse impact upon residential amenity. The proposed development does not have sufficient amenity space associated with plots 3 and 4 for the scale of the proposed dwellinghouses and is therefore contrary to the policy as future occupiers will not have suitable amenity space.

**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 37 MINUTE RECESS.

**(vi) TCP/11/16(574) – Review of Condition 1 of Planning Consent – 18/01331/FLL – Alterations and erection of gatepiers and gate at Craiginsh, Blairadam, Kelty, KY4 0HX – Mr A Sham**

Members considered a Notice of Review seeking a review of Condition 1 of Consent 18/01331/FLL, alterations and erection of gatepiers and gate at Craiginsh, Blairadam, Kelty, KY4 0HX.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised 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 review of Condition 1 of Consent 18/01331/FLL, alterations and erection of gatepiers and gate at Craiginsh, Blairadam, Kelty, KY4 0HX, be granted, with Condition 1 now to read:
  - 1. Prior to the commencement of development for the erection of the stone piers, a detailed specification of wooden gates shall be submitted to, and approved in writing by, the Council as Planning Authority, and thereafter installed as approved.  
Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
  - 2. All proposed external finishing materials for the proposed wall and piers shall match those of the existing frontage boundary wall in type, colour and texture.  
Reason – In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

**Justification**

The Local Review Body considered that the proposed entrance gates could be of vertical timber boarding without significant adverse impact on the environmental quality of the locality, subject to the approval of a suitably detailed design specification through the revised conditions of the existing Planning Permission 18/01331/FLL.

**(vii) TCP/11/16(575) – Planning Application – 18/00874/FLL – Erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford – Mr and Mrs W McLaren**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford.

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, 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 receipt of all requested further information, and the undertaking of the site visit, the application be brought back to the Local Review Body.

**3. DEFERRED APPLICATIONS FOR REVIEW CONT.**

**(ii) TCP/11/16(550) - Planning Application – 18/00473/FLL – Erection of a wind turbine and associated works on land south east of Warlawhill Farm, Carnbo, Kinross – Ecotricity**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse erection of a wind turbine and associated works on land south east of Warlawhill Farm, Carnbo, Kinross.

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

It was noted that, at its meeting of 16 October 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) the applicant providing a



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

set of full size photographs for VP's 9 and 10, and the additional photographs for VP's 7 and 8, and; (ii) an unaccompanied site visit. With all further information having been received, and the unaccompanied site visit having taken place on 5 December 2018, the Local Review Body reconvened. It was further noted that, at its meeting of 11 December 2018, the Local Review Body resolved that insufficient information was before the Local Review Body without; (i) a further unaccompanied site visit, due to a lack of visibility at its site visit on 5 December 2018. With a further unaccompanied site visit having taken place on 7 January 2019, and the further information requested at its meeting of 16 October having been previously received, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, with all requested further information having been received, and having carried out a site visits on 5 December 2018 and 7 January 2019, 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 erection of a wind turbine and associated works on land south east of Warlawhill Farm, Carnbo, Kinross, be granted subject to:
  1. The imposition of relevant terms, conditions and informatives, including a condition regarding finishing.

**Justification**

The proposed development, with the imposition of relevant terms, conditions and informatives, was not assessed as being contrary to the Local Development Plan and was compatible with Policies ER1A(a), ER6(a) and ER6(b) of the Perth and Kinross Local Development Plan 2014.

- (iii) **TCP/11/16(552) – Planning Application – 18/00263/FLL – Erection of an office building (class 4) including access ramp, 3 ancillary storage sheds, formation of car parking, external storage area, landscaping and associated works (in retrospect) at Hillview, Kinloch, Blairgowrie, PH10 6SD – Mr P Brown**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of an office building (class 4) including access ramp, 3 ancillary storage sheds, formation of car parking, external storage area, landscaping and associated works (in retrospect) at Hillview, Kinloch, Blairgowrie, PH10 6SD.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

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 16 October 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) the papers and plans before the Local Review Body when previous application relating to the property was considered - Reference 16/01937/FLL; (ii) the applicant submitting a plan showing the full extent of land and property in their ownership, or in which they have an interest in this locality; (iii) the applicant submitting a plan identifying the location and extent of their business premises previously owned and/or occupied at Blairgowrie, as referred to in their submission; (iv) the applicant submitting a plan and details of drainage provision envisaged at Chestnut Cottage/ WoodAcre, and referred to in their submission, accompanied by written confirmation of the acceptance of that proposal from the owner(s) of those properties involved, and; (v) an unaccompanied site visit. With all further information having been received, and an unaccompanied site visit having taken place on 7 January 2019, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, with requested further information having been received, and having carried out a site visit on 7 January 2019, 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 an office building (class 4) including access ramp, 3 ancillary storage sheds, formation of car parking, external storage area, landscaping and associated works (in retrospect) at Hillview, Kinloch, Blairgowrie, PH10 6SD, be refused for the following reason:
  1. The proposal is contrary to Policy ED3: Rural Business, of the Perth and Kinross Local Development Plan 2014, which states that there is a preference that rural businesses are located within or adjacent to settlements. This site is located outwith a settlement and no site specific resource is apparent and no locational justification has been provided for this specific site.
  2. The storage shed located to the front of the main building in a prominent location fails to respect the quality of the surrounding natural and residential environment, and fails to respect the agricultural character and visual amenity of the area and is therefore contrary to Policy PM1A and the Perth and Kinross Local Development Plan 2014.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
8 JANUARY 2019

**Justification**

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

~~~~~

## LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 10 January 2019 at 9.30am.

Present: Councillors C Ahern (Convener), K Baird, A Coates, D Illingworth, A Parrott, F Sarwar and M Williamson.

In Attendance: PC C Forbes (Police Scotland); K Spalding (Housing and Environment); M McLaren, D Merchant, S Michie and D Williams (all Corporate and Democratic Services).

Apologies for Absence: Councillors B Brawn, R Brock, I James, A Jarvis, J Rebbeck, and R Watters.

Councillor C Ahern (Convener), Presiding.

### 5. WELCOME AND APOLOGIES

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

### 6. DECLARATIONS OF INTEREST

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

### 7. MINUTES

The Minute of Meeting of the Licensing Committee of 15 November 2018 was submitted and approved as a correct record.

### 8. TAXI AND PRIVATE HIRE DRIVERS' KNOWLEDGE TEST

There was submitted a report by the Head of Legal and Governance Services (19/1) seeking approval for the introduction of a knowledge test for Private Hire Car Drivers' and Taxi Car Drivers'.

**Resolved:**

- The Committee agreed;
- (i) That the Taxi/Private Hire Car Driver knowledge test be introduced from 11 January 2019.
  - (ii) The fee for new applications received from 11 January 2019 for a Taxi/Private is increased by £30.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
10 JANUARY 2019

**9. VARIATION OF CONDITION 7 OF A STREET TRADERS LICENCE NO. ST375**

This item of business was withdrawn prior to the meeting.

**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.**

**10. GRANT OF A STREET TRADERS LICENCE NO. ST375**

This item of business was withdrawn prior to the meeting.

**11. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE (1 YEAR) NO. TD1816 – 1 YEAR.**

There was submitted a report by the Head of Legal and Governance Services (19/4) together with a letter dated 16 November 2018 from Police Scotland regarding Continued Suspension of Taxi/Private Hire Car Driver's Licence No. TD1816.

The applicant was in attendance.

The representative of Police Scotland addressed the Committee and answered Members' questions. The applicant also addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence No. TD1816 be not granted.

**12. RENEWAL OF A LATE HOURS CATERING LICENCE – 3 YEARS NO. LH120**

There was submitted a report by the Head of Legal and Governance Services (19/5) together with a letter of representation dated 23 November 2018 from Police Scotland regarding Renewal of a Late Hours Catering Licence – 3 Years No. LH120.

The applicant was in attendance.

**Resolved:**

Consideration of Renewal of a Late Hours Catering Licence – 3 Years No. LH120 be deferred to the next meeting of the Licensing Committee scheduled to take place on Thursday 21 February 2019.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
10 JANUARY 2019

**13. GRANT OF A WINDOW CLEANERS LICENCE – 3 YEARS NO. WC320**

There was submitted a report by the Head of Legal and Governance Services (19/6) together with a letter of representation dated 27 November 2018 from Police Scotland regarding Grant of a Window Cleaners Licence – 3 Years No. WC320.

The applicant was in attendance, along with a perspective employer.

**Resolved:**

Window Cleaners Licence Licence WC320 be granted for a period of 3 years with effect from 10 January 2018.

~~~~~

## **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 16 January 2019 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, B Band, H Coates, E Drysdale, T Gray, D Illingworth (substituting for Councillor I James), C Ahern (substituting for Councillor A Jarvis), X McDade (substituting for Councillor M Barnacle), L Simpson, R Watters and W Wilson.

In Attendance: A Condliffe, D Niven, A Belford, D Littlejohn, D Salman and L Reid (all Housing and Environment); C Elliott, D Williams and M Willis (all Corporate and Democratic Services).

Apologies: Councillors M Barnacle, I James and A Jarvis

Councillor R McCall, Convener, Presiding.

### **14. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting.

### **15. DECLARATIONS OF INTEREST**

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

### **16. MINUTES**

- (i) The minute of meeting of the Planning and Development Management Committee of 24 October 2018 (Arts. 601-605) was submitted, approved as a correct record and authorised for signature, subject to the following amendments:

Art. 605 – Line presently reading “(vi) for both applications it was accepted that a Species Protection Plan for bats had previously been requested by officers”, be replaced by “(vi) for both applications it was accepted that a Species Protection Plan for bats had not previously been requested by officers”.

Art. 605(1)(iii) – In the first line, “Team Leader” be replaced with “Interim Development Quality Manager”.

Art. 605(2)(i) – In the first line of the Motion “Councillor” be replaced by “Councillors”.

In the first line of the Amendment “Councillor” be replaced by “Councillors”.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

Art. 605(2)(iii) – In the first line of the Motion “Councillor” be replaced by “Councillors”.

In the first line of the Amendment “Councillor” be replaced by “Councillors”.

- (ii) The minute of meeting of the Planning and Development Management Committee of 21 November 2018 (Arts. 699-673) was submitted, approved as a correct record and authorised for signature, subject to the following amendments:

“Councillor B Brawn, Vice-Convener, Presiding”, be replaced by “Councillor R McCall, Convener, Presiding”.

Art. 671 – ‘26 September 2018’, be replaced by ‘24 October 2018’.

- (iii) The minute of meeting of the Planning and Development Management Committee of 18 December 2018 (Arts. 703-707) was submitted, approved as a correct record and authorised for signature subject to the following amendment:

Under Minutes (i) – “25 October 2018”, be replaced by “24 October 2018”.

## 17. 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>
18/01591/AMM	19(1)(i)
18/01592/AMM	19(1)(ii)

## 18. UPDATE

A Condliffe, Interim Development Quality Manger, delivered a verbal update to members on Planning Application 18/00094/IPM, Residential development (in principle) for up to 70 dwellings, former Murray Royal Hospital, Muirhall Road, Perth, and Planning Application 18/00408/FLM, Change of use, alterations and selective demolition to former hospital building to form 58 flats and associated works, former Murray Royal Hospital, Muirhall Road, Perth, both of which were deferred by the Planning and Development Management Committee at its meeting of 24 October 2018, to allow for further information and a site visit. A Condliffe informed members that the Council as planning authority were advised on 21 December 2018 that the Applicant had appealed both applications to the Planning and Environment Appeals Division (DPEA) on the grounds of non-determination, and that the applications would now be determined by the DPEA. C Elliott, Legal Adviser, advised members that the Council’s response to the appeals was submitted on 14 January 2019, and that the Committee’s reasons for deferring the applications were included.



**19. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 18/01591/AMM – AUCHTERARDER – Erection of 116 dwellinghouses, formation of vehicular accesses, open spaces and associated works (approval of matters specified in conditions 16/01809/IPM) (Phase 2), land east of Stewart Milne Homes, Hunter Street, Auchterarder – Report 19/7 – Stewart Milne Homes Central Scotland Ltd**

A Condliffe, Interim Development Quality Manager, delivered an update on proposed conditions, which were circulated to members prior to the meeting.

Mrs Hill, on behalf of an objector to the application, followed by Ms Donald and Mr Henderson, on behalf of the applicant's agent and applicant respectively, addressed the Committee, and following their representations, withdrew to the public gallery.

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives, including amendments to conditions as above and additional condition 14:

**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.  
Reason: To ensure the development is carried out in accordance with the approved drawings and documents.
2. For clarification and in association with construction phasing plan 18/01591/149, the link road between Hunter Street and the A824 referred to as 'the spine road' shall be constructed to an adoptable standard and open to public traffic prior to Friday 1 November 2019.  
Reason: In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
3. Prior to occupation of units 60 - 71 of the development, provision of a pedestrian footway along the A824 shall be provided, to a design and specification agreed in writing by the Council as Planning Authority.  
Reason: In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
4. No removal of vegetation, including trees and shrubs will be permitted between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful and detailed check of vegetation for active birds' nests

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

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 for approval prior to commencement of works.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

5. Prior to the commencement of development hereby approved, details of the location and specification of swift brick(s) or swift nest box(s) shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the swift brick(s) or swift nest box (s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.

Reason: In the interests of enhancing biodiversity.

6. All road gullies within 500m of a SUDS pond shall have a wildlife kerb installed adjacent to it to allow amphibians to pass safely. Details of the specification of the affected kerbing shall be submitted for the further written agreement of the Council as Planning Authority prior to its installation. Thereafter, the wildlife kerbing shall be installed in accordance with the agreed details, prior to the completion of the development.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

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 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.

Reason: In order to prevent animals from being trapped within any open excavations.

8. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

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 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.  
Reason: In the interests of public health and to prevent noise pollution.
10. The detailed landscaping and planting proposal specifications as approved shall be undertaken and delivered commensurate with the residential development elements, in accordance with the approved phasing delivery plan and thereafter maintained. 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.  
Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted LDP.
11. Prior to the commencement of development 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 (SAMP), 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. Thereafter the development shall be fully undertaken in accordance with the CEMP.  
Reason: In the interest of protecting environmental quality and existing residential amenity.
12. 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.  
Reason: In the interests of best practice surface water management: to avoid undue risks to public safety and flood risk during the construction phases.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

13. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used on each plot 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 individual plot, whichever is the earlier.  
Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.
14. In addition to the requirements of condition 10, prior to the commencement of development, details of the revised boundary treatment between Plots 39 & 40 and 37 The Feus shall be submitted to and agreed in writing by the Council as Planning Authority. Thereafter the scheme as approved shall be implemented to the satisfaction of the Council as Planning Authority prior to the occupation of either Plot 39 or Plot 40.  
Reason: In the interests of the residential amenity of the existing property at 37 The Feus, Auchterarder.

**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. 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 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

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 Sections 21 of the Roads (Scotland) Act 1984 he/she/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.
  6. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update.
  7. 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).
  8. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
  9. No work shall be commenced until an application for building warrant has been submitted and approved.
  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 permission for a development does not provide a defence against prosecution under this act.
  12. The applicant is encouraged to provide for hedgehog shelter, hibernation in, and commuting through the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

development, through the design of gardens, decking and access to gardens and greenspace. Access gaps in wooden fences should be 13cm x 13cm. Advice and assistance is available directly from the Tayside Biodiversity Partnership. Further guidance is available on <https://www.hedgehogstreet.org/>

13. The applicant should note that refuse collection vehicles will only enter the site during development where there is clear access and suitable turning; this means that Waste Services may not be able to provide a full kerbside recycling service to residents whilst the build is ongoing and bins may have to be emptied from a specified collection point until full access is made available for refuse collection vehicles.
14. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste
15. The applicant should note that road and pavement from the bin collection point to the refuse collection vehicle must be at a maximum of 10 metres on a hard standing surface. It must have a level gradient and a smooth surface; using dropped kerbs where appropriate.
16. The applicant is advised to contact the area [Community Waste Adviser](#) to incorporate a suitable location(s) for the provision of recycling facilities to complement the existing kerbside recycling services offered in the area.
17. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/0189/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply. The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland ([www.ros.gov.uk](http://www.ros.gov.uk)).
18. The applicant is recommended to contact PKC Environmental Health Team to establish if the Tipperwhy Well serves directly or indirectly as a private water supply. If it is a current private water supply, the applicant should thereafter make contact with SEPA to discuss.

**(ii) 18/01592/AMM – AUCHTERARDER – Erection of 12 dwellinghouses, landscaping and associated works (approval of matters specified by conditions 16/01809/IPM) (Phase 3A), land north east of Stewart Milne Homes, Hunter Street, Auchterarder – Report 19/8 – Stewart Milne Homes Central Scotland Ltd**

A Condliffe, Interim Development Quality Manager, delivered an update on proposed conditions, which were circulated to members prior to the meeting.

Additionally, paragraph 79 (Page 107) should refer to Conditions 7 & 8 not Conditions 8 & 9 and paragraph 98 (Page 109) should refer to Conditions 3, 4 & 5 not Conditions 4, 5 & 6.

Ms Donald and Mr Henderson, on behalf of the applicant's agent and applicant respectively, addressed the Committee, and, following their representation, withdrew to the public gallery.

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives, including amendments to conditions as above:

**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.  
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.
2. For clarification and in association with construction phasing plan 18/01592/62, the link road between Hunter Street and the A824 referred to as 'the spine road' shall be constructed to an adoptable standard and open to public traffic prior to Friday 1 November 2019.  
Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
3. No removal of vegetation, including trees and shrubs will be permitted between 1 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 for approval prior to commencement of works.  
Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

- protected species as identified under the Wildlife and Countryside Act (1981).
4. Prior to the commencement of development hereby approved, details of the location and specification of swift brick(s) or swift nest box(s) shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the swift brick(s) or swift nest box(s) shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit.  
Reason - In the interests of enhancing biodiversity.
  5. All road gullies within 500m of the SUDS pond shall have a Wildlife Kerb installed adjacent to it to allow amphibians to pass safely.  
Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).
  6. 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.  
Reason - In order to prevent animals from being trapped within any open excavations.
  7. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.  
Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.
  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.  
Reason - In the interests of public health and to prevent noise pollution.
  9. The detailed landscaping and planting proposal specifications as approved shall be undertaken and delivered commensurate with the residential development elements and thereafter maintained. Any planting failing to become established within five years shall be replaced



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted LDP.

10. 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.

Reason - In the interests of best practice surface water management: to avoid undue risks to public safety and flood risk during the construction phases.

11. Prior to the commencement of development, further clarification on detailed matters of the proposed surface water drainage strategy shall be provided for further written approval by the Council as Planning Authority. The approved surface water drainage strategy shall thereafter be installed in accordance and association with the approved phasing plan. All works shall be carried out in accordance with the agreed scheme and be operational prior to the completion of this phase of the development.

Reason - To ensure the provision of effective drainage for the site.

12. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used on each plot 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 individual plot, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

#### **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. 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

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 Sections 21 of the Roads (Scotland) Act 1984 he/she/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.
6. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update.
7. 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).
8. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

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 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 permission for a development does not provide a defence against prosecution under this act.
12. The applicant is encouraged to provide for hedgehog shelter, hibernation in, and commuting through the development, through the design of gardens, decking and access to gardens and greenspace. Access gaps in wooden fences should be 13cm x 13cm. Advice and assistance is available directly from the Tayside Biodiversity Partnership.
13. The applicant should note that refuse collection vehicles will only enter the site during development where there is clear access and suitable turning; this means that Waste Services may not be able to provide a full kerbside recycling service to residents whilst the build is ongoing and bins may have to be emptied from a specified collection point until full access is made available for refuse collection vehicles.
14. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
15. The applicant should note that road and pavement from the bin collection point to the refuse collection vehicle must be at a maximum of 10 metres on a hard standing surface. It must have a level gradient and a smooth surface; using dropped kerbs where appropriate.
16. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning permission 16/0189/IPM. This permission continues to be tied by this legal agreement and the associated requirements will continue to apply.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

The terms of the obligation can be viewed via PKC [Public Access](#) or at the Registers of Scotland ([www.ros.gov.uk](http://www.ros.gov.uk)).

**(2) Proposal of Application Notice (PAN)**

- (i) 18/00012/PAN – PERTH – Low carbon energy park including solar, heat pump, biomass and combined heat and power generation, power distribution and storage with associated vehicle access and service infrastructure, land at Cotton Wood, Lamberkine Wood, Coldwells Wood, Broxden Wood, Gallowspark Wood and East Lamberkin Farm, Perth – Report 19/9 – Dupplin Estate Renewable Energy Company**

A Condliffe, Interim Development Quality Manager, advised that with regards to Paragraph 4 of Report 19/9, the public exhibition due to be held on 15 January 2019 had been cancelled with no revised date. It would be likely that a revised PAN will have to be submitted in due course, however, any comments members had would still be noted.

Councillor Coates commented on the visual amenity of the surrounding area, requesting that consideration be given to this when an application comes forward.

Councillor Simpson requested that vibration issues be considered.

Councillor Anderson requested that consideration be given to construction access, and also an agreement be put in place for roads to be made good following the completion of works.

Councillor Wilson requested that consideration be given to Policies NE2A, NE2B, NE3, NE4, NE5, ER1A, EP3C, EP11 of the Perth and Kinross Local Development Plan 2014.

Members also noted the issues identified by the Interim Development Quality Manager.

- (ii) 18/00013/PAN – KINROSS – Residential development (density and re-mix of Phase 2), land north west of Lathro Farm, Kinross – Report 19/10 – Persimmon Homes North Scotland**

Councillor McCall informed members of a request to circulate information by the Kinross-shire Civic Trust. However, as that is part of an ongoing formal complaint which is an alternative process, this information would not be brought to Committee.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
16 JANUARY 2019

Anne Condliffe, Interim Development Quality Manager advised that with regards to Paragraph 4 of Report 19/10, the public exhibition was held on 10 December 2018 and not 10 November 2018.

Councillor McCall noted that a local councillor had asked that education and health matters be taken into account.

Councillor Watters asked that consideration be given to (i) the play area, which was temporarily moved, be returned to its permanent location; (ii) that planting due in phase 1 was moving ahead; and (iii) that full engagement with the Roads Authority take place regarding traffic modelling.

Councillor Wilson added that consideration be given to (i) engagement with Transport Scotland on motorway links, and (ii) social infrastructure.

Councillor McDade asked that consideration be given to the increase in density in the re-mix.

Councillor Simpson added concern that responses from statutory consultees was not matching the speed of development.

Members also noted the issues identified by the Interim Development Quality Manager.

~~~~~

## **HOUSING AND COMMUNITIES COMMITTEE**

Minute of meeting of the Housing and Communities Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 23 January 2019 at 10.00am.

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

In Attendance: B Renton, Executive Director (Housing and Environment); S MacKenzie (Head of Finance); C Mailer, F Crofts, M Dow, S Coyle, E Ritchie, J McColl, J Cruickshank, S Watson, P Turner, R Duarte and A McKenzie (all Housing and Environment); F Robertson (Education and Children's Services); C Flynn and A Taylor (all Corporate and Democratic Services).

Also in Attendance: Chief Inspector I Scott (Police Scotland); Area Manager G Pryde and Group Manager B McLintock (both Scottish Fire and Rescue Service); T Bremner and L Palmer (both Tenants' Representatives).

Apology for Absence: Councillor C Shiers.

Councillor Barrett, Convener, Presiding.

### **20. WELCOME AND APOLOGIES**

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

### **21. DECLARATIONS OF INTEREST**

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

### **22. MINUTE OF THE MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 31 OCTOBER 2018 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of the Housing and Communities Committee of 31 October 2018 (Art. 606-616) was submitted, approved as a correct record and authorised for signature.

### **23. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/11) providing an update on the activities of the Community Planning Partnership.

#### **Resolved:**

The progress made in relation to Community Planning be noted.

**24. HOUSING REVENUE ACCOUNT (HRA) STRATEGIC FINANCIAL PLAN INCORPORATING THE 5 YEAR CAPITAL INVESTMENT PROGRAMME AND RENT STRATEGY TO 2023/24, RESERVES STRATEGY AND OTHER HOUSING CHARGES FOR 2019/20**

There was submitted a joint report by the Executive Director (Housing and Environment) and the Head of Finance (19/12) (1) setting out the proposed Housing Revenue Account (HRA) Budget for five years from 2019/20 to 2023/24; (2) recommending increases to rents for houses and other HRA property service charges and also recommending an appropriate level of reserves; and (3) presenting the proposed budget for the next five years of the Capital Investment Programme totalling £68 million from 2019/20 to 2023/24.

C Mailer, Head of Housing, delivered a presentation providing a summary of the report.

**Resolved:**

- (i) The Housing Revenue Account Budget for 2019/20 and provisional budgets for financial years 2020/21 to 2023/24 as set out in Appendix 1 to Report 19/12, be approved.
- (ii) The proposed Housing Revenue Account Capital Investment Programme for 2019/20 to 2023/24 as set out in Appendix 4 to Report 19/12, be approved.
- (iii) The Rent Strategy for 2019/20 and a provisional Rent Strategy for the following 4 years to 2023/24 as detailed in Section 6 of Report 19/12, be approved.
- (iv) The 1.5 % rent increase for the year commencing 1 April 2019 for all Council houses be approved, meaning the average weekly rent would be £68.81 per week based on 52 weeks.
- (v) The rent increase of 1.5% for the year commencing 1 April 2019 be approved for the following:
  - All lock-ups
  - All garage sites
  - Chalets and stances for travelling people at Double Dykes and Bobbin Mill
  - Dispersed tenancies owned by the HRA
  - Greyfriars Hostel
- (vi) The Housing Revenue Account Reserves Strategy as detailed in Section 7 of Report 19/12, be approved.
- (vii) The proposal to set Housing service charges from 1 April 2019 as stated in Section 10 of Report 19/12, be approved.
- (viii) Notes and approves where necessary the revised level of all housing related charges as detailed in Appendix 6 to Report 19/12.
- (ix) The progress made to date in delivering and maintaining the Scottish Housing Quality Standard (SHQS) for improving and managing the housing stock as set out in Section 4 of Report 19/12 and the related Business Cases, be noted.

S MACKENZIE AND F CROFTS LEFT THE MEETING AT THIS POINT.

**25. PERTH & KINROSS COUNCIL'S RAPID REHOUSING TRANSITION PLAN**

There was submitted a report by the Executive Director (Housing and Environment) (19/13) seeking final approval for Perth and Kinross Council's Rapid Rehousing Transition Plan which had been submitted to the Scottish Government on 21 December 2018.

**Resolved:**

- (i) The Perth and Kinross Council's Rapid Rehousing Transition Plan, submitted to the Scottish Government on 21 December 2018, be approved.
- (ii) It be noted that the implementation of certain aspects of the Rapid Rehousing Transition Plan are dependent on funding being awarded by the Scottish Government.
- (iii) It be approved that the Rapid Rehousing Transition Plan will become part of the suite of strategic documents that form the Local Housing Strategy 2016-2021 and progress reporting will be provided as part of the wider Local Housing Strategy reporting arrangements.

M DOW, S COYLE, E RITCHIE, J MCCOLL AND J CRUICKSHANK ALL LEFT THE MEETING AT THIS POINT.

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

**(i) Scottish Fire and Rescue Service Performance Report – Interim Activity Report**

There was submitted a report by Area Manager G Pryde, Scottish Fire and Rescue Service (19/14) providing an interim update on the activity within the Perth and Kinross area for the period 1 December 2018 to 1 January 2019.

**Resolved:**

The interim update on operational and community safety engagement activities of the Scottish Fire and Rescue Service in the Perth and Kinross area, as detailed in Report 19/14, be noted.

T BREMNER AND L PALMER LEFT THE MEETING AT THIS POINT.

**(ii) Perth and Kinross Local Policing Area Performance Results – Interim Activity Report**

There was submitted a report by Chief Superintendent A Todd, Police Scotland 'D' Division (Tayside) (19/15) providing an interim update on local policing activity in the Perth and Kinross area for the period 21 December 2018 to 1 January 2019.



PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
23 JANUARY 2019

Councillor Coates made reference to the hate crimes recorded and queried whether any specific ethnic group were regularly the target of these crimes. In response Chief Inspector Scott advised that around 50% of the hate crime recorded in Perth and Kinross was linked to the night time economy be it catering premises, taxi drivers and involves the use of inappropriate language which would suggest that alcohol plays a significant role in these type of incidents.

Councillor Drysdale made reference to incidents of drink-driving and sought some clarity on the best method for members of the public to report it to Police Scotland. In response Chief Inspector Scott advised that if the member of the public knew that the individual had been consuming alcohol and was about to get behind the wheel of a vehicle then it would be appropriate to call 999 as there could be a potential threat to lives, more general concerns should be reported through the 101 number or via Crimestoppers.

Councillor McCole made reference to the statistics surrounding drink-driving and queried that since the introduction of the new limit in Scotland whether there was any notable increases in the time of day where people were more likely to fail the breathalyser test. In response Chief Inspector Scott advised the vast majority of positive breath tests are provided in the evenings and at the weekend, although occasional morning after readings have been detected, he advised there has been no noticeable increase in these.

Councillor Drysdale made reference to the risks involved with people choosing to defrost their vehicles in their driveways with the engine running and then re-entering the house and queried whether there was any data available or trends that show the frequency of cars stolen from outside properties due to these actions. In response Chief Inspector Scott advised that there have been no reports of this kind of criminality in the area.

Councillor McEwan made reference to the drug test kits which are used elsewhere in the UK and queried whether these were available to Police Scotland Officers. In response Chief Inspector Scott confirmed test kits are available for certain types of drugs but it can be difficult for officers when trying to determine what drugs to test for.

**Resolved:**

The interim update on the Perth and Kinross Local Policing Area Performance Results as detailed in Report 19/15, be noted.

**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.**

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

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

**28. POLICE SCOTLAND – OPERATIONAL UPDATE FROM 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.

~~~~~

## **ENVIRONMENT AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on 23 January 2018 at 1.00pm.

Present: Councillors A Forbes, A Bailey, K Baird, M Barnacle, D Doogan, J Duff, A Jarvis (from Art. 32), G Laing, R McCall, X McDade (substituting for Councillor M Barnacle), T McEwen (substituting for Councillor S Donaldson), A Parrott, C Reid, W Robertson (from Art. 32), L Simpson and M Williamson.

In Attendance: B Renton, Executive Director (Housing and Environment); W Young, Head of Environmental and Consumer Services (Housing and Environment); P Dickson, C Haggart, D Littlejohn, J McCrone, J Scott and D Strang (all Housing and Environment); C Flynn, G Fogg and K Molley (all Legal and Governance Services).

Apologies for Absence: Councillors M Barnacle and S Donaldson.

Councillor A Forbes, Convener, Presiding.

### **29. WELCOME AND APOLOGIES**

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

### **30. DECLARATIONS OF INTEREST**

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

### **31. MINUTE OF PREVIOUS MEETING**

The minute of the meeting of the Environment and Infrastructure Committee of 7 November 2018 (Arts 629-648) was submitted and approved as a correct record and authorised for signature.

### **32. SUSTRANS PROJECT**

D Littlejohn, Head of Planning and Development, delivered a presentation to raise awareness of a forthcoming Perth Cycle Network masterplan investment in active travel.

COUNCILLORS A JARVIS AND W ROBERTSON ENTERED THE MEETING AT THIS POINT.

D Littlejohn answered questions from members. The Convener thanked D Littlejohn for his presentation.

**Resolved:**

Councillor Lewis Simpson be appointed as the Councils Travel Ambassador to promote sustainable travel across elected members and members of the community to support the Sustran project.

**33. THE FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 PUBLICATION OF INTERIM REPORT**

There was submitted a report by the Executive Director (Housing and Environment) (19/16) (1) presenting the final drafts of the Council's interim reports on the progress made in implementing the Local Flood Risk Management plans; and (2) seeking approval of the content of the interim reports on the Local Flood Risk Management Plans to be published no later than 22 June 2019.

**Resolved:**

- (i) The progress made on delivering the Local Flood Risk Management Plans published in June 2016 as set out in the interim reports, be endorsed.
- (ii) The content of the interim reports on the Local Flood Risk Management Plans for the Tay District and the Council's input to the interim reports for the Forth, the Forth Estuary and the Tay Estuary & Montrose Basin Districts, be approved.
- (iii) It be approved that the Head of Environmental & Consumer Services will carry out final minor amendments prior to publication on 1 March 2019.
- (iv) The proposed arrangements for publication of the interim reports, be approved.

**34. REVIEW OF PLANNING ENFORCEMENT CHARTER**

There was submitted a report by the Executive Director (Housing and Environment) (19/17) seeking approval of an amended version of the Council's Planning Enforcement Charter, following a regular review, as required by legislation.

**Resolved:**

The proposed Planning Enforcement Charter 2018 contained in Appendix 1 to Report 19/17, be approved.

**35. PROPOSED VARIATION TO WAITING RESTRICTIONS, MAIN STREET, INVERGOWRIE (WARD 1)**

There was submitted report by the Depute Director (Housing and Environment) (19/19) (1) outlining the problems experienced by residents in Main Street, Invergowrie due to indiscriminate parking; and (2) recommending a variation to the Invergowrie Waiting Restrictions Order to vary the Waiting restrictions on Main Street, Invergowrie (Ward 1).

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time restrictions and reduce the Limited Waiting parking on Main Street, as described in Appendix 1 to Report 19/19, be approved.

**36. PROPOSED ONE WAY ROAD AND VARIATION TO WAITING RESTRICTIONS, LOWER MILL STREET, BLAIRGOWRIE (WARD 3)**

There was submitted a report by the Depute Director (Housing & Environment) (19/20)(1) outlining the problems experienced by residents and business owners in Lower Mill Street, Blairgowrie due to indiscriminate parking; and (2) recommending a start to the process to vary the Blairgowrie Traffic Management Order to introduce a one way road restriction and waiting restrictions on Lower Mill Street, Blairgowrie (Ward 3).

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time restrictions and reduce the Limited Waiting parking on Lower Mill Street, Blairgowrie, as described in Appendix 1 to Report 19/20, be approved.

**37. PROPOSED VARIATION TO WAITING RESTRICTIONS, AVENUE ROAD, TALLA PARK & HIGH STREET, KINROSS (WARD 8)**

There was submitted a report by the Depute Director (Housing & Environment) (19/21)(1) outlining the problems experienced by residents in Avenue Road, Talla Park and High Street, Kinross due to indiscriminate parking; and (2) recommending a start to the process to vary the Kinross Traffic Management Order to introduce additional waiting restrictions on Avenue Road, Talla Park and High Street, Kinross (Ward 8).

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time waiting restrictions on Avenue Road, Talla Park and High Street, as described in Appendix 1 & 2 to Report 19/21, be approved.

**38. PROPOSED WAITING RESTRICTIONS GOWANS TERRACE, PERTH AND MONCUR ROAD, INCHTURE – SCHOOL KEEP CLEAR ORDER (WARDS 12&1)**

There was submitted a report by the Depute Director (Housing & Environment) (19/22) (1) outlining the problems experienced at the entrance to Perth Grammar School and Inchture Primary School; and (2) recommending a variation to the School Keep Clear Order to vary the waiting restrictions on Gowans Terrace, Perth and Moncur Road, Inchture (Wards 12 & 1).

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce School Keep Clear waiting restrictions on Gowans Terrace, Perth and Moncur Road, Inchture, as described in Appendix 1 & 2 to Report 19/22, be approved.

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

There was submitted a report by the Depute Director (Housing & Environment) (19/23) recommending that the List of Public Roads be updated to take account of the amendments detailed in this report.

**Resolved:**

The amendments to the List of Public Roads as detailed in Appendix 1 to Report 19/23, be approved.

~~~~~

## AUDIT COMMITTEE

Minute of meeting of the Audit Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 30 January 2019 at 9.30am.

Present: Councillors E Drysdale, S Donaldson, A Coates, D Illingworth, X McDade, M Williamson and W Wilson.

In Attendance: J Clark, C Irons, S Mackenzie, M Morrison, C Robertson, L Simpson and L Gowans (all Corporate and Democratic Services); C Taylor (Education and Children's Services); F Crofts and S Merone (Housing and Environment).

Also In Attendance : N Duncan and M Stewart, Internal Audit.

Councillor Drysdale, Convener, Presiding.

### 40. WELCOME AND APOLOGIES/SUBSTITUTIONS

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

### 41. DECLARATIONS OF INTEREST

Councillors S Donaldson and X McDade declared a non-financial Interest in Art. 45(iii)(a) on LEADER in terms of the Councillors' Code of Conduct.

### 42. MINUTE

The minute of meeting of the Audit Committee of 7 November 2018 (Arts 649-658) was submitted and approved as a correct record and authorised for signature.

In relation to Article 656, it was noted that the two contracts which had not been notified to Public Contracts Scotland within the appropriate time limit had been fifteen and twenty-eight weeks outwith the time limit.

### 43. INTERNAL AUDIT FOLLOW UP

There was submitted a report by the Chief Internal Auditor (19/24) presenting a current summary of Internal Audit's follow up work.

It was noted that in respect of action plan 17-22 relating to Elected Members Allowances, that a decision had been made not to progress the action. L Simpson confirmed that a pragmatic approach had been taken as Elected Members were not subject to the Maximising Attendance Policy introduced for staff.

#### **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.

**44. INTERNAL AUDIT UPDATE**

There was submitted a report by the Chief Internal Auditor (19/25) presenting a summary of Internal Audit's work.

In response to a question from Councillor S Donaldson, J Clark advised that usually Internal Audit were contacted by a Team Leader to provide advice, assurance and/or assistance to services regarding specific issues where a process was being reviewed or changed. J Clark would confirm to Councillor Donaldson whether or not the eleven occasions they were asked for advice this year was higher than last year.

**Resolved:**

The progress of assignments from the 2018/19 Audit Plan, be noted.

**45. INTERNAL AUDIT UPDATE**

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

**(a) 18-11 –School Estate Strategy**

There was submitted a report by the Chief Internal Auditor (19/26) on an audit to ensure (1) there was a clear vision and strategy of how the School Estate was managed; (2) that consideration was given to appropriate matters, such as condition, suitability and sufficiency of the School Estate and (3) that there were robust governance arrangements in place and operating effectively for School Estate planning.

It was noted that the School Estate Sub-Committee and the Property Sub-Committee had been amalgamated for one Committee to deal with all property issues.

**Resolved:**

Internal Audit's findings, as detailed in Report 19/26, be noted.

**(b) 18-17 – Remodelling of Residential Care For Children and Young People**

There was submitted a report by the Chief Internal Auditor (19/27) on an audit to ensure the adequacy of arrangements relating to the REACH (Review and remodelling of residential care for Children and Young People) Project.

Councillor W Wilson asked why this audit had been included in the audit plan when there had been strong controls and J Clark advised it had been agreed as part of the audit plan approved by Committee in June 2018 as it was important to look at areas of significant change or risk.



PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
30 JANUARY 2019

It was noted that the Committee should not only focus on areas of concern and lessons can be learned from audits where the internal controls are strong and there were lessons to be learned and applied elsewhere.

**Resolved:**

Internal Audit's findings, as detailed in report 19/27, be noted.

**(ii) Corporate and Democratic Services**

**(a) 18-02 – Review of Internal Controls**

There was submitted a report by the Chief Internal Auditor (19/28) on an audit to ensure (1) the adequacy of segregation of duties, controls and ensuring access to systems were restricted to appropriate levels (to negate the possibility of individuals processing transactions all the way through the payments process); (2) that feeder systems were effectively reconciled to other systems – specifically the Purchase ledger, using third party information (suppliers statements) and reconciling with payments system for payments of creditors; (3) that system documentation was maintained which detailed key controls to be carried out by staff to prevent fraud or error in payment of creditors and (4) that budget monitoring was at a level that allowed budget holders to identify anomalous payments to suppliers at an early stage.

S Mackenzie advised members that all actions had now been completed and a new software system was being used which checked for anomalies prior to a payment being made and the effectiveness of this would be tested over the next twelve months.

**Resolved:**

- (i) Internal Audit's findings, as detailed in Report 19/28, be noted.
- (ii) A training session be held for members on the IT systems in place within the Council.

**(b) 18-15 – Payroll**

There was submitted a report by the Chief Internal Auditor (19/29) on an audit to ensure (1) that the payment of employee salaries, including temporary variations and deductions, are timely, accurate and authorised: (2) that the adequacy of controls in respect of bona fide new employees and leavers were appropriately and adequately authorised and input promptly to the payroll system and (3) that managers were receiving accurate reports on the employees for whom they have responsibility.

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
30 JANUARY 2019

**Resolved:**

Internal Audit's findings, as detailed in Report 19/29, be noted.

**(iii) Housing and Environment**

**(a) 18-19 – LEADER**

There was submitted a report by the Chief Internal Auditor (19/30) on an audit to (1) ensure regulatory requirements were met by reviewing the systems in place to deliver LEADER as well as the financial processes and (2) assess compliance with the Service Level Agreement and conduct a review of a selection of LEADER projects.

S Merone advised that claims to the Scottish Government were up-to-date.

**Resolved:**

Internal Audit's findings, as detailed in Report 19/30, be noted.

~~~~~

## **LIFELONG LEARNING COMMITTEE**

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 30 January 2019 at 1.00pm.

Present: Councillors C Shiers, W Wilson, C Purves, D Doogan (substituting for Councillor H Anderson), J Duff, A Forbes, R McCall (substituting for Councillor K Baird), X McDade, T McEwan, B Pover, J Rebbeck, C Reid and F Sarwar; Mrs P Giles, Mr R McCall and Mrs C Weston.

In attendance: S Devlin, Executive Director (Education & Children's Services); J Pepper, G Boland, J Chiles, S Farrer, R Hill, H Robertson and C Taylor (all Education & Children's Services); C Haggart (Housing & Environment); L Simpson, A O'Brien, C Vaskevicius, C Flynn and L Brown (all Corporate and Democratic Services).

Also in attendance: G Conway, C Haxton and F Reilly (all Tayside Contracts).

Apologies for absence: Councillors H Anderson and K Baird; Mrs A McAuley, Mrs M McFarlane and Mr F Macdonald.

Councillor C Shiers, Convener, Presiding.

### **46. WELCOME AND APOLOGIES**

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

### **47. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct Councillors Doogan and Forbes declared a non-financial interest as members of Tayside Contracts Joint Committee in Art. 53, a report by the Executive Director (Education and Children's Services) on the Review of Catering Services.

### **48. MINUTES**

#### **(i) Lifelong Learning Committee**

The minute of meeting of the Lifelong Learning Committee of 31 October 2018 (Arts. 617-628) was submitted, approved as a correct record and authorised for signature.

#### **Statutory Consultations on Balhousie, North Muirton and Forteviot Primary Schools**

With reference to the Statutory Consultations on Balhousie, North Muirton and Forteviot Primary Schools, Arts. 622/18 and 623/18 of the minute of meeting of the Lifelong Learning Committee of 31 October

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
30 JANUARY 2019

2018, the Executive Director (Education and Children's Services) advised of a decision made by Scottish Ministers on 20 December 2018 to grant consent to Perth and Kinross Council to implement the Council's decision to permanently close the schools in line with the timescales that were set out in the Council's proposals. In the case of Balhousie and North Muirton Primary Schools the Committee gave a commitment to work with the communities of both schools on the establishment of a user group and to ensure that community engagement was widespread and thorough and to ensure there was full engagement with all key stakeholders in the establishment of a new school at North Muirton Primary, Perth.

**(ii) Executive Sub-Committee**

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 21 May 2018 was submitted and noted.  
*(Appendix I)*

**(iii) Joint Negotiating Committee for Teaching Staff**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 18 September 2018 was submitted and noted. *(Appendix II)*

**49. CHILDREN, YOUNG PEOPLE AND FAMILIES PARTNERSHIP**

The minute of meeting of the Children, Young People and Families Partnership of 28 September 2018 was submitted and noted.

**50. APPOINTMENT OF THIRD RELIGIOUS REPRESENTATIVE ON LIFELONG LEARNING COMMITTEE**

There was submitted a report by the Head of Legal and Governance Services (19/31) advising of the process undertaken to appoint a third religious representative to fill a vacancy on the Lifelong Learning Committee.

**Resolved:**

- (i) The nominations received for the appointment of a third religious representative to the Lifelong Learning Committee, attached as Appendices 1-3 of Report 19/31, be noted.
- (ii) The appointment of Mr Adrian Ferguson as the third religious representative on the Lifelong Learning Committee up until the next local government elections in May 2022, be approved.

**51. EDUCATION AND CHILDREN'S SERVICES SIX MONTH PERFORMANCE SUMMARY 2018**

There was submitted a report by the Executive Director (Education and Children's Services) (19/32) reviewing the performance of Education and Children's

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
30 JANUARY 2019

Services against its Business Management and Improvement Plan for the period 1 April 2018 to 30 September 2018.

**Resolved:**

- (i) The contents of Education and Children's Services Six Month Performance Summary 2018, as detailed in Appendix 1 to Report 19/32, be accepted.
- (ii) It be noted that Report 19/32 will also be submitted to the Scrutiny Committee on 6 February 2019 for scrutiny and comment as appropriate.

**52. COLLABORATIVE APPROACH TO SCHOOL/LEARNING ESTATE TRANSFORMATION**

There was submitted a report by the Executive Director (Education and Children's Services) (19/33) (1) detailing opportunities for Perth & Kinross Council to collaborate with Dundee City Council and Angus Council in the development of the combined school/learning estate; (2) seeking approval to explore the potential for a 3-18 community learning campus which would accommodate pupils from all three Local Authorities; and (3) noting that Perth & Kinross Council would not seek nursery or primary accommodation in the proposed campus.

**Resolved:**

- (i) The proposal that Perth & Kinross Council explore in more detail, working in collaboration with Dundee City Council and Angus Council on the practicalities of developing a new joint community learning campus be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to update Committee on progress in relation to the key points, detailed in paragraphs 2.2 to 2.6 of Report 19/33, at a future meeting.
- (iii) The Executive Director (Education and Children's Services) be instructed to expedite the informal consultation with communities to determine the level of support for the proposal for a joint community learning campus and report back on the finding to a Special Meeting of the Lifelong Learning Committee before the Summer Recess.

**53. REVIEW OF CATERING SERVICES**

There was submitted a report by the Executive Director (Education and Children's Services) (19/34) proposing to change and modernise the way primary schools, Early Learning and Childcare (ELC) meals and the main meal element of the secondary schools menu are delivered across Tayside.

**Motion (Councillors Purves and Shiers)**

- (i) **The content of Report 19/34 be noted.**
- (ii) **The Executive Director (Education and Children's Services) be instructed to continue to work in partnership with Angus and Dundee City Councils and Tayside Contracts to plan for the implementation of a cook-freeze centralised meals production facility method for the delivery**

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
30 JANUARY 2019

- of the primary school and ELC meals service and the main meal element of the secondary schools menu;
- (iii) The estimated savings of £426,000 (plus £32,000 returned to the Council from surpluses) which could be realised from this project, be noted.
  - (iv) The Executive Director (Education and Children's Services) be instructed to update this Committee on the outcome of the detailed consultancy work, as mentioned in paragraph 3.4 of Report 19/34, later in 2019.

Amendment – (Councillors Rebbeck and Sarwar)

- (i) Note the content of Report 19/34.
- (ii) Instruct the Executive Director (Education and Children's Services) to cease plans to enter into arrangements for a Central Production Unit in Dundee with attendant job losses in Perth and Kinross kitchens. The resulting budget pressure to be addressed at the Council's budget meeting in February 2019.

THE COMMITTEE ADJOURNED TO CONSIDER THE AMENDMENT.

THE COMMITTEE RECONVENED.

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

6 Members voted for the Amendment as follows:  
Councillors Doogan, McDade, McEwan, Pover, Rebbeck and Sarwar.

7 Members voted for the Motion as follows:  
Councillors Duff, Forbes, McCall, Purves, Reid, Shiers and Wilson.

**Resolved:**

In accordance with the Motion.

**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.**

MRS GILES LEFT THE MEETING DURING THE FOLLOWING ITEM.

**54. REDUCTION IN FACILITY MANAGEMENT COSTS FOR SCHOOLS**

There was submitted a report by the Executive Director (Education and Children's Services) (19/35) providing proposals to meet the £463,000 required savings as agreed at the Special Meeting of the Council of 22 February 2017.

**Motion (Councillors Shiers and Purves)**

- (i) The intent to restructure and realign duties within Business and Resource Services be noted.

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
30 JANUARY 2019

- (ii) **The ongoing partnership arrangements with Tayside Contracts in the restructure of the Facilities Management Team be noted.**
- (iii) **The Executive Director (Education and Children's Services) be instructed to proceed with the Lets arrangements, as detailed in paragraph 2.3 of, and Appendix 1 to Report 19/35.**
- (iv) **The Executive Director (Education and Children's Services) be instructed to proceed with the remodelling of the school crossing patrol service, as detailed in paragraph 2.4 of, and Appendix 2 to Report 19/35.**
- (v) **The Executive Director (Education and Children's Services) be instructed to proceed with the efficiency saving within the cleaning services budget.**

Amendment (Councillors Rebbeck and Doogan)

- (i) The intent to restructure and realign duties within Business and Resource Services be noted.
- (ii) The ongoing partnership arrangements with Tayside Contracts in the restructure of the Facilities Management Team be noted.
- (iii) The Executive Director (Education and Children's Services) be instructed to proceed with the Lets arrangements, as detailed in paragraph 2.3 of, and Appendix 1 to Report 19/35.
- (iv) Agree the reduction to the SCP service subject to the deletion of the changes recommended in paragraph 2.4.2, bullet points 1 and 3 of Report 19/35 and meet the resulting budget pressure at the Council's budget meeting in February 2019.

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

6 Members voted for the Amendment as follows:  
Councillors Doogan, McDade, McEwan, Pover, Rebbeck and Sarwar.

7 Members voted for the Motion as follows:  
Councillors Duff, Forbes, McCall, Purves, Reid, Shiers, and Wilson.

**Resolved:**

In accordance with the Motion.

Councillor McDade requested his dissent be recorded to Report 19/35 being considered in private session.

~~~~~

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

Minute of Meeting of the Executive Sub-Committee of the Lifelong Learning Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Monday 21 May 2018 at 10.00am.

Present: Councillors C Shiers, W Wilson, R McCall (substituting for Councillor C Purves), F Sarwar and J Rebbeck.

In Attendance: R Hill, Head of Education – Secondary, S Johnston, Head of Education – Early Years and Primary, J Chiles; S Hatch and D Millar (both until Item 5); M MacDuff, K Ramsay, J Sorrie; L Lambert, Head Teacher, Robert Douglas Memorial Primary School; C Letford, Head Teacher, Alyth Primary School (all Education and Children’s Services); D Williams, Corporate & Democratic Services.

Apology for absence: Councillor C Purves.

Councillor C Shiers, Convener, Presiding.

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

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

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

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

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

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 29 January 2018 was submitted, approved as a correct record and authorised for signature.

### **4. INSPECTIONS OF SERVICES FOR CHILDREN AND YOUNG PEOPLE BY THE CARE INSPECTORATE**

There was submitted a report by the Executive Director (Education and Children’s Services) (18/164) setting out the key findings following the unannounced inspection of Perth & Kinross Council’s Woodlea Cottage. The inspection was carried out in December 2017 and published in February 2018 by the Care Inspectorate.

#### **Resolved:**

The key findings of the unannounced inspection of Perth & Kinross Council’s Woodlea Cottage, as detailed in Appendix 1 to Report 18/164, be noted.



**5. SUMMARY REPORT ON CARE INSPECTORATE AND EDUCATION SCOTLAND INSPECTIONS**

There was submitted a report by the Executive Director (Education and Children's Services) (18/165) providing an overview of the performance of Education and Children's Services inspected and reported on over the past year by the Care Inspectorate and Education Scotland, since the previous report of this type, and setting out the Services' approach to implementing improvement actions arising out of inspection.

**Resolved:**

The contents of Report 18/165, and appendices to the report, be noted.

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

There was submitted a report by the Executive Director (Education and Children's Services) (18/166), setting out the key findings following inspections of pre-school centres and schools undertaken by Education Scotland and, by exception, Care Inspectorate inspections on the day care of children since the Executive Sub-Committee of Lifelong Learning Committee on 29 January 2018.

**Resolved:**

The key findings of the inspections reports attached as Appendices 1 to 4 to Report 18/166, be noted as follows:

Muthill Pre School Group (Appendix 1)

Robert Douglas Memorial School and Nursery Class (Appendix 2)

Alyth Primary School and Nursery Class (Appendix 3)

~~~~~

**JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF**

Minute of meeting of the Joint Negotiating Committee for Teaching Staff (JNCT) held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Tuesday 18 September 2018 at 2.30pm.

**Present:**                   **Representing Perth and Kinross Council**  
Councillors K Baird, J Rebbeck and C Shiers; S Devlin,  
S Hagney, S Johnston and D MacLeod, (all Education and  
Children's Services); P Johnstone (Corporate & Democratic  
Services).

**Representing Teachers' Associations**  
B Berhane, E Campbell, E Connon, M Laurie, M Swan,  
S Topen-Cooper and C Weston.

**In Attendance:**       S Ni Riain (ECS); A McAuley, Joint Secretary (Trade Unions);  
C Flynn and L Brown (for Joint Secretary, Management).

**Apologies:**           J Cook, M Mackie and C Rose (Teachers' side); R Hill and  
M Donaghy (Management side).

E Campbell, Convener, Presiding.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted and noted as above.

**2. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)**

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

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 19 June 2018 was submitted and approved as a correct record.

**4. MATTERS ARISING**

**(i) Membership – (Item 5 refers)**

E Campbell reported the following change to the membership from the Teachers' side:

Murray Swan to replace Caroline McDonald.

**(ii) Bertha Park High School (Item 12 refers)**

D MacLeod reported that the topping off ceremony for the new school had taken place in July 2018. The Headteacher and the Quality Improvement Officers were currently working on the design of the school's curriculum. Recruitment for principal teacher posts and a Depute Headteacher would commence shortly. Appointees to take up post in April 2019 and work on curriculum design.

The Committee noted the position.

**5. JOB SIZING PROCEDURE**

There was submitted a report by the Corporate Human Resources Manager G/18/131 seeking approval of a Local Agreement on the Job Sizing Procedure for Teaching posts in Perth and Kinross Council with effect from 18 September 2018.

The Committee agreed:

The introduction of a Job Sizing Procedure to ensure a clear and structured process for the determination of the grade for promoted teaching posts, as appended to Report G/18/131, be approved.

**6. INCLUSION POLICY STATEMENT**

There was submitted a Policy Statement G/18/132 detailing the vision and values of Education and Children's Services to enhance inclusion for children, young people and families in Perth and Kinross.

S Johnston advised that Headteachers had received a presentation on the Inclusion Policy Statement at their development day and the views of the teaching unions on the policy statement were now being sought.

C Weston advised that the Trade Union side were supportive of the document.

The Committee agreed to adopt the Inclusion Policy Statement.

**7. SEVERE WEATHER DE-BRIEF**

S Johnston advised that the guidance on school closures during severe weather was examined each year based on the experience of the previous year. Detailed plans were put in place to minimise disruption to the children and young people attending Perth and Kinross Council schools.

Following the introduction of a new national red weather warning the Council was looking at what new guidance should be put in place during such extreme weather conditions.

S Devlin advised that it was quite difficult to make a universal call on school closures due to the geographical diversity of the Perth and Kinross area.

C Weston expressed concern about staff being instructed to attend schools that were closed to pupils as well as the timing of the information. In response S Devlin advised that in order to ensure all Council functions remained open during severe weather a general policy applied to all Perth and Kinross Council employees advising that they should make their way to the nearest available Council office if their usual place of work was closed. However, the Council would not expect any of its employees to put themselves in jeopardy trying to get to work. S Devlin said that teachers had particular conditions of service that were different to other staff (eg others may have to use flexi or leave to cover any absence caused by adverse weather, teachers did not). There was no, and had been no suggestion that staff would not be paid. She acknowledged that the timing of information being able to be shared via the "snowline" was not always early enough and indicated that there was a need to review when the snowline was opened. She also commented that it was not helpful to have some employees not adhering to the agreed policies and guidance with regard to adverse weather. C Weston concurred with this. Finally she cautioned individual staff on the use of social media to share information as it could get confused with the Council's and an individual school's comms strategy.

The Committee noted the position.

## **8. ANY OTHER COMPETENT BUSINESS**

### **(i) Appointment of Joint Secretary for Management Side**

The Committee was advised that Gillian Taylor, Head of Democratic Services and a Joint Secretary would be retiring from Perth and Kinross Council on 30 November 2018 and consequently would be resigning as Joint Secretary with effect from 30 September 2018.

The Committee agreed to appoint Christina Flynn, Democratic Services Manager, as Joint Secretary for the Management side, with effect from 1 October 2018.

### **(ii) JNC Papers**

Concern was expressed by C Weston regarding reports being issued timeously. She requested that they be available at least one week in advance of the meeting.

## **9. DATE OF NEXT MEETING**

4 December 2018 at 2.30pm.

~~~~~

## **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 5 February 2019 at 10.30am.

Present: Councillors L Simpson, B Brawn and W Wilson.

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

Also Attending: C Brien (Housing and Environment); L Potter (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **55. DECLARATIONS OF INTEREST**

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

### **56. MINUTES**

- (i) The minute of meeting of the Local Review Body of 11 December 2018 was submitted and noted.
- (ii) The minute of meeting of the Local Review Body of 8 January 2019 was submitted and noted.

### **57. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(570)**  
**Planning Application – 18/01196/FLL – Formation of a vehicular access on land 20 metres south of Beech Manor Care Home, Golf Course Road, Blairgowrie – Mrs D MacMillan**

Members considered a Notice of Review seeking the removal of Condition 2 from planning permission 18/01196/FLL for the formation of a vehicular access on land 20 metres south of Beech Manor Care Home, Golf Course 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.

#### **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.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
5 FEBRUARY 2019

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the removal of Condition 2 from planning permission 18/01196/FLL for the formation of a vehicular access on land 20 metres south of Beech Manor Care Home, Golf Course Road, Blairgowrie, be refused with the conditions remaining as:
  - 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.  
Reason: To ensure the development is carried out in accordance with the approved drawings and documents.
  - 2. The vehicular access as shown on the approved plans is approved to serve the property known as Stonefield only.  
Reason: In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

**Justification**

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

- (ii) **TCP/11/16(576)**  
**Planning Application – 18/01227/IPL – Erection of a dwellinghouse (in principle) on land 40 metres east of Yetts O Hyuax, Glendevon – Mr F Worrell**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 40 metres east of Yetts O Hyuax, Glendevon.

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 40 metres east of Yetts O Hyuax, Glendevon, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012, as the proposal

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
5 FEBRUARY 2019

fails to satisfactorily comply with category (1) Building Groups in that, as an extension to the existing building group, the proposal would detract from the visual amenity of the group and that the site by virtue of its topography would not provide a suitable setting, due to the elevated nature of the 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 Replacement of Houses, (5) Conversion or replacement of redundant non-domestic buildings, (6) Rural Brownfield Land.

2. The proposal is contrary to Policy PM1A Placemaking of the Perth and Kinross Local Development Plan 2014 as it is considered that the development of the site would not respect the character and amenity of the place due to the elevated nature of the site.

**Justification**

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

**(iii) TCP/11/16(577)  
Planning Application – 18/01294/IPL – Residential development (in principle) on land 120 metres north east of Longforgan Transmission Station, Longforgan – Mrs H Craven**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a residential development (in principle) on land 120 metres north east of Longforgan Transmission Station, Longforgan.

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, 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 undertaking of the site visit, the application be brought back to the Local Review Body.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
5 FEBRUARY 2019

(iv) **TCP/11/16(578)**  
**Planning Application – 18/01419/FLL – Erection of a fence at 2  
Gowrie Farm, Stanley, Perth – Mrs M Souter**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a fence at 2 Gowrie Farm, Stanley, 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 majority decision that:

- (ii) the Review application for the erection of a fence at 2 Gowrie Farm, Stanley, Perth, be refused for the following reasons:
  - 1. The fence, by virtue of its design, height, extent and visually prominent location, is out of keeping with the rural character of the surrounding area. Accordingly, it is considered to have a significant adverse impact on the visual amenity of the area. The proposal is therefore contrary to Policies PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014, which seek to ensure that developments contribute positively to the character and amenity of the place by respecting it in terms of design, appearance and height.
  - 2. The development would establish a precedent for developments of a similar nature to the detriment of the overall visual amenity and established rural character of the area, and therefore contrary to the established Policies PM1A and PM1B(c) of the Perth and Kinross Local Development Plan 2014 and Scottish Planning Policy 2014.

**Justification**

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

**Note:** Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and permission for erection of a fence be granted. He considered that the proposal did accord with Policies PM1A and PM1B(c) of the Perth and Kinross Local Development Plan in that the proposed fencing, which would normally be Permitted Development, would not be out of place at this locality.



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
5 FEBRUARY 2019

(v) **TCP/11/16(581)**  
**Planning Application – 18/01400/FLL – Alterations to roof at**  
**Wester Parkhead House, Parkhead Road, Blairgowrie – Farmcare**  
**Ltd**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations to roof at Wester Parkhead House, Parkhead 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.

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for alterations to roof at Wester Parkhead House, Parkhead Road, Blairgowrie, be refused for the following reason:
  - 1. The proposal would have a significant adverse impact on the character of the existing building and adjoining traditional buildings by introducing an untraditional and unsympathetic material onto the roof of a traditional two story dwellinghouse. Accordingly, the proposal is contrary to Policies PM1A and PM1B (c) of the Perth and Kinross Local Development Plan 2014 which seek to ensure that developments contribute positively to the quality of the surrounding built environment by respecting the character and amenity of the place.

**Justification**

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

**Note:** Councillor Wilson dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and permission for alterations to roof be granted. Whilst accepting that the proposal did not accord with the Local Development Plan, he considered that, with the imposition of relevant conditions regarding colour and materials, the alterations to the roof would be beneficial in retaining the dwellinghouse.

**58. DEFERRED APPLICATION FOR REVIEW**

**(i) TCP/11/16(575)  
Planning Application – 18/00874/FLL – Erection of a  
dwellinghouse on land 300 metres south west of Nether Allan,  
Blackford – Mr and Mrs W McLaren**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 300 metres south west of Nether Allan, Blackford.

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 1 January 2019, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With the unaccompanied site visit having taken place on 4 February 2019, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and having carried out a site visit on 4 February 2019, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for erection of a wind turbine and associated works on land 300 metres south west of Nether Allan, Blackford, be granted subject to:
1. The imposition of relevant terms, conditions and informatives, including a condition regarding external finishing materials of render, natural stone and natural slate, acoustic fencing, structural landscaping, the extent of the house plot curtilage.

**Justification**

Whilst accepting that the proposal was not fully in accordance with the Local Development Plan, the Local Review Body deemed that there was still sufficient justification for approval on the grounds of economic need, animal welfare and security.

**Note:** Councillor Simpson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and the erection of dwellinghouse be refused. In his opinion, the proposal did not comply with either the Local Development Plan or the Council's Housing in the Countryside Guide, and there was not sufficient justification to depart from these policies and guidance.

~~~~~

## **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 6 February 2019 at 9.30am.

Present: Councillors P Barrett, C Stewart, A Bailey, K Baird (substituting for M Lyle), B Band, S Donaldson, D Doogan, J Duff, A Forbes, G Laing, R McCall, S McColl, A Parrott, C Purves and C Shiers.

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; K Fraser, S Mackenzie, C Mackie, L Simpson, E Sturgeon, S Walker and C Irons (all Corporate and Democratic Services); S Devlin and G Boland (Education and Children's Services); B Renton, N Copland, S Coyle, F Crofts, D Fraser and J McCrone (all Housing and Environment) and R Packham, Perth and Kinross Health and Social Care Partnership.

Apologies: Provost D Melloy and Councillor M Lyle.

Councillor P Barrett, Vice-Convener, Presiding.

### **59. WELCOME AND APOLOGIES**

Vice-Convener Barrett welcomed all those present to the meeting. Apologies and substitutions were noted as above.

### **60. DECLARATIONS OF INTEREST**

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

### **61. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Strategic Policy and Resources Committee**

The minute of meeting of the Strategic Policy and Resources Committee of 28 November 2018 (Arts.674-687) was submitted, approved as a correct record and authorised for signature.

#### **(ii) Appeals Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Appeals Sub-Committee of 10 December 2018 was submitted and noted. (*Appendix I*)

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
6 FEBRUARY 2019

**(iii) Corporate Health, Safety and Wellbeing Consultative Committee**

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 17 September 2018 was submitted and noted. **(Appendix II)**

**(iv) Employees Joint Consultative Committee**

The minute of meeting of the Employees Joint Consultative Committee of 27 September 2018 was submitted and noted. **(Appendix III)**

**(v) Perth and Kinross Integration Joint Board**

The minute of meeting of the Integration Joint Board of 28 September 2018 was submitted and noted. **(Appendix IV)**

**(vi) Perth City Development Board**

The minute of meeting of the Perth City Development Board of 14 November 2017 was submitted and noted. **(Appendix V)**

**62. REVENUE BUDGET 2018/19 – MONITORING REPORT NUMBER 3**

There was submitted a report by the Head of Finance (19/36), providing an update (1) on progress with the 2018/19 General Fund Revenue Budget based on the November 2018 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 19/36 be noted.
- (ii) The adjustments to the 2018/19 Management Revenue Budget, as detailed in Appendices 1 to 6 to and Sections 2, 3 and 4 of Report 19/36, be approved.
- (iii) The 2018/19 service virements, as summarised in Appendices 2, 5 and 6 to Report 19/36, be approved.
- (iv) The Health and Social Care projected outturn, as summarised in Paragraphs 3.1 to 3.8 of and Appendix 5 to Report 19/36, be noted.
- (v) The Housing Revenue Account projected outturn summarised in Section 4 of and Appendix 6 to Report 19/36, be noted.

**63. COMPOSITE CAPITAL BUDGET 2018/28 AND HOUSING REVENUE ACCOUNT CAPITAL INVESTMENT PROGRAMME 2018/23 – MONITORING REPORT NUMBER 3**

There was submitted a report by the Head of Finance (19/37) (1) providing a summary position to date for the 10 year Composite Capital Programme for 2018/19 to 2027/28 and the 5 year Housing Revenue Account (HRA) Capital Investment Programme 2018/19 to 2022/23; and (2) seeking approval for adjustments to the programmes.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
6 FEBRUARY 2019

**Resolved:**

- (i) The contents of Report 19/37, be noted.
- (ii) The proposed budget adjustments to the 10 year Composite Capital Budget 2018/19 to 2027/28, as set out in sections 2 and 3 of and summarised at Appendices I and II to Report 19/37, be approved.
- (iii) The proposed budget adjustments to the HRA Capital Investment Programme Budget 2018/19 to 2022/23, as set out in section 4 of and summarised at Appendix III to Report 19/37, be approved.
- (iv) The position for individual projects reported in sections 3 and 4 of and summarised in Appendix IV to Report 19/37, be noted.

**64. TRANSFORMATION PROGRAMME 2015-2020**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/38) providing (1) an update on phase four of the Transformation Programme approved by Council on 1 July 2015; (2) providing an overview of the projects transferred to the Health and Social Care Partnership; and (3) providing an update of progress through the Can Do Challenge process.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 19/38, be noted.
- (ii) The progress with the Can Do Challenge Fund Project for Perth and Kinross Smart Energy Network project, be noted.

COUNCILLOR D DOOGAN REQUESTED THE DISSENT OF THE SNP GROUP BE RECORDED IN RELATION TO PROCEEDING WITH THE CENTRAL PROCESSING UNIT FOR SCHOOL MEALS.

**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**

**65. UPDATE ON ASSISTANCE TO SUPPORT FOR BUSINESS OCCUPATION OF KEY VACANT PROPERTY IN PERTH AND KINROSS THROUGH NON-DOMESTIC RATES RELIEF**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/39) providing an update on support for business occupation of key vacant property in Perth and Kinross through non-domestic rates relief.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 10.35AM.

Motion (Councillors D Doogan and G Laing)

- (i) The outcome of support provided via previous targeted non-domestic rates relief assistance to key vacant properties in Perth and Kinross, be noted.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
6 FEBRUARY 2019

- (ii) The provision of national schemes for rates relief assistance primarily via the Fresh Start Scheme to provide adequate support which negates the need for the Council's policy and assistance to be extended or continued at a local level, be approved.

**Amendment (Councillors C Stewart and C Shiers)**

- (i) **The outcome of support provided via previous targeted non-domestic rates relief assistance to key vacant properties in Perth and Kinross, be noted.**
- (ii) **The provision of national schemes for rates relief assistance primarily via the Fresh Start Scheme to provide adequate support which negates the need for the Council's policy and assistance to be extended or continued at a local level, be approved.**
- (iii) **With the end of the scheme, £38,000 within the earmarked reserve for the discretionary non-domestic rates relief scheme, referred to in paragraphs 3.13 and 3.14 of the Revenue Budget 2018/19 – Monitoring Report Number 3 (19/36) be transferred to the Rural Perth and Kinross Micro Enterprise Fund in 2018/19 which would have no impact on the level of reserves.**

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

7 members voted for the Motion as follows:

Councillors A Bailey, B Band, S Donaldson, D Doogan, G Laing, S McCole and A Parrott.

8 members voted for the Amendment as follows:

Councillors K Baird, P Barrett, J Duff, A Forbes, R McCall, C Purves, C Shiers and C Stewart.

**Resolved:**

In accordance with the Amendment.

~~~~~

## **APPEALS SUB-COMMITTEE**

Minute of meeting of the Appeals Sub-Committee held on Monday 10 December 2018 in Room 415, Fourth Floor, Council Building, 2 High Street, Perth.

Present: Councillors C Ahern, H Anderson and B Brawn.

In Attendance: Appellant; Service's Representative (S Devaney, Human Resources); and M McLaren, Legal and Governance.

Also in Attendance: S Lawson, Senior Human Resources Officer (as an observer).

### **1. APPOINTMENT OF CONVENER**

It was unanimously agreed that Councillor Ahern be appointed Convener of the Appeals Sub-Committee.

Councillor Ahern took the Chair.

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

#### **P1. APPEAL AGAINST DISMISSAL (C/HR/20/040)**

The Appeals Sub-Committee was convened to consider an appeal against dismissal by a member of staff from the Housing and Environment Service.

The Appeals Sub-Committee considered documentation lodged by both parties and heard evidence from the appellant, the Human Resources representative and their witness. Thereafter the parties each summed up their case and withdrew.

#### **Resolved:**

That the dismissal was found to be fair and reasonable and the appeal be not upheld.

~~~~~

**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 Chamber, Ground Floor, Council Building, 2 High Street, Perth on Monday 17 September 2018 at 10.00am.

- Present:**
- Representing Perth and Kinross Council**
  - Councillor P Barrett
  - Councillor D Illingworth (substituting for Councillor K Baird)
  - Councillor S McCole
  - G Boland (on behalf of Executive Director (Education and Children's Services))
  - C Flynn (on behalf of the Chief Executive)
  - P Johnstone (on behalf of Corporate Human Resources Manager)
- Trade Union Safety Representatives and Elected Representatives of Employee Safety Committees**
- M Blacklaws (SSTA)
  - T Todd (Unite)
  - M Swan (EIS)
- In attendance:**
- S Crawford, Head of Property Services, The Environment Service
  - J Handling, Health, Safety and Wellbeing Manager, The Environment Service
  - L McGeorge, Property Compliance Team Leader, Environment Service
  - K Molley, Professional Trainee, Corporate and Democratic Service
- Apologies:**
- Councillor K Baird, Councillor E Drysdale, S Hope (UNISON) and J Dickson, Housing & Environment Service.

**1. APPOINTMENT OF VICE-CONVENER**

It was announced that L McLaren had resigned as Vice-Convener of the Corporate Health, Safety and Wellbeing Consultative Committee. Councillor S McCole gave a Valedictory to L McLaren, thanking him for all his hard work he had achieved through the years of being Convener and Vice-Convener of the Committee.

It was agreed to defer the item of Appointment of Vice-Convener to the next meeting as not all trade union representatives were present.

T Todd announced that this would be his last meeting as a Trade Union representative on the Corporate Health, Safety and Wellbeing Consultative



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(iii))(Appendix II)  
6 FEBRUARY 2019

Committee. Councillor S McCole thanked T Todd for all his hard work throughout his time on the Committee.

M SWAN ENTERED THE MEETING AT THIS POINT.

**2. POSITION OF JOINT SECRETARY**

The Committee is advised that Gillian Taylor, Head of Democratic Services and a Joint Secretary to the Committee is retiring from Perth and Kinross Council on 30 November 2018, and consequently will be resigning as Joint Secretary with effect from 30 September 2018.

The Committee agreed to appoint Christina Flynn, Democratic Services Manager as Joint Secretary with effect from 1 October, 2018.

M Blacklaws wished G Taylor all the best in her retirement.

**3. DECLARATIONS OF INTEREST**

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

**4. MINUTES**

The minute of the meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 11 June 2018 was submitted and approved as a correct record.

**Corporate Health Safety and Wellbeing Consultative Committee Review on Constitution and Remit Update:**

Councillor S McCole updated the Committee on the review of the constitution and remit of the Corporate Health, Safety and Wellbeing Consultative Committee and advised that another meeting of the review will take place once a new Vice-Convenor has been appointed.

**5. CORPORATE ANNUAL HEALTH & SAFETY REPORT 2017-2018**

There was submitted and noted the Corporate Annual Health and Safety Report (G/18/115) reviewing Health and Safety management activities between 1 April 2017 and 31 March 2018.

J Handling provided a summary of the report and referred to the highlights of the year.

In response to a query from M Blacklaws on the decrease in number of employees receiving defibrillator training, J Handling emphasised that it is not necessary to be trained to use a defibrillator as the machine comes with instructions.

In response to a query for T Todd regarding the lack of training of employees who are clearing council houses in relation to needles/sharps, S McCole emphasised the importance of reporting every incident and requested an update on this to be brought back to the next committee meeting.

M Blacklaws thanked property services for their work in tacking outstanding actions at Perth Academy.

**6. HEALTH AND SAFETY PERFORMANCE QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (Housing and Environment) (G/18/116) (1) informing and assisting the Committee in monitoring health and safety performance across Perth & Kinross Council; and (2) asking for the progress to be noted.

**Resolved:**

The Contents of the report, be noted.

**7. FIRE SAFETY QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (G/18/117) preparing to inform and assist the Corporate Health, Safety & Wellbeing Consultative Committee in monitoring fire safety performance across Perth and Kinross Council; and (2) providing the Committee with the Fire Safety Key Performance Indicators for Quarter 1 of 2018/19 for noting.

**Resolved:**

The contents of the report, be noted.

**8. ANY OTHER COMPETENT BUSINESS**

The Customer contact – Unacceptable Actions Policy document was tabled at Committee for noting.

**Resolved:**

- (i) The Customer Contact – Unacceptable Actions Policy document, be noted.
- (ii) The Head of Legal and Governance be requested to provide a report to the next meeting to provide more detailed background information on the Unacceptable Actions Policy.

~~~~~

**PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
EMPLOYEES JOINT CONSULTATIVE COMMITTEE**

Minute of meeting of the Employees Joint Consultative Committee, held in Room 414, Fourth Floor, Council Building, 2 High Street, Perth on Thursday 27 September 2018 at 10.00am.

**Present: Representing Perth and Kinross Council:**

Councillors H Anderson; D Illingworth (on behalf of Councillor M Lyle), R McCall and S McCole (all Perth and Kinross Council); G Boland (on behalf of Executive Director (Education and Children Services)).

**Present: Representing Trade Unions:**

S Hope, (UNISON); H Meldrum (GMB) and T Todd (Unite the Union).

**In Attendance:** K Donaldson (Corporate Human Resources Manager); K Ridley, P Johnstone and L Brown (all Corporate and Democratic Services).

**Apologies:** Councillor M Lyle (Perth and Kinross Council); M Dickson, F Fraser, T Maric and B Nichol (all UNISON); S Robertson (Unite the Union).

S Hope 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 May 2018 was submitted and approved.

**3. MATTERS ARISING**

**(i) Job Families and Job Matching**

K Ridley reported that the Professional and Business Support Job Family had now been implemented. Consultation continued with the Working Groups on the three remaining job families; Community & Operational, Regulatory, Technical & Property and Senior Leadership. Once the finalised generic role profiles have been signed off by Senior Management Teams, employees will be advised in writing and issued with their new role profiles. It was anticipated the implementation

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(iv))(Appendix III)  
6 FEBRUARY 2019

process for the remaining job families will be concluded by the end of 2018.

The Committee agreed an update be provided to the next meeting.

**4. JOINT SECRETARIES**

**(i) Management Side**

The Committee was advised that Gillian Taylor, Head of Democratic Services and a Joint Secretary to the Committee was to retire from Perth and Kinross Council on 30 November 2018 and as a consequence would be resigning as Joint Secretary with effect from 30 September 2018.

The Committee agreed Christina Flynn, Democratic Services Manager, be appointed Joint Secretary for the Management side, with effect from 1 October 2018.

**(ii) Trade Union Side**

The Committee was advised that nominations were being sought from the Trade Unions to fill a vacancy for a Joint Secretary for the Trade Union side following the retirement of Lindsay McLaren from the Committee.

Following a request from the Trade Unions the Committee agreed to defer the appointment of a Joint Secretary for the Trade Union side to the next meeting.

**5. UPDATE ON BREXIT WORKFORCE IMPLICATIONS**

There was submitted a briefing paper by the Human Resource Manager (G/18/133) which provided the Committee with an update on Brexit workforce implications.

K Ridley reported that over the previous 12 months Human Resources had undertaken some preparatory work to understand the implications of Brexit on the workforce in terms of service delivery. He advised that the Council has 90 known non UK EU/EEA nationals currently in posts many of whom are aged under 40. The Council wrote to 700 employees whose nationality was not held on their employee record. 300 responses were received and the information gathered was updated on Resource- Link. In relation to the 400 outstanding responses K Ridley advised that staff in Human Resources would endeavour to gather the outstanding information from employees' personal files which is a very labour intensive process and may not provide all the information which is required.

Data gathered to date indicated that the EU/EEA nationals were dispersed throughout Perth and Kinross Council services with no vulnerability identified

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(iv))(Appendix III)  
6 FEBRUARY 2019

in key areas other than teaching where there could be an impact on hard to fill posts. K Ridley advised that Human Resources would continue to monitor the position closely when collecting details of employees' nationality.

An awareness programme had been set up to support the Council's EU/EEA employees with a number of half hourly sessions provided by Gurjeet Singh from the Ethnic Minorities Law Centre in April 2018. Further sessions will be offered over the coming weeks.

At the present time European Social Funding supports Skills Development Scotland which in turn provides funding for the Modern Apprenticeship training scheme. Although this could present a risk in terms of funding to the Council's Modern Apprenticeship scheme K Ridley advised that funding received had been reducing over the last 5 years and the Council was managing that.

K Ridley referred to the findings of a 2017 survey which had estimated that migrant workers represented at least 10.4% of the independent home care sector commissioned by the Council. He advised that as a consequence Brexit is likely to have a greater impact on that sector as the proportion of EU nationals is significantly greater than those working directly for the Council.

Councillor Anderson suggested that the 400 employees who had yet to respond might be fearful of providing this information. H Meldrum concurred and suggested managers should be making every effort to instil confidence in those employees who had yet to respond. K Donaldson invited the trade unions to also give this reassurance should any trade union members raise issues with them.

Councillor McCole enquired if any plans had been put in place to mitigate risk to the Council should the staff situation in the social care sector become acute post-Brexit.

In responding, K Donaldson advised that the Council was working with home care providers to give them access to HR support. She acknowledged the difficulties in recruiting to posts in the social care sector and the need to look at new ways of increasing the pool of people who saw a role in that sector as an attractive career.

The Committee agreed that a further report be submitted to the next meeting.

**6. UPDATE ON REVIEW OF CORPORATE FLEXTIME SCHEME**

There was submitted a briefing paper by Human Resources Manager (G/18/134) providing an update on the review of the Council's Corporate Flexitime Scheme.

K Donaldson advised that HR staff had supported a pilot which had involved around 100 employees in Housing and Environment. Consultation had taken place with the Trade Unions in August on the proposed changes and their response had been generally positive. The Council's Executive Officer Team

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(iv))(Appendix III)  
6 FEBRUARY 2019

had now approved the changes to the Corporate Flexitime Scheme as follows:

- Removal of core hours
- Change for 13x 4 weekly accounting period to 12 x calendar monthly accounting periods
- Maximum of 2 flexi days per calendar month, no change to the maximum of 20 flexi days per year
- No changes to existing bandwidth of 0.700-21.00 hours, Monday to Friday.
- No changes to the existing 11 hours debit/18 hours credit carry forward
- No change to the requirement for an employee to work at least 3 hours (equivalent to the existing core time hours) unless a flexi day is booked in advance. This will be prorated for part time/non-standard working pattern.
- Where the minimum hours are worked these must be within normal office hours or with prior line manager agreement, at a time there is a business requirement to work e.g. to represent the Council at an evening meeting.
- There will no longer be facility to book a half day flexi – time off can be accommodated with prior line manager agreement within revised arrangements.
- A 30 minute lunch break will be automatically deducted after the employee has worked six hours, if they have not already taken a break. This can be manually adjusted through normal approval process.

The Committee noted the changes to the Corporate Flexitime Scheme as detailed in report G/18/134 with a target implementation date of 1 January 2019.

## **7. OTHER COMPETENT BUSINESS**

### **(i) Health and Social Care – Joint Working Agreement**

S Hope reported that a report would be submitted to the Council's Strategic Policy and Resources Committee on 28 November 2018 and to NHS Tayside Board on 4 December 2018.

K Donaldson expressed her thanks for the support the Trade Unions had given to the development of the Joint Working Agreement.

### **(ii) Valedictory – Tommy Todd**

The Convener thanked Tommy Todd for the effort and support he had given to the Joint Consultative Committee since 1996 and wished him all the best for a long and happy retirement.

K Donaldson echoed the Convener's comments.

## **8. DATE OF NEXT MEETING**

22 November 2018 at 10.00am.

~~~~~

## PERTH AND KINROSS INTEGRATION JOINT BOARD

Minute of Meeting of the Perth and Kinross Integration Joint Board (IJB) held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Friday 28 September 2018 at 9.30am.

**Present:**

**Voting Members**

Councillor C Stewart, Perth and Kinross Council (Vice-Chair)  
Councillor E Drysdale, Perth and Kinross Council  
Councillor T McEwan, Perth and Kinross Council (substituting for Councillor X McDade)  
Councillor C Purves, Perth and Kinross Council (up to and including Item 3.2)  
Councillor A Jarvis, Perth and Kinross Council (from Item 3.3 onwards, substituting for Councillor C Purves)  
Prof N Beech, Tayside NHS Board  
J Brown, Tayside NHS Board (substituting for L Birse-Stewart)  
R Peat, Tayside NHS Board

**Non-Voting Members**

J Foulis, NHS Tayside (from Item 3.1 onwards)  
R Packham, Chief Officer  
J Pepper, Chief Social Work Officer, Perth and Kinross Council  
J Smith, Chief Finance Officer

**Additional Members**

Dr A Noble, External Adviser to Board

**Stakeholder Members**

B Campbell, Carer Public Partner (from Item 3.1 onwards)  
A Drummond, Staff Representative, NHS Tayside  
C Gallagher, Independent Advocacy Perth and Kinross  
L Lennie, Service User Public Partner

**In Attendance:**

G Taylor (Clerk), S Hendry and S Richards (all Perth and Kinross Council); H Dougall, V Aitken, C Jolly, D Mitchell, R Duarte, D Fraser, V Johnson, and M Rapley (all Perth and Kinross Health and Social Care Partnership); B Nicoll and D Huband (both NHS Tayside).

**Apologies:**

Councillor X McDade, Perth and Kinross Council  
L Birse-Stewart, Tayside NHS Board  
Dr D Carey, Independent Contractor  
Dr C Rodriguez and Dr D Lowdon, NHS Tayside  
Dr D Walker, NHS Tayside  
F Fraser, Staff Representative, Perth and Kinross Council

## **1. WELCOME AND APOLOGIES**

Councillor Stewart welcomed all those present to the meeting and apologies were noted as above.

It was noted that S Hay had recently stepped down as a member of the Tayside NHS Board and was therefore no longer Chair or a member of the IJB. Councillor Stewart, J Brown and members of the Board paid tribute to the contribution that S Hay had made to the work of the IJB.

Councillor Stewart also welcomed J Brown, Chair of Tayside NHS Board who was attending as a substitute member, and welcomed Professor Beech and R Peat to their first Board meeting.

## **2. DECLARATIONS OF INTEREST**

In terms of the Perth and Kinross Integration Joint Board Code of Conduct, C Gallagher declared a non-financial interest in Item 5.2 as Chief Executive of Independent Advocacy Perth and Kinross.

*IT WAS AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.*

## **3. FINANCE AND GOVERNANCE**

### **3.1 AUDIT AND PERFORMANCE COMMITTEE**

#### **(i) Verbal Update by Chair of Audit and Performance Committee**

Councillor Purves, Chair of the Audit and Performance Committee, updated the Board following the recent meeting of the Committee on 20 September 2018.

It was noted that the terms of reference for the Committee were currently being reviewed and updated for submission to the IJB at a future date. Further meetings were also taking place regarding clinical care and professional governance arrangements within the Partnership.

Following consideration of the Annual Governance Statement at the June 2018 meeting of the Committee, work was continuing to take place on the Transforming Governance Action Plan for 2018/19.

In relation to Risk Management, further workshop sessions were being arranged with IJB members and the refreshed risk management framework had been approved by the Committee.

It had been noted that the IJB had issued confirmation of the adequacy and effectiveness of the governance arrangements in place with the IJB for 2017/18 to both NHS Tayside and Perth and Kinross Council.



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(v))(Appendix IV)  
6 FEBRUARY 2019

Written confirmation had been received from Perth and Kinross Council as to the Council's governance arrangements, however the Chief Officer and Chief Executive of NHS Tayside were in continued correspondence regarding governance arrangements at NHS Tayside.

The Committee had also approved the Audited Annual Accounts 2017/18 for consideration by the IJB.

The Board noted the position.

- (ii) In line with the recording of meetings of the Integration Joint Board, it was agreed to record meetings of the Audit and Performance Committee for public viewing online following the meeting.

*J PEPPER LEFT THE MEETING DURING THE FOLLOWING ITEM.*

### **3.2 ANNUAL ACCOUNTS 2017/18**

There was submitted a report by the Chief Financial Officer (G/18/135) presenting the Integrated Joint Board's Audited Annual Accounts for the period to 31 March 2018.

**Resolved:**

- (i) It be noted that the Audit and Performance Committee approved the Audited Annual Accounts and KPMG'S Annual Audit Report at its meeting on 20 September 2018 for consideration by the IJB;
- (ii) The contents of KPMG's Annual Audit Report to Members of Perth & Kinross IJB and the Controller of Audit on the 2017/18 Audit, attached as Appendix 1 to Report G/18/135, be noted and it be agreed to recommend to KPMG that the final report include a reference to the number of changes in Board membership since its inception in 2015;
- (iii) The Audited Annual Accounts for 2017/18, attached as Appendix 2 to Report G/18/135, be approved.
- (iv) The Chief Officer be instructed to circulate to Board Members for information a recent joint letter from the Scottish Government, NHS Scotland and COSLA on the delivery of health and social care integration in Scotland.

*THERE WAS A SHORT BREAK AT 10.13AM FOR THE SIGNING OF THE ANNUAL ACCOUNTS.*

*THE BOARD RECONVENED AT 10.29AM.*

### **3.3 2018/19 FINANCIAL POSITION**

There was submitted a report by the Chief Financial Officer (G/18/136) providing a summary of the issues impacting on the financial position of Perth and Kinross Integration Joint Board in 2018/19, based on the 4 months to 31 July 2018.

**Resolved:**

- (i) The forecast financial position for 2018/19 and the potential implications for both NHS Tayside and Perth & Kinross Council, as set out in Report G/18/136, be noted.
- (ii) It be noted that the Audit & Performance Committee had instructed the Chief Officer to seek formal agreement from Perth & Kinross Council and NHS Tayside on the risk sharing arrangements for 2018/19.

*COUNCILLOR PURVES LEFT THE MEETING AT THIS POINT AND COUNCILLOR JARVIS ENTERED THE MEETING.*

### **3.4 MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth and Kinross Integration Joint Board of 22 June 2018 was submitted and approved as a correct record.

### **3.5 ACTION POINT UPDATE**

There was submitted and noted the action point update for the Perth and Kinross Integration Joint Board as at 28 September 2018 (G/18/137).

### **3.6 MATTERS ARISING**

There were no matters arising from the previous minute.

### **3.7 BOARD MEMBERSHIP UPDATE**

There was submitted a report by the Clerk to the Board (G/18/147) updating the Board on a number of recent appointments to the voting members of the Board. The report also made proposals in terms of the appointment of non-voting members to the Board, as well as further appointments to the Audit and Performance Committee.

**Resolved:**

- (i) The appointment of Professor Nic Beech as a voting member by NHS Tayside Board be noted.
- (ii) It be noted that following the resignation of Stephen Hay, Robert Peat and Gillian Costello would be nominated for the positions of Chair of the IJB and voting member respectively for consideration by the NHS Tayside Board at it's next meeting on 25 October 2018.
- (iii) The appointment of Clare Gallagher as the Third Sector Representative, with Sandy Watts as substitute, until 28 September 2019, be agreed.
- (iv) The reappointment of Linda Lennie and Sandra Auld in their respective roles as public partners until October 2020 be agreed.
- (v) Dr Drew Walker and Dr Alastair Noble be reappointed in their respective roles until 31 March 2019, with a review at that time following the development of a skills matrix for the Board.
- (vi) Professor Beech be appointed as a voting member from NHS Tayside to the Audit and Performance Committee.

### **3.8 APPOINTMENT OF DATA PROTECTION OFFICER**

The Board agreed that Donald Henderson, Data Protection Officer, Perth and Kinross Council, be appointed as the Data Protection Officer for the Perth and Kinross Integration Joint Board.

### **3.9 STANDING ORDERS**

In accordance with the Board's Standing Orders, revised Standing Orders (G/18/148) were submitted for consideration by the Board.

It was agreed that any further comments on the Standing Orders be submitted to the Clerk for final approval at the next Board meeting on 30 November 2018.

## **4. DEVELOPING STRATEGIC OBJECTIVES**

J PEPPER REJOINED THE MEETING DURING THE FOLLOWING ITEM.

### **4.1 CHIEF OFFICER STRATEGIC UPDATE**

There was submitted a report by the Chief Officer (G/18/138) updating Board members on progress against tasks outlined in the rolling actions list.

**Resolved:**

- (i) The refresh of the Perth and Kinross Integration Joint Board Strategic Commissioning Plan be noted;
- (ii) The preparations for the Joint Inspection of Perth and Kinross Health and Social Care Partnership be noted;
- (iii) The Mental Health and Learning Disability Transformation Plan Update be noted;
- (iv) The Mental Welfare Commission 'Right to Advocacy' response be noted.;
- (v) The contents of Report G/18/138 otherwise be noted.

## **5. PROGRAMMES OF CARE**

### **5.1 PRIMARY CARE IMPROVEMENT PLAN AND GENERAL MEDICAL SERVICES CONTRACT IMPLEMENTATION: PROGRESS UPDATE**

There was submitted a report by the Clinical Director and Programme Manager (G/18/140) providing an update on progress made to date in respect of implementing the Primary Care Improvement Plan that encompasses the 2018 General Medical Services Contract.

**Resolved:**

- (i) The proposed allocation of Primary Care Improvement Funds across the programme of projects, which seek to implement the Primary Care Improvement Plan and the 2018 General Medical Services Contract, as set out in Report G/18/140, be noted.

- (ii) Further progress reports to be brought to each meeting of the Board as the implementation programme develops.

## **5.2 REVIEW OF DAY SERVICES UPDATE**

There was submitted a report by the Chief Officer (G/18/139) providing an update on the outstanding savings balance noted at April 2018 for the Review of Day Services transformation project.

### **Resolved:**

The progress achieved with the transformation project, and the current savings balance which would be fully met by September 2018, as set out in Report G/18/139, be noted.

## **6 INFORMATION**

There were submitted and noted the following reports for information:

### **6.1 ANNUAL PERFORMANCE REPORT 2017/18**

### **6.2 PERTH AND KINROSS JOINT STRATEGY TO SUPPORT INDEPENDENT LIVING & QUALITY OF LIFE FOR ADULTS WITH A PHYSICAL DISABILITY AND/OR SENSORY IMPAIRMENT 2014 – 2017 AND ASSOCIATED IMPLEMENTATION OF THE NATIONAL SEE HEAR SENSORY IMPAIRMENT FRAMEWORK 2015 – 2018 – Report by Chief Officer (G/18/243)**

**Note:** A progress report on the above Item to be provided to the Board in twelve months time.

### **6.3 CARE INSPECTORATE INSPECTIONS 2017/18 – Report by Head of Adult Social Care (G/18/141)**

### **6.4 ADULT PROTECTION COMMITTEE BI-ENNIAL REPORT 2016- 18**

There was submitted a joint report by Chief Social Work Officer and Independent Convener of the Adult Protection Committee (G/18/151) providing an update of the work of the Perth and Kinross Adult Protection Committee (APC) and activity over 2016-2018.

### **Resolved:**

- (i) The contents of the bi-ennial report to be submitted to the Scottish Government in October 2018 be noted;
- (ii) A report on the activity of the Perth and Kinross Child Protection Committee 2017-2018 to be submitted to the next meeting of the Board;
- (iii) A development session to be held on the subject of child and adult protection by the end of November 2018.

**7 FUTURE MEETING DATES 2018**

Friday 26 October 2018 (Briefing Session)  
Friday 30 November 2018 at 9.30am (Board Meeting)

**8 PROPOSED 2019 BOARD MEETING DATES**

Further discussion to take place on 2019 meeting dates for resubmission to the next meeting on 30 November 2018.

**9 VALEDICTORY**

Councillor Stewart referred to the retiral of Gillian Taylor, Head of Democratic Services at Perth and Kinross Council at the end of November 2018 after almost thirty nine years working in local government. Gillian had been the Clerk and Standards Officer for the IJB since its inception in 2015 and had also heavily been involved in providing advice to the Pathfinder Board for Health and Social Care Integration for Perth and Kinross.

Councillor Stewart and Board Members thanked Gillian for her contribution to the work of the IJB and wished her a happy retirement.

~~~~~

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(vi))(Appendix V)  
6 FEBRUARY 2019



**PERTH AND KINROSS COUNCIL**

**PERTH CITY DEVELOPMENT BOARD**

Minute of meeting of the Perth City Development Board, held in Perth Theatre on Tuesday 14 November 2017 at 4.30pm.

**Present:** J Bullough, SCAA (Chair)  
Councillor I Campbell  
Ms B Malone, Perth and Kinross Council  
Mr J Valentine, Perth and Kinross Council  
Mr K Bazley, Scottish Enterprise (substituting for Dr E Mitchell)  
Mr M Beale, Algo (Blairgowrie) Ltd  
Ms M Cook, Perth College UHI  
Ms D Fuge, Perth Traders' Association  
Mr G Gibbons, Horsecross Arts Ltd  
Mr K Greenhorn, SSE Enterprise  
Dr T Ryan, Perthshire Photographic Society and Perthshire Society of Natural Sciences  
Mr D Robertson, Stagecoach East Scotland  
Mr D Ross, Kilmac Construction  
Mr M Stuart, The Sandeman

**In Attendance:** D Bradley, Scotrail  
M Evans, The Retail Group  
T Flanagan, Perth and Kinross Council  
J Howarth, Perth College UHI  
D Littlejohn, Tay Cities Deal  
J McCrone, Perth and Kinross Council  
K Molley, Perth and Kinross Council  
D Williams, Perth and Kinross Council

**Apologies:** Councillor P Barrett  
Councillor D Doogan  
Councillor S McCole  
Councillor C Stewart  
Mr J Fyffe, Perth and Kinross Council  
Ms M Crockart, Aviva  
Mr C Kinnoull, Culture Perth and Kinross  
Dr E Mitchell, Scottish Enterprise  
Mr G Ruddock, Giraffe  
Mr M Robinson, Live Active Leisure  
Mr S Stewart, Perthshire Chamber of Commerce  
Mr M Stuart, The Sandeman  
Ms V Unite, Perthshire Chamber of Commerce

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(vi))(Appendix V)  
6 FEBRUARY 2019

J Bullough, Chair, Presiding.

**1. WELCOME AND INTRODUCTIONS**

J Bullough, Chairman, Perth City Development Board, welcomed all present to the meeting, and apologies were noted as above.

Prior to the commencement of the meeting, J Bullough paid tribute to former Chair of the Tay and Earn Trust, David Clarke, who led on much of the activity relating to regeneration of the Tay and who had sadly recently passed away. J Bullough expressed his gratitude for D Clarke's work, and had passed on best wishes to Mrs Clarke on behalf of the Board.

It was noted that S Roue, Scone Palace, would be leaving the board on maternity leave, and would be replaced by S Branigan.

It was agreed that Councillor M Lyle, Perth and Kinross Council, would attend future meetings of the Board as an observer.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest in any item on the agenda.

The Chair reminded private sector members to complete their registers of interests and short biographies and send them to [Committee@pkc.gov.uk](mailto:Committee@pkc.gov.uk).

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth City Development Board of 5 September 2017 was submitted and approved as a correct record.

**4. MATTERS ARISING**

There were no matters arising.

**5. CITY OF KNOWLEDGE AND LEARNING, PERTH COLLEGE UHI**

M Cook, Principal, Perth College UHI, delivered a slide based presentation on the City of Knowledge and Learning, Perth College UHI.

The presentation covered the following topics:

- Summary of student numbers;
- Employment opportunities for College leavers;
- Partnership working;
- Knowledge economy/innovation;
- International work.

M Cook added that added that student figures were liable to change, with variables such as January intake. She added that partnership working helped

to offer further positive destinations for students, and highlighted that international students attending UHI would be based in Perth.

The Chairman observed that Perth College UHI offered education through from school-leavers to PhD, and asked M Cook how unique this was. M Cook responded that Perth College UHI was the only education institute in Scotland to offer this, and informed the Chair that further work was taking place around the marketing of this.

In response to a query from T Flanagan, Perth and Kinross Council, of any possible economic impact for the area, M Cook informed members that Perth College UHI were collaborating with other universities as part of the Tay cities deal to grow key sectors and had engaged with private investors to support investment in new student accommodation in the city centre..

## **6. SCOTRAIL TRAVEL PLAN**

D Bradley, Transport Integration Manager, ScotRail, delivered a slide based presentation on the ScotRail Travel Plan.

The presentation covered the following topics:

- A background to the ScotRail Franchise;
- The key commitments of Abellio ScotRail;
- The new Hitachi trains and refurbished inter-city trains;
- Perth in a rail context, highlighting the importance of at the centre of an inter-city network;
- 'Revolution in Rail' and key benefits for Perth;
- Perth Station improvements;
- Perth Station travel plan and key issues identified in the plan.

D Bradley added that, with regards to 'Revolution in Rail', that there would be an hourly service on the Perth to Inverness line and that smaller stations around Perth would begin to get hourly services. D Bradley also mentioned the scope for current retail opportunities at Perth Station, highlighting the recently redeveloped café at the station as a starting point.

In response to a query from the Chair regarding broader rail transport infrastructure improvements to improve Perth Station and services from Perth Station to Edinburgh, J McCrone, Perth and Kinross Council, responded that this was being considered as part of Tay Cities deal investment and collaboration with Network Rail. In response to a further question from the Chair, D Bradley informed members that ScotRail's focus was more upon providing service, whereas infrastructure lay with Network Rail.

In response to a query from M Beale, Algo (Blairgowrie) Ltd., regarding the timescale for the Travel Plan, D Bradley informed members that ScotRail were contracted to put together the business case for Perth Station redevelopment. D Bradley added that the train aspect was scheduled for late 2018-early 2019, and that there was funding available for immediate



improvements to Perth Station. J Valentine, Depute Chief Executive, Perth and Kinross Council, added that the Government had committed to a programme for investment in rail networks, and franchised operators to increase capacity.

MEMBERS AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT

## **7. TAY CITIES DEAL UPDATE**

D Littlejohn, Tay Cities Deal, delivered a verbal update to the Board on the Tay Cities Deal.

D Littlejohn informed members that negotiations were continuing with UK and Scottish Governments on the terms of the deal. D Littlejohn highlighted the importance of creating more high value jobs, increasing productivity and reducing inequality in the region. D Littlejohn also highlighted the importance of infrastructure allowing access to jobs.

D Littlejohn informed members that 5 out of 7 challenge workshops with civil servants from both UK and Scottish governments had been completed. He added that it was hoped that a deal would be reached with UK and Scottish Government by March 2018.

D LITTLEJOHN AND B MALONE LEFT THE MEETING AT THIS POINT

## **8. FUTURE TARGET CUSTOMERS AND OCCUPIERS**

M Evans, Director, The Retail Group, delivered a slide based presentation on future target customers and occupiers in Perth city centre.

The presentation covered the following topics:

- The resident catchment of Perth and catchment profile;
- Expenditure patterns;
- Street survey responses;
- Operator survey responses;
- Stakeholder priorities;
- Perth's current retail offer;
- Current retail trends and landscape;
- Indicative target operators;
- Target location opportunities;
- Potential expansion zones/areas.

M Evans highlighted that a wide range of research had been undertaken in its study of Perth, including that of the public, more than 70 traders, and The Retail Group's own critique of Perth city centre. M Evans also noted that retail had been explored in a wider sense, and both tourism and student numbers were increasing in Perth, and highlighted the importance of easier access to the city centre.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(vi))(Appendix V)  
6 FEBRUARY 2019

M Evans highlighted Perth's existing retail offer, and that market and customer profiles survey results indicated potential for investment and existing operators and key stakeholders support for further retail in the city centre. M Evans further highlighted the need for further improvements to accessibility and opportunities for collaboration to secure investment in key sites within the city.

**J HOWARTH LEFT THE MEETING AT THIS POINT**

In response to a query from J Bullough, M Evans highlighted how the building of a new theatre in Aylesbury, of similar catchment to Perth, had facilitated retail opportunity and noted other examples of how cultural investment can drive footfall.

J Valentine added that the Perth City Plan, included cultural investment within key themes to support the city centre and visitor economy and had supported the redeveloped Perth Theatre and its links with the city centre and public realm improvement.

J McCrone advised that the purpose of the study was to create a framework, to support marketing and promotion and further encourage partnership working and collaboration in investment between the public and private sector.

**COUNCILLOR CAMPBELL, D BRADLEY AND M EVANS LEFT THE MEETING AT THIS POINT**

**9. PERTH CITY PLAN DELIVERY – PROGRESS**

There was submitted a report by the Chairman (G/17/193) updating the Board on the delivery of the Perth City Plan in respect of the key themes and associated Big Moves.

With regards to Economic Prosperity and Enterprise, J Bullough informed members that the Story of Place Board had now been established by S Stewart, and S Merone, Perth and Kinross Council, had been nominated as project manager. J Bullough added that there was a workshop scheduled for 18 December 2017, and a report would be submitted to the Perth City Development Board in 2018.

The Chair informed members that there was an opportunity to review progress on the delivery of the Plan and the Board's role in supporting this. Previous review and development work had been assisted Yellow Book. Members agreed to hold a workshop early in 2018, and J Valentine informed members that this workshop should be left until the budgets for the Tay Cities Deal and Perth and Kinross Council had been established.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 61(vi))(Appendix V)  
6 FEBRUARY 2019

**Resolved:**

The progress in respect of the delivery of the Perth City Plan, be noted and the scope and methodology of a review be considered at the next Board meeting. **Action J Bullough**

**10. ANY OTHER COMPETENT BUSINESS**

There was no other competent business.

**11. DATE OF NEXT MEETING**

The date of next meeting still to be confirmed, and members will be notified in due course.

~~~~~

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
6 FEBRUARY 2019

## **SCRUTINY COMMITTEE**

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 6 February 2019 at 2.25pm.

Present: Councillors G Laing, A Parrott, H Coates, M Barnacle, D Doogan, D Illingworth, R McCall (substituting for Councillor C Ahern), T McEwan, C Purves and C Stewart.

In Attendance: K McNamara, Depute Director (Housing and Environment); J Pepper, Depute Director (Education and Children's Services); R Hill and J Chiles (both Education and Children's Services); L Simpson, L Gowans, D McPhee, S Munro and D Williams (all Corporate and Democratic Services).

Apologies: Councillor C Ahern.

Councillor G Laing, Convener, Presiding.

### **66. WELCOME AND APOLOGIES**

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

### **67. DECLARATIONS OF INTEREST**

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

### **68. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 28 NOVEMBER 2018**

The minute of meeting of the Scrutiny Committee of 28 November 2018 (Arts. 688-698) was submitted, approved as a correct record and authorised for signature.

### **69. EDUCATION AND CHILDREN'S SERVICES SIX MONTH PERFORMANCE SUMMARY 2018**

There was submitted a report by the Executive Director (Education and Children's Services) (19/32) reviewing the performance of the Education and Children's Services against its Business Management and Improvement Plan (BMIP) for the period 1 April 2018 to 30 September 2018.

In response to a query from Councillor Stewart regarding the number of subjects available to students in S4 and S5, R Hill, Education and Children's Services, informed members that a wide range of subjects were available to students, but was dependent upon the school. In response to a further query from Councillor Stewart, R Hill advised that digital learning was in process.

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
6 FEBRUARY 2019

In response to a query from Councillor Laing regarding resources of adult volunteers for the Duke of Edinburgh Awards, R Hill informed members that there was room for more participants in the Duke of Edinburgh Awards, and that the issue of recruiting adult volunteers would be addressed.

**Resolved:**

The contents of Report 19/32, be noted.

J PEPPER, R HILL AND J CHILES ALL LEFT THE MEETING AT THIS POINT.

**70. EQUALITIES PERFORMANCE REPORT 2017/18**

There was submitted a report by the Depute Chief Executive, Chief Operating Officer (18/414) seeking scrutiny and comment on the Equalities Report 2017/18.

In response to a query from Councillor Illingworth regarding Interpreting services in Perth and Kinross, D McPhee, Corporate and Democratic Services, advised that close work was being undertaken with Partners to provide Interpreting services.

In response to a query from Councillor McCall regarding Sign Language provision, D McPhee informed members that a Sign Language programme is being rolled out and emphasised the importance of maintaining positive progress in this regard.

**Resolved:**

The contents of Report 18/253, be noted.

~~~~~