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Council Building
2 High Street
Perth
PH1 5PH

14 December 2018

A Meeting of **Perth and Kinross Council** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Wednesday, 19 December 2018** at **11:00**.

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

KAREN REID
Chief Executive

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

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

Members:

Provost D Melloy
All Councillors

Perth and Kinross Council

Wednesday, 19 December 2018

AGENDA

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

1 WELCOME AND APOLOGIES

2 DECLARATIONS OF INTEREST

3 NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39

(i) Payment of New Real Living Wage Rate - Motion by 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 May 2019.

Council instead agrees to pay the new £9 per hour Real Living Wage rate effective 5 November 2018. The costs 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. This position will be kept under review in future financial years.

(ii) Brexit - Motion by 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."

(iii) Equal Right of Appeal - Motion by 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.

4	MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 3 OCTOBER 2018 FOR APPROVAL AND SIGNATURE (copy herewith)	9 - 18
5	MINUTE OF COMMITTEES - 18 SEPTEMBER 2018 TO 21 NOVEMBER 2018 (copy herewith)	19 - 140
6	TREASURY ACTIVITY AND COMPLIANCE REPORT - 2018/19 QUARTER 2 Report by Head of Finance (copy herewith 18/415)	141 - 158
7	BIENNIAL REVIEW OF FINANCIAL REGULATIONS 2018 Report by Head of Finance (copy herewith 18/416)	159 - 202
8	REVENUE BUDGET 2019/20, 2020/21 AND 2021/22 - REPORT NUMBER 1 Report by Head of Finance (copy to follow)	
9	EUROPEAN SOCIAL FUND EMPLOYABILITY PROGRAMMES Report by Depute Chief Executive, Chief Operating Officer (copy herewith 18/420)	203 - 214
10	CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2017/18 Report by Chief Social work Officer (copy herewith 18/419)	215 - 284
11	NATIONAL JOINT REVIEW OF LOCAL GOVERNANCE Report by Depute Chief Executive, Chief Operating Officer (copy herewith 18/417)	285 - 302
12	BUILDING AMBITION - DEVELOPING TALENT - ANNUAL WORKFORCE REPORT 2018 Report by Chief Executive (copy herewith 18/418)	303 - 350
13	EQUALITIES PERFORMANCE REPORT 2017/18 Report by Depute Chief Executive, Chief Operating Officer (copy herewith 18/414)	351 - 390
	Note: The above report will also be considered by the Scrutiny Committee on 6 February 2019.	
14	PLANNING POLICY, PRACTICE & IMPROVEMENT MEMBER/OFFICER WORKING GROUP REMIT Report by Executive Director (Housing and Environment) (copy herewith 18/421)	391 - 396
15	APPOINTMENTS TO COMMITTEES / PARTNERSHIP GROUPS / OUTSIDE BODIES	

(i) Scrutiny Committee

Councillor A Parrott to replace Councillor S McCole as Vice-Convener of the Scrutiny Committee.

(ii) Audit Committee

Councillor S Donaldson to replace Councillor B Band as Vice-Convener of the Audit Committee.

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.

16 AMENDMENTS TO SCHEME OF ADMINISTRATION

The Council is asked to agree the following changes to the Scheme of Administration:-

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 when considering educational matters.

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.

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