

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

PERTH COMMON GOOD FUND COMMITTEE

Minute of Meeting of the Perth Common Good Fund Committee held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 26 February 2014 at 11.00am.

Present: Councillors J Coburn, B Band, P Barrett, D Doogan, J Flynn (from Art. 113(9) onwards), C Gillies, A Grant, E Maclachlan, A MacLellan, I Miller, A Munro, A Stewart, H Stewart and W Wilson.

In Attendance: Councillors K Howie, M Williamson, A Gaunt and T Gray; J Valentine, Executive Director (Environment), B Renton, Depute Director (Environment), D Littlejohn, K McNamara, K Leer, S Merone, D Calderwood, E Kerr, A Clegg and B Reekie (all The Environment Service); I Innes, L Whiteford, J Cook, C Flynn, Y Oliver and C Robertson (all Chief Executive's Service).

Councillor J Coburn, Convener, Presiding.

105. WELCOME AND APOLOGIES

Councillor Coburn welcomed all present to the meeting.

106. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor Coburn declared a non-financial interest in Arts 113(1) and 113(2). Councillor MacLellan also declared a non-financial interest in Art 113(1).

107. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Perth Common Good Fund Committee of 11 December 2013 (Arts. 709-716) was submitted, approved as a correct record and authorised for signature.

108. MATTERS ARISING

(i) People with a Mission Ministries (Art. 713(8) refers)

Following a query from Councillor W Wilson, members were advised that recipients' names were provided to People with a Mission Ministries by Care Workers, Social Workers, etc.

(ii) St John's Kirk of Perth (Carillon) (Art. 712(i) refers)

Following a query from Councillor W Wilson, members were advised that discussions were ongoing with the Carillonneur's agent and officers from Perth and Kinross Council. A report would be submitted to a future meeting of the Perth Common Good Fund Committee.

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

(iii) Moncrieffe Island, Perth – Improvements (Art. 570 refers)

Following a query from Councillor W Wilson, members were advised that works would be commencing in June or July and would take approximately 8 weeks to complete.

109. COMMON GOOD STATUS OF LAND AT PERTH HARBOUR

Members of the Committee were advised that property which was held by the former Perth Town Council forms part of the Common Good of Perth unless it was either acquired using statutory powers or for a statutory purpose (e.g. land for social housing) or is held under a special trust. Perth and Kinross Council owns all common good property in the City of Perth as successor to the former Town Council and must administer it having regard to the interests of the inhabitants of Perth. This duty is discharged by Perth Common Good Fund Committee.

Until recently, it was understood that Council-owned land within the core Harbour area had been acquired by the “Provost, Baillie, Councillors, Citizens, Burgesses and Community of the Royal Burgh of Perth” under the Royal Charter of 1601 of King James VI. All land which was granted in terms of this Charter is deemed to be Common Good land.

As a result, until recently, all rental income from Council-owned land within the core Harbour area accrued to the Perth Common Good Fund.

During a recent review of the Council’s title to the core Harbour area, it became apparent that some of the Harbour area had not, after all, been granted by the Charter but had been acquired using statutory powers. In addition, some land had been acquired by the former Perth and Kinross District Council and had never been held by the former Burgh.

To put matters beyond doubt, the Opinion of Senior Counsel was sought on the Council’s title to the Harbour area. He concluded that, of the land which had been held by the former Burgh, some parts had indeed been acquired using statutory powers and were not part of the Common Good of Perth.

Following receipt and consideration of the Opinion, a plan was prepared showing what is now understood to be respectively Common Good land and non-Common Good land at the Harbour. This plan was e-mailed to all members of the Perth Common Good Fund Committee following its meeting held on 11 December 2013.

As a result of the re-assessment of the Common Good status of land within the core Harbour area, Perth Common Good Fund Committee was advised (Report 13/576) that the rental income accruing to the Perth Common Good Fund Committee was to be abated by £18,000 as of 1 April 2013.

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

Resolved:

The Opinion of Senior Counsel on the common good status of Perth Harbour and the effect of this Opinion on the Council's understanding of the extent of Common Good land at Perth Harbour, be noted.

110. PERTH HARBOUR

There was submitted a report by the Executive Director (Environment) (14/71) seeking agreement that the Council's operational and land interests at Perth Harbour should be marketed in accordance with the decision made by the Strategic Policy and Resources Committee on 12 February 2014 (Report 14/52) in order to gauge private sector interest in acquiring these interests to help inform the Council in reaching a decision as to how best to maximise the Harbour's contribution to economic development.

Resolved:

- (i) The contents of Report 14/71, together with its Appendices, be noted.
- (ii) The decision of the Strategic Policy and Resources Committee on 12 February 2014 (Report 14/52) that the economic interests of Perth are best served by marketing the Council's operational and land interests at the Harbour to assess private sector interest, be agreed.
- (iii) It be agreed that, following the marketing process a report, setting out a proposed course of action, be brought back to the Perth Common Good Fund Committee for consideration.

111. APPLICATIONS FOR FINANCIAL ASSISTANCE

There was submitted a report by the Depute Director (Environment) (14/72) on applications received for financial assistance.

COUNCILLOR COBURN, HAVING DECLARED A NON-FINANCIAL INTEREST IN ARTS. 113(1) AND 113(2) LEFT THE COUNCIL CHAMBER AT THIS POINT.

COUNCILLOR MACLELLAN, HAVING DECLARED A NON-FINANCIAL INTEREST IN ART. 113(1) LEFT THE COUNCIL CHAMBER AT THIS POINT.

112. APPOINTMENT OF ACTING CONVENER

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

Councillor B Band, Acting Convener, Presiding.
(Arts 113(1) and 113(2) only)

113. APPLICATIONS FOR FINANCIAL ASSISTANCE

There was submitted a report by the Depute Director (Environment) (14/72) on applications received for financial assistance.

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

Resolved:

(1) J D Fergusson Arts Awards Trust

J D Fergusson Arts Awards Trust be awarded a grant of £2,000 towards the costs of their Annual Award and brochures.

COUNCILLOR MACLELLAN RETURNED TO THE MEETING AT THIS POINT.

(2) The Royal Army Service Corps and Royal Corps of Transport Association (Perthshire Branch)

The Royal Army Service Corps and Royal Corps of Transport Association (Perthshire Branch) be awarded a grant of £1,000 towards the costs of their World War 1 100th Anniversary trip to Ostend (Belgium) on 31 August-6 September 2014 for 42 senior citizens residing in Perth.

COUNCILLOR COBURN RETURNED TO THE MEETING AT THIS POINT AND RESUMED HIS ROLE AS CONVENER.

(3) 1st Perth Rangers

1st Perth Rangers be awarded a grant of £600 towards the costs of their visit to the National Scout and Guide Jamboree in Norway in August 2014 for 12 members.

(4) Perth Student

A Perth Student be awarded a grant of £100 towards the costs of 2 residential Access courses with the National Youth Jazz Orchestra in March 2014 (3 days) and July 2014 (5 days).

(5) Vision Support Service (part of Perth and Kinross Council's Education & Children Services)

Vision Support Service (part of Perth and Kinross Council's Education & Children Services) be awarded a grant of £1,500 towards the costs of purchasing a Maglink S CCTV Camera with laptop for Fairview School, Perth.

(6) Perth Student

A Perth Student be awarded a grant of £250 towards the costs of volunteering in the World Challenge Expedition in Ecuador from 28 June-28 July 2015 (31 days).

(7) PUSH Perth and Kinross Ltd

PUSH Perth and Kinross Ltd be awarded a grant of £498 towards the costs of replacing the flooring at its Drop-In Centre (55 South Methven Street, Perth).

(8) Perth High School

Perth High School be awarded a grant of £1,625 towards the costs of the Annual School Prize Giving and Concert at Perth Concert Hall in June 2014.

COUNCILLOR J FLYNN ENTERED THE MEETING AT THIS POINT

(9) Tulloch Net

Tulloch Net be awarded a grant of £560 towards the costs of hosting a Ceilidh Evening in May 2014 for 80 people.

(10) Perthshire Chinese Community Association

Perthshire Chinese Community Association be awarded a grant of £1,800 towards the costs of hosting the Chinese Dragon Boat Race event on the

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

River Tay on 15 June 2014 comprising 12 teams with a total of 204 competitors.

(11) Perth and Kinross Heritage Trust

Perth and Kinross Heritage Trust be awarded a grant of £2,000 towards the costs of holding the Perth's Heritage Market on 31 May 2014 (King Edward Street).

(12) Scottish Ensemble

Scottish Ensemble be awarded a grant of £1,000 towards the costs of its four day residency from 26-29 April 2014 in Perth.

(13) Trust for St John's Kirk of Perth

Trust for St John's Kirk of Perth be awarded a grant of £2,000 towards the costs of an organ screen and a cover for the carillon console to complete the Vision of the Future project.

(14) Friends of the Black Watch Castle and Museum

Friends of the Black Watch Castle and Museum be awarded a grant of £915 towards the costs of purchasing 2 portable audio loops and production of large print labels for each of the Museum Galleries as part of the Museum and Balhousie Castle Accessibility Project.

(15) Private Individual

A private Individual be refused a grant towards the costs of researching the history of the Perth Common Good Fund based on the terms set out in Report 14/72.

114. SOUTH INCH PAVILION FRANCHISE AGREEMENT

There was submitted a report by the Depute Director (Environment) (14/73) seeking approval to advertise for and accept a franchise for the former bowling pavilion on the South Inch, Perth for use as a café, following the successful completion of the improvement works to the former boating pond, and play area of the South Inch.

Resolved:

It be agreed that:

- (i) The former South Inch bowling pavilion be advertised for a franchisee to develop and run it as a café, including the potential for public toilets, for a period of 2 years.
- (ii) Should suitable operators be identified through the established procurement and selection process, the franchise agreement be implemented.
- (iii) The Depute Director (Environment) be requested to report back on progress in 6 months' time.

115. 2013/14 FINANCIAL STATEMENT

There was submitted and noted a joint report by the Head of Finance and Executive Director (Environment) (14/74), detailing the income received and expenditure incurred on the Perth Common Good Fund for the period up to 24 January 2014, and the projected outturn to 31 March 2014.

PERTH AND KINROSS COUNCIL
PERTH COMMON GOOD FUND COMMITTEE
26 FEBRUARY 2014

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 SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973

116. 2-4 NORTH METHVEN STREET, PERTH – PROPOSED REPAIRS

There was submitted a report by the Depute Director (Environment) (14/75) seeking approval (a) for expenditure to be met by Perth Common Good Fund for the appointment of consultants to carry out detailed investigations and prepare a schedule of works at shop premises at 2-4 North Methven Street, Perth; (b) to delegate procurement of works to Property colleagues; (c) for expenditure associated with the shared cost of common repairs to the roof of the property to be funded by Perth Common Good Fund; and (d) to the granting to the Tenants of a rent free period.

Resolved:

The expenditure and rent free period as set out in Report 14/75 be approved.

~~~~~