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Council Building  
2 High Street  
Perth  
PH1 5PH

13 June 2019

A Meeting of **Perth and Kinross Council** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Wednesday, 19 June 2019** at **11:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email [Committee@pkc.gov.uk](mailto: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 June 2019**

**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**
  - 3(i) PERIOD POVERTY CAMPAIGN 5 - 6**  
(copy herewith)
  - 3(ii) CLIMATE CHANGE EMERGENCY 7 - 8**  
(copy herewith)
- 4 MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 24 APRIL 2019 FOR APPROVAL AND SIGNATURE 9 - 16**  
(copy herewith)
- 5 MINUTES OF COMMITTEES - 10 APRIL 2019 TO 22 MAY 2019 17 - 130**  
(copy herewith)
- 6 PERTH TRANSPORT FUTURES PROJECT PHASE 2 - CROSS TAY LINK ROAD REVIEW OF ALIGNMENT BETWEEN A93 AND A94 131 - 178**  
Report by Depute Chief Executive, Chief Operating Officer (copy herewith 19/189 (Revised))
- 7 ANNUAL TREASURY REPORT 2018/19 179 - 196**  
Report by Head of Finance (copy herewith 19/190)
- 8 UPDATE ON GAELIC LANGUAGE PLAN 2018-23 197 - 208**  
Report by Depute Chief Executive, Chief Operating Officer (copy herewith 19/191)
- 9 PROPOSAL TO GRANT THE FREEDOM OF PERTH TO BRIGADIER SIR MELVILLE JAMESON KCVO CBE, LORD-LIEUTENANT OF PERTH AND KINROSS 209 - 216**  
Report by Chief Executive and Depute Chief Executive, Chief Operating Officer (copy herewith 19/192)

**10 APPOINTMENTS TO WORKING GROUP**

The Council is asked to agree that Councillor X McDade replace Councillor M Barnacle on the Modernising Governance Member/Officer Working Group.

**11 AMENDMENTS TO THE SCHEME OF ADMINISTRATION**  
(copy herewith)

**217 - 218**

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## Full Council

19 June 2019

Motion– Proposed by Fiona Sarwar to be seconded by Alasdair Bailey

In the UK, VAT is still currently applied to sanitary products. The campaign for period dignity acknowledges the impact of costly sanitary products and other period related products on women and girls, especially those affected by lower incomes and domestic abuse. The dignity, health and well-being of women and girls should come before collecting VAT on items which are necessities and not luxuries. The Council therefore, supports the campaign for period dignity and asks the Council Leader to write to the Chancellor of the Exchequer calling for all VAT to be removed from sanitary products.

Councillor Fiona J Sarwar

Councillor Alasdair Bailey



### Climate Change Emergency – Motion by Councillor Richard Watters and Councillor Fiona Sarwar

The Extinction Rebellion campaign and other similar campaigns led by Greta Thunberg and young people round the world are drawing critical attention to what is recognised as the number one issue facing the world today. This was re-emphasised in May 2019 when the UN body, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystems Services, issued a report warning about the damage human beings are causing to the planet. The report notes that climate change is one of the top drivers of this damage and it is not too late to turn things around, but to do so require transformational change.

The contribution the Council has made to reduce our own carbon footprint is acknowledged, yet there remains much to do and as noted a transformational change is required.

As a Council we wish to play our part in accelerating this transformational change, understand the implications for climate change in everything we do, and lead by example. This Council requests the Chief Executive to set out a route map to deliver, through co-production with citizens and other stakeholders, a low carbon Perth & Kinross, specifically to:-

1. Under the auspices of the Perth and Kinross Offer, establish a forum with our Community Planning Partners to scope out the required vision and transformational change necessary for climate change.
2. Report back to the Council before end of March 2020 with details of
  - A baseline report on where we are now both as a Council and the wider Perth and Kinross CPP Area
  - An analysis of our current plans and strategies and their compatibility with the need for transformational change
  - A route map and the identification of the resources required for delivery
  - Arrangements to ensure that the consideration of climate change is embedded in our decision making processes
  - Measures to ensure the Council is seen as an exemplar in reducing its carbon footprint, including measures which can be implemented immediately



PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
24 APRIL 2019

## 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 24 April 2019 at 11.00am.

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

In Attendance: 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); J Pepper, Depute Director (Education and Children's Services); K McNamara, Depute Director (Housing and Environment); L Simpson, S Hendry, S MacKenzie, R Fry, L Potter, C Flynn and S Walker (all Corporate and Democratic Services); G Paterson, Chief Officer/Director - Integrated Health & Social Care, Perth & Kinross Health and Social Care Partnership.

Provost D Melloy, Presiding.

The Provost led the discussion for Arts. 222-223, 225-232) and the Depute Provost for Art. 224.

### **222. WELCOME AND APOLOGIES**

The Provost welcomed all those present to the meeting. No apologies were submitted.

### **223. DECLARATIONS OF INTEREST**

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

### **224. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39**

#### **(i) Instrumental Music Service Fees**

The Depute Provost referred to the decision of the Strategic Policy and Resources Committee of 17 April 2019 (Art. 183 refers) where it was agreed that the proposed urgent Motion on Instrumental Music Service Fees be deferred for consideration by full Council at the earliest opportunity.

In terms of Standing Order 29(b), the Provost had ruled that the Motion be included on the agenda and considered as a matter of urgency in respect of an increase of music service fees due to be implemented

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from 21 August 2019. In terms of Standing Order 4, the Depute Provost confirmed that Standing Orders required to be suspended for this item only in order to consider the Motion.

Councillor M Lyle, seconded by Councillor P Barrett, moved that Standing Orders be suspended for this item only in order to consider the Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 11.20AM

In terms of Standing Orders 4 and 58, a roll call vote was taken.

31 members voted for the suspension of Standing Orders as follows:  
Councillors C Ahern, H Anderson, K Baird, B Band, P Barrett, B Brawn, A Coates, H Coates, D Doogan, J Duff, A Forbes, T Gray, D Illingworth, I James, A Jarvis, M Lyle, R McCall, S McCole, T McEwan, Provost D Melloy; A Parrott, B Pover, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, R Watters, M Williamson and W Wilson.

8 members voted against the suspension of Standing Orders as follows:  
Councillors A Bailey, M Barnacle, R Brock, S Donaldson, E Drysdale, G Laing, X McDade and C Purves.

1 member abstained from the vote as follows:  
Councillor C Stewart.

**Resolved:**

Standing Orders be suspended to allow consideration of the Motion.

**Motion (Councillors M Lyle and K Baird)**

**The 2019/20 Final Revenue Budget which was approved in February 2019 included a proposal from the previous year's 2019/20 Provisional Revenue Budget to increase Instrumental Music Charges for the forthcoming academic year.**

**The financial implications of this increase in 2019/20 are £50,000.**

**Council is asked to approve that the 2019/20 increase in charges for the Instrumental Music Service is not applied.**

**The loss of income associated with this proposal will be funded from Reserves during 2019/20 with the recurring impact factored into the Administration's Budget for 2020/21 when the Council next sets its Revenue Budget in February 2020.**

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Following a suggestion by Councillor D Doogan, the Mover and Seconded of the Motion agreed to incorporate the following additional wording into the Motion:

**In order to ensure sufficient resource, particularly to meet need over the school holiday period when Council is in recess, that the Council allocate a further sum of £26k from reserves on a non-recurring basis to provide targeted assistance where needed to tackle periods of food insecurity for children, young people and their families.**

**Resolved:**

In accordance with the revised Motion.

**(ii) Reduction in Tourism Value-Added Tax**

**Motion (Councillors C Purves and C Stewart)**

**The tourism sector accounts for 12 per cent of the Perth and Kinross economy and plays a vital role in creating employment and economic growth locally. In the UK, the standard level of Value-Added Tax (VAT) of 20 per cent is currently levied on tourism-related products, such as accommodation, restaurants and entertainment tickets, and the Council believes that this has a detrimental effect on the local tourism sector. The Council therefore supports the cross-party campaign 'Cut Tourism VAT' to bring it into line with competitor destinations in other European countries and requests that the Leader of the Council write to the Chancellor of the Exchequer, informing him of the Council's position.**

**Amendment (Councillors A Bailey and A Parrott)**

Reject the proposals set out in the Motion.

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

29 members voted for the Motion as follows:

Councillors C Ahern, K Baird, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, S Donaldson, D Doogan, J Duff, A Forbes, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan; Provost D Melloy; B Pover, C Purves, C Reid, C Shiers, L Simpson, C Stewart, R Watters, and W Wilson.

11 members voted for the Amendment as follows:

Councillors H Anderson, A Bailey, B Band, H Coates, E Drysdale, T Gray, A Parrott, J Rebbeck, W Robertson, F Sarwar, and M Williamson.

**Resolved:**

In accordance with the Motion.

**(iii) Voting rights of representatives on the Lifelong Learning Committee**

**Motion (Councillors X McDade and M Barnacle)**

**Background**

Currently the Council is required under the terms of the Local Government (Scotland) Act 1973 to appoint certain representatives to the Lifelong Learning Committee established by the Council to discharge their responsibilities as an education authority. In the case of Perth & Kinross Council this is the Lifelong Learning Committee.

A Scottish Government spokesperson recently clarified the Scottish Government's interpretation of the Local Government (Scotland) Act 1973 in recent press articles where they state, "where an education authority appoints a committee to discharge their functions, the Local Government (Scotland) Act 1973 requires councils to appoint members to that committee, including religious representatives." they go on to state "voting rights on committees are a matter for each local authority".

**Proposed Changes**

In line with the above clarification statement by the Scottish Government, the following is proposed:

That the Council agrees to amend the Scheme of Administration with effect from 1st May 2019 to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Lifelong Learning Committee.

**Implementation**

The Council instructs the Head of Legal & Governance Services to implement the agreed changes to all relevant Council documentation so that they take effect from the 1st May 2019.

Amendment (Councillors C Shiers and J Duff)

Delete the Motion and replace with: The Council believes that the issue of voting right of religious representatives on Lifelong Learning Committee should be considered as part of a wider review of the Scheme of Administration and Council Standing Orders. Council remits the issue for consideration by the Modernising Governance Member/Officer Working Group and instructs the Chief Executive to report back to Council with the recommendations of the review by the end of 2019.

PERTH AND KINROSS COUNCIL  
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In terms of Standing Order 58 a roll call vote was taken.

21 members voted for the Motion as follows:

Councillors H Anderson, A Bailey, B Band, M Barnacle, R Brock, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, F Sarwar, C Stewart, R Watters and M Williamson.

19 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 2.00PM.

**225. MINUTES**

**(i) Minute of meeting of 20 February 2019**

The minute of the meeting of Perth and Kinross Council of 20 February 2019 (Arts. 77-82) was submitted, approved as a correct record and authorised for signature.

**(ii) Minute of meeting of 27 February 2019**

The minute of the meeting of Perth and Kinross Council of 27 February 2019 (Arts. 103-118) was submitted, approved as a correct record and authorised for signature.

**226. MINUTES OF MEETINGS OF COMMITTEES FROM 13 FEBRUARY 2019 to 2 APRIL 2019**

The decisions recorded in Arts. 71-76, 83-102 and 119-170, copies of which had been circulated to all members of the Council, were submitted and noted.

**227. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2018/19 QUARTER 4**

There was submitted a report by the Head of Finance (19/126) (1) providing a summary of Loans Fund transactions for the quarter ending 31 March 2019; and (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices and the Investment Strategy and Prudential Indicators for the same period.

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**Resolved:**

- (i) The contents of Report 19/126, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The revised Daily Limitations to Authority, as detailed at Section 6 and shown at Appendix IV to Report 19/126, be approved.

**228. CESSATION OF MEMBERSHIP OF DOVETAIL ENTERPRISES (1993) LIMITED**

There was submitted a report by the Depute Chief Executive, Chief Operating Officer (19/127) inviting the Council to resign its membership of the enterprise company to enable the company to pursue a merger into a larger company group, the Shaw Trust Group and allow financial stability and growth of the business to be achieved through investment and restructuring.

**Resolved:**

- (i) It be agreed that the Council resign its membership of Dovetail Enterprises (1993) Limited to enable the merger of the company into the Shaw Trust Group to be completed.
- (ii) It be noted that as a consequence the Council will no longer be entitled to be represented on the Board of Directors/Trustees, its former representative being Councillor Bob Band.
- (iii) The Council, for its interest, agrees to the establishment of the Integration Group, and does not seek to be represented on the Integration Group.

**229. AFFORDABLE HOUSING MEMBER/OFFICER WORKING GROUP**

There was submitted a proposed remit and membership for an Affordable Housing Member/Officer Working Group.

Motion (Councillors M Lyle and P Barrett)

The Affordable Housing Member / Officer Working Group be established on the basis of the proposed remit and membership as set out on the agenda.

**Amendments (Councillors A Bailey and X McDade)**

**In accordance with the Motion, but that the elected member membership of the Affordable Housing Member/Officer Working Group reflect the composition of other similar groups already in existence, comprising:**

**Two representatives of the Scottish Conservative & Unionist Group  
Two representatives of the Scottish National Party Group  
One representative of the Scottish Liberal Democrat Group  
One representative of the Independent & Scottish Labour Group**

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

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19 members voted for the Motion as follows:

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

21 members voted for the Amendment as follows:

Councillors H Anderson, A Bailey, B Band, M Barnacle, R Brock, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, F Sarwar, C Stewart, R Watters and M Williamson.

**Resolved:**

In accordance with the Amendment

**230. APPOINTMENT TO COMMITTEE**

**Resolved:**

Councillor J Duff be appointed as an additional Vice-Convener of the Lifelong Learning Committee.

**231. AMENDMENTS TO SCHEME OF ADMINISTRATION**

**Resolved:**

The following changes to the Scheme of Administration be agreed:

**24. Chief Officer/Director – Integrated Health and Social Care**

- 24.1 The Perth and Kinross Integration Joint Board is obliged to appoint a Chief Officer/Director – Integrated Health and Social Care in accordance with Section 10 of the Public Bodies (Joint Working)(Scotland) Act 2014.

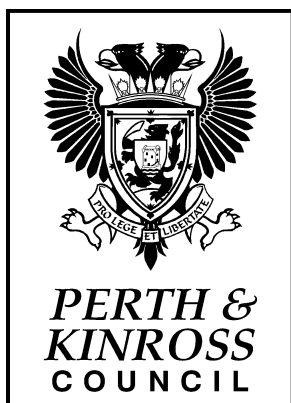
**232. TIMETABLE OF MEETINGS OF 2019**

**Resolved:**

The Licensing Committee meeting of 23 May 2019 to now take place on 16 May 2019 commencing at 10.00am.

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**2019**

**Book 3**

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## **MINUTES OF MEETINGS FROM**

**10 April 2019 – 22 May 2019**



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## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 10 April 2019 at 10.00am.

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

In Attendance: A Condliffe, D Niven, J Williamson, L Reid, D Salman and C Stewart (all Housing and Environment); G Fogg, L Gowans and D Williams (all Corporate and Democratic Services).

Apologies: Councillors B Band and W Wilson.

Councillor R McCall, Convener, Presiding.

### **171. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting.

### **172. DECLARATIONS OF INTEREST**

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

### **173. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 13 February 2019 (Arts. 123-127) was submitted, approved as a correct record and authorised for signature.

### **174. DEPUTATIONS**

In terms of Standing Order 72, the Committee agreed to hear depositions in relation to the following planning applications:

**Planning Application No.**  
18/00865/FLL

**Art. No.**  
175(2)(i)

**175. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 19/00120/AMM - Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to modify condition 15 (cycle and footpath link) of planning permission 08/01123/AMM (Erection of chalets - Reserved Matters), Sand and Gravel Pit, Gowrie, Stanley – Report 19/103 – Mr H McDonald**

**Resolved:**

**Grant**, subject to the following direction, 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 chalets hereby approved shall be used solely for holiday accommodation only and shall not be occupied as the sole or main residence of the occupant.  
Reason - To prevent permanent residential use of the site in view of its location within a rural area and in accordance with the Planning Authority's policy of restricting sporadic housing development in the countryside.
3. 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 interests of pedestrian and traffic safety and in the interests of free traffic flow.
4. Prior to the occupation of the development the vehicular access to the B9099 public road shall be formed in accordance with specification Type E, Fig 5.8, access detail to the satisfaction of the Council as Planning Authority.  
Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
5. Prior to the development hereby approved being completed or brought into use, the gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be

constructed so that no surface water is discharged to the public highway.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

6. Prior to the occupation of the first lodge full visibility splays of 3m by 180 m shall be provided to the right and left of the access measured between points 1m above the adjacent B9099 road channel level and maintained permanently thereafter to the satisfaction of the Council as Planning Authority.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

7. Prior to the occupation of the first lodge turning facilities shall be provided within the site to enable all vehicles to enter and leave in a forward gear and shall be maintained permanently thereafter to the satisfaction of the Council as Planning Authority.

Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.

8. 'Pick up and drop off' areas for bus passengers shall be provided on both sides of the B9099 public road adjacent to the access to the development prior to the occupation of the first lodge. The areas shall be a minimum of 6m long by nominally 1.8m wide kerbed and surfaced to the requirements of the Council as Roads Authority to the satisfaction of the Council as Planning Authority. In addition a bus shelter shall be provided on the south side of the road unless otherwise 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.

9. Within 6 months of the date of this decision notice a detailed landscaping and planting scheme for the site shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of the height and slopes of any mounding or re-contouring 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 plans shall also include planting to a depth of 40 metres adjacent to the B9099 and shall also incorporate bunding. The submission shall also include full details of the phasing of the landscaping. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after 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 to the Council as Planning Authority within 7

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
10 APRIL 2019

days of that date. The scheme as agreed and implemented shall thereafter be maintained.

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

10. The wastewater treatment facility and associated drainage, storage and pumping installations shall be designed, operated and maintained such that noise and or odour therefrom, are not perceptible in any domestic property.

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

11. Tree felling and vegetation clearance shall be undertaken out with the bird breeding season (i.e. not between 1st April and 31st July).

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

12. No work shall take place within the Thistle Brig Site of Special Scientific Interest (SSSI), including the storage of materials or machinery.

Reason - In order to safeguard the protected Thistle Brig Site of Special Scientific Interest (SSSI).

13. No chalets or touring caravans are permitted within the south eastern area of the site between the B9099 and the bund which delineates the former quarry until this area has been effectively screened by the landscaping required by Condition 9 of this permission.

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

14. The drainage strategy for the site is not hereby approved. Within 3 months of the date of this decision notice a revised drainage strategy shall be submitted to and approved in writing by the Planning Authority. The revised drainage strategy, as approved in writing, shall be implemented as part of the site development and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason - In order to ensure the provision of an acceptable surface water drainage scheme.

15. Prior to completion of the Stanley to Luncarty cycle/pedestrian path or the occupation/completion of the 30th lodge on site, whichever is the earliest, full details of a cycle/footpath link through the site which shall tie in with the proposed Stanley to Luncarty cycle/pedestrian path shall be submitted to and approved in writing by the Planning Authority. These details shall include a site plan showing the route within the application site, a full specification of the route including its width and surfacing, together with appropriate signage. The details, as

approved in writing, shall be implemented as part of the site development and completed prior to the completion of the Stanley to Luncarty cycle/pedestrian path or the occupation/completion of the 30th lodge on site, whichever is the earliest.

Reason - In the interests of pedestrian and traffic safety and to encourage the use of sustainable means of transport and to ensure the provision of an appropriate link through the application site for the Luncarty to Stanley cycle/footpath.

16. The recycling facilities hereby approved shall be installed on site prior to the occupation of the first lodge on site.

Reason - To ensure adequate provision for waste disposal from the site.

17. The cycle parking hereby approved shall be installed on site prior to the occupation of the first lodge on site.

Reason - To ensure the provision of cycle parking on site and to encourage the use of sustainable means of transport.

18. No further development shall take place on site 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 - To ensure the scheme of archaeological investigation is fully undertaken on site.

### **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.

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

**(2) Local Applications**

- (i) 18/00865/FLL - Erection of four wind turbines and ancillary infrastructure, Binn Eco Park Wind Farm, Glenfarg – Report 19/104 – Green Cat Renewable Developments**

Mr J Campbell QC, on behalf of objectors to the application, followed by Mr Donnachie, on behalf of the applicant, addressed the Committee, and, following their respective representations, withdrew to the public benches.

**Motion (Councillors M Barnacle and H Anderson)**

**Refuse, for the following reason:**

1. **The proposed increase in turbine heights would result in unacceptable adverse landscape impacts and visual impacts. The proposal will result in the hubs and blades of the turbines breaching the skyline and ridgelines from key viewpoints including Kinnoull Hill, Abernethy, Pitlour Hill and West Lomond which would contravene the recommendations made within the Tayside Landscape Character Assessment (TLCA) 1999 and the guidance contained within the Scottish Natural Heritage Siting and Designing Wind Farms in the Landscape Guidance 2017. This would have an adverse landscape and visual impact which cannot be economically or socially justified given the limited increase in energy production associated with the proposed increased turbine heights. The proposal is therefore contrary to policies ER1A, and ER6 of the Perth and Kinross Local Development Plan 2014.**

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**Justification**

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

Amendment (Councillors R McCall and H Coates)

Approve as proposed development does not adversely impact surrounding area to any significant extent over the existing consent. The proposal could make a significant statement for development within Perth and Kinross.

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

5 members voted for the Amendment as follows:

Councillors Brawn, Coates, Drysdale, McCall and Watters.

7 members voted for the Motion as follows:

Councillors Anderson, Barnacle, Gray, James, Jarvis, Simpson and Robertson.

**Resolved:**

In accordance with the Motion

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## **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 11 April 2019 at 10.00am.

Present: Councillors C Ahern (Convener), R Brock, A Coates, D Illingworth, I James, A Jarvis, A Parrott, and M Williamson.

In Attendance: PC C Forbes and PC K Chalmers (Police Scotland); M McLaren, S Michie and A Taylor (all Corporate and Democratic Services).

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

Councillor C Ahern (Convener), Presiding.

### **176. WELCOME AND APOLOGIES**

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

### **177. DECLARATIONS OF INTEREST**

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

### **178. MINUTES**

The Minute of Meeting of the Licensing Committee of 21 February 2019 was submitted and approved as a correct record.

**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.**

### **179. RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1094 (1 YEAR)**

There was submitted a report by the Head of Legal and Governance Services (19/107) together with letter of representation from Police Scotland dated 20 March 2019 regarding application for renewal of Taxi/Private Hire Car Driver's Licence TD1094.

The applicant was in attendance.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Motion (Councillors C Ahern and A Parrott) – The application for renewal of Taxi/Private Hire Car Driver's Licence TD1094 be refused on the grounds that the applicant is no longer a fit and proper person to be the holder of the Licence.**

Amendment (Councillors I James and M Williamson) – The application for renewal of Taxi/Private Hire Car Driver's Licence TD1094 be approved.

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

4 Members voted for the Amendment as follows:  
Councillors R Brock, D Illingworth, I James and M Williamson.

4 Members voted for the Motion as follows:  
Councillors C Ahern, A Coates, A Jarvis and A Parrott.

In terms of Standing Order 56, Councillor Ahern as Convener exercised his casting vote in favour of the Motion.

**Resolved:**

In accordance with the Motion.

**180. CONTINUED SUSPENSION OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1562**

There was submitted a report by the Head of Legal and Governance Services (19/108) together with a letter dated 18 March 2019 from Police Scotland regarding Continued Suspension of Taxi/Private Hire Car Driver's Licence No. TD1562.

The licence holder was not in attendance. The representative of Police Scotland addressed the Committee and answered Members' questions.

**Resolved:**

Suspension of Taxi/Private Hire Car Driver's Licence TD1562 be continued with effect from 11 April 2019 for the duration of the licence on the grounds that the licence holder is no longer a fit and proper person to be the holder of the licence.

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## **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 17 April 2019 at 9.30am.

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

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; K Donaldson, L Haxton, C Irons, S Mackenzie, M Mahmood, C Mackie, S McLeod, L Potter, K Rebbeck, F Robertson, L Simpson, D Stokoe and S Walker (all Corporate and Democratic Services); S Devlin and G Boland (both Education and Children's Services); B Renton, F Crofts, K McNamara and B Murray (all Housing and Environment) and G Paterson and J Smith, Perth and Kinross Health and Social Care Partnership.

Apologies: Councillors A Bailey, B Band and C Shiers.

Councillor M Lyle, Convener, Presiding.

The Convener led discussion on Arts. 181-188 & 193; Vice-Convener P Barrett led discussion on Arts. 190 & 194 and Vice-Convener C Stewart led discussion on Arts. 189, 191 & 192.

### **181. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. The Convener introduced G Paterson, Chief Officer, Perth and Kinross Health and Social Care Partnership and welcomed him to his first meeting of the Committee. Apologies and substitutions were noted as above.

### **182. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillors K Baird and A Parrott declared a non-financial interest in Art. 188.

### **183. URGENT ITEM OF BUSINESS**

#### **Instrumental Music Service Fees**

The Convener advised that in terms of Standing Order 29 (b) an urgent motion on Instrumental Music Service fees should be considered in respect of an increase of fees due to be implemented from 21 August 2019.

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The Convener advised that in order to consider the item it was necessary to suspend Standing Order 4 with a two-thirds majority of members present today.

The Head of Finance clarified that an increase in charges for the Instrumental Music Service had been included in the 2019/20 provisional Revenue Budget. The financial implications of the increase within 2019/20 was £50,000 and if the increase was not to be implemented then the shortfall would require to be funded from Reserves.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 10.05AM.

The Convener proposed that the motion be withdrawn from today's agenda and considered by full Council at the first opportunity.

**Resolved:**

In terms of Standing Order 68, it was agreed by simple majority to consider the motion in relation to Instrumental Music Service fees at the next meeting of full Council.

**184. MINUTES OF PREVIOUS MEETINGS**

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

The minute of meeting of the Strategic Policy and Resources Committee of 6 February 2019 (Arts.59-65) was submitted, approved as a correct record and authorised for signature.

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

The minute of meeting of the Property Sub-Committee of 22 October 2018 was submitted and noted. (*Appendix I*)

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

The minute of the Special meeting of the Property Sub-Committee of 18 December 2018 was submitted and noted. (*Appendix II*)

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

The minute of meeting of the Integration Joint Board of 30 November 2018 was submitted and noted. (*Appendix III*)

**(v) Corporate Health, Safety and Wellbeing Consultative Committee**

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 10 December 2018 was submitted and noted. (*Appendix IV*)

**(vi) Employees Joint Consultative Committee**

The minute of meeting of the Employees Joint Consultative Committee of 22 November 2018 was submitted and noted. **(Appendix V)**

**(vii) Tay Cities Region Joint Committee**

The minute of meeting of the Tay Cities Region Joint Committee of 9 November 2018 was submitted and noted. **(Appendix VI)**

**185. REVENUE BUDGET 2018/19 – MONITORING REPORT NUMBER 4**

There was submitted a report by the Head of Finance (19/110), providing an update (1) on progress with the 2018/19 General Fund Revenue Budget based on the January 2019 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 19/110 be noted.
- (ii) The adjustments to the 2018/19 Management Revenue Budget, as detailed in Appendices 1 to 4 and 6 to and Sections 2, 3 and 4 of Report 19/110, be approved.
- (iii) The 2018/19 service virements, as summarised in Appendices 2, 5 and 6 to Report 19/110, be approved.
- (iv) The Health and Social Care projected outturn, as summarised in Paragraphs 3.1 to 3.5 of and Appendix 5 to Report 19/110, be noted.
- (v) The Housing Revenue Account projected outturn summarised in Section 4 of and Appendix 6 to Report 19/110, be noted.
- (vi) The adjustments to the 2019/20 Revenue Budget summarised in Appendices 7, 8 and 9, be approved.

**186. COMPOSITE CAPITAL BUDGET 2018/28 AND HOUSING REVENUE ACCOUNT CAPITAL INVESTMENT PROGRAMME 2018/23 – MONITORING REPORT NUMBER 4**

There was submitted a report by the Head of Finance (19/111) (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.

**Resolved:**

- (i) The contents of Report 19/111, 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 19/111, 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 19/111, be approved.

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- (iv) The position for individual projects reported in sections 3 and 4 of and summarised in Appendix IV to Report 19/111, be noted.

**187. UPDATE ON PROGRESS WITH THE PREPARATION OF SUPPLEMENTARY GUIDANCE TO SUPPORT THE LOCAL DEVELOPMENT PLAN**

There was submitted a report by the Executive Director (Housing and Environment) (19/112) on (1) the proposed programme and priorities for preparing supplementary guidance to support the Local Development Plan review process and (2) providing an update in respect of progress on the preparation of the Statutory Supplementary Guidance and the non-statutory guidance work programme.

**Resolved:**

- (i) Progress made on the programme for the planning policy framework attached as appendix 1 to Report 19/112, be noted.
- (ii) The priorities for preparing the Local Development Plan Supplementary Guidance as detailed in Report 19/112, be approved.
- (iii) The Executive Director (Housing and Environment) be requested to arrange briefing sessions for elected members prior to any consultation, where substantial changes were proposed.
- (iv) The Executive Director (Housing and Environment) report annually to the Strategic Policy and Resources Committee on progress with the preparation of Supplementary Guidance to support the Local Development Plan.
- (v) Authority be delegated to the Executive Director (Housing and Environment) to approve non-statutory guidance where minor technical changes are required.
- (vi) The Supplementary Guidance to support the Local Development Plan be submitted to a future Scrutiny Committee.

**188. CULTURAL TRUSTS TRANSFORMATION PROJECT: FINDINGS AND RECOMMENDATIONS**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/118) on key steps to put in place a new delivery model for culture to make services sustainable in the long term and maximise economic, social and tourism benefits from culture for Perth and Kinross.

**Motion (Councillors M Lyle and P Barrett)**

- (i) That the Chief Executive has put recovery measures in place for Horsecross Arts by exercising Sole Member Company powers as set out in the Articles of Association and Memorandum of Understanding between Horsecross Arts and the Council, be noted.
- (ii) Officers be directed to commission an independent business assessment of Perth City Centre culture venues and proposed operating model to maximise the economic impact and minimise operating costs of all five venues.

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- (iii) **Officers be directed to complete full business case and timeline for a single delivery model for further consideration by the Council.**
- (iv) **A further report be submitted by the Depute Chief Executive and Chief Operating Officer to Council in April 2020.**

Amendment (Councillors S Donaldson and S McCole)

- (i) That the Chief Executive has put recovery measures in place for Horsecross Arts by exercising Sole Member Company powers as set out in the Articles of Association and Memorandum of Understanding between Horsecross Arts and the Council, be noted
- (ii) Officers be directed to commission an independent business assessment of Perth City Centre culture venues and proposed operating model to maximise the economic impact and minimise operating costs of all five venues.
- (iii) A further report be submitted by the Depute Chief Executive and Chief Operating Officer to Council in April 2020.

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

7 members voted for the Motion as follows:

Councillors P Barrett, J Duff, A Forbes, M Lyle, R McCall, C Purves and C Stewart.

7 members voted for the Amendment as follows:

Councillors S Donaldson, D Doogan, G Laing, S McCole, X McDade, T McEwan and A Parrott.

1 member abstained as follows:

Councillor K Baird.

In terms of Standing Order 56, the Convener exercised a casting vote in favour of the Motion.

**Resolved:**

In accordance with the Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 11.45AM.

**189. TRANSFORMATION PROGRAMME 2015-2020**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/113) providing (1) an update on phase four of the Transformation Programme approved by Council on 1 July 2015 and (2) providing an overview of progress on the current projects.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 19/113, be noted.

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- (ii) A report on the Review of Catering Services be submitted to a future meeting of the full Council.

**190. COMMUNITY INVESTMENT FUND**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/109) making recommendations for the 2019/20 Community Investment Fund building on experience from Year 1 and seeking approval of the process and launch of Year 2 in May 2019.

A presentation was also given on Years 1 and 2 of the Fund by F Robertson, Head of Service.

**Resolved:**

- (i) Option 1 to retain the current process for consideration of applications to the Community Investment Fund be approved.
- (ii) Improvements to the application process, as outlined in paragraph 2.2 of Report 19/109, be approved.

**191. MANAGING UNREASONABLE DEMANDS POLICY**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/114) on a policy to manage customer expectation and support staff in dealing with unreasonable demands by the Council's customers and service users.

**Resolved:**

- (i) The Managing Unreasonable Demands Policy attached as Appendix 1 to Report 19/ 114, with provision added regarding interacting with people with vulnerabilities, be approved.
- (ii) An annual report be submitted to the Scrutiny Committee on the use of the Policy.

**192. PROPOSED HEALTH AND WELLBEING FRAMEWORK**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/115) on a new Health and Wellbeing Framework for all employees of Perth and Kinross Council.

**Resolved:**

- (i) The Health and Wellbeing Framework attached as Appendix 1 to Report 19/115, be approved.
- (ii) Authority be delegated to the Depute Chief Executive and Chief Operating Officer to make arrangements for the implementation of the new Framework.

**193. RETIREMENT SCHEME**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/116) on proposed changes to the Council's Retirement

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Scheme to ensure it complies with Local Government Pension Scheme Regulations and remains fit for purpose in supporting business change and organisational transformation.

**Resolved:**

The revised Retirement Scheme attached as appendix 1 to Report 19/116, be approved.

**194. POLICY AND FRAMEWORK FOR DELIVERY OF SUCCESSFUL  
ENGAGEMENT IN HOUSING AND ENVIRONMENT**

There was submitted a report by the Depute Director (Housing and Environment) (19/117) on an integrated and refreshed approach to how Housing and Environment will inform, consult and engage with its customers and other stakeholders.

**Resolved:**

- (i) The Policy and Framework for Successful Engagement in Housing and Environment attached as appendices 1 and 2 to Report 19/117, be approved.
- (ii) The Depute Director (Housing and Environment) be requested to report back to this committee on the first year of implementation of the Policy and Framework.

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## PROPERTY SUB-COMMITTEE

Minute of meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Monday 22 October 2018 at 10.00am.

Present: Councillors B Band, P Barrett, D Doogan, A Forbes (substituting for R McCall), G Laing, C Shiers (substituting for M Lyle) and C Stewart.

In Attendance: S Crawford, K Lear and M McCaskie (all Housing and Environment); G Boland (Education and Children's Services); G Taylor, G Fogg and C Irons (all Corporate and Democratic Services).

Apologies: Councillors M Lyle and R McCall.

Vice-Convener Councillor P Barrett, presiding.

### 1. WELCOME AND APOLOGIES/SUBSTITUTES

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

### 2. DECLARATIONS OF INTEREST

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

### 3. MINUTE

The minute of meeting of the Property Sub-Committee of 16 April 2018 was submitted and approved as a correct record.

### 4. SCHOOL ESTATE PROGRAMME PROGRESS REPORT

There was submitted a report by the Executive Director (Education and Children's Services) (18/333) (1) providing an update 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 previous report to this Sub-Committee on 16 April 2018, be noted.
- (ii) Funding of £49.4m for the School Estate Programme, under the new 2018/2028 Composite Capital Budget approved by the Council in June 2018, and an additional budget for the replacement of Perth High School of £50m, be noted.

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

**P1. SCHEDULE OF PROPERTY MATTERS APPROVED UNDER DELEGATED POWERS**

There was submitted a report by the Executive Director (Housing and Environment) (18/334) on property transactions undertaken by the Estates and Commercial Investment Team and approved under delegated powers in the period June 2017 to June 2018.

**Resolved:**

The contents of Report 18/334 be noted.

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## PROPERTY SUB-COMMITTEE

Minute of special meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Tuesday 18 December 2018 at 9.15am.

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

In Attendance: J McCrone and S Merone (both Housing and Environment); C Flynn, G Fogg and C Irons (all Corporate and Democratic Services).

Councillor M Lyle, Presiding.

### 1. WELCOME AND APOLOGIES/SUBSTITUTES

The Convener welcomed all those present to the meeting.

### 2. DECLARATIONS OF INTEREST

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

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

There was submitted a report by the Executive Director (Housing and Environment) (18/409) seeking approval to granting a 30 year lease of the Lower City Mill A-Listed building.

#### **Resolved:**

- (i) The lease of the Lower City Mills to Perth and Kinross Heritage Trust for a nominal £1 per annum, be approved.
- (ii) Authority be delegated to the Head of Legal and Governance and the Head of Planning and Development to agree the terms and conditions of a full repairing and insurance lease for the Lower City Mills as a centre for architectural conservation, traditional building skills training and other heritage-based outreach activities.
- (iii) It be noted that Report 18/409 would be submitted to the Perth Common Good Fund Committee on 19 December 2018 to secure support in relation to the Council's obligations in respect of the management of common good properties.

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## 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 30 November 2018 at 10.55am.

**Present:**

**Voting Members**

Dr R Peat, Tayside NHS Board (Chair)  
Councillor C Stewart, Perth and Kinross Council (Vice-Chair)  
Councillor E Drysdale, Perth and Kinross Council  
Councillor X McDade, Perth and Kinross Council  
Councillor C Purves, Perth and Kinross Council  
Professor N Beech, Tayside NHS Board (from Item 4 onwards)  
Ms L Birse-Stewart, Tayside NHS Board

**Non-Voting Members**

Mr J Foulis, NHS Tayside  
Mr R Packham, Chief Officer  
Ms J Pepper, Chief Social Work Officer, Perth and Kinross Council  
Dr D Lowden, NHS Tayside  
Ms J Smith, Chief Financial Officer

**Additional Members**

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

**Stakeholder Members**

Ms M Summers, Carer Public Partner (on behalf of B Campbell)  
Mr A Drummond, Staff Representative, NHS Tayside  
Ms C Gallagher, Independent Advocacy Perth and Kinross  
Ms L Lennie, Service User Public Partner

**In Attendance:**

K Reid, Chief Executive, Perth and Kinross Council; S Hendry (Clerk) and A Taylor (both Perth and Kinross Council); V Aitken, C Jolly, R Duarte, D Fraser, M Rapley, E Devine and P Jerrard (all Perth and Kinross Health and Social Care Partnership); K Wilson, D Huband and L Denver (all NHS Tayside).

**Apologies:**

Ms G Costello, Tayside NHS Board  
Dr D Carey, Independent Contractor  
Ms B Campbell, Carer Public Partner  
Ms F Fraser, Staff Representative, Perth and Kinross Council

### 1. WELCOME AND APOLOGIES

Dr Peat 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 28 September 2018 was submitted and approved as a correct record, subject to the date in section 3.7 (iii) being amended to 28 September 2019.

*N BEECH ENTERED THE MEETING AT THIS POINT.*

## **4. ACTION POINT UPDATE**

There was submitted and noted the action point update for the Perth and Kinross Integration Joint Board as at 30 November 2018 (G/18/186).

## **5. MATTERS ARISING**

There were no matters arising from the previous minute.

## **6. BOARD MEMBERSHIP UPDATE**

There was submitted a report by the Clerk to the Board (G/18/187) updating the Board on a number of recent appointments to the voting members of the Board. The report also made a proposal in terms of the appointment of a non-voting member to the Board.

### **Resolved:**

- (i) The appointment of Dr Robert Peat as Chair of the Integration Joint Board, by NHS Tayside Board, be noted.
- (ii) The appointment of Ms Gillian Costello as a voting member of the Integration Joint Board until the end of March 2019, by NHS Tayside Board, be noted.
- (iii) The reappointment of Mr Jim Foulis as the Registered Nurse Representative on the Integration Joint Board until 31 May 2019 be agreed.

## **7. FINANCE AND GOVERNANCE**

### **7.1 2018/19 FINANCIAL POSITION**

There was submitted a report by the Chief Financial Officer (G/18/188) providing an update on the year-end financial forecast for 2018/19 based on the 6 months to 30 September 2018.

### **Resolved:**

- (i) The overall projected overspend of £4.035m for the Perth & Kinross Integration Joint Board for 2018/19 be noted, including:
  - a. The forecast overspend of £2.009m on adult social care, an increase of £0.596m from the last report.

- b. The forecast overspend of £1.495m on GP prescribing, an increase of £0.669m from the last report.
- c. The forecast overspend of £0.755m on Tayside hosted services.
- (ii) The progress with 2018/19 savings delivery, as set out in Report G/18/188, be noted.
- (iii) The update regarding Integration Joint Board reserves, as set out in Report G/18/188, be noted.
- (iv) It be noted that Perth and Kinross Council would not support the use of slippage funds to manage any financial overspend, noting that monies are allocated for specific purposes and are recorded as restricted funds within the annual accounts.
- (v) It be noted that a Financial Recovery Plan had been prepared in line with the Integration Scheme and had been submitted to the Chief Executives of Perth & Kinross Council and NHS Tayside for approval at the earliest opportunity. The plan would then be submitted to the IJB and the both partners' relevant committee / board.
- (vi) The Chief Officer to bring a report to a future meeting of the Board on the impact of the Carers (Scotland) Act 2016.
- (vii) It be noted that the figure in paragraph 4 of section 3.4 of the report should read £142k.

## **7.2 AUDIT AND PERFORMANCE COMMITTEE**

### **(i) Verbal Update by Chair of Audit and Performance Committee**

Councillor Purves, Chair of the Audit and Performance Committee, provided the board with an update from the committee meeting that had taken place earlier in the day.

The committee had considered revised terms of reference prior to consideration by the IJB. A risk management progress update had been provided, and an update had been noted on the recent inspection by HM Inspectorate of Prisons for Scotland of Perth Prison with the resultant improvement plan approved for submission to Health Improvement Scotland.

The Board noted the position.

### **(ii) Revised Terms of Reference**

There was submitted a report by the Chief Financial Officer (G/18/189) seeking approval of the revised Terms of Reference for the Audit and Performance Committee of the Integration Joint Board.

#### **Resolved:**

- (i) The revised Audit and Performance Committee Terms of Reference, as detailed in Appendix 1 to Report G/18/189, be approved.

- (ii) It be agreed that Ms Lorna Birse-Stewart be appointed as a replacement member for Dr Robert Peat on the Audit and Performance Committee.

### 7.3 STANDING ORDERS ANNUAL REVIEW

There was submitted a revised version of the Board's Standing Orders (G/18/190) for approval following feedback from the previous Board meeting of 28 September 2018.

**Resolved:**

The revised Standing Orders be approved subject to the following amendments:

- Sections 7.2 and 7.4 be amended to avoid any duplication;
- Section 2.12 be amended to clarify proxy member arrangements for both voting and non-voting members.

*MR A DRUMMOND LEFT THE MEETING AT THIS POINT.*

*THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 1.00PM.*

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

### 7.4 DEVELOPMENT OF TAYSIDE PUBLIC HEALTH STRATEGY

There was submitted a report by the Director of Public Health, NHS Tayside (G/18/201) seeking contributions from partner organisations in the development of the Tayside Public Health Strategy.

**Resolved:**

The contents of Report G/18/201 be noted, with partners invited to submit any further comments on the final draft plan, participate in the development and implementation of an action plan and assist in the evaluation of the impact of the strategy.

## 8. PROGRAMMES OF CARE

**Note:** It was agreed that in relation to Items 8.1 – 8.4, all of the terms of reference for the programme boards were to be resubmitted to the Board for approval and that any references to individual posts should not include staff names.

### 8.1 PROGRESS MADE BY THE PERTH AND KINROSS PRIMARY CARE BOARD

There was submitted a report by the Associate Medical Director (G/18/196) updating the IJB on progress made to date by the Perth and Kinross Primary Care Board

**Resolved:**

- (i) The progress made in setting up the Primary Care Board be noted;
- (ii) Updates on the work of the Board to be provided at each meeting of the IJB.

**8.2 PROGRESS MADE BY THE MENTAL HEALTH & WELLBEING CARE PROGRAMME**

There was submitted a report by the Head of Health (G/18/197) providing an update on the establishment and progress of the Mental Health and Wellbeing Care Programme.

**Resolved:**

- (i) The progress made in setting up the Mental Health and Wellbeing Programme be noted;
- (ii) Updates on the work of the Board to be provided at each meeting of the IJB;
- (iii) The proposed spend for the Action 15 monies, allocated to the Health and Social Care Partnership by the Scottish Government to support the implementation of the Mental Health Strategy 2017-2027, by recruiting more dedicated mental health professionals, as set out in Annex 3 of Report G/18/197, be endorsed;
- (iv) The proposed spend for the Alcohol and Drug Partnership monies, allocated to the Health and Social Care Partnership by the Scottish Government to reduce problem drug and alcohol use, as set out in Annex 4 of Report G/18/197, be endorsed.

**8.3 PROGRESS MADE BY THE OLDER PEOPLE & UNSCHEDULED CARE PROGRAMME BOARD**

There was submitted a report by the Associate Medical Director (G/18/198) providing an update on the establishment and progress by the Older People and Unscheduled Care Programme.

**Resolved:**

- (i) The progress made in the development of the Older People and Unscheduled Care Programme Board be noted;
- (ii) Updates on the work of the Board to be provided at each meeting of the IJB;
- (iii) The Board to provide the Older People and Unscheduled Care Section of the overarching Perth and Kinross Health and Social Care Strategic Commissioning Plan by March 2019.

**8.4 PROGRESS MADE BY THE CARERS PROGRAMME BOARD**

There was submitted a report by the Head of Adult Social Work and Social Care (G/18/199) updating the Board on the work and challenges of the Carers' Programme Board.

**Resolved:**

- (i) The progress made in the development of the Carers' Programme Board be noted;
- (ii) Updates on the work of the Board to be provided at each meeting of the IJB;

- (iii) The Board to provide a section on the Carers' Programme for the overarching Perth and Kinross Health and Social Care Strategic Commissioning Plan by March 2019.

#### **9.1 CLINICAL, CARE & PROFESSIONAL GOVERNANCE COMMITTEE TERMS OF REFERENCE**

There was submitted a report by the Chief Officer (G/18/191) seeking (1) approval to establish an Integration Joint Board Clinical, Care & Professional Governance Committee; and (2) agreement of the Terms of Reference for the proposed Committee.

**Resolved:**

- (i) The establishment of an Integration Joint Board Clinical, Care & Professional Governance Committee and Terms of Reference for the proposed Committee, as set out in Appendix 1 to Report G/18/191, be approved.
- (ii) It be agreed that Councillor C Stewart be appointed as Chair, with Councillor X McDade, Mr R Peat, and Ms L Birse-Stewart appointed as voting members.
- (iii) Nominations for the two non-voting members on the Committee to be submitted to the Clerk.
- (iv) The appointment of professional advisers to the committee from pharmacy, social work and social care to be further investigated.

#### **9.2 NATIONAL JOINT REVIEW OF LOCAL GOVERNANCE**

There was submitted a report by the Chief Officer (G/18/192) seeking approval of the Integration Joint Board's response to the Scottish Governance/COSLA joint National Review of Local Governance.

**Resolved:**

The item be withdrawn for further discussion.

*DR D WALKER LEFT THE MEETING AT THIS POINT.*

#### **9.3 INTEGRATION JOINT BOARD DATA PROTECTION POLICY**

There was submitted a report by the Chief Officer (G/18/193) seeking approval of the Integration Joint Board Data Protection Policy.

**Resolved:**

The Integration Joint Board Data Protection Policy and outline action plan, as set out in Report G/18/193, be approved.

#### **9.4 APPOINTMENT COMMITTEE FOR CHIEF OFFICER – HEALTH & SOCIAL CARE**

There was submitted a joint report (G/18/194) by the Corporate Human Resources Manager, Perth and Kinross Council and Head of Human Resources, NHS Tayside seeking to confirm the two elected members and two non-executive committee members who would be on the Appointment Committee for the post of

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 184(iv)) (Appendix III)  
17 APRIL 2019

Chief Officer – Health and Social Care for the Perth and Kinross Health and Social Care Partnership.

**Resolved:**

- (i) The proposals set out in section 2 of Report G/18/194 be approved;
- (ii) Dr R Peat (Chair), Councillor C Stewart, Councillor E Drysdale, Ms L Birse-Stewart and the Chief Executives of Perth and Kinross Council and NHS Tayside be appointed to the Appointment Committee;
- (iii) The job title for the advert to be Chief Officer (Equivalent to Director – Integrated Health and Social Care).

## **10. DEVELOPING STRATEGIC OBJECTIVES**

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

There was submitted a report by the Chief Officer (G/18/195) updating Board members on progress against tasks outlined in the rolling actions list.

**Resolved:**

The contents of Report G/18/195 and the following updates be noted:

- (i) Development of a Joint Workforce plan;
- (ii) The NHS Tayside Winter Plan;
- (iii) Joint inspection of Adult Services by Care Inspectorate and Health Improvement Scotland to be carried out during the first quarter of 2019;
- (iv) The update on the Strategic Plan refresh.

## **11. INFORMATION**

There were submitted and noted the following reports for information:

### **11.1 PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC) STANDARDS AND QUALITY REPORT 2017/18 (G/18/200)**

### **11.2 HEALTH AND SOCIAL CARE INTEGRATION – UPDATE ON PROGRESS – REPORT BY ADULT SCOTLAND**

**Note** – the above report to be considered further at the next meeting of the Board.

## **12 REVISED 2019 MEETING DATES**

January 2019 (Special Meeting – date to be confirmed)

Friday 15 February 2019, 9.30am

Wednesday 1 May 2019, 2.00pm

Wednesday 26 June 2019, 2.00pm

Friday 27 September 2019, 9.30am

Wednesday 4 December 2019, 2.00pm

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**PERTH AND KINROSS COUNCIL**  
**STRATEGIC POLICY AND RESOURCES COMMITTEE**  
**CORPORATE HEALTH, SAFETY AND WELLBEING**  
**CONSULTATIVE COMMITTEE**

Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Monday 10 December 2018 at 10.00am.

**Present:** **Representing Perth and Kinross Council**  
Councillor P Barrett  
Councillor K Baird  
Councillor S McCole  
Councillor M Williamson (Substituting for Councillor E Drysdale)  
G Boland (on behalf of Executive Director (Education and Children's Services))  
P Johnstone (on behalf of Corporate Human Resources Manager)  
R Lyle, Regulatory Services Manager, Housing and Environment

**Trade Union Safety Representatives and Elected Representatives of Employee Safety Committees**  
M Blacklaws (SSTA)  
M Swan (EIS)  
S Hope (Unison) (From item 4 onwards)

**In attendance:** S Crawford, Head of Property Services, Housing and Environment  
R Turner, Senior Health and Safety Advisor, Housing and Environment  
L McGeorge, Property Compliance Team Leader, Housing and Environment  
J Walker, Information Compliance Officer, Corporate and Democratic Services  
K Molley, Professional Trainee, Corporate and Democratic Services

**Apologies:** Councillor E Drysdale and C Flynn (on behalf of the Chief Executive), Corporate and Democratic Services.

Councillor S McCole in the Chair

**1. APPOINTMENT OF VICE-CONVENER**

It was agreed to defer the item of Appointment of Vice-Convener to the next meeting as not all trade union representatives were present.

**2. DECLARATIONS OF INTEREST**

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

**3. MINUTES**

The minute of the meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 17 September 2018 was submitted and approved for signature subject to the following amendment:-

Under item 5, the reason for the decrease in defibrillator training is due to the fact that defibrillators are becoming personalised and community based.

In response to a query from Councillor P Barrett on an update of sharps in households, S Crawford advised the Committee that each incident is processed and dealt with individually.

**4. HEALTH AND SAFETY PERFORMANCE QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (Housing and Environment) (G/18/184) (1) preparing to inform and assist the Corporate Health, Safety and Wellbeing Consultative Committee in monitoring health and safety performance across Perth and Kinross Council. This report asks for progress to be noted.

S HOPE ENTERED THE MEETING AT THIS POINT.

In response to a query from Councillor M Williamson regarding the number of road accidents and whether this is linked to tiredness and exhaustion, R Turner explained that road collisions are usually due to human error instead of tiredness and exhaustion.

Councillor S McCole raised concerns that there has not been significant movement in reducing the number of outstanding actions throughout health and safety reports and suggested going back to the service departments to find out more information.

**Resolved:**

The contents of the report, be noted.

**5. FIRE SAFETY QUARTERLY REPORT**

There was submitted a report by the Health, Safety and Wellbeing Manager (G/18/185) informing and assisting the Corporate Health, Safety and 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 2 of 2018/19 for noting.

In response to a query from Councillor S McCole on the outstanding work at Parkdale, L McGeorge confirmed that fire safety checks have not yet taken place as construction on the building is waiting to commence first.

**Resolved:**

The contents of the report, be noted.

**6. CUSTOMER CONTACT – UNACCEPTABLE ACTIONS POLICY**

There was submitted a report by the Head of Legal and Governance Services (G/18/206) presenting a policy on dealing with unacceptable actions by the Council's customers.

In response to a query from M Blacklaws on who 'we' stands for (Appendix 1, paragraph 3.3) when taking necessary action in dealing with an unacceptable action, J Walker confirmed that the corporate complaints team seek guidance from the legal team or their line manager when dealing with a customer complaint.

In response to a query from Councillor S McCole regarding how the public will be made aware of the unacceptable actions policy, J Walker explained that a copy of this document will be made available on the Perth and Kinross Council website, displayed in all public offices and will be present in public leaflets so that employees and the public are aware of the policy.

**Resolved:**

The Unacceptable Actions Policy, be noted.

**7. TIMETABLE OF MEETINGS FOR 2019**

Monday 11 March  
Monday 10 June  
Monday 9 September  
Monday 9 December

All meetings commence at 10am.

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

Minute of meeting of the Employees Joint Consultative Committee, held in the Council Chamber, 2 High Street, Perth on Thursday 22 November 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 and T Maric (all UNISON) and H Meldrum (GMB).

**In Attendance:** K Donaldson (Corporate Human Resources Manager); S Flanigan, G Reeves and Z Robertson (all Housing & Environment); P Johnstone, S Munro, K Ridley and L Brown (all Corporate and Democratic Services).

**Apologies:** Councillor M Lyle (Perth and Kinross Council); M Dickson, 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 27 September 2018 was submitted and approved as a correct record subject to the inclusion of the word "contingency" before the word plan in paragraph 8 of Item 5.

**3. MATTERS ARISING**

**(i) Brexit Workforce Implications – (Item 5 refers)**

Z Robertson reported that the Commissioning Team within the Health & Social Care Partnership are regularly monitoring any Brexit impact on commissioned services following a recent survey. Brexit will have a very limited impact on our Care At Home provision with only one provider employing a number of EU nationals. Independent care home

providers are reporting relatively low numbers of staff from the EU, with larger organisations appearing to be more at risk. However, these organisations are supporting staff and providing guidance in line with Scottish Care and Scottish Government's updates. The Council is also working in partnership with Perth College UHI on the setting up of a new Health and Social Care Academy.

In response to a question from members on staff turnover, Z Robertson confirmed that retention levels are monitored. She advised that the Council is a signatory of the Ethical Care Charter and ensured people complied with the Charter.

K Donaldson advised that as an organisation the Council was striving to influence the overall supply of people in to social care. Indeed this was a reason why the Council had increased the number of modern apprentices. There had also been local and national campaigns regarding jobs in early learning and childcare raising the profile of social care although this might result in some people moving from adult care into jobs in early learning and childcare.

K Robertson advised that no major workforce implications had been identified within schools. Tayside Contracts had also advised they had no Brexit workforce implications.

The Committee noted the position.

**(ii) Job Families - (Item 3(i) refers)**

K Ridley provided an update on progress with the implementation of Job Families. He advised that the Community and Operational Job Family had been implemented in October 2018 and that the Regulatory, Technical and Property Job Family would be implemented in January 2019. The final job family profile for Senior Leadership jobs was nearing completion.

**4. JOINT SECRETARY FOR TRADE UNIONS**

The Committee was advised that no nominations had been received as yet 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.

The Committee agreed to defer the appointment of a Joint Secretary for the Trade Union side to the next meeting.

**5. EMPLOYEE ENGAGEMENT SURVEY – SEPTEMBER 2018 FULL COUNCIL SUMMARY**

There was submitted a paper (G/18/169) summarising the council-wide results of the employee engagement survey undertaken in September 2018.

G Reeves advised that the response rate had increased slightly on that of the previous year although there had been a slight dip in some topic areas.

During discussion some members noted that the response rate had been less than 50% and asked what could be done to encourage greater participation. In responding S Flanigan advised that participation in the survey was voluntary. The survey was only one of a number of mechanisms used to engage with employees and was regarded as a means of encouraging staff to share ideas and make suggestions for improvement. Employee engagement officers were actively speaking to teams whose response rate had been low to see what could be done to encourage greater engagement in future. K Donaldson added that the true value of the survey was at team level with every member of the team being involved in the discussion of their team results whether they had participated in the survey or not.

In responding to further comments made regarding responses received in relation to leadership, skills and employee mental health and wellbeing, K Donaldson advised that a number of programmes were currently in development. These included an induction programme for both new and existing managers, a health and wellbeing strategy which would place particular emphasis on mental health and financial wellbeing, and a talent strategy to attract people in to the organisation and retain and develop the talent within the current workforce. K Donaldson further advised that councillors will receive a copy of the annual workforce report once published. It was noted that the report would also be shared with the Trade Unions.

The Committee noted the council-wide summary results of the Employee Engagement Survey undertaken in September 2018.

**6. EMPLOYEE WELLBEING – ENHANCING CAPACITY AND IMPROVING PERFORMANCE**

There was submitted a report by the Corporate Human Resources Manager G/18/170 providing an update on the Sickness Absence Statutory Performance Indicator (SPI) for 2017/18 and Employee Health and Wellbeing.

S Munro reported that the mid-year results for 2018 had shown a slight improvement in sickness rates although there was still an overall deterioration when compared to 2016/17. Mental health issues, other and musculoskeletal were the top three reasons given for sickness absence with mental health accounting for 27% of all sickness absence.

During discussion of the report and in response to questions S Munro advised that a holistic approach to health and wellbeing was being developed to replace the existing maximising attendance policy and the health and attendance policy for teachers.

The Committee:

- (i) Noted the Statutory Performance Indicator (SPI) results for 2017/18.

- (ii) Noted that the service management teams will continue to promote a culture of employee wellbeing, maintain a focus on proactively managing sickness absence, and seeking advice from Human Resources and Occupational Health where appropriate.

## **7. EMPLOYEE EQUALITIES**

The Committee heard a presentation from S Munro on equalities and diversity in employment. The speaker advised that high level data for the period 2017/18 was being shared on the equal pay audit and the workforce profile. A fuller report would be shared with the members of the Committee once available. A copy of the presentation slides are attached as Appendix 1 to the minute of meeting.

## **8. TIMETABLE OF MEETINGS**

It was noted that the Employees Joint Negotiating Committee would meet at 10am on the following dates in 2019:

28 February  
23 May  
26 September  
28 November

## **9. OTHER COMPETENT BUSINESS**

### **(i) Council Budget**

K Donaldson advised that an invitation would be extended to full time union officials to meet with the Chief Executive and the Head of Finance on the Council Budget.

## **10. DATE OF NEXT MEETING**

28 February 2019 at 10.00am.

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At a MEETING of the **TAY CITIES REGION JOINT COMMITTEE** held at Dundee on 9th November, 2018.

Present:-

Angus Council

Councillor Bill DUFF

Councillor Bob MYLES

Councillor Angus MACMILLAN DOUGLAS

Dundee City Council

Councillor John ALEXANDER

Councillor Lynne SHORT

Councillor Richard McCREADY

Fife Council

Councillor Karen MARJORAM

Councillor David ROSS

Perth & Kinross Council

Councillor Murray LYLE

Councillor Dave DOOGAN

Councillor Colin STEWART

Non-Elected Members

Gordon McGUINNESS, Skills Development Scotland

Ellis WATSON, Tay Cities Enterprise Forum

Professor Sir Pete DOWNES, Principal, University of Dundee Regional HE/FE Forum

Julie FARR, Social Enterprise Network, Third Sector

Jim REID, Scottish Enterprise

Co-opted Member

Councillor Brian GORDON, Tactran (Item VI onwards)

**I APOLOGIES**

Apologies were intimated from Councillor Tim Brett.

**II DECLARATION OF INTEREST**

Councillors Myles and Stewart declared a non-financial interest by virtue of their membership of NHS Tayside Board.

**III MIINUTE OF MEETING OF 18TH MAY, 2018**

The minute of meeting of 18th May, 2018 was submitted and approved.

**IV MATTERS ARISING**

Reference was made to the recent announcement that Michelin Group were intending to close their Dundee factory.

The Executive Director of City Development, Dundee City Council outlined steps being taken in conjunction with Scottish Ministers and neighbouring authorities to try and reverse the decision taken to close Michelin, including an Action Group established in this regard. A re-purposing strategy was also being drafted which would seek to identify alternative uses for the site. Lastly, in the event of closure, a brief was being prepared to ensure alternative employment paths/training would be available for employees affected.

The Joint Committee expressed concern at the news of the potential closure but welcomed the proactive approach being taken by elected members and officers.

## **V CO-OPTED MEMBER**

In terms of Clause Three of the Minute of Agreement among Angus Council, Dundee City Council, Perth and Kinross Council and Fife Council, the Leadership Group recommended that Councillor Brian Gordon, Chair of Tactran, be co-opted for a period not exceeding two years as an additional non-voting member of the Joint Committee.

The Joint Committee approved the recommendation as detailed.

A query was also raised regarding the possibility of appointing further co-opted members, particularly from the Federation of Small Businesses. Following discussion it was agreed that there was a more appropriate forum within which they could be more effectively represented.

## **VI TAY CITIES DEAL GOVERNANCE ARRANGEMENTS**

There was submitted Report No 2-2018 by the Clerk to Tay Cities Region Joint Committee outlining the details of the proposed Tay Cities Region governance arrangements as detailed in Appendix 1 to the Report.

The Joint Committee adopted the Governance Agreement and Standing Orders as detailed in Appendix I subject to the amendment that the provision relating to a Council being able to withdraw on two years written notice be deleted, and that the Heads of Legal and Democratic Services from the four constituent authorities are content with the revised wording.

Councillor Stewart requested that his dissent be recorded from the foregoing decision.

It was further agreed that whilst administrative arrangements would continue to be undertaken by Dundee City Council, future venues for meetings would rotate.

## **VII VERBAL UPDATE ON TAY CITIES DEAL INCLUDING HEADS OF TERMS**

A verbal update was given by the Executive Director of City Development, Dundee City Council. It was reported that due to the unforeseen announcement regarding the closure of Michelin, the Heads of Terms had still to be finalised.

However, there was a clear understanding from the Scottish Government that they would prefer to support fewer, more strategic projects, with a strong balance between rural and urban initiatives. A new date for signing was still to be identified, however, this was likely to be before the end of November.

The Joint Committee noted that a strong relationship had been built with the Scottish Government and that robust representation to ensure the best deal was achieved for the region was paramount.

## **VIII DATE OF NEXT MEETING**

To be confirmed.

Bob MYLES, Chair.

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
17 APRIL 2019

## SCRUTINY COMMITTEE

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 17 April 2019 at 1.05pm.

Present: Councillors G Laing, A Parrott, C Ahern, M Barnacle, D Doogan, D Illingworth, A Jarvis (substituting for Councillor H Coates), T McEwan, C Purves and C Stewart.

In Attendance: Councillor S Donaldson; K McNamara, Depute Director (Housing and Environment); J Pepper, Depute Director (Education and Children's Services); A Seggie (Housing and Environment); R Hill, S Johnstone and J Chiles (both Education and Children's Services); J Clark, M Mahmood, L Potter, L Simpson, M Terava and D Williams (all Corporate and Democratic Services).

Apologies: Councillor H Coates.

Councillor G Laing, Convener, Presiding.

THE COMMITTEE AGREED TO HOLD A 30 MINUTE RECESS.

### 195. WELCOME AND APOLOGIES

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

### 196. DECLARATIONS OF INTEREST

Councillors C Ahern and A Parrott both declared a non-financial interest in Art. 198(i).

Councillor G Laing declared a non-financial interest in Art. 198(ii).

### 197. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 28 NOVEMBER 2018

The minute of meeting of the Scrutiny Committee of 6 February 2019 (Arts. 66 - 70) was submitted, approved as a correct record and authorised for signature.

### 198. UPDATE BY ARMS-LENGTH EXTERNAL ORGANISATIONS

#### (i) Culture Perth and Kinross

H Smout, Chief Executive, C Kinnoull, Chair, H Revill, Finance Officer and J Findlay QC, Board Member, Culture Perth and Kinross, gave an update on progress and answered members' questions. Members sought assurance on matters such as: Board and Committee structures; organisational development; key priorities for the coming

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SCRUTINY COMMITTEE  
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year, expertise within the organisation and opportunities for shared service. The Convener thanked the representatives for their attendance and they left the meeting at this point.

**(ii) Live Active Leisure Ltd.**

Having declared a non-financial interest in this item, Councillor Laing remitted the chair to Councillor Parrott, Vice-Convener, who presided for the following item.

P Cromwell, Chief Executive and F Cameron, Deputy Chief Executive, Live Active Leisure Ltd., gave an update on progress and answered members' questions. Members sought assurance on matters such as: catering operations; leisure facilities and assistance for sports clubs, sustainability and outcomes. The Convener thanked the representatives for their attendance and they left the meeting at this point.

**(iii) Horsecross Arts Ltd.**

M Griffiths, Interim Chief Executive and P Winkles, Interim Head of Finance, Horsecross Arts Ltd, gave an update on progress and answered members' questions. Members sought assurance on matters such as budget and financial management, staffing, future programming and options to improve income generation; sustainability and options for sharing services. The Convener thanked the representatives for their attendance and they left the meeting at this point.

**199. SUMMARY REPORT ON CARE INSPECTORATE AND EDUCATION SCOTLAND INSPECTIONS**

There was submitted a report by the Executive Director (Education and Children's Services) (19/119) providing an overview of the performance of Education and Children's Services inspected and reported over the past year by the Care Inspectorate and Education Scotland and setting out the Service's approach to implementing improvement actions arising out of inspection.

In response to a query from Councillor Doogan regarding inspection of Secondary Schools, R Hill informed members that there had been no Secondary School Inspections in Perth and Kinross since 2014, since the introduction of new quality indicators, 'How Good is Our School 4', and that a further inspection of Secondary Schools would be welcomed.

In response to a query from Councillor Doogan regarding performance compared to comparator local authorities, S Johnstone informed members that in terms of Quality Indicators, Perth and Kinross was bucking the national trend in terms of performance in Early Years and Primary Education, but stated that performance in numeracy remained an area for improvement.

PERTH AND KINROSS COUNCIL  
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17 APRIL 2019

In response to a query from Councillor Stewart regarding the potential benefits of a comparison with other local authorities in the Tayside Region, J Pepper advised that this was an area which could be discussed within the Tayside Regional Improvement Collaborative.

Councillor Parrott commented that he felt the comparatively low number of school inspections was a positive, praising the risk management of the authority and the standards set by the authority.

**Resolved:**

The contents of Report 19/119, be noted.

J PEPPER, R HILL, S JOHNSTONE AND J CHILES LEFT THE MEETING AT THE POINT.

COUNCILLORS JARVIS AND McCOLE LEFT THE MEETING DURING THE CONSIDERATION OF THE FOLLOWING ITEM.

**200. BUSINESS GATEWAY**

K McNamara, Depute Director (Housing and Environment), delivered a verbal update on Business Gateway, updating members on the present situation regarding Business Gateway in Perth and Kinross. Following the Verbal Update, K McNamara answered questions from members on the present situation with Business Gateway in Perth and Kinross.

The Committee agreed that a Report on Business Gateway would be submitted to a future meeting of the Scrutiny Committee.

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## **PERTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Perth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 24 April 2019 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 (from Art. 202).

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

Councillor A Parrott, Convener, Presiding.

### **201. WELCOME AND APOLOGIES**

Councillor A Parrott welcomed all present to the meeting.

### **202. DECLARATIONS OF INTEREST**

COUNCILLOR W WILSON ENTERED THE MEETING AT THIS POINT.

In terms of the Councillors' Code of Conduct:

- (i) Councillor A Parrott declared a non-financial interest in Art. 205(13) and Art. 207.
- (ii) Councillor C Ahern declared a non-financial interest in Art. 205(13).
- (iii) Councillor S McCole declared a non-financial interest in Art. 205(15).

In terms of Standing Order 16, in the absence of the Convener, Councillor E Drysdale was unanimously appointed to chair the meeting for Art. 205(13) and Art. 207.

### **203. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth Common Good Fund Committee of 27 February 2019 (Arts.91-96) was submitted, approved as a correct record and authorised for signature.

### **204. MATTERS ARISING**

There were no matters arising.

### **205. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (19/120) asking Perth Common Good Fund Committee to consider 16 applications for financial assistance (13 for small grants and 3 for capital grants).

**Resolved:**

**(1) Volunteering with the Vine Trust**

The individual in Report 19/120 be awarded a grant of £250 towards the costs of volunteering with the Vine Trust to build homes for Tanzanians living in severe poverty.

**(2) Ballet Dancing Training**

The individual in Report 19/120 be awarded a grant of £150 towards the costs of national level ballet dancing training.

**(3) Perth Highland Games Ltd**

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

**Perth Highland Games Ltd be awarded a grant of up to £7,425 towards the costs of operating the Perth Highland Games on 11 August 2019 in Scone Palace Parklands.**

Amendment (Councillors S McCole and J Rebbeck)

Perth Highland Games Ltd be awarded a grant of up to £3,500 towards the costs of operating the Perth Highland Games on 11 August 2019 in Scone Palace Parklands.

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

7 members voted for the Motion as follows:

Councillors C Ahern, B Band, P Barrett, E Drysdale, M Lyle, A Parrott and W Wilson.

5 members voted for the Amendment as follows:

Councillors A Coates, H Coates, D Doogan, S McCole and J Rebbeck.

**Resolved:**

In accordance with the Motion.

**(4) Police Scotland Youth Volunteers**

Police Scotland Youth Volunteers be awarded a grant of £500 towards the costs of an Activity Weekend at Dalguise Activity Centre.

**(5) Wednesday Tea Dance**

Wednesday Tea Dance be awarded a grant of £133 towards the costs of a two day trip to the Cairndale Hotel in Dumfries.

**(6) The Centre for Inclusive Living**

The Centre for Inclusive Living be awarded a grant of £1,161 towards the costs of a Disabled Access Day Event.

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- (7) **8<sup>th</sup> Perth Brownies**  
8<sup>th</sup> Perth Brownies be awarded a grant of £140 towards the costs of a trip to Dalguise Activity Centre.
- (8) **VisionPK**  
VisionPK be awarded a grant of £280 towards the costs of a summer outing for sight and/or hearing impaired people.
- (9) **Tulloch Primary School Parent Council**  
Tulloch Primary School Parent Council be awarded a grant of £700 towards the costs of school summer trips.
- (10) **Perthshire Pride**  
Perthshire Pride be awarded a grant of £3,943 towards the costs of Perthshire Pride 2019.
- (11) **Jar of Jewels**  
Jar of Jewels be awarded a grant of £1,800 towards the costs of a Family Festival.
- (12) **INTOPS Lesotho Trip 2019**  
The individual in Report 19/120 be awarded a grant of £150 towards the costs of an INTOPS Lesotho Trip 2019.

COUNCILLOR E DRYSDALE TOOK THE ROLE OF CONVENER AT THIS POINT.

- (13) **Culture Perth and Kinross**  
Culture Perth and Kinross be awarded a grant up to £3,000 towards the costs of Perth and Kinross Remembers.

COUNCILLOR A PARROTT RESUMED THE ROLE OF CONVENER AT THIS POINT.

- (14) **New Rannoch Day Centre**  
New Rannoch Day Centre be awarded a grant of £2,500 towards the costs of a playground for the elderly.
- (15) **Fairview School**  
Fairview School be awarded a grant of £250 towards the costs of their Fairer View project.
- (16) **Tay Rowing Club**  
  
Motion (Councillors A Parrott and J Rebbeck)  
  
Tay Rowing Club be awarded a grant of £8,249 towards the costs of Tay Rowing Club Facilities Phase 1.

**Amendment (Councillors P Barrett and C Ahern)**

**Tay Rowing Club be awarded grant of £3,550 towards the costs of Tay Rowing Club Facilities Phase 1.**

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

3 members voted for the motion as follows:  
Councillors M Lyle, A Parrott and J Rebbeck.

9 members voted for the amendment as follows:  
Councillors C Ahern, B Band, P Barrett, A Coates, H Coates, D Doogan, E Drysdale, S McCole and W Wilson.

**Resolved:**

In accordance with the Amendment.

**206. 2018/19 & 2019/20 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (19/121) detailing the Income and Expenditure and the projected outturn to 31 March 2019 for Financial Year 2018/19; and the Income and Expenditure to 3 April 2019 and the projected outturn to 31 March 2020 for Financial Year 2019/20.

**Resolved:**

- (i) The Perth Common Good Fund Income and Expenditure and the projected outturn to 31 March 2019, as set out in Appendix 1 to Report 19/121, be noted.
- (ii) The rephrasing of the budget for the repair works to 2 North Port, from 2018/19 to 2019/20, as detailed in paragraph 2.3 of Report 19/121, be approved.
- (iii) The Perth Common Good Fund Income and Expenditure to 3 April 2019 and the projected outturn to 31 March 2020, as set out in Appendix 2 to Report 19/121, be noted.

COUNCILLOR E DRYSDALE TOOK THE ROLE OF CONVENER AT THIS POINT.

**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.**

**207. FAIR MAID'S HOUSE, PERTH – THE ROYAL SCOTTISH GEOGRAPHICAL SOCIETY**

There was submitted a report by the Executive Director (Housing and Environment) (19/122) seeking a decision from the Perth Common Good Fund Committee to consider the ongoing rental arrangements for the lease of the Fair Maid's House, Perth to the Royal Scottish Geographical Society.

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**Motion (Councillors C Ahern and D Doogan)**

Amendment (Councillors W Wilson and A Coates)

The information contained in the Motion and Amendment is Exempt under Paragraphs 2 and 9 of Scheduled 7A to the Local Government (Scotland) Act 1973 and is contained in Appendix 1 (available to Committee only).

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

8 members voted for the Motion as follows:

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

4 members voted for the Amendment as follows:

Councillors P Barrett, A Coates, E Drysdale and W Wilson.

**Resolved:**

In accordance with the Motion.

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## **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 24 April 2019 at 10.00am.

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

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

Councillor S Donaldson, Convener, Presiding.

### **208. WELCOME AND APOLOGIES**

Councillor Donaldson welcomed all those present to the meeting.

### **209. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor R Brock declared a non-financial interest in Article (P1).

### **210. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Crieff Common Good Fund Committee of 19 December 2018 (Arts. 725-730/18) was submitted, approved as a correct record and authorised for signature.

### **211. MATTERS ARISING**

#### **(i) Advisory Non-Voting Member (Item 728 refers)**

Councillor Donaldson advised the Committee that there had been no communication from Crieff Community Council as to their nomination for the position of an advisory non-voting member of the Crieff Common Good Fund Committee. It was noted that this item would be raised at the next Crieff Community Council meeting.

### **212. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (19/123) asking Crieff Common Good Fund Committee to consider one application for financial assistance from the Friends of Old St Michael's Hall and Grounds.

#### **Resolved:**

#### **(1) Friends of Old St Michael's Hall and Grounds**

Friends of Old St Michael's Hall and Grounds be awarded a grant of £250 towards the costs of purchasing a bench.

**213. 2019/20 BUDGET & 2018/19 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (19/124) seeking approval of the budget for Financial Year 2019/20 and detailing the Income and Expenditure to 31 January 2019 and the projected outturn for Financial Year 2018/19.

**Resolved:**

- (i) The Crieff Common Good Fund Budget for Financial Year 2019/20, as set out in Appendix 1 to report 19/124, be approved.
- (ii) The Crieff Common Good Fund Income and Expenditure and the projected outturn to 31 March 2019, as detailed in Appendix 2 to report 19/124, be noted.

**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.**

**214. CRIEFF ANGLING CLUB – RENT REVIEW**

There was submitted a report by the Executive Director (Housing and Environment) (19/125) seeking approval of the proposed rent review for Crieff Angling Club.

**Resolved:**

The rent review for Crieff Angling Club, on the terms and conditions set out in Report 19/125, be agreed.

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## **PITLOCHRY COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Pitlochry Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 24 April 2019 at 10.10am.

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

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

### **215. APPOINTMENT OF CONVENER**

Nominations were sought for the appointment of Convener. Councillor M Lyle, seconded by Councillor X McDade, nominated Councillor J Duff.

#### **Resolved:**

Councillor J Duff be appointed Convener of the Pitlochry Common Good Fund Committee, with the position of Convener to be rotated on an annual basis between the three local members.

Councillor J Duff, Convener, Presiding.

### **216. WELCOME AND APOLOGIES**

Councillor Duff welcomed all those present to the meeting.

### **217. DECLARATIONS OF INTEREST**

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

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

The minute of meeting of the Pitlochry Common Good Fund Committee of 24 February 2016 (Arts.122-127/16) was submitted, approved as a correct record and authorised for signature.

### **218. MATTERS ARISING**

There were no matters arising.

### **219. PITLOCHRY RAILWAY STATION**

Last summer, Network Rail started work improving and extending both platforms at Pitlochry Railway Station. The main contractor (BAM Nuttall) required access to egress from these platforms from both Armoury Road and Rie-achan Road car park to the proposed works. Part of the car park was acquired by the Pitlochry

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Burgh Council in 1966 which means it is considered to be a Common Good asset. Heads of Terms were agreed with BAM Nuttall on 2 July 2018.

Various meetings were held with the local Councillors and it was agreed to allow the proposal. The contractor vacated the car park by the end of December 2018.

COUNCILLOR M LYLE LEFT THE MEETING AT THIS POINT.

**Resolved:**

- (i) The position at Pitlochry Railway Station be noted.
- (ii) The decision taken to allow BAM Nuttall (Main Contractor) access to complete the works at Pitlochry Railway Station be homologated.
- (iii) A further meeting of the Pitlochry Common Good Fund Committee to be arranged by December 2019 to give an update on the works at Pitlochry Railway Station.

**220. ADVISORY NON-VOTING MEMBER**

As its meeting on 20 December 2017, the Council agreed that Common Good Fund Committees have the ability, if they so wish, to invite a member of the local community council(s) to join the Committee as an advisory non-voting member. The Committee was asked to determine how it wished to implement the decision.

**Resolved:**

- (i) The community council be invited to nominate a representative to join the Committee as an advisory, non-voting member.
- (ii) The advisory non-voting member of the Committee to be appointed as a permanent member.

**221. 2015/16 to 2017/18 FINANCIAL STATEMENTS AND 2018/19 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (19/128) detailing the Income and Expenditure for the Pitlochry Common Good Fund for Financial Years 2015/16, 2016/17 & 2017/18, and the projected outturn for the Fund for Financial Year 2018/19.

**Resolved:**

- (i) The Income and Expenditure to 31 March for the Financial Years 2015/16, 2016/17 and 2017/18, be noted.
- (ii) The Income and Expenditure to 31 March 2019, and the projected year-end Balance for the Fund for Financial Year 2018/19, be noted.
- (iii) It be approved that no budget is set for Financial Year 2019/20 and future years unless there is a substantial change to the financial circumstances for the Fund.

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## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 24 April 2019 at 11.00am.

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

In Attendance: 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); J Pepper, Depute Director (Education and Children's Services); K McNamara, Depute Director (Housing and Environment); L Simpson, S Hendry, S MacKenzie, R Fry, L Potter, C Flynn and S Walker (all Corporate and Democratic Services); G Paterson, Chief Officer/Director - Integrated Health & Social Care, Perth & Kinross Health and Social Care Partnership.

Provost D Melloy, Presiding.

The Provost led the discussion for Arts. 222-223, 225-232) and the Depute Provost for Art. 224.

### **222. WELCOME AND APOLOGIES**

The Provost welcomed all those present to the meeting. No apologies were submitted.

### **223. DECLARATIONS OF INTEREST**

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

### **224. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39**

#### **(i) Instrumental Music Service Fees**

The Depute Provost referred to the decision of the Strategic Policy and Resources Committee of 17 April 2019 (Art. 183 refers) where it was agreed that the proposed urgent Motion on Instrumental Music Service Fees be deferred for consideration by full Council at the earliest opportunity.

In terms of Standing Order 29(b), the Provost had ruled that the Motion be included on the agenda and considered as a matter of urgency in respect of an increase of music service fees due to be implemented

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from 21 August 2019. In terms of Standing Order 4, the Depute Provost confirmed that Standing Orders required to be suspended for this item only in order to consider the Motion.

Councillor M Lyle, seconded by Councillor P Barrett, moved that Standing Orders be suspended for this item only in order to consider the Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 11.20AM

In terms of Standing Orders 4 and 58, a roll call vote was taken.

31 members voted for the suspension of Standing Orders as follows:  
Councillors C Ahern, H Anderson, K Baird, B Band, P Barrett, B Brawn, A Coates, H Coates, D Doogan, J Duff, A Forbes, T Gray, D Illingworth, I James, A Jarvis, M Lyle, R McCall, S McCole, T McEwan, Provost D Melloy; A Parrott, B Pover, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, R Watters, M Williamson and W Wilson.

8 members voted against the suspension of Standing Orders as follows:

Councillors A Bailey, M Barnacle, R Brock, S Donaldson, E Drysdale, G Laing, X McDade and C Purves.

1 member abstained from the vote as follows:  
Councillor C Stewart.

**Resolved:**

Standing Orders be suspended to allow consideration of the Motion.

**Motion (Councillors M Lyle and K Baird)**

**The 2019/20 Final Revenue Budget which was approved in February 2019 included a proposal from the previous year's 2019/20 Provisional Revenue Budget to increase Instrumental Music Charges for the forthcoming academic year.**

**The financial implications of this increase in 2019/20 are £50,000.**

**Council is asked to approve that the 2019/20 increase in charges for the Instrumental Music Service is not applied.**

**The loss of income associated with this proposal will be funded from Reserves during 2019/20 with the recurring impact factored into the Administration's Budget for 2020/21 when the Council next sets its Revenue Budget in February 2020.**

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Following a suggestion by Councillor D Doogan, the Mover and Secunder of the Motion agreed to incorporate the following additional wording into the Motion:

**In order to ensure sufficient resource, particularly to meet need over the school holiday period when Council is in recess, that the Council allocate a further sum of £26k from reserves on a non-recurring basis to provide targeted assistance where needed to tackle periods of food insecurity for children, young people and their families.**

**Resolved:**

In accordance with the revised Motion.

**(ii) Reduction in Tourism Value-Added Tax**

**Motion (Councillors C Purves and C Stewart)**

**The tourism sector accounts for 12 per cent of the Perth and Kinross economy and plays a vital role in creating employment and economic growth locally. In the UK, the standard level of Value-Added Tax (VAT) of 20 per cent is currently levied on tourism-related products, such as accommodation, restaurants and entertainment tickets, and the Council believes that this has a detrimental effect on the local tourism sector. The Council therefore supports the cross-party campaign 'Cut Tourism VAT' to bring it into line with competitor destinations in other European countries and requests that the Leader of the Council write to the Chancellor of the Exchequer, informing him of the Council's position.**

**Amendment (Councillors A Bailey and A Parrott)**

Reject the proposals set out in the Motion.

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

29 members voted for the Motion as follows:

Councillors C Ahern, K Baird, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, S Donaldson, D Doogan, J Duff, A Forbes, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan; Provost D Melloy; B Pover, C Purves, C Reid, C Shiers, L Simpson, C Stewart, R Watters, and W Wilson.

11 members voted for the Amendment as follows:

Councillors H Anderson, A Bailey, B Band, H Coates, E Drysdale, T Gray, A Parrott, J Rebbeck, W Robertson, F Sarwar, and M Williamson.

**Resolved:**

In accordance with the Motion.

**(iii) Voting rights of representatives on the Lifelong Learning Committee**

**Motion (Councillors X McDade and M Barnacle)**

**Background**

**Currently the Council is required under the terms of the Local Government (Scotland) Act 1973 to appoint certain representatives to the Lifelong Learning Committee established by the Council to discharge their responsibilities as an education authority. In the case of Perth & Kinross Council this is the Lifelong Learning Committee.**

**A Scottish Government spokesperson recently clarified the Scottish Government's interpretation of the Local Government (Scotland) Act 1973 in recent press articles where they state, "where an education authority appoints a committee to discharge their functions, the Local Government (Scotland) Act 1973 requires councils to appoint members to that committee, including religious representatives." they go on to state "voting rights on committees are a matter for each local authority".**

**Proposed Changes**

**In line with the above clarification statement by the Scottish Government, the following is proposed:**

**That the Council agrees to amend the Scheme of Administration with effect from 1st May 2019 to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Lifelong Learning Committee.**

**Implementation**

**The Council instructs the Head of Legal & Governance Services to implement the agreed changes to all relevant Council documentation so that they take effect from the 1st May 2019.**

**Amendment (Councillors C Shiers and J Duff)**

**Delete the Motion and replace with: The Council believes that the issue of voting right of religious representatives on Lifelong Learning Committee should be considered as part of a wider review of the Scheme of Administration and Council Standing Orders. Council remits the issue for consideration by the Modernising Governance Member/Officer Working Group and instructs the Chief Executive to report back to Council with the recommendations of the review by the end of 2019.**

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

21 members voted for the Motion as follows:

Councillors H Anderson, A Bailey, B Band, M Barnacle, R Brock, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, F Sarwar, C Stewart, R Watters and M Williamson.

19 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 2.00PM.

**225. MINUTES**

**(i) Minute of meeting of 20 February 2019**

The minute of the meeting of Perth and Kinross Council of 20 February 2019 (Arts. 77-82) was submitted, approved as a correct record and authorised for signature.

**(ii) Minute of meeting of 27 February 2019**

The minute of the meeting of Perth and Kinross Council of 27 February 2019 (Arts. 103-118) was submitted, approved as a correct record and authorised for signature.

**226. MINUTES OF MEETINGS OF COMMITTEES FROM 13 FEBRUARY 2019 to 2 APRIL 2019**

The decisions recorded in Arts. 71-76, 83-102 and 119-170, copies of which had been circulated to all members of the Council, were submitted and noted.

**227. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2018/19 QUARTER 4**

There was submitted a report by the Head of Finance (19/126) (1) providing a summary of Loans Fund transactions for the quarter ending 31 March 2019; and (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices and the Investment Strategy and Prudential Indicators for the same period.

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**Resolved:**

- (i) The contents of Report 19/126, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The revised Daily Limitations to Authority, as detailed at Section 6 and shown at Appendix IV to Report 19/126, be approved.

**228. CESSATION OF MEMBERSHIP OF DOVETAIL ENTERPRISES (1993) LIMITED**

There was submitted a report by the Depute Chief Executive, Chief Operating Officer (19/127) inviting the Council to resign its membership of the enterprise company to enable the company to pursue a merger into a larger company group, the Shaw Trust Group and allow financial stability and growth of the business to be achieved through investment and restructuring.

**Resolved:**

- (i) It be agreed that the Council resign its membership of Dovetail Enterprises (1993) Limited to enable the merger of the company into the Shaw Trust Group to be completed.
- (ii) It be noted that as a consequence the Council will no longer be entitled to be represented on the Board of Directors/Trustees, its former representative being Councillor Bob Band.
- (iii) The Council, for its interest, agrees to the establishment of the Integration Group, and does not seek to be represented on the Integration Group.

**229. AFFORDABLE HOUSING MEMBER/OFFICER WORKING GROUP**

There was submitted a proposed remit and membership for an Affordable Housing Member/Officer Working Group.

Motion (Councillors M Lyle and P Barrett)

The Affordable Housing Member / Officer Working Group be established on the basis of the proposed remit and membership as set out on the agenda.

**Amendments (Councillors A Bailey and X McDade)**

**In accordance with the Motion, but that the elected member membership of the Affordable Housing Member/Officer Working Group reflect the composition of other similar groups already in existence, comprising:**

**Two representatives of the Scottish Conservative & Unionist Group  
Two representatives of the Scottish National Party Group  
One representative of the Scottish Liberal Democrat Group  
One representative of the Independent & Scottish Labour Group**

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

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19 members voted for the Motion as follows:

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

21 members voted for the Amendment as follows:

Councillors H Anderson, A Bailey, B Band, M Barnacle, R Brock, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, F Sarwar, C Stewart, R Watters and M Williamson.

**Resolved:**

In accordance with the Amendment

**230. APPOINTMENT TO COMMITTEE**

**Resolved:**

Councillor J Duff be appointed as an additional Vice-Convener of the Lifelong Learning Committee.

**231. AMENDMENTS TO SCHEME OF ADMINISTRATION**

**Resolved:**

The following changes to the Scheme of Administration be agreed:

**24. Chief Officer/Director – Integrated Health and Social Care**

24.1 The Perth and Kinross Integration Joint Board is obliged to appoint a Chief Officer/Director – Integrated Health and Social Care in accordance with Section 10 of the Public Bodies (Joint Working)(Scotland) Act 2014.

**232. TIMETABLE OF MEETINGS OF 2019**

**Resolved:**

The Licensing Committee meeting of 23 May 2019 to now take place on 16 May 2019 commencing at 10.00am.

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

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 30 April 2019 at 10.30am.

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

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

Also Attending: C Stewart (Housing and Environment); M Willis (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **233. DECLARATIONS OF INTEREST**

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

### **234. MINUTES**

The minute of meeting of the Local Review Body of 2 April 2019 (Arts. 168-170) was submitted and noted.

### **235. APPLICATION FOR REVIEW**

- (i) **TCP/11/16(592)  
Planning Application – 18/01774/FLL – Erection of a  
dwellinghouse on land 40 metres north of The Stables, Main  
Street, Almondbank – Mr J Jenkins**

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

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

**Decision:**

Resolved by unanimous decision that:

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

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Thereafter, resolved by unanimous decision that:

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

**Justification**

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

**236. DEFERRED APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(584)**  
**Planning Application – 18/01816/FLL – Erection of a dwellinghouse on land 20 metres west of 14 Toberargan Road, Pitlochry – Mr and Mrs Haworth**

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 20 metres west of 14 Toberargan Road, 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.

It was noted that, at its meeting of 5 March 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 an unaccompanied site visit having taken place on 25 April 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 25 April 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 the erection of a dwellinghouse on land 20 metres west of 14 Toberargan Road, be refused for the following reason:

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1. The proposal is contrary to criterion within Policy PM1A of the Perth and Kinross Local Development Plan 2014 as the development does not contribute positively to the quality of the surrounding built, fails to respect the character and amenity of the area and has an adverse impact on the visual amenity of the area due to an inappropriate siting, density and design.
2. The proposal is contrary to criterion (a) and (c) of Policy PM1B of the Perth and Kinross Local Development Plan 2014 as the dwelling would (a) not create a sense of identity as it would erode the street structure and (c) the design and density does not compliment the surroundings.
3. The proposals are contrary to Policy HE3A of the Perth and Kinross Local Development Plan 2014, in failing to satisfy policy criteria, which seeks to ensure that development in a Conservation Area will not impact upon its special qualities, must remain appropriate to its appearance, character and setting.

**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 the erection of a dwellinghouse should be granted. He considered that the proposal was not contrary to the Development Plan and, with the imposition of relevant conditions, including a condition regarding landscaping, would be acceptable in this location.

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## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 8 May 2019 at 10.00am.

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

In Attendance: A Condliffe, D Niven, J Scott, L Akroyd, A Belford, G Bissett, P Calder, N Lennon and D Salman (all Housing and Environment); M Milne, B Reid and B Scott (all Education and Children's Services); G Fogg, L Potter and D Williams (all Corporate and Democratic Services).

Councillor R McCall, Convener, Presiding.

### **237. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting.

### **238. DECLARATIONS OF INTEREST**

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

### **239. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 10 April 2019 (Arts. 171-175) was submitted, approved as a correct record and authorised for signature.

### **240. DEPUTATIONS**

In terms of Standing Order 72, the Committee agreed to hear depositions in relation to the following planning applications:

| <b>Planning Application No.</b> | <b>Art. No.</b> |
|---------------------------------|-----------------|
| 19/00080/FLL                    | 241(2)(ii)      |
| 19/00113/FLL                    | 241(2)(iii)     |

**241. APPLICATIONS FOR DETERMINATION**

**(1) Major Application**

- (i) 19/00202/AMM - ABERFELDY - Erection of 4 dwellinghouses (approval of matters specified in conditions 16/00478/IPM) (Phase 4), land south west of 8 The Beeches, Aberfeldy – Report 19/129 – Duntaylor Developments Ltd**

**Resolved:**

**Grant**, subject to the following direction, 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 dwellinghouse, details of the specification including materials of all footpaths and cycleways shall be submitted to the Council as Planning Authority for further written agreement. The scheme as subsequently agreed shall thereafter be implemented prior to the completion of the development.  
Reason: In the interest of pedestrian and cycle safety.
3. Duntaylor Avenue shall not be used at any time by construction traffic associated with the development of Phase 4 to the satisfaction of the Council as Planning Authority.  
Reason: In the interests of pedestrian and traffic safety, residential amenity.
4. Prior to the development hereby approved being completed or brought into use, all matters regarding access, pedestrian and cycling facilities, public transport infrastructure, car parking, road layout including width, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Council as Planning Authority.  
Reason: In the interests of pedestrian and traffic safety.
5. No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have 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

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management, monitoring, review, reporting and the duration of the plan.

Reason: In the interests of pedestrian and traffic safety.

6. Prior to the commencement of works on any part of the development, the Developer shall submit for the written approval of the Planning Authority an updated Construction Traffic Management Scheme (TMS) which shall include the following:
- a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
  - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
  - c) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
  - d) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
  - e) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
  - f) details of information signs to inform other road users of construction traffic;
  - g) arrangements to ensure that access for emergency service vehicles are not impeded;
  - h) co-ordination with other major commercial users known to use roads affected by construction traffic;
  - i) traffic arrangements in the immediate vicinity of temporary construction compounds;
  - j) monitoring, reporting and implementation arrangements; and
  - k) arrangements for dealing with non-compliance.

The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.

Reason: In the interests of pedestrian and traffic safety.

7. 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

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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.

8. 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.

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).

9. 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.

10. All road gullies within 500m of the SUDs pond shall have Wildlife Kerbs installed adjacent to it to allow amphibians to pass safely prior to the occupation of the last dwellinghouse hereby approved.

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

Reason: In the interests of protecting environmental quality and of biodiversity.

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12. Where it is intended to create semi-natural habitats, e.g. meadow or woodland, all species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing by the Council as Planning Authority.  
Reason: In the interests of enhancing biodiversity.
13. Prior to the commencement of development, a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted for the further written agreement of the Council as Planning Authority and thereafter undertaken in accordance with the approved details.  
Reason: To ensure there is adequate provision for waste disposal and recycling.
14. The approved Construction and Environmental Management Plan (CEMP) shall be fully adhered to throughout the construction period to the satisfaction of 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.
15. Prior to the commencement of development hereby approved, full details (layout and equipment specification) of the proposed play area shall be submitted for the further written agreement of the Council as Planning Authority in consultation with Community Greenspace. Thereafter the approved play area shall be completed prior to the occupation of the first dwellinghouses.  
Reason: In the interest of residential amenity and ensure there is adequate provision of a children's play area.

**Justification**

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

**Informatives**

1. 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

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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 38 of the Development Management Procedure (Scotland) Regulations 2008. 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 38 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the Development
  - Readily visible to the public
  - Printed on durable material
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH3 1JR.
8. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. Scottish Waters Records appear to show proposed infrastructure within the site. These records are indicative

only and your attention is drawn to the disclaimer at the bottom of their consultation response. This is believed to be pipework that you as the developer are proposing to lay for this development. If this is not the case please submit plans/drawings to indicate the position of the new infrastructure. All due care must be taken when working in the vicinity of Scottish Water assets, you should seek our support accordingly prior to any excavation works.

10. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk)
11. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
12. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
13. The applicant should satisfy themselves that there is no risk to the proposed development from the disused tip approximately south of the site. A watching brief during development is recommended.
14. No work shall be commenced until an application for building warrant has been submitted and approved.
15. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD

## **(2) Local Applications**

- (i) 17/02190/FLL - ABERNETHY - Erection of 39 dwellinghouses, formation of SUDS pond, car parking, landscaping and associated infrastructure, land at Southfield, Newburgh Road, Abernethy – Report 19/130 – Hadden Homes**

J Scott, Team Leader, delivered an update on proposed conditions, which were circulated to members prior to the meeting.

**Motion (Councillors Councillor T Gray and W Wilson)**

**Grant, subject to the following direction, 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 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. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.  
Reason: In the interest of pedestrian safety.**
- 4. Prior to commencement of development, a detailed Construction Management Plan (CMP) detailing required mitigation measures and construction method statements, including specific measures for monitoring during construction, shall be submitted to and approved in writing by the Planning Authority in. Such details shall be submitted not less than two month prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and air quality mitigation measures for all construction elements. Thereafter the approved CMP shall thereafter be fully respected and adhered to through the construction phase of the development.  
Reason: To ensure the construction phase is carefully managed to minimise landscape impacts and mitigate for any associated impacts on ecology, neighbours, general public and the wider environment.**

5. **The times of construction should be limited to Monday to Friday 07.00 to 19.00, Saturday 08.00 to 13.00 with no noise generating work on a Sunday. Reason: In the interests of residential amenity.**
6. **Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (CTMS) which shall include the following:**
  - a) **restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;**
  - b) **timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;**
  - c) **arrangements for liaison with the Roads Authority regarding winter maintenance;**
  - d) **emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;**
  - e) **arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;**
  - f) **arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;**
  - g) **arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;**
  - h) **details of information signs to inform other road users of construction traffic;**
  - i) **arrangements to ensure that access for emergency service vehicles are not impeded;**
  - j) **monitoring, reporting and implementation arrangements; and**
  - k) **arrangements for dealing with non-compliance.****The CTMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority. Reason: In the interests of road safety.**
7. **Prior to the development hereby approved being completed or brought into use a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, shall be submitted and approved in**

writing by the Council. The RTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.

Reason: In the interest of sustainable travel and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

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

Reason: In the interest of protecting archaeological interest within the site.

9. Development shall not commence on site until a detailed sustainable urban drainage system (SUDs) has been submitted for the further written agreement of the Council as Planning Authority, in consultation with SEPA where necessary. The scheme shall be developed in accordance with the technical guidance contained in The SUDs Manual (C753) and the Council's Flood Risk and Flood Risk Assessments Developer Guidance, and shall incorporate source control. All works shall be carried out in accordance with the agreed scheme and be operational prior to the bringing into use of the development.

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

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 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.

11. The conclusions and recommended action points within the supporting 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).

12. 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.

13. Where it is intended to create a wetland/SUDs area wildlife kerbs shall be installed adjacent to all road gullies within 500 metres of wetland/SUDS.

Reason: In the interests of protecting environmental quality and of biodiversity.

14. Where it is intended to create semi-natural habitats, all species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the Planning Authority.

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

15. Prior to the commencement of development hereby approved, details of the location and specification of the swift nest brick and bat roost bricks shall be submitted for the further written agreement of the Council as Planning Authority. Thereafter, the swift net bricks and bat roost bricks shall be installed in accordance with the agreed details prior to the occupation of the relevant residential unit. For clarification the development shall incorporate the

**swift nest bricks and bat roost bricks at eaves height in a minimum of 75% of all properties.**

**Reason: In the interests of enhancing biodiversity and environmental quality.**

- 16. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.**  
**Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**

- 17. Prior to the commencement of development a site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be submitted to and approved in writing by the planning authority and thereafter undertaken in accordance with the approved details to the satisfaction of the Council's Planning Authority.**  
**Reason: To ensure there is adequate provision for waste disposal and recycling.**

- 18. No development shall take place on site until such time as details of a boundary fence adjacent to Network Rail's boundary has been submitted to and approved in writing by the Planning Authority. A suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary must be installed and provision for the fence's future maintenance and renewal should be made. Network Rail's existing boundary measure must not be removed without prior permission. The fencing shall be carried out only in full accordance with such approved details.**

**Reason: In the interests of public safety and the protection of Network Rail infrastructure.**

- 19. No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority. Any Sustainable Urban Drainage Scheme should be designed with long term maintenance plans which meet the needs of the development. The use of the culvert under the railway for surface water drainage must be fully agreed with Network Rail. The development shall be**

carried out only in full accordance with such approved details.

Reasons: To protect the stability of the adjacent railway and the safety of the rail network.

20. No development shall take place on site until such time as a detailed scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Broad leaf deciduous species should not be planted adjacent to the railway boundary. All landscaping, including planting, seeding and hard landscaping shall be completed in accordance with the approved scheme.

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. To control the impact of leaf fall on the operational railway.

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

22. Prior to commencement of any other development at Plots 1 to 7, the 2 metre high acoustic bund and 1 metre high fence shall be installed along the western boundary of the site as approved in drawing reference 17/02190/29.

Reason: In the interests of residential amenity and to ensure the viability of employment use on the remainder of Site MU8 allocated in the Perth and Kinross local Development plan 2014.

23. The glazing of habitable rooms on the north-facing facades of plots 8 -18 shall have a minimum sound

reduction index of 35 dB, Rw+Ctr to the satisfaction of the Council as Planning Authority.

Reason: In the interests of residential amenity preventing noise issues from the adjacent rail line.

24. No extensions or alterations, whether or not permitted by virtue of Schedule 1, Part 1, Class 1B, 1D and 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992 or any Order revoking and re-enacting that Order shall be constructed or erected on the rear elevations of Plots 1-7 (located on the western boundary).

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

#### **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**

Permission shall not to be issued until the Section 75 Agreement relating to transport infrastructure contributions has been completed and signed to reflect the current planning reference 17/02190/FLL.

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

#### **Informatives**

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

control under section 123(1) of that Act, which may result in enforcement action being taken.

3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, Perth.
8. The applicant is advised that the granting of planning 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. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on

- site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk)
10. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
  11. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
  12. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
  13. The Council shall be immediately notified in writing if any ground contamination is found during construction of the development, and thereafter a scheme to deal with the contamination shall be submitted to, and agreed in writing by, the Council as Planning Authority.
  14. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
  15. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
  16. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
  17. Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

**Network Rail Asset Protection Engineer**  
**151 St. Vincent Street, GLASGOW, G2 5NW**  
**Tel: 0141 555 4352**

**E-mail: [AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk)**

- 18. There is a Section 75 legal obligation associated with this planning permission. A copy is available to view on the Council's [Public Access portal](#).**

Amendment (Councillors H Anderson and M Barnacle)

Refuse the application, as it is contrary to both Policy PM1B(B) and PM1B(C) of the Perth and Kinross Local Development Plan 2014, due to the design and density, and the impact upon local historic landmarks.

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

9 members voted for the Motion as follows:

Councillors Band, Brawn, Drysdale, Gray, James, McCall, Simpson, Watters and Wilson.

4 members voted for the Amendment as follows:

Councillors Anderson, Barnacle, Coates and Jarvis

**Resolved:**

In accordance with the Motion.

- (ii) 19/00080/FLL - KENMORE - Siting of 43 caravans, formation of landscaping and associated works, Mains of Taymouth, Kenmore – Report 19/131 – Mains of Taymouth Country Estate**

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

Motion (Councillors E Drysdale and H Anderson)

Grant, subject to the following direction, terms, conditions and informatives in Report 19/131.

**Amendment (Councillors W Wilson and I James)**

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

**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 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.**

- 4. Storm water drainage from all paved surfaces, including the access, shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.**

**Reason: To ensure the provision of effective drainage for the site.**

- 5. No removal of hedgerows, trees or shrubs that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.**

**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. Temporary lights used during construction should be fitted with shades to prevent light spillage outside the working area. Temporary and permanent lights must not illuminate the surrounding tree lines, to reduce impact on foraging bats.  
Reason: In the interests of protecting environmental quality and of biodiversity.
8. 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 the interests of protecting environmental quality and of biodiversity.
9. 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.  
Reason: In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.
10. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.

**Reason: In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.**

- 11. All external lighting shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and that light spillage beyond the boundaries of the site is minimised to a degree that it does not adversely affect the amenity of the neighbouring land.**

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

- 12. 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.**

- 13. Prior to the occupation of any of the caravans hereby approved, the applicant shall submit full details of the management rules/title deeds which links every caravan to the wider Mains of Taymouth Estate.**

**These details shall be submitted to and agreed in writing with the Planning Authority prior to the occupation of any of the caravans. This agreement between the Applicant (or successor) and the owner of each caravan shall be maintained in perpetuity.**

**Reason - To ensure the suitable occupancy of the caravan.**

- 14. Development shall not commence until a detailed Construction Method Statement (CMS) has been submitted to the Council as Planning Authority and agreed in consultation with Scottish Natural Heritage (SNH) and Scottish Environment Protection Agency (SEPA). The CMS must identify measures to prevent harmful materials entering the River Tay SAC, which could reduce water quality and lead to a damaging impact on the salmon, otter and lamprey interests.**

**The CMS should include the following:**

- (a) pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds**
- (b) storage and disposal of materials including the siting of stock piles, use of buffer strips and disposal methods**

- (c) construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound**
- (d) timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.**

**The CMS and mitigations as agreed shall be fully implemented as part of the planning permission.**

**Reason: In order to ensure the development does not impact negatively on the nearby Special Area of Conservation.**

#### **Justification**

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

#### **Informatives**

- 1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).**
- 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. An application for Building Warrant may be required.**
- 5. 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.**
- 6. 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.
7. The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.
  8. The applicant should be advised that the caravans are required to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore an application should be made to the Environmental Health if planning consent is approved.
  9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
  10. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. Please send the required information to us at [developmentmanagement@pkc.gov.uk](mailto:developmentmanagement@pkc.gov.uk)  
Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.

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

6 members voted for the Motion as follows:  
Councillors Anderson, Barnacle, Coates, Drysdale, Gray, McCall.

7 members voted for the Amendment as follows:  
Councillors Band, Brawn, James, Jarvis Simpson, Watters and Wilson.

**Resolved:**

In accordance with the Amendment.

**(iii) 19/00113/FLL - RATTRAY - Alterations and extension to building, Rattray Primary School, High Street, Rattray, Blairgowrie, PH10 7DG – Report 19/132 – Perth and Kinross Council**

Mr Lister, on behalf of Rattray Parent Council, objectors to the application, followed by Mr P Clader, Housing and Environment, Agent, addressed the Committee, and, following their respective representations, withdrew to the public benches.

**Resolved:**

**Grant**, subject to the following direction, 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 works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
  - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
  - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
  - c) arrangements for liaison with the Roads Authority regarding winter maintenance;
  - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
  - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
  - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
  - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;

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- h) details of information signs to inform other road users of construction traffic;
- i) arrangements to ensure that access for emergency service vehicles are not impeded;
- j) monitoring, reporting and implementation arrangements; and
- k) arrangements for dealing with non-compliance.

The TMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority.

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.

**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 is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.

<http://www.pkc.gov.uk/article/15061/Supplementary-guidance-Flood-risk-and-flood-risk-assessments>

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## **HOUSING AND COMMUNITIES COMMITTEE**

Minute of meeting of the Housing and Communities Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 15 May 2019 at 9.30am.

Present: Councillors P Barrett, B Brawn, C Ahern, A Bailey, H Coates, E Drysdale, T Gray, D Illingworth, S McCole, T McEwan, C Reid, C Shiers and R Watters.

In Attendance: B Renton, Executive Director (Housing and Environment); C Mailer, J McColl, M Dow, E Ritchie, N Robson, G Conway, D McPhee and K Steven (all from Art. 247(ii)), S Watson and P Turner (all Housing and Environment); C Flynn, A Taylor and F Robertson (all Corporate and Democratic Services).

Also in Attendance: Chief Superintendent A Todd, Chief Inspector I Scott, Sergeant K Thompson, Chief Inspector M Gallagher and Constable K Wilkie (all Police Scotland); Area Manager G Pryde and Group Manager B McLintock (both Scottish Fire and Rescue Service); T Bremner (Tenants' Representative).

Councillor Barrett, Convener, Presiding.

The Convener led the discussion for Arts. 242-244 and 248-251 and the Vice-Convener for Arts. 245-247 and 252-253.

### **242. WELCOME AND APOLOGIES**

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

### **243. DECLARATIONS OF INTEREST**

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

### **244. MINUTE OF THE MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 20 MARCH 2019 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of the Housing and Communities Committee of 20 March 2019 (Arts. 128-136) was submitted, approved as a correct record and authorised for signature.

**IN TERMS OF STANDING ORDER 34 THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO CONSIDER ITEMS P1 & P2 AT THIS POINT AND TO RECOMMENCE THE PUBLIC SESSION WITH POLICE AND FIRE: LOCAL SCRUTINY AND ENGAGEMENT FOLLOWED BY THE COMMUNITY PLANNING PARTNERSHIP UPDATE.**

**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.**

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

Scottish Fire and Rescue Service had no operational update to report.

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

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

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

CHIEF INSPECTOR GALLAGHER LEFT THE MEETING AT THIS POINT.

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

**(i) Scottish Fire and Rescue Service Quarterly Performance Report –  
1 January to 31 March 2019**

There was submitted a report by Area Manager G Pryde, Scottish Fire and Rescue Service (19/141) on the performance of the SFRS against the priorities, performance indicators and targets detailed within the Local Fire and Rescue Plan for Perth and Kinross 2017-20, for the fourth quarter, 1 January to 31 March 2019.

Councillor Drysdale made reference to the fatal road traffic casualty figures and queried why these figures differ from those in the Police Scotland quarterly report. In response Area Manager Pryde explained that the only figures they report on are the incidents they attend.

Councillor Drysdale also made reference to the significant number of unwanted fire alarm signals emanating from schools / nursing homes and queried whether there were any figures available which detail how many of these properties are controlled or managed by the local authority. In response Group Manager McLintock advised that work has commenced with the Council on this issue but is still at a very early stage, but assured the Committee that work was ongoing to try and reduce these figures.

Councillor McCole made reference to the figures relating to deliberate secondary fires and queried whether the thirteen incidents in Q4 was typical for this quarter or whether it indicated a downward trend; she also questioned whether exceeding the annual target was as a result of

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a particular spike at a certain point during the year. In response Group Manager McLintock advised that there had been a decrease from quarter to quarter, the slight spike was the result of anti-social behaviour incidents involving youths, but he assured the Committee that work continues to be done with partners to tackle this issue.

Councillors Shiers made reference to the work done on risk management and preparedness in relation to wildfires, specifically controlled burning and queried what work has been done with sectors of the communities such as the Gamekeepers Association, NFU and other organisations / individuals who work in rural areas. In response Area Manager Pryde advised that SFRS are part of a Wildfire Forum which brings together a broad range of partners and allows them to work together on a number of education and preventative measures. He further advised that the SFRS has fire service specialists, who have been trained in Europe and are bringing back extensive knowledge on dealing with these types of incidents.

In response to a question from Councillor Coates in regards to the level of staff on duty at any time who are fully trained in all aspects of water safety and rescue, Group Manager McLintock confirmed that every member of staff at the Perth station has been fully trained and further advised there are twenty four teams across Scotland that can be called upon at any given time to also provide assistance during an emergency situation.

**Resolved:**

The performance of the Scottish Fire and Rescue Service in Perth and Kinross area for the fourth quarter, 1 January to 31 March 2019, as detailed in Report 19/141, be noted.

M DOW, J McCOLL, E RITCHIE, N ROBSON, G CONWAY, C HENDRY, D McPHEE AND K STEVEN ALL ENTERED THE MEETING DURING THE FOLLOWING ITEM.

**(ii) Perth and Kinross Local Policing Area – Quarterly Performance Report – 1 January to 31 March 2019**

Prior to Chief Inspector Scott providing the quarterly report, Constable K Wilkie provided the Committee with a presentation on all aspects of Road Policing and answered members' questions thereon.

There was submitted a report by Chief Superintendent A Todd, Police Scotland 'D' Division (Tayside) (19/142) on the performance of Police Scotland against the local policing priorities for the Perth and Kinross area as set out in the Local Policing Plan for the period 1 January – 31 March 2019.

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Councillor Brawn made reference to hate crimes carried out against people with disabilities and queried whether this was a new issue that is becoming prevalent. In response Chief Inspector Scott confirmed that these types of incidents are relatively infrequent.

Councillor Drysdale made reference to some recent vandalism made to life saving equipment on the river side near the North Muirton area, and also to the number of youths congregating near the water's edge and queried what message Police Scotland would like to put out to the community in this area. In response Chief Inspector Scott confirmed that the message would be to highlight the dangers and to promote water safety and work was ongoing with the Community Wardens Service, colleagues in SFRS and campaigners to do this. He further advised that any damaged signage or safety lines are replaced as soon as possible, with cycle patrols increasing in problem areas to try and encourage young people to behave responsibly and engage with Officers about the dangers.

Councillor McCole made reference to the issue of raising awareness in schools around safer internet use and sought some assurance that this included visiting secondary schools and that discussions within schools includes issues around consent and attitudes towards both men and women, particularly around access to pornography and what that depicts. In response Chief Superintendent Todd confirmed that he has asked his Inspectors across Tayside to identify best practice of his officers' engagements with schools. The aim is to improve the consistency of information provided to schools, to assess whether the schools are content with the message and if the message is getting across to the pupils.

Councillor Shiers made reference to the figures relating to the number of 'stop and searches' carried out and sought some clarification on the background to these figures and how we compared nationally. In response Chief Superintendent Todd advised that this is an ongoing issue for Police Scotland and is the subject of significant scrutiny from the Scottish Government and the Scottish Police Authority and also subject of an ongoing review which is due to report in the next two months to the Scottish Government. It is hoped that the outcome of this review will provide Police Scotland with an action plan around 'stop and searches'. He further advised that our detection rates are broadly consistent with the rest of Scotland.

Councillor Shiers asked whether there were any plans to have any road safety initiatives on the A85/A93 over the summer months particularly in relation to motorcycles similar to the initiative 'Operation Rossie' run last year. Councillor Shiers raised specific concerns with the ongoing duelling of the A9 which could potentially push tourist traffic onto these roads. In response Chief Inspector Scott confirmed that 'Operation Round the Bend', 'Operation Rossie' and Safe

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Motorcycling Campaigns are annual events for Police Scotland and Road Policing colleagues which commenced over the Easter weekend with additional patrols out on the roads. He advised locality policing plans in areas around Crieff and Blairgowrie are being reviewed and additional local patrols will be out to try and engage with groups when they stop to refuel to highlight the concerns of local communities and to advise of previous fatalities that have occurred on the roads.

Councillor Barrett made reference to the figures for theft by shoplifting highlighting that the number has reduced substantially and noting that when there was a previous spike in these figures officers were redeployed into the city centre to help address this, he queried whether any further improvement in these figures was likely and whether any collaborative working with city centre businesses had been pursued.

In response Chief Inspector Scott explained that with the setting up of dedicated community teams in each community across Perth and Kinross this has helped reduce the figures, he further advised that work would continue in repeat locations and advice would be offered to help businesses improve the security of their premises.

**Resolved:**

The performance of Police Scotland against the local policing priorities for the Perth and Kinross area as detailed in Report 19/142 be noted.

CHIEF SUPERINTENDENT A TODD, CHIEF INSPECTOR I SCOTT, SERGEANT K THOMPSON, CONSTABLE K WILKIE, AREA MANAGER G PRYDE AND GROUP MANAGER B MCLINTOCK ALL LEFT THE MEETING AT THIS POINT.

FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED AT 11.15 AM.

**248. HOUSING AND ENVIRONMENT BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2019-20**

There was submitted a report by the Executive Director (Housing and Environment) (19/133) presenting the first combined Housing and Environment Annual Performance Report for 2018/19 and Business Management Improvement 2019-20.

**Resolved:**

- (i) The combined Housing and Environment Annual Performance Report 2018/19 and Business Management Improvement Plan 2019/20, as detailed in Appendix 1 to Report 19/133, and pertaining to this Committee's area of responsibility, be approved.
- (ii) It be noted that Report 19/133 would also be submitted to the Environment and Infrastructure Committee later today for approval pertaining to that Committee's areas of responsibility;

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- (iii) It be noted that Report 19/133 would be submitted to the Scrutiny Committee on 12 June 2019 for scrutiny and comment as appropriate.

**249. ANNUAL UPDATE ON PERTH AND KINROSS LOCAL HOUSING STRATEGY 2016-2021**

There was submitted a report by the Executive Director (Housing and Environment) (19/143) (1) noting the progress in implementing the Local Housing Strategy for Perth and Kinross which was approved at Housing and Health Committee on 26 May 2016; and (2) seeking the approval of a revised action plan for 2019-2020.

**Resolved:**

- (i) The progress in implementing the actions set out in the Local Housing Strategy during 2018/19, attached as Appendix 1 to Report 19/143, be noted.
- (ii) The revised action plan, as outlined in Appendix 2 to Report 19/143, be approved.

**250. SERVICE USER REVIEW AND EVALUATION TEAM – SCRUTINISING HOUSING SERVICES TENEMENT MANAGEMENT SCHEME**

There was submitted a report by the Executive Director (Housing and Environment) (19/144) providing (1) an overview of the scrutiny activities undertaken by the Service User Review and Evaluation (SURE) Team in relation to landlord services delivered by Housing; and (2) details of their findings and recommendations in relation to their recent scrutiny of the Tenement Management Scheme and recommending the Committee endorse the improvement plan.

**Resolved:**

- (i) The key role played by the volunteers on the SURE Team in supporting the delivery of improved services and the report on the Tenant Participation Scheme as detailed in Appendix 1 to Report 19/144, be acknowledged.
- (ii) The Action Plan agreed in partnership with the SURE Team as detailed in Appendix 2 to Report 19/144, be endorsed.
- (iii) The Executive Director (Housing and Environment) be requested to submit a further update to Committee in August 2019 on the progress made with scrutiny activities within the Tenant and Resident Participation Strategy Annual Update.

**251. PARTICIPATION IN NEGOTIATED STOPPING PLACES**

There was submitted a report by the Executive Director (Housing and Environment) (19/145) seeking approval to participate in a Negotiated Stopping Places pilot for Gypsy/Travellers which will inform future policy decisions relating to managing temporary encampments and to enable full consideration of a managed stopping sites process.

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**Resolved:**

- (i) The proposal to participate in the Negotiated Stopping Pilot from August 2019 for a period of six months, be approved.
- (ii) The Executive Director (Housing and Environment) be requested to submit a further update to a future Committee detailing the outcomes of the pilot and making recommendations for future provision.

D McPHEE AND K STEVEN BOTH LEFT THE MEETING AT THIS POINT.

**252. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/146) providing an update on the activities of the Community Planning Partnership.

**Resolved:**

The progress made in relation to Community Planning objectives, be noted.

**253. COMMUNITY ASSET TRANSFER AND PARTICIPATION REQUESTS ANNUAL REPORT**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (19/147) providing an update on Community Asset Transfers and Participation Requests for 2018/19 and setting out identified improvement actions for 2019/20.

**Resolved:**

The progress and Improvement Actions as set out in Appendix 1 to Report 19/147, be noted.

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## **ENVIRONMENT AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on 15 May 2019 at 1.00pm.

Present: Councillors A Forbes, K Baird, C Ahern (substituting for Councillor L Simpson), A Bailey, M Barnacle, S Donaldson, D Doogan, J Duff, A Jarvis, G Laing, R McCall, A Parrott, C Reid, W Robertson and M Williamson.

In Attendance: B Renton, Executive Director (Housing and Environment); K McNamara, Depute Director (Housing and Environment); M Butterworth, A Clegg, F Crofts, S D'All, C Haggart, D Littlejohn, J McCrone and B Reekie (all Housing and Environment Service) C Flynn and K Molley (Corporate and Democratic Services).

Apologies for Absence: Councillor L Simpson

Councillor A Forbes, Convener, Presiding.

The Convener led discussion on Arts. 254-257, 259, 261 and 263 and the Vice-Convener led discussion on Arts. 258, 260, 262 and 264-265.

### **254. WELCOME AND APOLOGIES**

Councillor A Forbes welcomed everyone to the meeting and gave a special welcome to Mark Butterworth, the Head of Environmental and Consumer Services.

### **255. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor A Forbes declared a non-financial interest in Art. 258.

### **256. MINUTE OF PREVIOUS MEETING**

The minute of the meeting of the Environment and Infrastructure Committee of 23 January 2019 (Arts 29-39) was submitted and approved as a correct record and authorised for signature.

### **257. BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2019-20**

There was submitted a report by the Executive Director (Housing and Environment) (19/133) presenting the first combined Housing and Environment Annual Performance Report for 2018/19, and Business Management Improvement Plan 2019-20.

#### **Resolved:**

- (i) The contents of the first combined Housing and Environment Annual Performance Report (2018/19) and Business Management and Improvement Plan 2019/20, as detailed in Appendix 1 to Report 19/133, pertaining to this Committee's areas of responsibility, be approved.

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- (ii) It be noted that Report 19/133 had been approved by the Housing and Communities Committee on 15 May 2019 pertaining to that Committees areas of responsibility;
- (iii) It be noted that Report 19/133 would be submitted to the Scrutiny Committee on 12 June 2019 for scrutiny and comment as appropriate.

**258. ROAD MAINTENANCE PARTNERSHIP AGREEMENT**

There was submitted a report by the Executive Director (Housing and Environment) (19/134) (1) providing the detail of the Member Officer Working Group which examined the arrangements in place for providing a road maintenance service, in partnership with Tayside Contracts; and (2) proposing the Groups recommendation to enter into an agreement until March 2023.

**Resolved:**

- (i) The contents of the report and the work of the Member/Officer Working Group, be noted.
- (ii) The Partnership Agreement (2019-2023) effective from 1 June 2019, attached as Appendix 1 to Report 19/134, be approved.
- (iii) The Managing Director of Tayside Contracts or his nominee be requested to attend the Scrutiny Committee on an annual basis to answer questions about the work of Tayside Contracts.
- (iv) The Executive Director be requested to bring back a report to Committee on the Best Value in Procurement of Roads Maintenance by March 2020.

**259. ACTIVE TRAVEL STRATEGY - CYCLING, WALKING AND SAFER STREETS (CWSS) PROJECTS 2019/20**

There was submitted a report by the Depute Director (Housing and Environment) (19/135) (1) detailing the Cycling, Walking and Safer Streets (CWSS) projects implemented in 2018/19; and (2) seeking Committee approval for a list of Cycling, Walking and Safer Streets projects for 2019/20 and for potential schemes in 2020/21.

**Resolved:**

- (i) The schemes implemented from the Cycling, Walking and Safer Streets Grant Funding in 2018/19 as detailed in Appendix 1 to Report 19/135, be noted.
- (ii) The list of works for Cycling, Walking and Safer Streets projects for the financial year 2019/20 as detailed in Appendix 2 to Report 19/135, be approved.
- (iii) The proposed projects to be progressed in 2019/20 and carried out in 2020/21, be approved.

**260. COMMUNITY ENVIRONMENT CHALLENGE FUND UPDATE**

There was submitted a report by the Executive Director (Housing and Environment) (19/136) providing an update on the award of Community Environment Challenge Funding to community groups between April 2018 and March 2019.

**Resolved:**

- (i) The contents of Report 19/136, be noted.
- (ii) The Executive Director (Housing and Environment) be requested to report the outcomes of the Community Environment Challenge Fund for 2019/20 to the Committee in 12 months' time.

**261. DELIVERY OF RETAIL FAÇADE IMPROVEMENTS AND TOWN CENTRE MANAGEMENT INITIATIVES IN RURAL TOWNS**

There was submitted a report by the Depute Director (Housing and Environment) (19/140) (1) outlining options to utilise the additional non-recurring resource of £200k allocated in the Council's revenue budget to provide support for retail façade improvements and town centre management initiatives in rural towns; (2) recommending that funding will be allocated through a grant scheme mechanism aligned with the Community Environment Challenge Fund to be called the Community and Business Placemaking Fund; and (3) allowing applications for assistance to be submitted by representative business organisations and community bodies.

**Resolved:**

- (i) The expenditure of funding in 2019/20 for retail façade improvements and town centre management initiatives within rural towns through a new scheme to be named the Community and Business Placemaking Fund, be approved.
- (ii) The guidance for the scheme as set out in Appendix 1 to Report 19/140, be approved.
- (iii) The Executive Director (Housing and Environment) be requested to promote this initiative and secure participation with representative business organisations and community bodies in rural towns.
- (iv) The Executive Director (Housing and Environment) be requested to bring back a report in a year's time detailing the outcomes achieved.

**262. DISABLED PERSONS' PARKING PLACES (VARIATIONS) ORDER**

There was submitted a report by the Depute Director (Housing and Environment) (19/137) considering all the requests during the last year for disabled parking bays which require to be added or removed from the Perth and Kinross Council (Disabled Persons' Parking Places) Order 2011.

**Resolved:**

The promotion of a variation to the Perth and Kinross Council (Disabled Person's Parking Places) Order, as described in Appendix 1 to Report 19/137, be approved.

**263. LAND REFORM (SCOTLAND) ACT 2003 – PROPOSED SECTION 11 EXEMPTION ORDER: 2019 SOLHEIM CUP**

There was submitted a report by the Depute Director (Housing and Environment) (19/138) (1) recommending approval of a Section 11 Exemption Order, to facilitate the 2019 Solheim Cup at the PGA Gleneagles Hotel; and (2) providing

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public safety and security prior to, and during, the Solheim Cup for 23 days between 26 August 2019 and 16 September 2019.

**Resolved:**

- (i) The application to exempt the areas shown on the plan in Appendix 2 to Report 19/139, from the right of responsible access during the times detailed in the application for reasons of safety and security, and to allow a charge to be made for admission to the event, be approved.
- (ii) It be agreed, the application, together with supporting information, should be submitted to the Scottish Ministers for confirmation.

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

There was submitted a report by the Depute Director (Housing and Environment) (19/139) 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 18/139, be approved.

**265. VALEDICTORY**

The Vice-Convenor referred to the resignation of Bruce Reekie, Waste Services Manager and wished him well in his new role at Stirling Council. Bruce had been an employee of the Council for twenty years and throughout this time had worked with many Councillors and Officers.

Bruce thanked the Vice-Convenor for her kind words and wished everyone at Committee all the best for the future.

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## **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Thursday 16 May 2019 at 10.00am.

Present: Councillors C Ahern (Convener), K Baird, D Illingworth, J Rebbeck, F Sarwar and M Williamson.

In Attendance: PC K Chalmers and Sgt R MacDonald (both Police Scotland); M McLaren, S Michie and A Taylor (all Corporate and Democratic Services).

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

Councillor C Ahern (Convener), Presiding.

### **266. WELCOME AND APOLOGIES**

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

### **267. DECLARATIONS OF INTEREST**

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

### **268. MINUTES**

The Minute of Meeting of the Licensing Committee of 11 April 2019 was submitted and approved as a correct record.

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

### **269. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE (1 YEAR) – TD1866**

There was submitted a report by the Head of Legal and Governance Services (19/151) together with a letter of objection dated 8 April 2019 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence No. TD1866.

The applicant was in attendance and was accompanied by his employer.

The representatives of Police Scotland addressed the Committee and answered Members' questions. The applicant and his employer also addressed the Committee and answered Members' questions.

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FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence No. TD1866 be granted for a period of 1 year with effect from 16 May 2019, subject to the applicant reappearing before Committee when the application is up for renewal.

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## **AUDIT COMMITTEE**

Minute of meeting of the Audit Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 22 May 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, (from Art. 275(i)) L Simpson and M Terava (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); L Brady, F Crofts, F Low and N Sutherland (all Housing and Environment).

Also In Attendance: M Wilkie & A Kolodziej, KPMG

Councillor Drysdale, Convener, Presiding.

The Convener led discussion on Arts. 270-275(i)(a), 276-277 and 279) and the Vice-Convener led discussion on Arts. 275(ii)(a) and 278)

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

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

### **271. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillors E Drysdale and X McDade declared a non-financial interest in Art. 275(ii)(a).

### **272. MINUTE**

The minute of meeting of the Audit Committee of 27 March 2019 (Arts. 152-158) was submitted and approved as a correct record and authorised for signature.

With regard to Art. 157(iii)(a) Councillor W Wilson requested advice from officers to respond to enquiries from constituents on climate change.

L Simpson confirmed advice would be provided to all Councillors.

### **273. INTERNAL AUDIT FOLLOW UP**

There was submitted a report by the Chief Internal Auditor (19/157) presenting a current summary of Internal Audit's follow up work.

J Clark referred to the new reporting format and members agreed it was easier to follow.

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It was noted that a report had been submitted to the Environment and Infrastructure Committee on 15 May 2019 on the Roads Maintenance Partnership (16-22) and the Chief Accountant had contacted relevant services requesting that reporting arrangements be verified by June 2019 (18-15).

**Resolved:**

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

**274. INTERNAL AUDIT UPDATE**

There was submitted a report by the Chief Internal Auditor (19/158) presenting a summary of Internal Audit's work.

With regard to the Transformation Programme, it was noted that the Programme was to come to an end in 2020 with transformation being embedded into everyday activities and included in the Perth and Kinross Offer.

In response to a question from Councillor X McDade regarding the Tay Cities Deal, J Clark advised a number of meetings had been held with the other Local Authorities involved to look at the governance arrangements and where audit could add value. Lessons were being learned from Fife Council from their partnership with Edinburgh Council. L Simpson added that the Tay Cities Region Joint Committee was a separate entity and each of the Authorities involved had a role to play in shaping the Lead Authority model.

Councillor S Donaldson referred to the ALEO'S (Arms' Length External Organisations) audit (18-04) and how best to hold the Organisations to account. L Simpson advised that in respect of Horsecross, the Horsecross Board was still the governing body but an advisory board had been set up to help with the smooth management of the organisation. Expertise within the Council will assist in establishing a recovery plan.

**Resolved:**

- (i) The completion of all assignments from the 2018/19 Audit Plan, be noted.
- (ii) The outcome of consultancy work, be noted.

**275. INTERNAL AUDIT UPDATE**

**(i) Corporate and Democratic Services**

**(a) 18-14 – Welfare Reform**

There was submitted a report by the Chief Internal Auditor (19/163) on an audit to ensure that the Council has an understanding of the impact of Welfare Reform on services.

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Councillor W Wilson asked if there were good working relations with partnership agencies, such as the Citizen's Advice Bureau and whether more support was needed for staff.

L Brand confirmed there was a strong network with partners and regular meetings were held with the CAB. The roll out of Universal Credit had increased workload for staff.

N Sutherland added that the CAB were working with the DWP (Department of Work and Pensions) and were offering help to make a claim.

N Sutherland also advised that the Welfare Rights Team were dealing with cases where Universal Credit had been deducted for historical debt. Some of the debt could not be disputed as it was now time-barred and some clients had advised they were unaware of the outstanding debt. There had been discussion with DWP as some crises payments were required but the situation was not sustainable.

Councillor W Wilson stated consideration had to be given to how the Council can be appraised of this situation as the system was defeating its own ends and the problems had to be mitigated.

The Council and parliamentary colleagues need to be made aware of the situation, the consequences of it and consider a way forward.

Councillor S Drysdale requested that a presentation be given to a future meeting of this Committee for members' consideration of how to manage the situation.

L Simpson agreed a presentation would be given to a future Committee and the matter would also be raised with the Executive Officer Team and Corporate Management Group.

Councillor X McDade queried the allowance of 5% for doubtful debt provision and L Brady advised it was difficult to know so early in the financial year, however, cases were monitored for trends and consider the impact of Universal Credit. Account was being taken of the change to the process and issues raised with COSLA and the DWP. Staff will be flexible when arranging repayments.

Councillor X McDade added that he was pleased staff were able to take this approach with repayments and requested figures for the debt provision. L Brady agreed to provide that for him.

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Councillor D Illingworth congratulated the Welfare Rights Team on being accredited to undertake benefits advice work and representation at the highest level as per the Scottish Government Standards. He added that the guide to benefits was very complex creating scope for under and over payments but with the Universal Credit system being updated weekly there was less opportunity for incorrect payments but he felt the Audit Committee was not the best place to discuss the benefits system.

Councillor E Drysdale agreed the Committee was not the natural home for the discussion but the Council want to be doing what they can for those in financial difficulties due to the new payments system.

L Simpson agreed it was not for the Committee to debate the policy but could identify risk to be dealt with. If the risk was due to the policy the Committee then need to look at the policy to mitigate risk.

Councillor M Williamson stated the system seemed to be set up to fail and the Council were at risk because of it and questioned if the number of appeals would rise.

N Sutherland advised the number of appeals for Universal Credit may not rise as there were limited reasons for appealing.

L Brady added that in the last financial year 34 cases had been overturned which was a 75% success rate at appeal.

Councillor M Williamson expressed concern that elderly do not feel they are entitled to benefits and do not apply. L Brady advised that the Welfare Rights Team get information to as many people as they can and will continue to work with partners to contact people. N Sutherland also advised that information was provided at the Cornhill Macmillan Centre in Perth and at Ninewells Hospital, Dundee.

Councillor S Donaldson stated it was an excellent report and the issues raised need to be considered and how to deliver the service, taking account of the risk factor but queried if there was adequate staff to deliver the service. He also asked why appeals were not held in Perth and people had to travel to Dundee, Stirling or Kirkcaldy.

L Brady advised that, like all services across the Council, savings had to be made resulting in a reduction in staffing, however, targets had still been exceeded, despite increased demand.

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With regard to the location for the appeals, N Sutherland advised this had been raised a number of times but there had been reluctance by the Courts and Tribunal Service to change.

**Resolved:**

- (i) Internal Audit's findings, as detailed in Report 19/163, be noted.
- (ii) A presentation be given to a future meeting on deductions being made from Universal Credit.

L BRADY AND N SUTHERLAND LEFT THE MEETING AT THIS POINT.

HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, THE CONVENER VACATED THE CHAIR AND THE VICE-CONVENER TOOK THE CHAIR.

**(ii) Health and Social Care Partnership**

**(a) 18-22 – Carers' Act Implementation**

There was submitted a report by the Chief Internal Auditor (19/159) on an audit to ensure that the Council has adequate arrangements in place for implementation of the Carers (Scotland) Act 2016.

Councillor W Wilson noted there were strong internal controls found in this audit and asked about the Partnership working with PKAVS (Perth and Kinross Association of Voluntary Service). J Clark advised there was a strong partnership with PKAVS for providing support for Carers.

In response to a question from Councillor M Williamson, L Simpson confirmed that the Council was responsible for implementation of the Carers' Act but worked with the Health and Social Care Partnership in partnership with PKAVS.

Councillor S Donaldson highlighted that 59% of those who responded to the Health and Clinical Excellence survey did not feel supported which had to be considered and asked whether there was to be a separate audit on Young Carers. J Clark advised that Young Carers had not been identified as a high risk and therefore there were no plans to undertake an audit. Future audit work would be on the outcomes of the legislation.

**Resolved:**

Internal Audit's findings, as detailed in Report 19/159, be noted.

**276. FURTHER FOLLOW UP OF FINANCIAL ASSESSMENT AND CHARGING**

There was submitted a report by the Chief Internal Auditor (19/160) presenting a summary of Housing and Community Care's response to the outcomes of Internal Audit's report on Financial Assessment and Charging and provides an update on the implementation of the agreed action plan.

F Low advised that the annual review had been completed taking account of the introduction of Frank's Law and procedures will continue to be monitored.

Information from the Scottish Government had been relied upon to undertake the re-assessment and the Charging Board had supported the Charging Team to enable bills to be issued.

L Simpson advised she had been on the Charging Board with the Head of Finance and there had been extensive discussion on priorities; the effect of Frank's law and the issue of bills. Consideration was now being given to how to make further improvements and manage the system more effectively.

**Resolved:**

- (i) The progress made by the Financial Assessment and Charging Team in implementing the actions agreed in the 16-07 Financial Assessment and Charging Report, be noted.
- (ii) The Chief Internal Auditor be requested to continue to work with Housing and Community Care, through the Charging Board, until the remaining action has been fully concluded.

**277. INTERNAL AUDIT ANNUAL REPORT 2018/19**

There was submitted a report by the Chief Internal Auditor (19/161) presenting the year-end report and audit opinion for 2018/19.

J Clark referred to the audit opinion that reasonable reliance can be placed on the Council's risk management and governance arrangements. J Clark added that further improvements would continue into 2019/20 regarding the formalising of professional development records and a review of the Counter Fraud and Corruption Strategy. J Clark also advised that the majority of control objectives in the year had been strong and moderately strong, with some moderate and one moderately weak. As there had been fewer actions the audit work could be more targeted. While strong controls were preferable it had to be acknowledged that moderately strong may be good enough.

L Simpson agreed that as the Council was having to do more with less, good enough would have to be an option and the important aspect was understanding the risk. The Annual Governance Statement will show that the Council is managing risk very well.

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Councillor X McDade stated that the increase in staff this year was demonstrated by the output and that it was important to embed transformation and change into the Perth and Kinross Offer and Think Yes with risk as a high priority.

L Simpson advised that the risk register was being revised and a development session would be arranged for Councillors.

Councillor S Donaldson agreed it was good that the Audit Team was now fully staffed and that risk was not a bad thing but had to be assessed. Councillor S Donaldson queried the whistleblowing arrangements; if there had been anything significant reported and if staff were trained on prevention of money laundering. J Clark advised that anything significant would be reported to the Committee and that she had recently attended training on money laundering and this would be rolled out to relevant staff.

**Resolved:**

The Audit opinion of the Chief Internal Auditor set out in section 7 of Report 19/161, be noted.

**278. SAFEGUARDING PUBLIC MONEY: ARE YOU GETTING IT RIGHT**

There was submitted a report by the Chief Internal Auditor (19/162) advising of the publication of a report from Audit Scotland on Safeguarding Public Money: Are You Getting it Right.

**Resolved:**

- (i) The Safeguarding Public Money: Are You Getting It Right, Audit Scotland publication, be noted.
- (ii) A development session be arranged for all Councillors to discuss the Council's response to the checklists contained within the publication.

COUNCILLOR W WILSON LEFT THE MEETING DURING DISCUSSION OF THE FOLLOWING ITEM

**279. INTERIM MANAGEMENT REPORT AND AUDIT STATUS SUMMARY – YEAR ENDING 31 MARCH 2019**

There was submitted a report by the External Auditor, KPMG, (19/164) presenting the interim management report and audit status summary for the year ending 31 March 2019.

M Wilkie summarised the interim report, highlighting key areas.

S Mackenzie advised that legal advice had been sought on the Statutory Loans Fund as a legal issue on accounting practice had been raised.

L Simpson confirmed that there was no question of improper accounting but a question of whether the Council was bound by old or new legislation. There was a

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difference of opinion with the Scottish Government and the position needed to be clarified.

M Wilkie advised that there was ongoing consultation on this matter as Perth and Kinross Council were not the only Council affected.

S Mackenzie advised that the Loans Fund had been reviewed and that had been reflected in the 2018/19 Revenue budget. The issue now to be resolved was whether debt from 2016 could be dealt with in the same way. S Mackenzie also advised that there would be a financial benefit to the Council of £3-4m if the Loans Fund could be reviewed. A decision was now required by KPMG on the way forward.

**Resolved:**

The Interim Management Report and Audit Status Summary for the year ending 31 March 2019, be noted.

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## **LIFELONG LEARNING COMMITTEE**

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 27 March 2019 at 1.00pm.

Present: Councillors C Shiers, J Duff, W Wilson, C Ahern (substituting for Councillor C Reid), H Anderson, K Baird, A Forbes, D Illingworth (substituting for Councillor C Purves), X McDade, T McEwan, B Pover, J Rebbeck and F Sarwar;  
Mr A Ferguson, Mrs P Giles, Mrs M McFarlane, Mrs A McAuley and Mrs C Weston.

In attendance: S Devlin, Executive Director (Education & Children's Services); J Pepper, G Boland, R Hill, S Johnston, K Robertson and C Taylor (all Education and Children's Services); J Beveridge, C Cranmer and P Marshall (all Housing and Environment); S Rodger, A O'Brien, C Flynn and L Brown (all Corporate and Democratic Services).

Apologies for absence: Councillors Purves and Reid.

The Convener led discussion on Arts. 280-286 and 289-291, Vice-Convener Duff on Art. 288 and Vice-Convener Wilson on Art. 287.

Councillor C Shiers, Convener, Presiding.

### **280. BARBARA VAUGHAN DEN FOR YOUNG CARERS**

Prior to the commencement of business the Convener advised of the opening of the Barbara Vaughan Den for Young Carers at the new PKAVS Centre in Lewis Place, Perth. The late Barbara Vaughan had been a member of the Committee for many year and had a particular passion that young carers should be afforded every opportunity to develop their academic achievements and that their caring responsibilities should not get in the way of their future success, particularly in relation to their schooling. The Convener conveyed her thanks to the officers of the Council who had been involved in delivering this living legacy to the late Councillor Vaughan.

### **281. SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: - BLAIRINGONE AND GREENLOANING PRIMARY SCHOOLS**

Prior to the commencement of business the Executive Director (Education and Children's Services) advised of the decision of the Scottish Government not to call in proposals to close Blairingone and Greenloaning Primary Schools as approved by the Lifelong Learning Committee at its meeting on 27 March 2019 (Arts. 164 and 165 refer). The Executive Director further advised that the Scottish Government had attached no conditions to either case. Copies of the formal notification letters are available to view on the Scottish Government website.

**282. WELCOME AND APOLOGIES**

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

**283. DECLARATIONS OF INTEREST**

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

**284. REQUESTS FOR DEPUTATIONS TO BE HEARD**

In terms of Standing Order 66 the Committee agreed to hear a request received from Councillor A Bailey to address the Committee in relation to Art. 286.

In terms of Standing Order 72 the Committee also agreed to hear a request received from Mr McGoldrick to address the Committee in relation to Art. 286.

The Committee agreed to hear both deputations and to vary the order of business to hear the deputations immediately before Art. 286.

**285. MINUTES**

**(i) Lifelong Learning Committee**

The minute of meeting of the Lifelong Learning Committee of 27 March 2019 (Arts. 159-167) was submitted, approved as a correct record and authorised for signature.

**(ii) Executive Sub-Committee**

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 25 March 2019 was submitted and noted.  
*(Appendix I)*

**286. STATUTORY CONSULTATION – ABERNYTE PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (19/153) (1) informing of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to close Abernyte Primary School; and (2) seeking approval to implement the proposal from 1 July 2020, or as soon as possible thereafter.

In terms of Standing Order 66, Councillor A Bailey addressed the Committee and answered Members questions. Following his representation he withdrew to the public benches.

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In terms of Standing Order 72, Mr McGoldrick addressed the Committee and answered Members questions. Following his representation he withdrew to the public benches.

THE COMMITTEE ADJOURNED FOR 10 MINUTES AT 14.25

MR FERGUSON LEFT THE MEETING AT THIS POINT.

THE COMMITTEE RECONVENED AT 14.35

**Motion (Councillors C Shier and W Wilson)**

- (i) **The contents of the Consultation Report, attached as Appendix A to Report 19/153, be noted.**
- (ii) **The implementation of the following proposal be approved:**
  - **Provision of a school at Abernyte Primary School be permanently discontinued with effect from 1 July 2020, or as soon as possible thereafter;**
  - **The pupils of Abernyte Primary School catchment area permanently receive their education at Inchtute Primary School, from 2 July 2020 or as soon as possible thereafter; and**
  - **The delineated catchment area of Inchtute Primary School be permanently extended to subsume the whole delineated catchment area of Abernyte Primary School from 2 July 2020.**

**Amendment (Councillors B Pover and X McDade)**

The Committee:

- (i) Notes the contents of the Consultation Report (attached as Appendix A).
- (ii) Approves that education provision at Abernyte Primary School is continued beyond 1 July 2020.
- (iii) Instructs the Executive Director (Education and Children's Services) to review the viability of a nursery class within Abernyte Primary School in a year's time, to see if this will further help sustain the future roll.

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

7 members voted for the Motion as follows:

Councillors C Ahern, K Baird, J Duff, A Forbes, D Illingworth, C Shiers and W Wilson

6 members voted for the Amendment as follows:

Councillors H Anderson, X McDade, T McEwan, B Pover, J Rebbeck and F Sarwar.

**Resolved:**

In accordance with the Motion.

THE COMMITTEE ADJOURNED FOR 5 MINUTES AT THIS POINT.

THE COMMITTEE RECONVENED.

**287. EDUCATION AND CHILDREN'S SERVICES JOINT BUSINESS MANAGEMENT & IMPROVEMENT PLAN 2019/20 AND ANNUAL PERFORMANCE REPORT 2018/19**

There was submitted a report by the Executive Director (Education and Children's Services) (19/154) summarising the Service performance over the past year and setting out the direction of improvement for the forthcoming year.

**Resolved:**

- (i) The Education and Children's Services Joint Business Management and Improvement Plan 2019/20 and Annual Performance Report 2018/19, as detailed in Appendix 1 to Report 19/154, be approved.
- (ii) It be noted that Report 19/154 would also be submitted to the Scrutiny Committee on 12 June 2019 for scrutiny and comment as appropriate.

**288. EXPANSION OF EARLY LEARNING AND CHILDCARE**

There was submitted a report by the Executive Director (Education and Children's Services) (19/155), (1) providing an update on progress on the planning and delivery of 1140 hours of Early Learning and Childcare by 2020 within Perth and Kinross, (2) outlining the delivery of early phasing of 1140 hours of Early Learning and Childcare; and (3) updating on progress made towards full implementation at August 2020.

**Resolved:**

- (i) The progress to date be noted.
- (ii) The Executive Director (Education and Children's Services) be requested to provide a further report on progress towards full implementation by June 2020.

MRS McFARLANE LEFT THE MEETING AT THIS POINT.

**289. SCHOOL CLOTHING AND FOOTWEAR GRANTS**

There was submitted a report by the Executive Director (Education and Children's Services) (19/156) proposing a change to the eligibility criteria for School Clothing and Footwear Grants with effect from school session 2019/2020.

**Resolved:**

- (i) The revised eligibility criteria for school clothing and footwear grants to be used from school session 2019/2020 onwards, as set out in section 3.2 of Report 19/156, be approved.
- (ii) The Executive Director (Education and Children's Services) be requested to ensure the publication of the revised eligibility criteria for school clothing and footwear grants.

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**290. APPOINTMENTS TO COMMITTEE/SUB-COMMITTEE/PERTH AND KINROSS EDUCATIONAL TRUST**

**Resolved:**

- (i) It be agreed that Dean McBride and Jack Bell replace Robert McCall and Fraser Macdonald as the Youth Representatives on the Lifelong Learning Committee.
- (ii) It be noted that Councillor J Duff replace Councillor C Purves on the Executive Sub-Committee of the Lifelong Learning Committee.
- (iii) It be agreed that Councillor J Duff be appointed to the Perth and Kinross Educational Trust Committee.

**291. COLLABORATIVE APPROACH TO SCHOOL/LEARNING ESTATE TRANSFORMATION**

Prior to the conclusion of business the Executive Director (Education and Children's Services) reported that the closing date for the on-line questionnaire on the potential to develop a joint community learning campus in collaboration with Angus and Dundee City Councils was 7 June 2019. As a consequence it would not be possible to report back on the findings of the questionnaire until after the Summer Recess.

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

Minute of Meeting of the Executive Sub-Committee of the Lifelong Learning Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Monday 25 March 2019 at 10.00am.

Present: Councillors C Shiers, C Purves, W Wilson, X McDade and J Rebbeck.

In Attendance: R Hill, Head of Education – Secondary; S Johnston, Head of Education – Early Years and Primary; J Chiles, J Knox, D Macleod, K Ramsay, B Scott, T Pupillo, Headteacher, Perth High School and J White, Acting Head Teacher, Letham Primary School (all Education and Children's Services); L Brown, Corporate and Democratic Services.

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 October 2018 was submitted, approved as a correct record and authorised for signature.

### **4. 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) (19/91), 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 October 2018.

#### **Resolved:**

- (i) The key findings of the inspections reports as appended to Report 19/91, be noted as follows:

Letham Primary School, Perth and Nursery Class (Appendix 1)  
Perth High School (Appendix 2)  
Kinross Primary School and Nursery Class (Appendix 3)  
Methven Primary School Nursery (Appendix 4)

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Bridge of Earn Nursery (Appendix 5)  
Oakbank Kids Club, Perth (Appendix 6)  
Summary of Education Scotland Inspections (Appendix 7)

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# **PERTH AND KINROSS COUNCIL**

**19 June 2019**

## **Perth Transport Futures Project Phase 2 – Cross Tay Link Road Review of Alignment between A93 and A94**

**Report by Depute Chief Executive, Chief Operating Officer  
(Report No. 19/189 (Revised))**

This Report provides a technical comparative assessment between the current preferred route of the Cross Tay Link Road (between the A93 and A94 only) as originally scoped, assessed and determined by the Council ('the current preferred route') and a recently proposed alternative route situated to the north of Housing Development Site H29 ('the northern route').

A risk based assessment of the northern route has also been undertaken using the same criteria: technical, financial, environmental, economic and legal and provides a clear professional recommendation for elected members to consider.

### **1. EXECUTIVE SUMMARY**

- 1.1 This Report provides a technical comparative assessment between the current preferred route of the Cross Tay Link Road (between the A93 and A94 only) as originally scoped, assessed and determined by the Council ('the current preferred route') and a recently proposed alternative route situated to the north of Housing Development Site H29 ('the northern route').
- 1.2 The Report also provides a risk based assessment of the northern route considering technical, financial, environmental, economic and legal risks.
- 1.3 The Council has reviewed the current preferred route in response to recent concerns raised by Scone and District Community Council primarily relating to air quality and road safety in respect of the section of the CTRLR proposed to run through the housing development site H29.
- 1.4 A technical comparative assessment was undertaken by the Council's engineering consultants between the current preferred route and the northern route. This assessment followed the criteria set out in the Design Manual for Roads and Bridges (DMRB).
- 1.5 The technical comparative assessment concludes that the northern route provides no improved benefit when considered against the specific concerns regarding air quality and road safety and against all of the other assessment criteria. Overall the technical assessment favours the current preferred route. Details of the technical assessment are contained within Section 4.
- 1.6 Consequently, there being no technical merit in re-routing this section of the CTRLR along the northern route, on technical grounds alone it would be recommended that the current preferred route be retained and progressed.

- 1.7 A change in route at this stage of the programme however is estimated to delay delivery by at least 17 months taking into account the formal assessments and processes that would require to be undertaken. Consequently in determining the appropriateness of adopting the northern route, the Council must also consider the wider direct, consequential and potential risks caused by such delay.
- 1.8 A detailed risk management exercise has been carried out to identify and assess those broader risks in accordance with the Council's approved Risk Management Framework. The exercise identified a number of risks; financial, legal, environmental, strategic policy and reputational.
- Financial
    - (i) £550K estimate in respect of abortive costs for professional and technical work done to date which will require to be allocated to the Revenue budget creating an unplanned pressure.
    - (ii) At least £7.1M additional capital funding will require to be found as a consequence of delay which will increase further for every month the scheme is delayed due to construction inflation.
    - (iii) Puts in jeopardy the £8.5M match funding from Sustrans Places for Everyone competition for the Perth Cycle Network Masterplan (PCNM).
  - Legal
    - (i) Failure to comply with statutory duty to deliver best value. In the absence of any identifiable technical or strategic benefit as regards the northern route and the clearly evidenced and quantifiable financial costs associated with deviating from the current preferred route at this stage, it is the advice from the Council's Head of Legal and Governance Services and supported by external legal advisers, that adoption of the northern route does not provide best value.
  - Planning / Compulsory Purchase Order
    - (i) The northern route lies outside the CTRLR corridor currently identified in the adopted Perth and Kinross Local Development Plan. Departing from the corridor that is shown within the adopted LDP and the route shown in the proposed LDP2 introduces unnecessary risks into the planning and compulsory purchase processes. If the northern route were to be advanced it would be necessary to consider whether there are material considerations that justify a departure from the adopted LDP.
    - (ii) Furthermore, given the additional cost to the programme, the source of any gap funding needs to be identified before the CPO is promoted as Scottish Ministers need to be satisfied that the CTRLR is deliverable before they will confirm any CPO.

- Environmental

- (i) Perth City was designated an Air Quality Management Area (AQMA) in 2006 resulting in the development of an Air Quality Management Plan (AQAP) in 2009. The CTRL was identified within Perth's AQAP as a key long term measure to improve air quality. Should the delivery of the CTRL be delayed or undermined, the Council may have no option other than to provide for a Low Emission Zone in Perth as per Scottish Government Policy and the cost and disruption associated with this presents a further risk that must be considered.
- (ii) Continued air quality issues due to congestion at Bridgend and in the city centre due to the delay.
- (iii) £8.5m of match funding from Sustrans could be at risk and this will impact on the extent of the Placemaking programme that can be implemented e.g. measures to provide for sustainable travel.

- Strategic Policy

- (i) Loss of matchfunding from Sustrans would impede the Council's Placemaking programme which forms Phase 4 of the Perth Transport Futures Project.
- (ii) Deviating from the current preferred route may impact upon LDP2; prejudicing the Council's ability to deliver adequate strategic housing sites and to maintain a five year effective land supply.

- Reputational

- (i) Reputational damage in relation to the best use of public monies and best value.
- (ii) Negative press coverage in relation to the potential loss of match funding for other strategic initiatives.
- (iii) Reputational damage as a result of the potential impact on housing land supply.
- (iv) Poor public image with affected landowners and tenants.

1.9 All risks identified were scored and assessed in accordance with the Council's approved Risk Management Framework. Each risk was scored on a scale of 1-5 in terms of probability / likelihood of arising and 1-5 in terms of impact with 5 being the highest in each case. Risk scores for the direct and consequential risks of the proposed northern route option at this stage of the programme are detailed at Appendix 5.

1.10 Of the 16 risks identified:-

- 8 were assessed as being Priority 1 'red' level meaning that they are probable or almost certain to occur, combined with a critical or major impact on the project.
- 4 were assessed as being Priority 2 'amber' level meaning they are possible or probable, combined with a moderate, major or critical impact on the project.
- 4 were assessed as being Priority 3 'yellow' level meaning they are remote or possible combined with a moderate or major impact.

1.11 As stated above, the comprehensive technical assessment demonstrates that there is no discernible benefit to be gained by adopting the northern route in relation to technical, road safety or environmental issues as compared with the current preferred route.

1.12 A detailed assessment of the risks associated with the consequential delay in the CTRLR programme by changing the route at this stage of the project however clearly demonstrates the significant financial, legal, reputational and other consequential impacts which would be realised should the northern route be adopted. Since their appointment, Sweco and the Council's Project Team have undertaken a substantial amount of work including all surveys and investigations, the preparation of a draft Specimen Design and draft Environmental Impact Assessment (EIA) for the current preferred route.

1.13 If the Council were to continue with the preferred route then the next steps will be to finalise these documents with a view to submitting the planning application in September 2019, providing that the current preferred route remains the Council's preference.

1.14 The CPO plans detailing the land required for the CTRLR have also been prepared. It is proposed to seek authorisation to promote the CPO at the Council meeting on 25 September 2019, again providing the preferred route remains the Council's preference. This approach has been endorsed by the Council's legal advisers. It provides the distinct advantage of running the planning and the CPO processes in tandem which will help secure the earlier and more cost effective delivery of the Scheme. In contrast, the northern route would mean a potential 17 month delay in the process.

1.15 For these reasons it is the recommendation of professional and technically qualified officers, supported by external advisors that the Council retains and takes forward the current preferred route of the CTRLR.

## **2. BACKGROUND / MAIN ISSUES**

### **Background**

2.1 The Council has been asked to consider the re-routing of the proposed route of the Cross Tay Link Road (CTRLR) between the A93 and A94, north of Scone. This section of the CTRLR runs through the site identified as H29 in the Perth & Kinross Local Development Plan 2014 and as such has planning permission 'in principle' for housing on this site. The approved masterplan indicates that the CTRLR will run through the site.

- 2.2 The CTRL has been viewed by the Council as a strategic priority since 2008 and is a vital component of the Perth Transport Futures Project (PTFP) which forms an integrated series of measures to address major congestion and air quality issues in and around Perth. The PTFP will also support the sustainable economic growth of Perth and of the wider Council area. This provides the strategic focus for the Council's key statutory development plans, (the TAYplan Strategic Development Plan 2016-2036 and the Perth & Kinross Local Development Plan 2014).
- 2.3 The PTFP comprises four phases:-
1. A9/A85 Junction Improvement and Link Road to Bertha Park (final completion 1 May 2019);
  2. Cross Tay Link Road (connecting the A9, A93 and A94);
  3. Bertha Park connection road (linking Phases 1 and 2 and will be taken forward by the developer); and
  4. associated Perth city centre improvements (such as traffic management measures and measures to develop the cycling, walking and public transport provision in and around Perth to improve the opportunity for and encourage sustainable modes of travel i.e. the Placemaking Programme and Perth Cycle Network Masterplan).
- 2.4 Whilst Phase 1 of PTFP was completed on 1 May 2019 delivery of Phase 2 (the CTRL) is considered to be the key infrastructure project required to deliver the following objectives:-
- divert traffic away from the city centre thereby reducing congestion and improving air quality;
  - improve the regional transport network including public transport;
  - unlock strategic development areas and sites;
  - support key growth sectors; and
  - deliver a significant overall increase in the number of jobs in the area.
- 2.5 Ultimately, the CTRL will provide a more efficient and better connected transport system, improving the mobility of the area's workforce and enhancing the attractiveness of the area to inward investors. Given the strategic importance of the CTRL and the requirement for justification of the proposal before a CPO Public Local Inquiry, it is essential that any decisions taken as to its design are well-informed and take account of all material considerations including technical, planning, and legal advice.
- 2.6 The current preferred route for the CTRL has been subject to many years of detailed technical assessment and professional and independent scrutiny summarised as follows:
- Scottish Transport Appraisals Guidance (STAG) (2008);
  - Strategic Environmental Assessment (2010/2011);
  - Design Manual for Roads and Bridges (DMRB) Stage 1 Assessment (2011);

- DMRB Stage 2 assessment and associated environmental assessment (2012 – 2016); and
  - DMRB Stage 3 assessment and Environmental Impact assessment (ongoing).
- 2.7 A detailed development timeline of the key dates, relevant assessments, plans, reports and approvals is provided at Appendix 1.
- 2.8 It should be noted that following conclusion of the DMRB Stage 2 assessment, the Council approved the preferred route for the CTRL at its meeting on 14 December 2016 (Report 16/560 refers). This included the current alignment between the A93 and A94.
- 2.9 Sweco were appointed by the Council in July 2017 as the design consultants for the CTRL via the Scotland Excel Consultancy Framework. Sweco had the best overall tender submission.
- 2.10 Since their appointment, Sweco and the Council's Project Team have undertaken a substantial amount of work including all surveys and investigations, the preparation of a draft Specimen Design and draft Environmental Impact Assessment (EIA).
- 2.11 Sweco, together with the Council's Project Team, held a series of public consultation events to update the public on the design of the project, the project programme and to take comments so that these could be addressed, where practical, through the upcoming design process. The events were held in Perth Concert Hall (21 May 2018), Luncarty Memorial Hall (23 May 2018), the Robert Douglas Memorial Institute in Scone (28 May 2018) and at Coupar Angus Town Hall (18 June 2018).
- 2.12 Over 400 people attended across the four events. In summary, the comments received were generally positive with most appreciating the benefits of the CTRL with regards to traffic congestion and air quality in Perth, Bridgend and Scone. Many also asked that it be delivered as soon as possible. There were, however, some concerns. The three most common related to the impact of the CTRL on traffic queues at Inveralmond Roundabout, the impact of the CTRL on traffic volumes on the A94 north of the CTRL and the impact of the CTRL on the Highfield Woodland. All concerns were considered by the project team and actions and/or explanations prepared as necessary.
- 2.13 The consultation which took place at the Robert Douglas Memorial Institute in Scone was the busiest event with over 200 people attending. The comments received followed a similar theme to the other locations and generally acknowledged the benefits of the CTRL for Scone and looked for it to be delivered as soon as possible. Across the four events, 63 written comments were left by attendees. Of these, 25 were left by attendees in Scone and the main concerns raised were the severance of the Highfield Woodland, ensuring safe pedestrian crossing facilities are provided on the CTRL and the impact that the CTRL may have on traffic levels on the A94 north of the CTRL. The line of the CTRL did not form part of the consultation as this had been previously approved by the Council. However, 2 written comments from the Scone event contained suggestions that the CTRL route should be moved further north.

- 2.14 Measures introduced as the Stage 3 design has developed, some of which address the concerns of the community, include a 'green' bridge through Highfield Woodland to ensure ecology connectivity and to mitigate severance, controlled pedestrian and cycle crossing facilities at junctions, and designing for a reduced speed limit once site H29 has been developed.
- 2.15 SDCC undertook a poll outside Scone Post Office & SPAR between November 2018 and January 2019 asking people to sign a statement "I believe the CTRLR should be moved northwards to avoid H29 and Scone Woods". The poll and supplementary comments were submitted to the Council on 21 February 2019. The poll was signed by 248 people (223 of which resided in Scone) and based on the addresses/postcodes provided this represents 4.4% of the Scone population<sup>1</sup>. A summary of the poll and comments are included in Appendix 6.

### **3. REVIEW OF CURRENT PREFERRED ROUTE (BETWEEN A93 AND A94)**

- 3.1 In response to the concerns recently raised by SDCC, primarily regarding road safety and air quality, a comprehensive review of the current preferred route between the A93 and A94 was undertaken by the Council to determine if the CTRLR should be moved to the north of site H29. The review considered the implications of this change and compared the current preferred route with the northern route. This work has taken over four months and included the following:-

- preparation of an outline geometric design of the northern route based on a preliminary assessment of the physical constraints and available topographical data;
- variation to the archaeological contract to include the area of land within the alternative northern alignment;
- ecological and tree surveys;
- consultation with Historic Environment Scotland and Scottish Natural Heritage;
- desktop review of STAG, DMRB Stages 1 & 2;
- preparation of a technical comparative assessment;
- assessment and re-run of traffic modelling/economic assessment;
- land referencing to cover the northern route;
- consultation with all affected landowners and tenants;
- clarification of planning considerations;
- consultation with the Council's Environmental Health Team in relation to air quality; and
- legal advice from both the Council's Legal Services and external legal provider.

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<sup>1</sup> From the National Records of Scotland the estimated population of Scone in 2016 was 5,050

## **CTLR Route Alignments**

- 3.2 The current preferred route and the northern route between the A93 and A94 are shown in the drawings at Appendices 2 and 3 with brief descriptions below.
- 3.3 From the proposed A93 roundabout the current preferred route heads south-east climbing up and cutting through Highfield Woods to the Highfield Roundabout located east of the Highfield track. The route leaves the Highfield Roundabout on a similar bearing and skirts around a hillside and down to the proposed A94 Roundabout on a gradual right-hand curve.
- 3.4 The northern route extends from the A93 to the A94. The route follows a north-easterly direction across arable fields from the A93 and runs parallel to the Highfield forestry track (to be maintained) then crosses the north-west corner of Highfield Woods in a cutting (which is slightly shallower than the current route). It then turns towards the south-east, around the northern boundary of the proposed Scone North (H29) development and enters the junction at Highfield which would provide access to the development. The route continues south-east in a cutting down to the proposed roundabout on the A94. This roundabout would lie approximately 500m further north of the roundabout for the current preferred route.

## **Technical Comparative Assessment**

- 3.5 A technical comparative assessment was undertaken by Sweco to provide a comparison of the current preferred route against the northern route between the A93 and A94 junctions. The purpose of this assessment is to provide sufficient information to the Council to inform the decision regarding the practicality of the northern route. Whilst the current preferred route has been developed to a level of detail associated with the DMRB Stage 3 assessment, the northern route has been developed to a level of detail sufficient to allow a comparative high level technical assessment of each route to be undertaken.
- 3.6 As such, this comparative assessment compares both routes at a high-level using, where appropriate, assessment criteria as set out in the DMRB, to identify the preference of one route over another in engineering, environmental, and transport and economic terms. These are the three principal criteria, of which there are a number of sub-criteria:-
- (i) Engineering Assessment:
- design standards (includes road safety);
  - geotechnical;
  - drainage;
  - NMU Facilities;
  - public Utilities;
  - constructability; and
  - future maintenance

(ii) Environmental Assessment:

- air quality (receptors and magnitude);
- cultural heritage;
- landscape/landscape visual impact assessment;
- biodiversity;
- geology, soils, contamination and hydrogeology;
- materials;
- noise and vibration;
- people and communities;
- agricultural, forestry and sporting interests;
- road drainage and the water environment;
- climate; and
- landtake

(iii) Transport and Economic Assessment:

- transport modelling; and
- economic assessment

3.7 The technical comparative assessment forms a background paper to this report with the findings summarised in the table below. Where appropriate, a preference of one route over the other is reported.

Topic	Current CTLR route	Alternative northern route	No Clear Preference
<b>ENGINEERING</b>			
Design Standards (includes Road Safety)			✓
Geotechnical			✓
Drainage	✓		
NMUs	✓		
Utilities		✓	
Constructability	✓		
Future Maintenance			✓
<b>ENVIRONMENTAL</b>			
Air Quality (receptors and magnitude)		✓	
Cultural Heritage	✓		
Landscape/LVIA	✓		
Biodiversity		✓	
Geology, Soils, Contamination and Hydrogeology			✓
Materials		✓	
Noise and Vibration	✓		
People and Communities	✓		
Agriculture, Forestry and Sporting Interests		✓	
Road Drainage and the Water Environment			✓
Climate	✓		
Land Take			✓
<b>TRANSPORT &amp; ECONOMICS</b>			
Transport Modelling	✓		
Transport Economics			✓
	9	5	7

- 3.8 For the purposes of this report, and in light of the primary concerns of SDCC, the conclusions with regard to road safety and air quality from the assessment are summarised below.
- 3.9 Design Standards – Within the assessment, hazards associated with both routes have been identified, thus considering road safety. Due to the vertical and horizontal alignments associated with the road and roundabout designs of the northern route, a number of hazards will be presented which are not inherent in the current preferred route. These relate to the likelihood and risks associated with overtaking and overshooting due to changes in gradients and vehicle speeds on the route. On the other hand the assessment highlights that the northern route will minimise potential severance issues for non-motorised users, as there will be less crossing activity. Overall, the assessment concludes that levels of road safety risks presented by both options is low. Notably, appropriate controls can be put in place to mitigate the risks associated with either route. These controls are already being applied during the current design process, as can be demonstrated by the current design containing traffic light controlled pedestrian/cycle crossings, a green bridge with pedestrian and cyclist provision at Highfield Woodland, and a reduced speed limit and appropriate signs/road markings. Whilst there are more hazards than benefits introduced with the northern route, these are minor.
- 3.10 Air Quality - One of the main objectives of the PTFP is to provide drivers with an alternative to travelling through the city centre, thus removing traffic within the city centre and thereby reducing congestion and improving air quality. As detailed in section 14 of this report, Perth was declared an Air Quality Management Area (AQMA) in 2006 and the CTRLR was identified as a key long term measure to improve air quality within the AQMA. Delivery of the CTRLR is expected to result in a significant reduction in pollution levels within Perth City regardless of whether the current preferred route or the northern route is adopted.
- 3.11 As part of the technical assessment, an air quality appraisal was undertaken to identify the potential local air quality effects predicted for both the current preferred route and the northern route. The aim of the assessment was to determine whether there is any difference in the number of properties that would be adversely affected by air quality and the magnitude and significance of that impact.
- 3.12 The assessment noted that the main potential impact on local air quality from the CTRLR will be dust during construction and traffic emissions. It is also noted that neither route is within an AQMA. The assessment considered both existing receptors (current nearby residents) and future receptors (future residents of Scone North). With regard to current residents, there are two residential locations within 200m of the current preferred route and similarly there are two residential locations within 200m of the northern route. With regard to future residents, a greater area of the Scone North development (site H29) is within 200m of the current preferred route when compared to the northern route. Therefore, due to the reduced number of future residential

receptors within 200m of the CTLR the local air quality impact is expected to be less for the northern route. However both routes are expected to result in air quality well within the Air Quality Objectives and regardless of which route is adopted delivery of the CTLR will result in an improvement to air quality in the centre of Perth.

- 3.13 With regard to people and communities, the current preferred route would perform better for non-motorised user paths and the impact to community land as less land is lost from Highfield Woods. Although the differences in journey times for public transport would be minimal, running bus services along the current preferred route would provide a better service to local residents due to the proximity to housing, and Scone itself.
- 3.14 Whilst not a specific concern raised by SDCC, it is worth noting that the assessment also considered the routing and traffic conditions for each route. For the northern route, it highlights some negative impacts with regard to traffic increases on two existing local roads (A94 Angus Road and Stormont Road) in future years. These relate predominantly to the routing of H29 development traffic with regard to access to the CTLR. However, it is recognised that the masterplan will be advanced further to consider traffic routes.
- 3.15 Overall, the technical comparative assessment has concluded that the northern route is no better than the current preferred route when assessed against road safety or air quality or against the other criteria set included in the assessment. Indeed, overall, the assessment favours the current preferred route.

## **4 REVISED PROGRAMME**

- 4.1 In light of the need to undertake the technical comparative assessment, the current delivery programme has now slipped and a revised project timeline is set out in the table below. It is estimated that construction of the CTLR including the current preferred route would now be completed in April 2024.
- 4.2 Should the northern route be progressed it will be necessary to undertake a DMRB Stage 3 assessment of it to develop the design to the same level of detail as the remainder of the CTLR. The tasks involved are listed below, and it is estimated that it will take at least 12 months to complete these.
- development of the specimen design of the northern route;
  - consultation with statutory consultees, landowners and other interested parties;
  - public consultations / exhibitions;
  - procurement of and undertaking additional surveys e.g. substantial ground investigation, topographical survey, drainage survey;
  - re-issuing C4 requests to public utility providers;
  - re-working of the EIA to include the revised geometry, additional surveys and feedback from consultations;

- revision of the draft planning application; and
- review and revision of compulsory land purchase plans.

4.3 Legal advice is also to delay the promotion of the CPO until planning consent is in place for the northern route thus adding another 5 months to the programme.

4.4 It is therefore estimated that if the northern route is progressed it could add a minimum of 17 months to the programme. However, it is stressed that these programmes assume no further unforeseen delays, difficulties or issues.

Estimated Programmes:

	<b>Preferred Alignment</b>	<b>Northern Alignment</b>
Finalise specimen design	July 2019	July 2020
Submission of planning application	Sept 2019	Sept 2020
Planning Consent granted	Jan 2020	Jan 2021
Promotion of CPO	Oct 2019	Feb 2021
Land Vesting (dictated by timescales for CPO process)	Aug 2021	Dec 2022
Contract Award	Oct 2021	Feb 2023
Contract Completion	Apr 2024	Aug 2025

4.5 The programme impact that would result from altering the route at this stage has been considered in the detailed risk assessment that has been undertaken, and is summarised in the Section below.

## **5 RISK ASSESSMENT**

5.1 Whilst the technical comparative assessment has demonstrated that there is no discernible benefit in adopting the proposed northern route, in determining the appropriateness of deviating from the current preferred route the Council must also take into account the risks associated with such action; in particular the impact caused by the inevitable delay that would result from altering the route at this stage.

5.2 A detailed risk management exercise has been carried out to identify and assess those broader risks in accordance with the Council's approved Risk Management Framework. The exercise identified a number of risks; financial, legal, environmental, strategic policy and reputational which would flow directly or consequentially from the delay in the programme.

### **5.3 Financial Risks**

Abortive Fees incurred to date:

5.3.1 The cost of the DMRB Stage 3 work that has been undertaken on the preferred route between the A93 and A94 is estimated to be in the region of £550K but further detailed analysis is required so this figure may be higher. These costs will require to be recharged to the Revenue budget, resulting in an additional pressure on that budget.

#### Capital Cost:

- 5.3.2 Although the northern route is longer in length, a green bridge is not required. In light of this, the actual scheme cost of each route is similar. However, there will be significant financial implications of progressing the northern alignment due to the costs arising from the further assessment, design, survey and supervision work as detailed above (estimated at £1.4M), and construction inflation following a delay in the start date (estimated at £5.7M).
- 5.3.3 At this time there are no unallocated resources within the Capital Programme. At current interest rates the cost of borrowing a further £7.1M will be in the region of £280K per annum which will have further implications for the revenue account. The financial impact will likely increase however if the cost of borrowing increases when, as anticipated, interest rates rise over the medium term.
- 5.3.4 If the northern route is progressed this additional cost will require to be considered as part of the Capital Budget for 2020/21 to 2029/30 which is currently being developed by officers. It is anticipated that the Council will be asked to approve the new Capital Budget in February 2020.

#### Potential Loss of Match Funding: Sustrans Places for Everyone Bid:

- 5.3.5 The Council has submitted an ambitious bid to Sustrans, as part of its Places for Everyone competition. The bid outlines significant investment in active travel infrastructure and placemaking across Perth City, as supported by the Perth Cycle Network Masterplan and Placemaking Programme, both of which ultimately form Phase 4 of the PTFP.
- 5.3.6 The bid is the Council's vision for improving the way people move around Perth City Centre and its surrounding areas, and is based on the once in a generation opportunity, resulting from match funding of over £35M identified through the Council's Capital programmes.
- 5.3.7 The CTLR provides for £8.5M of this match funding. Within the bid the Council has committed to delivery of the package of measures by June 2024 in accordance with the requirements of the Sustrans funding. The need to re-profile the budget allocation within the Capital programme for the CTLR if the northern route is progressed may adversely affect the overall Sustrans bid and the final allocation of funding. Consequently, the level of investment could be reduced.

#### Recoverable Costs - Developer Contributions:

- 5.3.8 Phase 1 of the PTFP was forward funded by the Council on the basis that contributions to the Capital cost of that project would be recoverable from developer contributions in respect of development sites which would benefit as a consequence of the provision of the new infrastructure. If the development of these sites is impacted upon due to delays in the delivery of, or concerns about the deliverability of the CTLR, this is likely to impact on the Council's ability to recover its Capital outlay through developer contributions.

### Unplanned Resource Implications:

- 5.3.9 The delay likely to be incurred if the northern route were to be progressed will impact on the economic appraisal. This would also require the 2015 Base Year Paramics traffic model to be recalibrated and validated which is a significant package of currently unplanned work for which there is currently no financial provision and no resource. This would require to be factored in as pressure for the revenue budget.

## **5.4 Legal risks**

### 5.4.1 Statutory duty to deliver best value:-

Section 1 of the Local Government in Scotland Act 2003 imposes a duty on the Council to make arrangements that secure best value. Best value is defined as continuous improvement in the performance of the authority's functions. In securing best value the Council is required to maintain a balance between:-

- the quality of its performance of its functions;
- the cost to the Council of the performance of its functions; and
- the cost to persons of any service provided by it for them on a wholly or partly rechargeable basis.

In maintaining that balance, the Council is required to have regard to:-

- efficiency;
- effectiveness;
- economy; and
- the need to meet the equal opportunity requirements.

The Council is also required to discharge its best value duty in a way which contributes to the achievement of sustainable development.

### 5.4.2 As well as seeking advice from the Council's Legal Services, it has also obtained detailed legal opinion in relation to the matters that are covered in this report, both of which support the following conclusions:-

- a) It is fair and reasonable to assert that on the basis of the technical comparative assessment there is no persuasive case to be made for departing from the current preferred route in favour of the northern route;
- b) In best value terms, there is no evidence that adopting the northern route provides any greater efficiency, economic benefit, cost effectiveness or added benefit over the current preferred route;
- c) There is clear evidence that deviating from the current preferred route and adopting the northern route at this stage of the programme would incur significant additional financial costs as detailed above.

- 5.4.3 These factors, particularly when considered alongside the other risks identified in this section, strongly suggest that the current preferred route will ensure that the Council secures best value in the delivery of the CTRL. Conversely adopting the northern route will not secure best value.

## **5.5 Planning / Compulsory Purchase Order**

- 5.5.1 The northern route is outwith the current CTRL corridor identified in the adopted LDP, and therefore does not have the same level of development plan support as the current preferred route. It would therefore be necessary to establish whether there are material considerations to justify a departure from the adopted LDP.
- 5.5.2 For these reasons, the legal opinion provided to the Council is that a CPO should be not be promoted in respect of the northern route until planning permission is in place, or there is a higher degree of certainty that planning permission may be granted. This contrasts with the position on the current preferred route where it is proposed that the planning process and the CPO process are taken forward in tandem. Accordingly adoption of the northern route will inevitably lead to delay in promotion of the CPO.
- 5.5.3 If the Council were to progress a CPO for the northern route it will be required to evidence that there are reasonable prospects that the funding gap can be met and that the CTRL can be fully funded within a reasonable period of time. Where funding is not confirmed or timescales are protracted then a Reporter may consider the CPO to be premature and may be less likely to recommend confirmation resulting in further abortive costs as regards technical and professional fees.
- 5.5.4 Furthermore lack of clarity regarding timescale or funding introduces the risk that the CTRL may be perceived as undeliverable and result in consequential impact of reputational damage and loss of confidence by stakeholders.
- 5.5.5 The Council has previously consulted widely with third parties who will be affected by the CPO and negotiations have been on-going with these parties for some time with positive outcomes.
- 5.5.6 As part of the overall assessment of the two routes, the Council has consulted again with landowners and tenants affected by the current preferred route. In general, the majority of consultees have questioned, firstly, why a review is being undertaken at all, and secondly, why a review is being undertaken at this time given the due process which has been followed.
- 5.5.7 Most were also concerned about the likely potential delay to and resultant significant increased cost of the CTRL.
- 5.5.8 The opportunity for further housing development should the route be moved north was also highlighted, in that the land enclosed by northern route may be perceived as an "infill" site.

5.5.9 Three residential property owners specifically impacted by the northern route have also written to the Council to express their concerns, advising that they currently intend to object formally to the current preferred route being moved.

5.5.10 In the event that the objections are maintained it will lengthen the duration of the CPO process

## **5.6 Environmental Risks**

5.6.1 Perth City was declared an air quality management area (AQMA) in 2006 and as a consequence an Air Quality Action Plan (AQAP) was developed in 2009. Although many of the incremental improvement measures detailed within Perth's AQAP have been undertaken, the reduction in pollution levels have been marginal therefore the CTLR was identified within Perth's AQAP as a long term measure to improve air quality. The progress regarding this project has been reported in the Council's Air Quality 'Annual Progress Report' year on year since 2009 to the Scottish Government and SEPA.

5.6.2 In order to predict the likely impact of the CTLR on air quality levels within Perth the existing regional air quality model was scenario tested. The results, which include a level of uncertainty and acknowledge the ongoing emergence of cleaner vehicles, indicate a significant reduction in pollution levels in many of Perth's City centre streets. This includes a predicted reduction of NO<sub>2</sub> up to:

- 14-16% in Atholl Street
- 21% in Barrack Street
- 16% in Main St Bridgend.

5.6.3 Should these improvements be achieved, they will deliver benefits for people living and working in and commuting to and from the AQMA. Resulting levels would also comply with national objectives and enable revocation of the existing AQMA.

5.6.4 The national strategy 'Cleaner Air for Scotland – The Road to a Healthier Future' states that all Local Authorities with AQMA's will have to undertake an assessment to determine whether a Low Emission Zone (LEZ), or alternative vehicle access restriction scheme, will be required to achieve compliance with air quality objectives. The Scottish Government has indicated that implementation of such zoning or restrictions is required by 2023, with the initial screening process to be completed by June 2019.

5.6.5 In real terms, if there is no improvement to air quality levels to remove current exceedances within Perth City centre, then there is every possibility that an LEZ will be required and that this will be achieved by the introduction of zoning and/or vehicle restrictions.

- 5.6.6 The introduction of an LEZ will involve a significant period of consultation (including statutory consultations that will be required by the Transport (Scotland) Bill once enacted) in advance of the Scottish Government's target date of 2023. This will have a significant impact in terms of resources and cost even if implemented as temporary measure. It may also result in reputational damage if it is apparent that the need for any LEZ might have been obviated by the earlier implementation of CTRL. These risks would largely be avoidable if there was reasonable certainty that the CTRL will be delivered by or near 2023 which is more likely to be the case if the preferred route is taken forward.

## **5.7 Strategic Policy Risk**

### Housing land supply:

- 5.7.1 The Council's proposed Local development Plan 2 (LDP2) is currently undergoing examination by Scottish Ministers. The appointed Reporter has made several requests in relation to the housing land supply and has asked for regular updates on proposals, including the progress of the CTRL. To date the Council has responded to the effect that the housing land supply identified in the LDP2 is effective. This is based on the most recent information supplied to the Reporter indicating that a planning application for the CTRL is programmed for submission mid to late 2019 and that construction is estimated to be complete in 2023.
- 5.7.2 As there is a close correlation between the effective housing supply and the delivery of the CTRL any delay or risk to the delivery of the CTRL would require to be notified to the Reporter. As stated above the programme for the current route has now slipped as a result of the technical comparative assessment with completion now estimated in 2024.
- 5.7.3 Should the Council be required to update the Reporter about a further and more significant delay in the programme of a minimum of 17 months, the Reporter is likely to want to know the implications for the effectiveness of the housing land supply. The Reporter may decide that the delay gives rise to a need for additional housing allocations or a review of the embargo or of the limitation on developments prior to the CTRL becoming a committed project.
- 5.7.4 In terms of LDP policy the development of housing sites within the Greater Perth Housing Market Area for ten or more units (excluding brownfield) outwith Perth on the A93/A94 corridors is restricted until the construction of the CTRL is a committed<sup>2</sup> project.
- 5.7.5 Outwith the A93/A94 corridor a similar approach has been taken where larger LDP allocations are also constrained, with planning permissions for significant sites within the Perth area constrained by appropriate thresholds for development prior to the CTRL becoming a committed project.

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<sup>2</sup> Committed being when when all funding, land required for the scheme, statutory approvals, trunk road orders and consents are in place, a contractor appointed and construction on site has commenced

- 5.7.6 Where sites are prevented from progressing, or where their full capacity cannot be achieved prior to the CTLR becoming a committed project, this may be a disincentive for developers to progress proposals.
- 5.7.7 Uncertainty over the delivery or timing of the CTLR may also influence the willingness of financial institutions to provide start up finance to developers. This is of significant concern as the Council's ability to satisfy the housing land requirement relies upon several of the constrained sites contributing to the housing land supply.
- 5.7.8 Delay to the development of such sites risks undermining the Council's ability to maintain an effective 5 year housing land supply which it is obliged to do. The failure to maintain a 5 year housing supply is one of the main reasons for a Reporter upholding planning appeals for ad hoc or non-allocated sites
- 5.7.9 This will also have the consequential impact of affecting local housing building rates and economic impact to the local area.

## **5.8 Public Image / Reputational Risk**

- 5.8.1 As indicated above many of those already consulted through the planning and CPO processes have expressed concern regarding the Council's consideration of an alternative route at this late stage of a long and complex process.
- 5.8.2 There is a wider reputational risk as regards the Council's failure to deliver the CTLR within the budget and timescale as approved by Council.
- 5.8.3 Lack of clarity, delay or concerns regarding funding may have a wider impact as regards credibility and public confidence not only in the deliverability of the project but also as regards the Council's wider commitment to its agreed strategic priorities.

## **6 CONCLUSION AND RECOMMENDATION**

### **Conclusion**

- 6.1 The Council must respond appropriately to the views of local communities including SDCC. In the present case, the Council has responded to the concerns that have been raised by SDCC by commissioning a technical comparative assessment of an alternative northern route (which includes additional surveys, traffic modelling, assessment work and consultation), and by instructing internal and external legal advice. This process has been resource intensive and required considerable additional expenditure. However, while the technical comparative assessment of the current preferred and northern routes had specific regard to the concerns that were raised by SDCC, overall the conclusions that are set out in the assessment, do not support the adoption of the northern route. Indeed, the technical comparative assessment favours the current preferred route.

6.2 To summarise, the current preferred route:-

- avoids delaying the CTRL by at least 17 months;
- avoids additional spend of at least £7.1 million, and resultant need to review the Capital budget;
- avoids a Revenue budget pressure of approximately £550k as a result of abortive work;
- maximises the traffic reduction at Bridgend and indeed through Scone and the city centre, and addresses significant air quality issues at an earlier stage;
- accords with the Development Plan and emerging LDP2;
- minimises the uncertainties associated with the requisite planning application and CPO process together with the further benefits set out in this report; and
- delivers Best Value

6.3 The detailed assessment of risk associated with changing the route at this stage of the project clearly demonstrates the significant financial, legal, reputational and other consequential impact which would be realised should the northern route be adopted. There is accordingly a strong and compelling case for retaining and progressing the current preferred route.

### Recommendation

6.4 For the reasons detailed in this Report it is the recommendation of the relevant professional and technical officers and independent external advisers that the Council retains and takes forward the current preferred route of the CTRL between the A93 and the A94.

### Author

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### Approved

Name	Designation	Date
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	12 June 2019

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
<b>Assessments</b>	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	Yes
Risk	Yes
<b>Consultation</b>	
Internal	Yes
External	Yes
<b>Communication</b>	
Communications Plan	Yes

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

- 1.1 The wider PTFP supports the Community Plan Vision to “create and sustain a vibrant, safe, healthy and inclusive communities in which people are respected, nurtured and supported and where learning and enterprise are promoted.” Specifically, this project encourages sustainable economic growth, an improved and safer environment and healthier choices for sustainable transport.
- 1.2 The PTFP supports the following outcomes:-
- Our area will have a thriving and expanding economy
  - Our area will have improved infrastructure and transport links
  - Our young people will attain, achieve and reach their potential
  - Our communities will be safer
  - Our area will have a sustainable natural and built environment

## Corporate Plan

1.3 The Council's Corporate Plan 2018-2022 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:-

- i) Giving every child the best start in life
- ii) Developing educated, responsible and informed citizens
- iii) Promoting a prosperous, inclusive and sustainable economy
- iv) Supporting people to lead independent, healthy and active lives
- v) Creating a safe and sustainable place for future generations.

1.4 The project's benefits in respect of the wider objectives of the Corporate Plan are outlined below:-

- Giving every child the best start in life – provides access to services, community facilities and the outdoors.
- Promoting a prosperous, inclusive and sustainable economy – assists in the delivery of sustainable economic growth of the Perth area, in particular opening up of economic development land to the northwest of Perth.
- Supporting people to lead independent, healthy and active lives – The project will reduce congestion and therefore reduce traffic emissions, thereby contributing positively to air quality in the corridor and surrounding area. This will have a positive benefit for the health of residents in this area. The project also includes enhanced provision for non-motorised users. This will provide a more positive environment for pedestrians and cyclists and could encourage more people within the area to walk and cycle.
- Creating a safe and sustainable place for future generation – The project will facilitate the delivery of the Local Development Plan strategy to support the sustainable economic growth of the area. In addition, by facilitating the Cross Tay Link Road and delivering the "Shaping Perth's Transport Future" transport strategy, this project can contribute to reducing the carbon footprint of the area and promoting sustainable travel modes. The project will lead to lower journey times and reduce congestion, while providing more travel connections and alleviating the conflict between local and through traffic movements. This will provide for a better environment for this area.

## **2. Resource Implications**

### Financial

2.1 The scheme cost (based on the current alignment) is currently estimated at £118 million. Funding of £78M towards it was committed by the Council on 22 June 2016 (Report 16/227 refers). The remaining £40M will be funded by the Scottish Government.

- 2.2 The financial implications of proceeding with an alternative alignment between the A93 and A94 is estimated to be in the region of £7.1M with regard to Capital. There will also be a Revenue budget pressure of at least £550K for abortive work. Full details of the financial implications are provided in Section 6.3 of this report.

#### Workforce

- 2.3 The resources required to undertake the technical and risk comparative assessment is detailed within the report.
- 2.4 The Project Team will continue to progress the scheme based on the recommendation of the Council.

#### Asset Management (land, property, IT)

- 2.5 The technical comparative assessment details the land and uses which will be affected by both routes. A land referencing exercise was also undertaken for the northern route.
- 2.6 The land required for the scheme will form part of a future Council report seeking authorisation to promote a Compulsory Purchase Order.

### **3. Assessments**

#### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- Assessed as not applicable at this stage

#### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No action is required as the Act does not apply to the matters presented in this report. However an assessment was undertaken for the plan 'Shaping Perth's Transport Future' in 2014. The proposal was also considered through the environmental assessment of the Local Development Plan.

### Sustainability

- 3.4 The proposals have been considered under the provisions of the Local Government in Scotland Act 2003 and Climate Change Act using The integrated Appraisal Toolkit. The proposals will not have a direct impact on sustainable development or climate change.
- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions. This report however seeks to acquire land to take forward a key action from the Local Development Plan. There is a statutory duty of the Council to ensure that the LDP contributed towards sustainable development accordingly no further assessment is required.

### Legal and Governance

- 3.6 The Perth Transport Futures Project has been under development for a number of years and is fully documented in various reports and plans. See Appendix 1.
- 3.7 Legal Services and Brodies LLP have been involved in the review of the route and have provided their advice, particularly in relation to the risks and implications associated with moving the current route.

### Risk

- 3.8 As above Legal Services and Brodies LLP have provided their advice and advised on the risks.
- 3.9 In light of the significant risks associated with taking forward an alternative northern route, a risk management exercise has been undertaken in accordance with the Council's Risk Management Policy and Risk Management Strategy. Where relevant the Risk Management Process has been followed. See Appendix 5.

## **4. Consultation**

### Internal

- 4.1 This report has been prepared in liaison with Finance, Legal, Environmental Health and Strategy & Policy (Planning).

### External

- 4.2 Historic Environment Scotland and Scottish Natural Heritage have been consulted on the northern route as part of the technical comparative assessment.

- 4.3 The landowners and tenants affected by the current preferred and northern route have been asked for their views.
- 4.4 Three owners of three residential properties who would be affected by an northern route have also provided their comments on learning of the SDCC petition and Council review.

## **5. Communication**

- 5.1 It is proposed to hold further public exhibitions/consultation on the scheme after the summer school term as part of the planning application process.
- 5.2 Liaison with landowners, tenants and statutory consultees will continue as the scheme progresses.

## **2. BACKGROUND PAPERS**

See Appendix 1 for timeline of key decision dates, relevant assessments, plans, reports and approvals.

CTLR Route Alignment (A93 to A94) Comparative Assessment Report DMRB Stage 3 (Sweco).

## **3. APPENDICES**

- Appendix 1 – Timeline of Key Decision Dates, relevant assessments, plans, reports and approvals
- Appendix 2 – Potential Alternative Northern Alignment (Drawing 119046-SWECO-HML-000-SK-D-00084(P03))
- Appendix 3a & 3b – Potential Alternative Northern Alignment (Drawings 119046-SWECO-HML-000-SK-D 00092 (P01) & 119046-SWECO-HML-000-SK-D 00093 (P01))
- Appendix 4 – Landowner/Tenant Feedback and Residents' Comments
- Appendix 5 – Risk Profile and Risk Heat Map
- Appendix 6 – Scone & District Community Council Poll

## TIMELINE OF KEY DECISION DATES

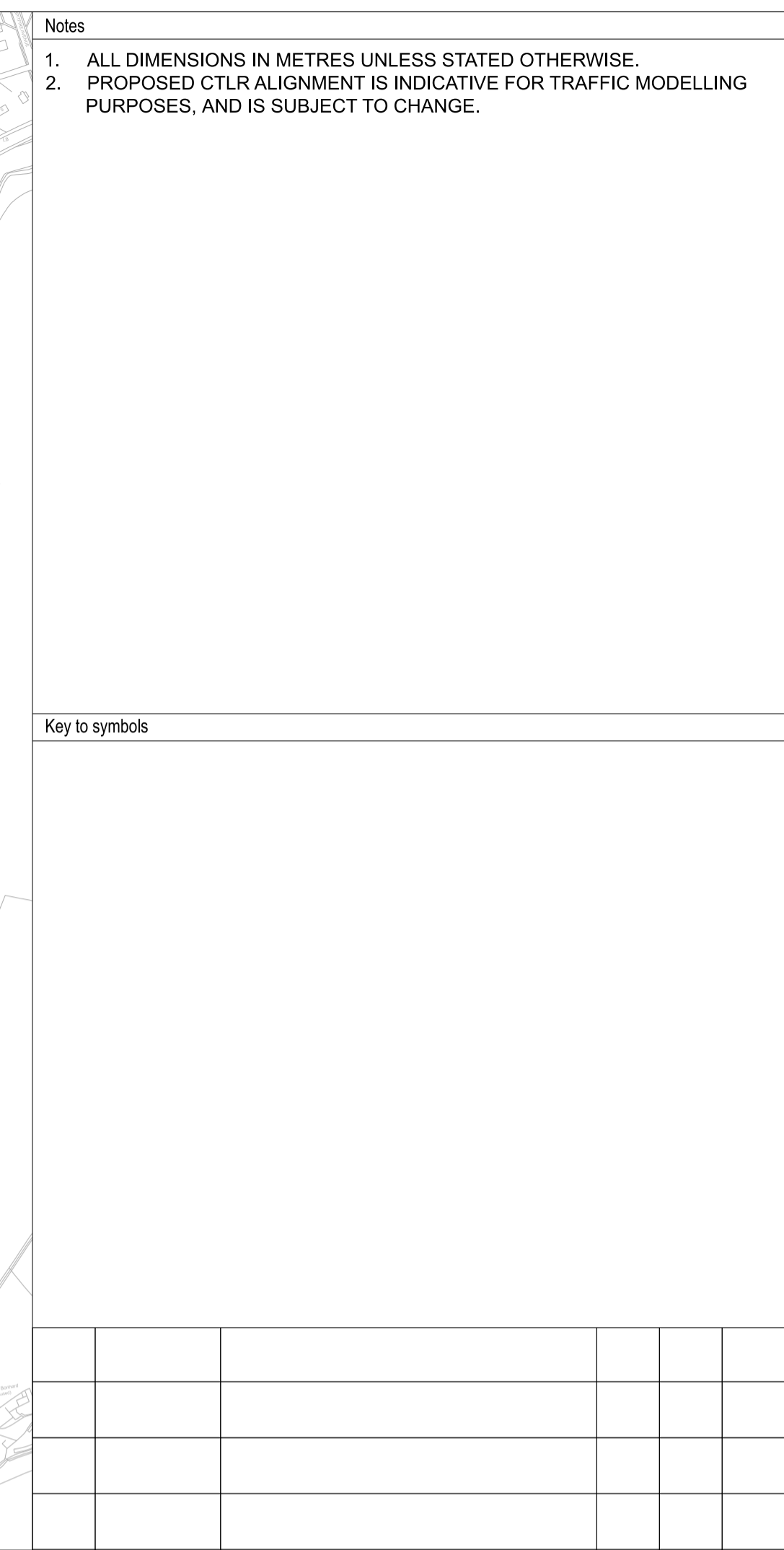
### Perth Transport Futures Project (including the CTRL)

<b>1995</b>	<b>Perth Area Local Plan 1995</b>	Identified the need for a new bridge north of Perth town centre and recommended amending the A9/A85 junction.
<b>2003</b>	<b>Perth and Kinross Structure Plan 2003</b>	Included recommendations for the A9/A85 and a need for a new road bridge across the River Tay.
<b>2009</b>	<b>Enterprise and Infrastructure Committee: Strategic Transport Network Issues (Report 09/405)</b>	Outlined the key findings of the STAG appraisal including the preferred corridor for the CTRL and an improved A9/A85 junction.
<b>Aug 2009</b>	<b>Enterprise and Infrastructure Committee: North West Perth Expansion Area Study (Report 09/406)</b>	Agreed to take forward further development work into the detailed infrastructure design for North West Perth i.e. the A9/A85 junction improvement and to investigate delivery funding options.
<b>2010</b>	<b>Scottish Transport Appraisals Guidance (STAG)</b>	STAG appraisal of Perth's wider transport issues and potential solutions. 11 options were considered and 6 taken forward for further appraisal with conclusion that a Cross Tay Link Road with a range of other measures was the preferred approach.
<b>Oct 2010, approved Jan 2012</b>	<b>Shaping Perth's Transport Future Strategy</b>	Summarised the outcome of the STAG appraisal and formed the Council's Transport Strategy for Perth and the wider region.
<b>2010/2011</b>	<b>Strategic Environmental Assessment</b>	SEA Report (and subsequent addendum) carried out in respect of the Transport Strategy detailed in the Shaping Perth's Transport Future Strategy document. This firmed up the corridor options for the CTRL.
<b>Nov 2011</b>	<b>DMRB Stage 1 Assessment</b>	More detailed appraisal of 3 CTRL corridor options identified in STAG appraisal together with 2 amended corridors based on recommendations of SEA and Shaping Perth's Transport Future Strategy document. Recommended taking forward study corridor C1 which followed an approximate route through Bertha Park, crossing the A9 between Inveralmond and Luncarty; progressing over Perth to Inverness railway line, the River Tay and linking to A93 and A94 north of Scone.

<b>Jan 2012</b>	<b>Special Council Meeting (Report 12/5)</b>	<ul style="list-style-type: none"> <li>• Approved proposed local development plan (LDP) for public consultation;</li> <li>• agreed to take corridor C1 forward to DMRB Stage 2 assessment</li> </ul>
<b>Jan – April 2012</b>	<b>Proposed LDP</b>	Proposed LDP published for public consultation showing CTRL route and interface with site H29. Fourteen public consultation events held including one in Scone attended by 271 people.
<b>May 2012</b>	<b>A9/A85 Junction Planning Application Approval (Planning Reference 11/01579/FLL)</b>	The approved application included the formation of slip roads, roundabouts, bridge, SUDS ponds, landscaping and the Lade diversion (excludes link to Bertha Park).
<b>June 2012</b>	<b>TAYPlan Strategic Development Plan 2016 - 2036</b>	The approved Plan promoted improvements to existing transport infrastructure, including the A9/A85 junction and the CTRL.
<b>2012 -2016</b>	<b>DMRB Stage 2 Assessment</b>	<p>Included detailed technical assessment of various route alignment options within the C1 corridor to determine the optimal preferred route. The options within the C1 corridor were assessed with respect to the overall impact on any engineering factors and environmental considerations.</p> <p>A comprehensive environmental assessment undertaken including consideration of earthwork requirements, flooding, air quality, ecology, landscape impacts, geology and noise impacts.</p>
<b>May 2013</b>	<b>Perth City Plan</b>	Reflected the requirement to improve road and transport infrastructure to enhance connectivity between the city centre and the planned western expansion, the wider region and the rest of Scotland.
<b>June 2013</b>	<b>Council Meeting Perth Transport Futures Project (Report 13/336)</b>	Council endorsed need for PTFP and agrees to commit to funding to Phase 1 PTFP.
<b>Nov 2013</b>	<b>Workshop and site visit with Elected Members</b>	Site visit by Elected members along route of proposed Phase 1 PTFP.
<b>Feb 2014</b>	<b>Council Meeting (Report 13/597)</b>	The Council agreed to adopt the LDP.
<b>May 2014</b>	<b>Council Meeting PTFP – Phase 1 (Report 14/192)</b>	Council approved borrowing of £15.7m towards Phase 1 PTFP (A9/A85 to Bertha Park)

<b>June 2014</b>	<b>Council Meeting – PTFP Phase 1 (14/303)</b>	Council approved authority to acquire land by CPO to facilitate construction of PTFP Phase 1
<b>Oct 2014</b>	<b>Council Meeting – PTFP Phase 1 (14/437)</b>	Council approved authority to acquire additional land and rights by CPO to facilitate construction of PTFP Phase 1.
<b>2015</b>	<b>Main Issues Report LDP2</b>	Proposed LDP2 indicated the preferred CTRL route and housing development site H29. No representations received in relation to the CTRL and its route through site H29.
<b>March 2015</b>	<b>Phase 1 A9/A85 Junction Improvements and Link Road to Bertha Park Planning Application Approval (15/01579/FLL)</b>	Upgrading of roads infrastructure including the formation of new roads, roundabouts, bridges, car parking, landscaping and associated works.
<b>March 2016</b>	<b>The Perth and Kinross Council (Perth Transport Futures Project Phase 1 A9/A85 Crieff Road Junction and Link Road to Bertha Park) Compulsory Purchase Order 2014</b>	Compulsory Purchase Order confirmed by Scottish Ministers
<b>Feb 2016</b>	<b>PTFP Phase 1 A9/A85 Junction Improvements and Link Road to Bertha Park Planning Application Approval (15/02185/FLL)</b>	Modification of permission 15/00036/FLL (upgrading of roads infrastructure) to include alterations to roundabout.
<b>May - Dec 2016</b>	<b>H29 Planning Application (16/02127/IPM)</b>	Application submitted for Scone North development
<b>June 2016</b>	<b>Council Meeting – PTFP Phase 2 CTRL (Report 16/227)</b>	Council commits funding of £78million towards Phase 2 PTFP (Cross Tay Link Road).
<b>Sept 2016</b>	<b>PTFP Phase 1 A9/A85 Junction Improvements and Link Road to Bertha Park Contract Award</b>	Contract Awarded to Balfour Beatty in September 2016 with a contract price £35,369,292.62.
<b>Nov 2016</b>	<b>PTFP Phase 1 A9/A85 Junction Improvements and Link Road to Bertha Park Planning Application Approval (Planning Reference 16/01290/FLL)</b>	Upgrading of roads infrastructure including the formation of new roads, roundabouts, bridges, car parking, landscaping and associated works (revised design).
<b>Dec 2016</b>	<b>Council Report PTFP Phase 2 CTRL Preferred Route (Report 16/560)</b>	Council approves final preferred route for CTRL including the current alignment between the A93 and A94.

<b>May 2017</b>	<b>H29 Planning Application (16/02127/IPM)</b>	The in principle application and masterplan for site H29 accorded with the LDP and was granted planning consent.
<b>July 2017</b>	<b>Appointment of consultants to progress Phase 2 PTFP</b>	Sweco appointed to progress the preferred CTLR route through DMRB Stage 3 assessment.
<b>October 2017</b>	<b>Scottish Ministers issue Approval of TAYPlan Strategic Development Plan 2016 -2036</b>	Approval confirms CTLR as a strategic infrastructure project for Perth City region.
<b>Nov 2017</b>	<b>Council Meeting (Report 17/387)</b>	Approved draft LDP2 for public consultation showing CTLR route and interface with H29.
<b>Dec 2017</b>	<b>Proposed Plan LDP2</b>	Proposed Plan LDP2 published showing the CTLR route with a nine week public consultation period until 2 February 2018.
<b>May 2018</b>	<b>CTLR Elected Members Briefing</b>	Briefing on project, progress to date and cost estimate in advance of public consultations.
<b>Aug 2018</b>	<b>Elected Members Briefing – CTLR, Traffic Modelling and Perth Cycle Network Masterplan</b>	Presentation to Elected Members.
<b>Aug 2018</b>	<b>Council Meeting (Report 18/263)</b>	Approved Proposed Plan LDP2
<b>Sept 2018</b>	<b>Proposed Plan LDP2</b>	Submitted to Reporter for examination. There were no unresolved representations regarding the CTLR but assurances given to the Reporter reflected the currently anticipated programme for delivery of the CTLR. A report is expected from the Reporter in July 2019 identifying any recommended changes for LDP2 prior to its adoption.
<b>Jan 2019</b>	<b>PTFP Phase 2 Scottish Government Funding</b>	Scottish Government announced funding of £40million towards the CTLR with scheme (containing preferred route) now fully funded.
<b>May 2019</b>	<b>PTFP Phase 1 A9/A85 Junction Improvements and Link Road to Bertha Park Final Completion of Construction</b>	All new roads and infrastructure opened to the travelling public in January 2019, with finishing works (e.g. landscaping) completed in May 2019.

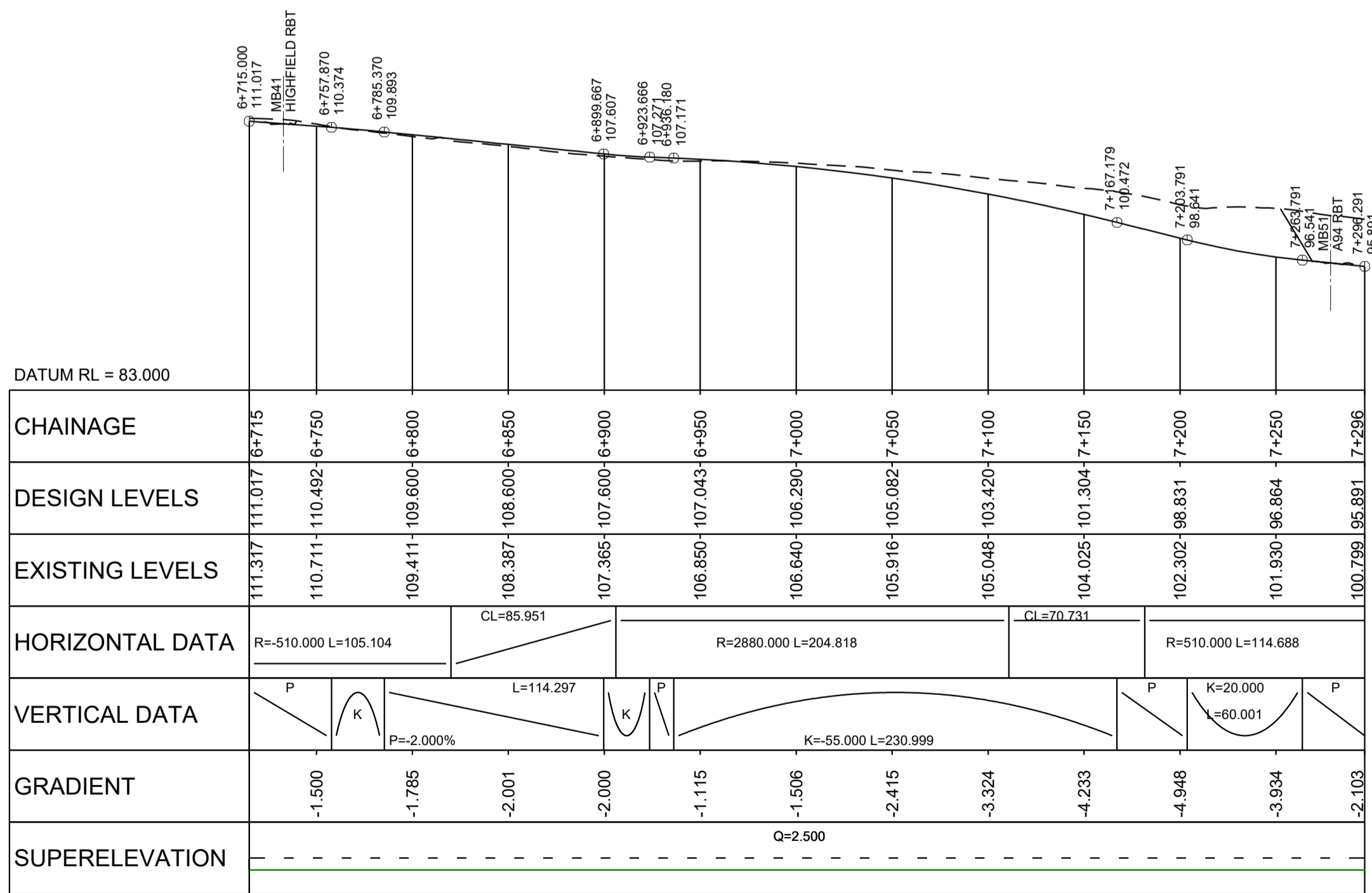


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- | Notes  |
|--|
| 1. ALL DIMENSIONS IN METRES UNLESS STATED OTHERWISE.   |
| 2. PROPOSED CTRL ALIGNMENT IS INDICATIVE FOR TRAFFIC MODELLING PURPOSES, AND IS SUBJECT TO CHANGE. |

### Key to symbols

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Client

 *PERTH & KINROSS*  
COUNCIL

Drawing Status <div>FOR REVIEW</div>	Suitability <div>S3</div>
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Project Title **Cross Tay Link Road**

Drawing Title

CTLR (A93 TO A94)  
POTENTIAL ALTERNATIVE NORTHERN  
ALIGNMENT  
APPENDIX 3B

Scale 1:2500	Designed Murray, Euan	Drawn McFarlane, Fraser	Checked Ritchie, Denise	Approved Ross, Sandy
Original Size A1	Date 07/05/19	Date 07/05/19	Date 07/05/19	Date 07/05/19

Drawing Number	Project Ref. No. <b>110046</b>
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Project	Originator	Volume	Location	Type	Role	Number	

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## SUMMARY OF COMMENTS

### Landowners, Tenants and Residents

A summary of comments received from landowners, tenants and residents on the decision to review the route of the CTLR between the A93 and A94.

Landowner and Tenant Comments	
1	Neither route impacts me. Not my place to comment.
2	<ul style="list-style-type: none"> <li>• Moving the CTLR further north will make it less attractive to users from Scone.</li> <li>• The new route will be longer, costing more.</li> <li>• The Scone North development is being designed in accordance with policy and guidance to accommodate the CTLR passing through it, there is no need to move it.</li> <li>• Moving the CTLR further north creates the opportunity for the future expansion of Scone North (potential to infill the gap between Scone North and the CTLR).</li> <li>• The Community Council have had adequate time to raise the objections to the route of the CTLR currently being considered, and have not done so. A proper process has been followed by planners and engineers therefore there is no need to revisit this.</li> </ul>
3	Do not have an objection to the northern route however would like to understand the consequential delays associated with changing to this route.
4	<ul style="list-style-type: none"> <li>• It is very unfortunate that this is happening so late in the process.</li> <li>• My client is already making plans based on the current proposed route and changes to this will be disruptive to these plans.</li> <li>• We hope that all the good work so far in agreeing the current proposal with the team delivering the CTLR does not go to waste.</li> <li>• Highly qualified staff within and out with the Council has decided that this route best serves the needs of the project so why, after so much resource and cost, is this now being called into question?</li> <li>• My client does not see the merits in the alternative route and, should the northern route be progressed, and his land is still required, my client will be seeking advice with the view to objecting to the CPO.</li> </ul>
5	<ul style="list-style-type: none"> <li>• I am surprised and suspicious that this is simply a delaying tactic. I cannot see that there will be major differences in air quality or road safety between either route.</li> <li>• I am suspicious that this alternative route creates more planning gain for landowners and developers to the north of Scone – creating more long term air quality issues.</li> <li>• One of the main drivers behind the CTLR is improving the environment in Perth. The longer we wait on the CTLR the worse this issue becomes.</li> <li>• Delaying this project will be at major cost.</li> <li>• Although as a landowner I am unaffected, I feel realigning the road at this stage of the consultation process will only delay a project that has unanimous agreement in its need for completion.</li> </ul>
6	No concerns regarding the alternative realignment route to the North of Scone.

7	<ul style="list-style-type: none"> <li>• Surprised at this being considered at such a late stage.</li> <li>• Preference for existing route.</li> <li>• Concerned about the northern route being less attractive to road users in Scone, meaning it will have less of a positive impact on traffic and air quality in Scone and Bridgend.</li> <li>• Concerns over the location of the A94 roundabout on the northern alignment and its proximity to the airport and the long sweeping bend there (poorer visibility).</li> <li>• One concern is traffic pollution however this will be addressed through the move to electric vehicles.</li> <li>• The northern route appears to destroy more woodland.</li> <li>• Moving the CTRL further north may encourage further development in the future.</li> <li>• Concern over the increased cost and abortive cost associated with the completed consultations and investigations.</li> <li>• The northern route will dissect two more of my fields.</li> </ul>
8	Does not impact me as a landowner.
9	<ul style="list-style-type: none"> <li>• Hugely in favour of CTRL and the sooner it happens the better.</li> <li>• Wish that the Council's decisions reflects the wishes of those most directly affected.</li> </ul>
10	No comments on the alternative alignment but concerned about the delay as we have a number of projects that cannot commence until the CTRL is committed.

**Local Resident Comments Received**

1	<ul style="list-style-type: none"> <li>• The claims regarding environmental pollution around the local area are not supported by any evidence and are simply based on subjective assertions.</li> <li>• The claims regarding traffic levels generated by the CTRL are not supported by the SWECO traffic growth analysis which only predicts a 20% increase through to 2035 – There is certainly not an economic justification for the £135million cost of the CTRL, however it does provide significant reduction in traffic congestion throughout central Perth area.</li> <li>• The growth in electric vehicles throughout this period will by definition create a significant reduction in both traffic noise and air pollution levels</li> <li>• The alteration in routing of the CTRL proposed by the SDCC as necessary by the H29 housing development plans is simply being pursued by some notable local residents in the North of Scone - with no basis in highways engineering and design practice – but simply to move it further from these local interests</li> <li>• This “back of envelope” approach by members of the SDCC was notable in that there was no consultation with those householders directly affected by such a change in routing.</li> <li>• The simplistic attempt to gauge public opinion, through a poll held outside local shops asking passers-by was neither representative of the local population of 4500 residents and the areas they reside in relative to the proposed developments, with the questions based on the subjective views of the pollsters.</li> <li>• At a meeting of the SDCC on the 25th of Feb 2019, SDCC representatives showed a distinct lack of knowledge of the detailed plans for both the H29 and CTRL proposals; making unfounded claims about traffic and pollution issues regarding the routing of the CTRL through the final stage of the H29 development. The detailed road design includes significant embankments and high fencing separating the CTRL from proposed housing along with speed restrictions along</li> </ul>
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	<p>this section approaching the A94.</p> <ul style="list-style-type: none"> <li>• No evidence was provided in justification of these arguments</li> <li>• In contrast, the PKC and SWECO representatives have held a number of meetings with those homeowners and residents directly affected by the CTRLR routing as it approaches the A94 and have agreed on a series of design mitigation measures giving these householders assurances that the impact will be minimised.</li> <li>• In order that planning of these housing developments are based on realistic assessments of local need in the decades to come, this would be better achieved by adopting a phased approach to planning approvals with the final eastern stage of H29 not being scheduled till 2035 – 2040.</li> <li>• Such an approach during that interval would ensure that any development reflects economic, demographic and technology changes in the interim period.</li> <li>• The current Tayplan Development Strategy, based on 2014 estimates, has significantly reduced projected population levels through to 2035. The impact of Brexit will likely reduce the anticipated levels of migration, which form the basis of these population projections.</li> <li>• The local economy is directly influenced by the various businesses operating out of Perth Airport, these being the largest source of employment in the larger Scone area. Principal of these is the ACS Flying Training Organisation, which manages operations of the Airport and has invested significant sums in establishing a fast growing flight training organisation at the airport, for both private and commercial pilot training.</li> <li>• Much of this training utilises the clear areas around the airport for the practice of abnormal situations and as a result any encroachment on these areas to the east and west of the airport will increase risk to both operations and any property therein.</li> <li>• Such levels of increased risk will likely impact on demand for housing in these areas.</li> <li>• Similarly, repositioning the CTRLR in closer proximity to the airport would create an increased level of risk to traffic on that road, since it will be immediately west of the main runways.</li> <li>• In conclusion, the concerns raised by the SDCC are not representative of the wider community, are subjective and are not evidence based.</li> </ul>
2	<ul style="list-style-type: none"> <li>• SDCC neither consulted nor took our views into consideration when submitting its proposals</li> <li>• SDCC has apparently recently completed a community poll encouraging residents to consider the repositioning of the road further away from Scone, which poll allegedly received 250 (approx.) signatures. We were only made aware of this poll after the fact, which appears to have been completed over the period of the Christmas holidays, from one of the local shops. The manner in which this poll has been completed is frankly irresponsible, relying on footfall into one shop (which notably isn't even on the main street), and immediate residents who happened to see it. It also does not appear that the implications of the proposal were fully explained at the time of signing, which may be considerable, and in fact may cause even greater negative impact on Scone.</li> <li>• We are obviously concerned that the alternative route proposed for the road would be nearer to our property, and appear to run over a large area of woodland, which may affect popular walking and cycling routes, as well as impacting wildlife.</li> <li>• We are also surprised that this proposal appears to have been made without regard to the significant objections that have posed by the local Scone community to the 700 plus housing development planned at Scone North. The SDCC appears to have failed to take into consideration that this alternative proposed</li> </ul>

	<p>routing may in fact, have the unintended consequence of create more development land for housing (as the compulsory purchase of the land over which the road would run over would potentially then make it unviable for farming, and thus vulnerable to the likelihood of being sold for housing development). We are concerned that this potential for further development may lead to further noise pollution, traffic safety issues, and additional pressure on our already strained village community and resources (e.g. school, doctors' surgery etc.).</p> <ul style="list-style-type: none"> <li>• It is also questionable if the new proposals have taken into account the positioning of Perth airport, and the safety considerations that apply regarding this. We were surprised to hear at the last SDCC meeting that the airport had not been consulted on this proposed re-routing.</li> <li>• Whilst we did not support the original CTRLR proposals, we had come to terms with the inevitability of this project, given assurances that were provided to us by the CTRLR team regarding positioning re landscaping, SUDs and screening, in order to mitigate the impact on our development. In short, we are surprised and disappointed by the views presented by SDCC, and at the apparently serious consideration to which these are now being given. We wish to make clear that this proposal is not representative of our views and that we are deeply concerned by this situation.</li> </ul>
3	<ul style="list-style-type: none"> <li>• I understand that you have received representations from the Scone &amp; District Community Council (SDCC) concerning a suggested re-routing of the proposed CTRLR to a more northerly termination with the A94. The SDCC representations appear to be based on the perceived need to move the new road further away from Highfield Road and the proposed H29 housing development by A &amp; J Stephen.</li> <li>• We would wish to strongly object to this proposed re-routing of the CTRLR in view of the environmental impact (noise and pollution) to this immediate area which we would also imagine would be of concern to the residents of Newmains housing development close by. Prior to our purchase our property we did make enquiries concerning the routing of the proposed CTRLR and received assurances that the road would terminate at its eastern junction close the existing Park and Ride roundabout at the north end of Scone. Environmentally the proposed new route would also be very close to the boundary of Muirward Woods and therefore create unnecessary disturbance to wildlife and to walkers using these woods for recreational purposes.</li> <li>• I also understand from discussion with an aviation expert that the proposed northerly route may also encounter safety problems in view of its proximity to the airport and the need to preserve adequate emergency landing areas close to the airport which, as you may already know, is used for pilot training.</li> <li>• In view of the above I would strongly recommend acceptance of the original proposed route for the CTRLR which has received full impact assessment and incorporates design mitigation measures such as embankments and fencing to minimise any possible effects on local residents.</li> <li>• I should add that at no time have we been approached by any member of the SDCC to hear our concerns about the proposed re-routing of the CTRLR. This is surprising in view of the considerable effect it would have on us and our near neighbours.</li> </ul>

## RISK ASSESSMENT

This Appendix provides the results of the risk assessment carried out to assess the issues that would be caused by a decision to move the CTRL between the A93 and A94 to the northern route. This has been carried out in accordance with the Council's Risk Management Policy and an extract from the Council's Risk Management Process Guide is included to show how this has been calculated.

Risk No.	Risks associated with the decision to progress with the northern route between the A93 and A94	Probability	Impact	Score
1	Delay in the delivery of the scheme (by at least 17 months)	5	5	25
2	Increase in scheme cost, resulting in shortfall of £7.1 million to deliver the scheme	5	5	25
3	Abortive costs for work done to date (estimated to be at least £550k) will require to be recharged to Revenue, where there are existing pressures	4	3	12
4	Disengagement of landowners given extent of dialogue and agreement so far (evidenced in responses to consultation on the northern route)	2	4	8
5	Objections to CPO	4	5	20
6	Risk to approval of CPO	4	5	20
7	Objections to Planning Application, and greater planning risk as the northern route is not in within the defined corridor (i.e. departure from LDP)	4	4	16
8	Risks relating to Reporter's Examination of LDP2 given close correlation between CTRL and effective housing land supply	3	3	9
9	Inability to meet the Council's ability to maintain a 5 year effective land supply; and prejudice delivery of the strategic housing sites	2	4	8
10	Delay in addressing the air quality issues in and around Perth, and particularly Bridgend and Atholl Street	5	4	20
11	May have to provide a Low Emission Zone in Perth until CTRL is in place	3	4	12
12	Key phases of PTFP (especially Phase 1) forward funded on basis that developer contributions to Capital cost of project would be recoverable	2	4	8
13	Risk to success of Sustrans Places for Everyone bid given that match funding from the CTRL is needed, and the CTRL is unlikely to be in place within the timescales for funding spend i.e. 2024	4	4	16
14	Negative press coverage on decision to move the route at such a late stage, resulting in bad publicity for the scheme and the Council	5	3	15
15	Breach in statutory duty to provide Best Value	5	5	25
16	Overall risk to the deliverability to the scheme given the statutory process that have been followed and decisions made (i.e. reviews, assessments, reports and approvals - STAG, DMRB Stages 1 & 2, Council decisions, LDP etc.)	3	5	15

RISK HEAT MAP					
IMPACT					
5. Critical			16	5 6	2 1 15
	4. Major	4 9 12	11	7 13	10
	3. Moderate		8	3	14
	2. Minor				
	1. Insignificant				
		1. Very Remote	2. Remote	3. Possible	4. Probable 5. Almost Certain
PROBABILTY					

## Extract from the Council's Risk Management Process Guide:

IMPACT SCALE		
Impact	Classification	Score
Critical	Risks which could have a potentially disastrous effect on the Council without immediate comprehensive action to reduce the level of risk.	5
Major	Risks which have a serious impact, and detrimental effect on the achievement of objectives. Action plans should be developed to reduce the level of residual risk, and reviewed periodically.	4
Moderate	Risks which can be reduced within a reasonable timescale, in a cost effective manner. Any mitigating actions must be monitored and recorded.	3
Minor	Risks where any action to further reduce the level of risk would be inefficient.	2
Insignificant	Risks may occur only in exceptional circumstances but has no interdependencies with other risks or plans.	1

PROBABILITY SCALE			
Probability	Criteria	Likelihood	Score
Very High	>75%	Almost Certain	5
High	51% - 75%	Probable	4
Medium	26% - 50%	Possible	3
Low	6% - 25%	Remote	2
Very Low	0% - 5%	Very Remote	1



## CROSS TAY LINK ROAD - POLL SCONE & DISTRICT COMMUNITY COUNCIL

Between November 2018 and January 2019 Scone & District Community Council undertook a poll outside Scone Post Office/SPAR, asking people:

*"Looking at the current CTRLR route would you vote to keep it where it is or move north to edge of plantation in front of Muirward Woods?"*

People were asked if they wished to sign a sheet with the statement:

"I believe the CTRLR should be moved northwards to avoid H29 and Scone Woods".

The results of this poll, and the list of signatories and comments received, were submitted to the Council on 21 February 2019. The comments are listed in this Appendix.

### In summary:

248 people signed the poll, and 60 comments were received.

Of the 248 people (based on address/postcode provided):

- 223 reside in Scone;
- 24 reside outside Scone but within Perth & Kinross;
- 1 resides outside Perth and Kinross;
- 229 different households; and
- 227 households in Scone

Of the 60 comments:

- 20 state that the route should be moved;
- 1 supports the current preferred route; and
- 39 comments do not relate to the poll statement.

From National Records of Scotland the estimated population of Scone in 2016 was 5,050.  
**The poll equates to 4.4% of the Scone population.**

Current census household (2011) for Scone is 2,222 + 158 (new builds from the housing land audit) is 2,380 households.

**The poll equates to 9.5% of Scone households.**

**CTLR POLL**

**SCONE AND DISTRICT COMMUNITY COUNCIL**

**Handed to PK Councillors 21<sup>st</sup> February 2019**

**Dates of poll:** Between November 2018 and January 2019

**Venues of Poll:** Outside Scone Post Office, Scone Spar

**Poll Questions:** Looking at the current CTLR Route would you vote to keep it where it is or move north to edge of plantation in front of Muirward woods

**Results:**

1. Estimates of Scone households range between 2350 and 2450 in number. 245 polls were completed ie 10% of Scone households
2. 100% of those polled asked for the CTLR to be moved north. There were 2 abstentions, both Council Officers.

**Comments by signatories of the SDCC poll of the CTRL re-routing.**

- This road should be moved
- Move the road north
- Stop building houses in Scone
- Please look again at your proposals
- Make the road 20 MPH
- Ridiculous plans, safety nil, not acceptable
- Moving the road is the best option
- Best option for new road. Just come out near airport
- Listen to local people!
- Be sensible
- Road should not go through housing
- Not suitable
- Move road to the north of the village avoiding the houses ( that we don't want!)
- Move road further north
- Move north not through housing
- Not through housing
- Save the village and it's folk
- I agree (repeated by 6 signatories)
- Another item on which we were not consulted
- Why not north of NewMains
- No consultation! Why not put road other side of New Mains?
- No consultation! Why are objections from New Mains listen to??
- No consultation!
- No consultation!
- No consultation!
- Why put the road so close to the houses?
- Why close to the road?
- Roads and people don't mix
- Too close to houses – pollution both air and noise
- Keep to original plan!
- Move road north away from the village
- Move the road
- Move the road away from the village
- This type of road should not be through housing
- Ridiculous idea having it close to houses. Move north to airport
- So many problems – pollution, noise and fumes – pedestrians and children's safety–  
Environment – the list is endless
- Road too close and too fast speed limit
- No infrastructure for these homes
- Move the road north
- Another shambles for Highfield Road- please let us be
- Same as above plus council are useless
- Ridiculous
- Common sense proposal
- No way can Scone take any more traffic through
- Scone cannot cope with the traffic and extra pollution
- Move north
- Hopefully sense prevails!
- Stupid for a main road

- This road must be moved
- Disruption to enjoyment of the village and green space
- Dead against this idea. Think again
- Very against
- Very against
- Yes, it should be moved
- It should move and not close Stormont Road to A94
- Please listen to local residents

Comments by Facebook users

<https://www.facebook.com/164855253552084/posts/1982401545130770?sfns=mo>

- North please. I don't think this road will alleviate traffic or congestion. People are not going to change their route to perth. Ph26rl
- Move it north to the proposed route of still in the plantation, but at the top of it, to preserve Muirward woods, but higher away from human residences.
- North please!!!!
- It seems to me that neither route is optimal. On the one hand, people object to having a "fast" 50-limit road passing close by. On the other, the trees deserve protecting - for being native, for their wildlife and ecosystem, for their amenity value to nearby residents. Further, a road that changes speed limit along its length is bad for flow; traffic-"calming", by its artificial nature, doubly undesirable. I suggest an alternative route, something like the attached (please excuse fat-fingered errors), which avoids the woods, the majority of the proposed settlement extension, and uses natural smooth curves to slow traffic gently where appropriate. It could use a roundabout to join at Newlands. Not that it matters but I'm from PH3.
- I prefer the PKC proposed route - that green space is gone - they are felling there right now so we've already lost it - I've traipsed those paths for decades - it will be a mess for years now. So sad as it was by far the prettiest bit of the woods 🙄 But it's a crop so it was always going to go. At least if the road is lower down the woods it will leave a large area to the north free for walking in. I basically would prefer to be over the road and into the woods as soon as possible 😊
- North looks to be better PH2 6QA
- The route further North, please PH2 6RE
- Move the road north, away from housing PH2 6QW
- We vote for the road to be moved away from human habitation PH2 6SD
- Of the two, north. But, it looks a very dotted line at this stage, so how about routing along southern edge of Langedge, then curve north to Brooniehill to avoid the housing, and join A94 north east of Newmains as shown. PH2 6QQ
- North please. houses will eventually cover the whole area anyway
- Try living in Bridgend!
- North please PH26RJ
- North ph2 6lz
- North ph26le
- North PH2 6TA
- North PH2 6PA
- PH2 6QQ away from human habitation
- The Highfield wood was cut down around 1966 and replanted, all the area to the north was plantation of some sort too. The roads through the plantation were built by Dow Bros using demolition materials from buildings demolished in Perth including the old Perth prison. None of that area is pristine native woodland. The only question is - how close to the north

of Scone do we want the road and how much recreational ground do we want on the south side of the road close to the 'village'.

- North away from residents
- Surely we should be preserving our broadleaf woodland areas not destroying them? Please give this some serious thought. The newly proposed road (north) cuts through the wonderful beech woods at Langedge, which are rated one of the finest in our area. Obviously I favour the PKR route. PH2 6SD
  - The new proposed route goes along the current path between the plantation and Muirward woods. It doesn't go through the beech trees. Sorry it's not clear.
- Stay where it is, the less damage done to the woods the better, especially to the beautiful beech woods at Langedge which you are proposing to put the road straight through. I walk in these woods daily and it would be awful to lose such a large chunk as proposed in your north route. PH26RB.
  - The new proposed route goes along the current path between the plantation and Muirward woods. It doesn't go through the beech trees. Sorry it's not clear.
- This will not make the slightest difference to traffic in Bridgend. The houses planned on the other hand will make a big difference to an already over congested and polluted Bridgend. Which is also a scary place to cycle.
- PKC route preferred, less damage to the Woodland. What happened to concern re habitat and wildlife? You now want road going through more woodland! Why? Question Who owns the land being cut through on the PKC route? PH26GB
  - Who do you think?
  - the new proposed route goes along the just below current path between the plantation and Muirward woods. It doesn't go through the woods, it's still in the plantation just higher up.
- I have given this more thought and looking at the map.....surely there is room for manoeuvre re the siting of the newly proposed road which would not involve destroying the deciduous woodland at Langedge which we, in Scone, should be cherishing and preserving for future generations
  - Agree, but the proposed route is still in the plantation, just away from the village and new houses.
- mind that there was route marked out away back in 1958/9 .. the same way as spoken again today. ....should have done that years ago it will relieve Perth a bit....all for it...
- I say move it Northwards, but the Council will do what the builders tell them to do. Same as ever.
- Please keep the road as planned. We cannot keep destroying our crucial green space. PH13 9PB
  - The planned route is within the plantation, not in the woods. Hope that clarifies
- North ph2 6rw
- North PH26LD
- North. PH2 6SJ
- H2 6NX. Keep the plan where it is. The deciduous forest should be left alone and let the plantation be destroyed.
  - The new proposed route goes along just below the current path between the plantation and Muirward woods. It doesn't go through the woods, only the top end of the plantation.
- Move it North away from houses and proposed school. Ph2 6qq



# PERTH AND KINROSS COUNCIL

19 June 2019

## ANNUAL TREASURY REPORT 2018/19

Report by Head of Finance (Report No. 19/190)

### PURPOSE OF REPORT

This report summarises the Council's treasury activities for the 2018/19 financial year and compares actual performance with the approved Treasury and Investment Strategy for 2018/19.

### 1. BACKGROUND / MAIN ISSUES

- 1.1 A requirement of the Council's approved Treasury Management Practice 6 (TMP6 – Reporting Requirements & Management Information Arrangements) is the reporting to the Council of the expected treasury activity for the forthcoming year (i.e. the Treasury and Investment Strategy) and the subsequent reporting of the actual results and activities (i.e. this Annual Treasury Report). The Council meeting on 7 March 2018 approved the Treasury Strategy for the 5 financial years 2018/19 to 2022/23 and the annual Investment Strategy for 2018/19 (Report No. 18/67 refers).
- 1.2 This Annual Treasury Report covers:
  - The Council's treasury position
  - The forecast economic outlook and borrowing strategy for 2018/19
  - The actual economic situation for 2018/19
  - Actual long term borrowing and repayments in 2018/19
  - The Statutory Loans Fund position
  - The Investment Strategy and outturn for 2018/19
  - Compliance with treasury policies and limits during 2018/19

### 2. THE TREASURY POSITION

- 2.1 In order to place this report in context, the Council's Treasury position at the beginning and at the end of the year is shown below:

	Principal 31 Mar 2018 £M	Average Rate %	Principal 31 Mar 2019 £M	Average Rate %
Fixed Rate/Long Term Funding				
• Public Works Loan Board (PWLB)	310.0	3.15	340.0	3.03
• Market & Local Authority Bonds	43.2	4.59	43.2	4.59
• Other Loans & Bonds*	<u>0.5</u>	<u>0.00</u>	<u>0.4</u>	<u>0.00</u>
	<u>353.7</u>	<u>3.32</u>	<u>383.6</u>	<u>3.20</u>
Variable Rate/Short Term Funding				
• Temporary Loans	2.5	0.17	2.4	0.18
• Internal Loans	<u>2.3</u>	<u>0.51</u>	<u>2.1</u>	<u>1.04</u>
	<u>4.8</u>	<u>0.33</u>	<u>4.5</u>	<u>0.59</u>
<b>TOTAL DEBT</b>	<b><u>358.5</u></b>	<b><u>3.28</u></b>	<b><u>388.1</u></b>	<b><u>3.17</u></b>
<b>SHORT TERM INVESTMENTS</b>	<b>37.6</b>	<b>0.73</b>	<b>50.8</b>	<b>1.01</b>
*Interest free loans from Salix and the Scottish Government				

### 3. THE FORECAST ECONOMIC OUTLOOK AND BORROWING STRATEGY 2018/19

3.1 Following a period of above-target inflation and rising economic activity it was anticipated that there would be gradual increases in interest rates, with only one increase in the Bank base rate expected during the year. The Council's Treasury strategy for 2018/19 was, therefore, based on the view that interest rates were expected to remain relatively low throughout most of the year. In addition, the volatility in the global economy was expected to continue, particularly around the "Brexit" negotiations and political and economic uncertainties. This made it difficult to forecast interest rates with any degree of certainty. Subject to this uncertainty, medium and longer term interest rates were expected to rise slowly throughout 2018/19 and future years and remain at a higher level than short term rates.

3.2 The effect on interest rates for the UK was, therefore, expected to be as follows:

- Short-Term Interest rates – it was anticipated that the Bank base rate would increase gradually from 0.50% at the start of the year, with only 2 rises of 0.25% over the next 2 years. The increases in the Bank Rate could be brought forward if inflation remained high, however uncertainty surrounding "Brexit" negotiations meant that any increase could be delayed further. It was still expected that there would be steady increases in later years.
- Long-Term Interest Rates – it was anticipated that long term Public Works Loan Board (PWLB) rates would slowly increase during the year, with the rate for 10 year borrowing rising from 2.30% to around 2.5% by the end of the year (March 2019). For 50 year borrowing, rates were expected to increase from 2.46% to around 2.90%.

- 3.3 The estimated capital borrowing for 2018/19 at the start of the year was £51.6M, with the new borrowing requirement over the remaining four year period of the Capital programme totalling £230.1M. This included refinancing maturing debt over the period and reflected the borrowing requirement of the Capital Budget approved by the Strategic Policy & Resources Committee in February 2018. The borrowing requirement was also significant as the start of 2018/19 coincided with the period of low forecast interest rates, whilst both the borrowing requirement and interest rates were expected to steadily rise over the coming years.
- 3.4 Effective Treasury Management considers the longer-term position in order to minimise costs and risks in the Council's portfolio. Therefore, given the forecasts outlined above, consideration was to be given to borrowing for future year requirements earlier within the 5 year period, whilst rates were at their forecast low point, particularly if they started to rise quickly. This approach is consistent with the Prudential Code, but should be considered in conjunction with the assessment of the additional risks and potentially low returns from the resultant short-term increase in the level of investments.
- 3.5 Whilst the use of short term borrowing would initially be cheaper, the use of longer term borrowing would give rise to longer term savings and reduce the refinancing risk in later years. However, if rates stayed low, new borrowing could be delayed and short term borrowing used to meet immediate cashflow requirements.
- 3.6 The approved Treasury Strategy also allowed for consideration of other market borrowing instruments where they offered favourable rates and terms. However, the associated risks due to their variable rate nature and their less flexible terms in comparison to the Public Works Loan Board would also need to be considered.
- 3.7 The Council has traditionally adopted a policy of minimising exposure to risk, thus favouring fixed longer term borrowing. However, it was acknowledged that there were several factors which could impact on interest rates over the year. Therefore, the Council sought to apply an approach of managing risk and monitoring interest rates on an ongoing basis with a view to reviewing this strategy should circumstances change.

#### **4. ACTUAL ECONOMIC SITUATION 2018/19**

- 4.1 2018/19 was another unsettled year for the financial markets. Economic growth in the UK was 0.4% in the first quarter, rising to 0.6% in the second quarter, before falling to 0.2% by the final quarter. At the same time, Consumer Price Index (CPI) inflation steadily fell over most of the year from 2.4% at the start of the year to 1.8% in March 2019. Unemployment levels also fell throughout the year whilst average earnings exceeded the rate of inflation for most the year.

- 4.2 However, the most significant factor affecting the economic situation in the UK was the continuing uncertainty around the impact of “Brexit” and the ongoing withdrawal negotiations. However, global political tensions in America and China and the threat of increased trade tariffs also impacted the financial markets, resulting in ongoing volatility. After briefly falling sharply in May, gilt yields increased gradually over the first half of the year due to anticipated increases in the Bank base rate. However, due to growing political uncertainties as Brexit deadlines came closer, yields subsequently drifted lower as investors sought safe-haven investments. Towards the end of the financial year, rates fell sharply as a result of the growing uncertainties.
- 4.3 The Bank of England’s Monetary Policy Committee (MPC) increased the Bank base rate to 0.75% in August 2018 as economic activity improved and inflation remained above target. The MPC also advised that subsequent increases would be necessary, however they would be gradual. Subsequently, economic activity and inflation declined in the UK and globally. At the same time, “Brexit” negotiations intensified towards the end of the year, particularly in March 2019. This resulted in longer dated gilt yields falling towards the end of the year, as well as pushing back expectations of increases in the Bank Base Rate.
- 4.4 Consequently, the 10 year PWLB was 2.23% at the start of the year, and fell to 2.1% by the end of May 2018. This was followed by a period of increases until they peaked at 2.50% in October, before steadily falling to their low point of 1.80% at the end of March 2019. The 50 year rate followed a similar pattern, starting the year at 2.29%, falling to 2.25% in May 2018, and then rising to peak at 2.79% in October. This was followed by steady declines to their low point of 2.16% at the end of March 2019. All PWLB fixed rates were lower than forecast in the original strategy.
- 4.5 Various PWLB Certainty Rates for the year are shown graphically at Appendix I. It should be noted that the 20 and 30-year rates remained higher than the 50-year rate throughout the year, and thus the longer-dated 50 year rates offered particular value for borrowing.
- 4.6 Investment deposit rates increased slightly in the second half of the year from a relatively low level. This reflected the increased Bank base rate during the year, as well as expectations of further increases in the Bank Rate in the future. The average rate on the Council’s investments at the start of the year was 0.73%, which increased to 1.01% at the end of the year.

## **5. ACTUAL LONG TERM BORROWING & REPAYMENTS**

- 5.1 The actual treasury activities during 2018/19 were comprehensively detailed in the four quarterly Treasury reports previously submitted to the Council (Report No’s 18/323, 18/415, 19/58 and 19/126 refer).

- 5.2 As noted in paragraph 3.3 above, before the start of the year, the Council's estimated new capital borrowing for 2018/19 was £51.6M, and the actual borrowing strategy would be subject to review, for example if interest rates started to increase rapidly. This may have included borrowing of future year's requirements.
- 5.3 A total of £40M of new longer-term borrowing was undertaken over the course of the year from the PWLB at an average rate of 2.20% and for an average period of 39 ½ years. This consisted of:
- £10M in May 2018, for 50 years at 2.25%
  - £10M in December 2018, for 49 years at 2.38%
  - £20M in March 2019, of which £5M was borrowed for 9 years at 1.93%, £5M for 10 years at 1.90% and £10M for 50 years at 2.24%.
- 5.4 The reduced borrowing reflected some slippage in the capital budget during the year as well as a positive cashflow for the Council. In addition, with the political uncertainties continuing to affect the financial markets, the low borrowing rates were expected to continue for some time longer. Consequently, delaying some new borrowing reduced the increase in the level of investments in the short term.
- 5.5 The Council's scheduled repayments to the PWLB during the year related to 2 maturing loans which had been borrowed for 9 and 9 ½ years totalling £10M at an average interest rate of 3.44%. The average PWLB debt portfolio rate for the Council reduced from 3.15% at the start of the year, to 3.03% for the total of £340M of PWLB debt held by the Council at 31 March 2019.
- 5.6 In addition, scheduled instalments totalling £56,890 of the Council's interest-free loan with Salix Finance were repaid during the year. Overall, the Council's total Fixed Rate borrowing increased by £29.9M to £383.6M, whilst the average rate reduced from 3.32% to 3.20%.
- 5.7 Short term variable funding at the year-end reduced slightly from £4.8M at 31 March 2018 to £4.5M at 31 March 2019. The reduction mostly relates to a reduced level of internal deposits from the Common Good and Charities over the year.
- 5.8 As a result of the above strategy and actual treasury activities in the year, the Council's average Consolidated Loans Fund (CLF) interest rate reduced from 3.19% in 2017/18 to 3.00% in 2018/19 (based on applying statutory guidance). This decrease reflects the impact of borrowing at lower rates and the full impact of the debt rescheduling exercises undertaken during the previous year.
- 5.9 A comparison of the Council's CLF rate over recent years with the average for other Scottish Local authorities is shown graphically at Appendix II. Whilst figures for the Scottish average will not be published for 2018/19 until the autumn, this graph shows that over time, this Council's average borrowing costs have reduced to a level significantly below the Scottish average. This equates to savings in Loan Charges of around £2.9M per annum on the Council's portfolio compared to the Scottish average.

## 6. STATUTORY LOANS FUND

6.1 The Loans Fund is an internal fund operated by the Council to manage:

- The write down (or “amortisation”) of capital expenditure (capital advances) over the life of the various assets being funded by borrowing as part of the Council’s Loan Charges, and
- To manage the external borrowing raised to finance the capital expenditure.

6.2 Whilst both these elements of the Loans Fund operate independently of each other, because they are based on the same capital plans of the Council, they will broadly be consistent to each other over the long term. However, significant differences may arise in the short-term due to, for example, delaying external borrowing, or borrowing in advance in light of prevailing interest rates, or where the Council has significant levels of Reserves.

6.3 The approved Loans Fund policies allow the amortisation of capital expenditure (advances) for periods of up to 50 years in line with the asset useful lives, using the annuity method. The repayment of Loans Fund advances are also deferred until the asset being funded is completed and operational.

6.4 It is a requirement of the Loans Fund regulations that the outstanding amount of Loans Fund advances at the end of each financial year is reported as part of the annual report. The value of Loans Fund advances outstanding at 31 March 2019 is £432,324,498 (subject to completion and audit of the Council’s Annual Accounts). This is made up as follows:

- Capital Advances outstanding 1 April 2018 - £399,997,423
- Add New capital Advances 2018/19 - £44,854,932
- Less Capital Advances repaid in the year - £12,527,857

6.5 The future repayment of these advances is summarised in the table below:

	Core Composite Programme	Prudential Borrowing	Sub-Total: General Fund	Housing Revenue Account	TOTAL
(£'000)					
Within 1 Year	3,804	2,751	<b>6,555</b>	4,443	<b>10,998</b>
Between 1 and 2 Years	3,823	2,632	<b>6,455</b>	3,980	<b>10,435</b>
Between 2 and 5 Years	10,295	6,001	<b>16,296</b>	10,149	<b>26,445</b>
Between 5 and 10 Years	10,201	5,194	<b>15,395</b>	22,032	<b>37,427</b>
Between 10 and 15 Years	2,278	3,881	<b>6,159</b>	21,988	<b>28,147</b>
Between 15 and 20 Years	21,709	2,970	<b>24,679</b>	13,829	<b>38,508</b>
Between 20 and 25 Years	25,862	2,834	<b>28,696</b>	3,455	<b>32,151</b>
Between 25 and 30 Years	34,049	3,451	<b>37,500</b>	2,360	<b>39,860</b>
Between 30 and 35 Years	37,139	4,290	<b>41,429</b>	6,218	<b>47,647</b>
Between 35 and 40 Years	38,511	4,959	<b>43,470</b>	6,064	<b>49,534</b>
Between 40 and 45 Years	52,387	3,074	<b>55,461</b>	4,427	<b>59,888</b>
Between 45 and 50 Years	40,867	2,236	<b>43,103</b>	5,009	<b>48,112</b>
Over 50 Years	3,172	0	<b>3,172</b>	0	<b>3,172</b>
<b>TOTAL</b>	<b>284,097</b>	<b>44,273</b>	<b>328,370</b>	<b>103,954</b>	<b>432,324</b>

- 6.6 Comparison of the capital advances above with the long term external debt shown in paragraph 2.1 demonstrates that actual capital expenditure funded by borrowing is higher than the actual borrowing undertaken to date (around £48.7M). This reflects the strategy adopted in recent years of utilising short term cash balances (which have arisen due to the levels of Reserves held by the Council in the short term) before undertaking new borrowing. This strategy has reduced the risks and low returns associated with investments in recent years.
- 6.7 The last report to the Strategic Policy & Resources Committee on 17 April 2019 (report 19/111) approved adjustments to the General Fund Composite Capital Budget and Housing Investment Programmes. The amount of capital expenditure to be funded by borrowing (ie new Loans Fund advances) in each of the next 10 years as approved in April is as follows:

	Composite Programme	Housing Investment Programme	TOTAL
(£'000)			
2019/20	33,776	11,520	<b>45,296</b>
2020/21	70,823	6,665	<b>77,488</b>
2021/22	88,610	4,064	<b>92,674</b>
2022/23	94,087	6,854	<b>100,941</b>
2023/24	29,599	24,739	<b>54,338</b>
2024/25	10,936	0	<b>10,936</b>
2025/26	10,606	0	<b>10,606</b>
2026/27	10,427	0	<b>10,427</b>
2027/28	8,386	0	<b>8,386</b>
2028/29	9,383	0	<b>9,383</b>
<b>TOTAL</b>	<b>366,633</b>	<b>53,842</b>	<b>420,475</b>

- 6.8 All the above Loans Fund repayments and new borrowing have been included in the Loan Charge estimates within the approved Medium Term Financial Plan, and therefore remain affordable under the current Loan Charge Budget strategy. This also includes estimates of new borrowing in the years beyond 2028/29.

## 7. INVESTMENT STRATEGY AND OUTURN 2018/19

- 7.1 Short term deposit rates remained at low levels throughout the year, however they did increase from August 2018 following the increase in the Bank base rate. The low deposit rates also reflect funding requirements for banks, which make it less attractive for banks to hold short term cash deposits. Therefore, instant access and short term deposit rates offered by most banks and institutions remained low relative to the bank base rate.
- 7.2 As a result of the Council's positive cashflow, the level of investments steadily increased in the first half of the year, largely in the form of fixed rate deposits. With less long-term borrowing being undertaken in this period, the level of investments generally reflected the Council's cashflow on a day to day basis. As the cashflow becomes less positive in the second half of the year, the level

of investments subsequently reduced. However, with most of the long term borrowing undertaken later in the year, the level of investments did increase again towards the end of the year. The level of investments stood at £37.6M at the start of the year, and peaked at £81.5M in October, before ending at £50.8M at 31 March 2019.

- 7.3 For shorter investment periods, notice deposit accounts and money market funds held by the Council provided a higher return on investments than rates available on instant access bank accounts and shorter term fixed deposits. In particular, notice deposit rates for just over 3 months with some of the banks were particularly competitive and increased relative to other investment rates. These facilities also helped to meet short term cashflow requirements and keep within counterparty limits.
- 7.4 During the year, no investment was made for more than 12 months, and all investment activities were in line with the approved strategy for 2018/19. The average rate on investments outstanding at 31 March 2019 was 1.01% (0.73% at 31 March 2018). This increase in the average rate over the year reflected the increase in the Bank base rate and the notice account rates used. In comparison, the average temporary borrowing rate for the year was 0.37%. Total interest received on investments in 2018/19 amounted to £462,700 (£278,595 in 2017/18). This reflected the increased level of investment activity during 2018/19, as well as the higher rates available.
- 7.5 The original Strategy also anticipated that investments would not exceed £70M during the year unless, for example, new borrowing was undertaken early in the year or the Council's expenditure during the year was later than anticipated. As described in paragraph 5.3, £40M of new borrowing was undertaken in the year, and was spread throughout the year. In addition, some short term borrowing was undertaken in advance of requirements to secure lower rates, whilst expenditure within the Capital Programme reduced from the previous year. Consequently, the level of investments peaked at £81.5M in October 2018. The level of investments subsequently reduced over the remainder of the year.
- 7.6 All financial investments by the Council's Common Good Funds and Charitable Trusts were made through the Council's Loans Fund, in accordance with the Council's and Common Good Fund's policy for Permitted Investments. As a result, £2,124,000 of Common Good funds and Charitable Trusts were placed on deposit with the Loans Fund for periods of between 6 and 12 months at an average rate of 1.04%.
- 7.7 Any investments held with external fund managers are outside the scope of the investment regulations, as they all relate to funds held by Council administered Charities or Trusts.
- 7.8 The Annual Property Investment Strategy for 2018/19 was also approved by the Council at its meeting on the 7 March 2018 (Report 18/67 refers) and was complied with in full, with no breaches in compliance with permitted investment limits.

7.9 The budgeted income from the Council's property portfolio for 2018/19 was originally projected to be £1,707,000, and subsequently increased to £1,717,000. The actual income from the Council's property portfolio in 2018/19 was £1,783,437, a reduction of £87,000 from the position previously reported to Committee. The reduction reflects actual levels of activity through the financial year.

7.10 There were no additional risks identified or new property investments entered into over the year. The strategy action plan remained on programme.

## **8. COMPLIANCE WITH TREASURY POLICIES AND LIMITS**

8.1 There were no breaches of compliance with the Council's approved borrowing and investment policies and strategy in 2018/19. All aspects of the Prudential Code, including Prudential Indicators and limits, were also fully adhered to throughout the year.

## **9. CONCLUSION AND RECOMMENDATIONS**

9.1 Global economic and political uncertainties have kept UK interest rates low for several years. During 2018/19 longer term rates continued to fall, particularly due to political tensions and uncertainties. There was, however, an increase in the Bank base rate in August 2018. With long term rates originally forecast to increase over the year, the borrowing strategy was to undertake borrowing when rates were relatively low. However, with long term rates falling to historical low levels during the year, and expected to remain low, the amount of new borrowing was lower than the Borrowing Requirement. The Council's long term PWLB debt portfolio increased over the year by £30M, whilst the average interest rate fell to 3.03%.

9.2 There was increased investment activity as a result of the positive cashflow in the first half of the year, however, investment activity reduced over the remainder of the year. Investment rates increased in line with the Bank base rate from August 2018.

9.3 There were no breaches of compliance with the lending policy and all Prudential Indicators were complied with throughout the year. As a result of the activities undertaken during 2018/19 the Council's plans remain affordable, prudent and sustainable. The report also includes detailed information on the repayment profiles and future estimates of Loans Fund Advances.

9.4 The Council's Consolidated Loans Fund (CLF) rate for the year reduced from 3.19% last year to 3.00%. The Council's CLF continues to be below the Scottish average, and equates to around £2.9M in savings compared to the average for Scottish local authorities.

9.5 It is recommended that the Council notes the content of this report, which is submitted in accordance with the Council's approved Treasury Management Practices (TMPs).

**Author(s)**

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**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Stewart MacKenzie	Head of Finance	8 May 2019
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	14 May 2019

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All Council Services can offer a telephone translation facility.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	None
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
<b>Assessments</b>	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	None
Risk	None
<b>Consultation</b>	
Internal	Yes
External	Yes
<b>Communication</b>	
Communications Plan	None

### 1. Strategic Implications

#### Corporate Plan

1.1 The Council's Corporate Plan 2018 – 2023 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

1.2 This report relates to all of these objectives.

### 2. Resource Implications

#### Financial

2.1 There are no direct financial implications arising from this report other than those reported within the body of the main report.

### Workforce

- 2.2 There are no direct workforce implications arising from this report other than those reported within the body of the main report.

### Asset Management (land, property, IT)

- 2.3 There are no direct asset management implications arising from this report other than those reported within the body of the main report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 The information contained within this report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and has been assessed as **not relevant** for the purposes of EqIA.

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

### Sustainability

- 3.5 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.6 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

## **4. Consultation**

- 4.1 The Chief Executive, and the Council's Treasury advisors, Capita Asset Services, have been consulted in the preparation of this report.

## **2. BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

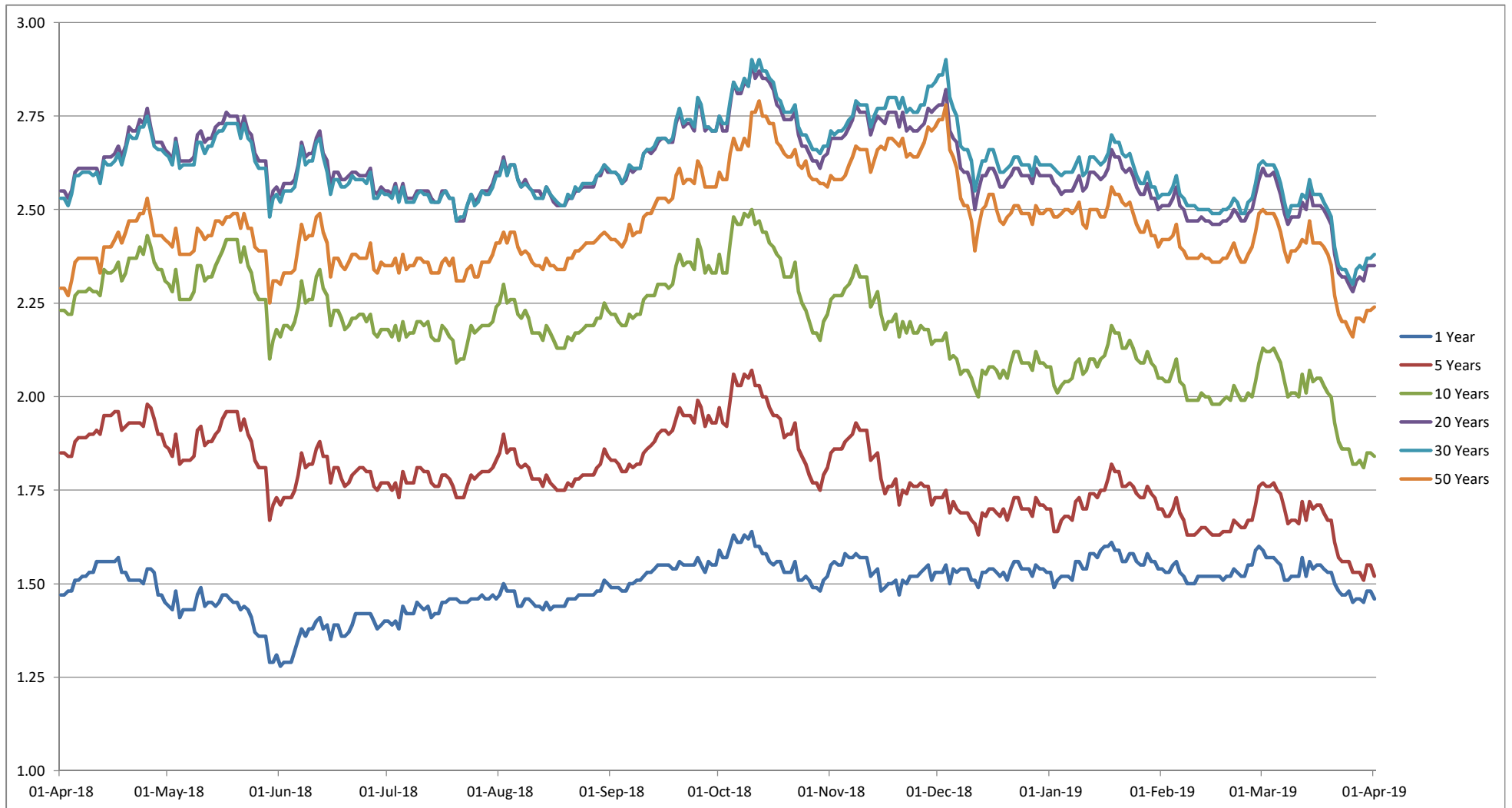
## **3. APPENDICES**

- Appendix I – PWLB Fixed Maturity Interest Rates From 1 April 2018 to 1 April 2019.
- Appendix II – Average Loans Fund Rates.



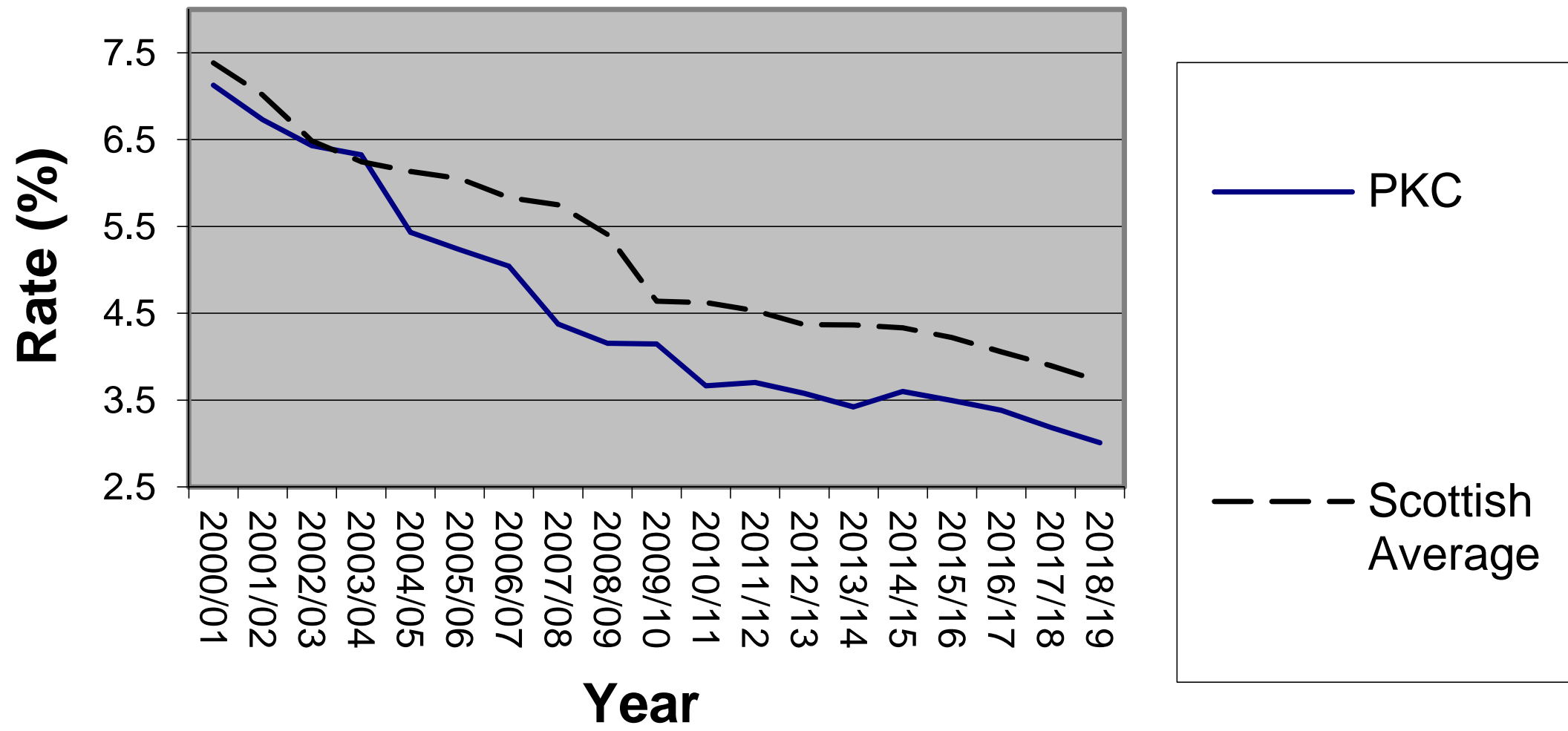
# PWLB INTEREST RATES

Appendix I





# Average Loans Fund Rates





## PERTH AND KINROSS COUNCIL

19 June 2019

### UPDATE ON GAELIC LANGUAGE PLAN 2018-23

Report by Depute Chief Executive, Chief Operating Officer (Report No. 19/191)

#### PURPOSE OF REPORT

This report provides Council with an update on implementation of the Perth and Kinross Council Gaelic Language Plan 2018 – 2023.

#### 1. BACKGROUND / MAIN ISSUE

- 1.1 The Council's second [Gaelic Language Plan \(GLP\) 2018-2023](#) prepared under section 3 of the Gaelic Language (Scotland) Act 2005 was approved by Full Council on 20 December 2017.
- 1.2 The GLP is a statutory plan and supports the delivery of the objectives of the National Plan for Gaelic. The 2018 – 2023 PKC Gaelic Language Plan was approved by Bòrd na Gàidhlig on the 8 March 2018.

#### 2. PROGRESS WITH IMPLEMENTATION

- 2.1 The GLP sets out four corporate steps/commitments for Gaelic which include targets in relation to increasing the use of Gaelic, the learning of Gaelic at all levels and the promotion of Gaelic.
- 2.2 The commitments are set out under 4 steps and progress over the first year of the plan is detailed below.

**Step 1: We recognise Gaelic as a living language. We will increase the visibility and use of Gaelic with our staff, communities and partners.**

- 2.3 The Council has continued to actively promote Gaelic services demonstrating equal respect for Gaelic and English in delivering bilingual services and resources. 7 corporate documents were published in Gaelic and English during 2018/19.
- 2.4 The Council has increased the presence of Gaelic in its social media posts including the promotion of Gaelic services and events.
- 2.5 The Gaelic translation of the Council name is now used on the Council website and staff are encouraged to have bilingual email signatures.
- 2.6 Bilingual signage was installed at Perth Academy in 2018/19. Future sign replacements will incorporate bilingual directions where appropriate

**Step 2: We will continue to develop and invest in frontline services which enable Gaelic to be spoken and learned at home, at school and in the community.**

- 2.7 Two informal groups for 0-5s are delivered in Perth and Aberfeldy areas where Gaelic education is also available at primary/secondary school. The numbers of young people and parents accessing these groups continue to increase with over 80 children registered in 2019. Work is being carried out to recruit Gaelic early childhood practitioners for Gaelic Medium Nursery provision at Goodlyburn Primary school and Breadalbane Academy. A question on Gaelic provision was included in the early learning and childcare consultation with parents/carers 2018/19.
- 2.8 The Council works with the Scottish Book Trust and Culture Perth and Kinross to deliver regular Gaelic Bookbug sessions across Perth & Kinross with monthly sessions taking place at AK Bell Library and Goodlyburn Primary School. Additional sessions have taken place in Crieff, Kinross, Alyth, Blairgowrie and Aberfeldy in 2018/19. Gaelic input has been included in Bookbug Session Leader Training in Perth & Kinross.
- 2.9 The numbers of pupils entering Gaelic Medium Education (GME) have continued to increase on an annual basis with a total of 48 pupils in GME in 2018/19, this is an increase of 10 pupils since 2017/18. The Council continues to promote and raise awareness of GME and has introduced an annual programme of transition sessions for early years at both primary schools where GME is available.
- 2.10 The Council continues to support Gaelic Education in secondary schools and throughout 2018/19 worked with Developing The Young Workforce Perth & Kinross to include Gaelic within three careers events focusing on Tourism and Hospitality.
- 2.11 We have continued to support Gaelic Learners Education in Primary Schools (GLPS) across Highland Perthshire. In 2018/19 St Dominics Primary School in Crieff began delivering GLPS which increased the number of primary pupils accessing Gaelic language learning from 619 to 654. GLPS training courses are offered to all primary teachers in Perth and Kinross and support Gaelic as part of the 1+2 initiative.
- 2.12 There are currently 8 Gaelic classes for adults delivered by PKC in communities across Perth and Kinross, this includes Perth, Aberfeldy and Rattray with 149 adult learners in 18/19. Gaelic language taster sessions have also been delivered across the area with a total of 321 participants.
- 2.13 Through funding from Bòrd na Gàidhlig's Gaelic Language Act Implementation Fund (GLAIF) fund the Council has delivered 15 community learning events and activities for all ages exploring Gaelic language and culture in 2018/19 this includes an Gaelic Days and evening events in Kinross, Perth, Aberfeldy, Crieff and Alyth.

**Step 3: Our people are central to delivering great public services. We will develop and invest in their Gaelic learning.**

- 2.14 Gaelic language skills training and development are offered to all PKC staff, elected members and staff working for our community planning partners. These opportunities are mainly funded with GLAIF funding. This includes weekly classes, one off taster sessions, Gaelic awareness sessions, exploring Gaelic in the Perth and Kinross landscape, conversation classes and supporting staff to attend distance learning and short courses. At total of 299 staff have benefited from Gaelic Learning Opportunities in 18/19, this includes sessions exploring the Gaelic Landscape across Perth and Kinross.
- 2.15 Staff working in Gaelic including those working in education are supported to maintain and develop their language skills and professional practice through providing workplace learning opportunities, supporting them to attend national conferences and networking events and providing support towards short and distance learning courses.

**Step 4: Gaelic is part of our heritage and our modern day Story of Place. We will actively promote it as part of the unique cultural identity of Perth and Kinross.**

- 2.16 The first annual volunteer-run Fèis takes place in September 2019. The council has worked with community groups, individuals and national organisation Fèisean nan Gàidheal to support the development of this event. *Fèis Thatha* (Tay) will provide young people and adults from across Perth and Kinross with the opportunity to explore Gaelic language and traditional music through a weekend of tuition.
- 2.17 Perth will host the 2021 Royal National Mòd. The Council is working with national organisation An Comunn Gàidhealach and local partners to deliver the event which will take place from the 8<sup>th</sup> – 16<sup>th</sup> October 2021. This will be the first time Scotland's premier Gaelic festival has been in Perth for 17 years. The Annual Perthshire and Angus Provincial Mod has been held in Aberfeldy for almost 100 years. It currently takes place within the Breadalbane Academy Community Campus in June each year. It is one of the biggest Provincial Mods in Scotland and regularly attracts over 700 junior and senior competition entries. The junior entries include many of the pupils from the GMPE schools.
- 2.18 Gaelic language and culture has been highlighted within large-scale Council-run events including Perth's Hallowe'en Weekend, the Perth Salute and Riverside Light Nights programme.
- 2.19 The Council has worked in partnership with local cultural organisations and community groups to support and develop an annual programme of Gaelic events and activities for all ages across the area. This includes:-
- The development of the Hamish Matters Festival in Eastern Perthshire;
  - Soutar Festival of Words 2019 with Culture Perth & Kinross;

- Two Gaelic days in partnership with Birks Cinema, Aberfeldy;
- Gaelic learning and arts events at Kinross Winter festival;
- Book Week Scotland events in Perth, Kinross and Alyth.

2.20 Visit Scotland launched the Gaelic Tourism Strategy for Scotland 2018 - 23 in October 2018. PKC formed part of the working group in the development stages in the plan. This included identifying opportunities in the Perth and Kinross area.

### **3. RESOURCING THE PLAN**

3.1 The Council applies for assistance from external bodies for specific programmes.

3.2 A bid is submitted to the Scottish Government Grant for Gaelic Education on an annual basis. £110,000 was received for 2018/19. The same amount has been received for 2019/20.

3.3 The Council submitted 2 successful funding bids to Bòrd na Gàidhlig's GLAIF securing funding for the following projects in 2018/19 to support GLP progress:

- Gaelic in The Community - £14,650 for the delivery of Gaelic activities and events, which include traditional music and adult learning classes, across Perth and Kinross.
- Gaelic in The Workplace - £11,400 for the delivery of workplace language classes and staff development opportunities for PKC staff and CPP staff.

3.4 Funding was also secured from Bòrd na Gàidhlig's Early Years fund to support the delivery of early year's provision through venue and play assistant costs for two Gaelic Playgroups.

### **4. MONITORING AND IMPLEMENTATION OF OUR PLAN**

4.1 The 2018 – 2023 GLP was developed by a working group consisting of officers from across the Council including:

- Human Resources
- Organisational Development
- Corporate Communications
- Education and Children's Services
- Culture & Community Services
- Community Planning
- The Environment Service
- Corporate Finance

4.2 The working group will continue to monitor the plan on a quarterly basis.

## **5. WORKING WITH PARTNERS AND EXTERNAL AGENCIES**

- 5.1 The Council works closely with local partners, community groups and organisations to deliver the actions in the Gaelic Language Plan.
- 5.2 The Gaelic in The Workplace initiative has supported staff from partners to develop their awareness of Gaelic and Gaelic languages skills. This includes staff from Culture Perth & Kinross, PKAVS, Scottish Natural Heritage, Police Scotland, Horsecross Arts, P&K Heritage Trust and P&K Countryside Trust.
- 5.3 The Council participates in national working groups for Gaelic Education, Gaelic Language Planning, Early Years and Community Learning and Development alongside other local authorities and public bodies.
- 5.4 A regional group for Gaelic in the east of Scotland has been formed by PKC, Dundee City Council, Fife Council, Aberdeen City Council and Angus Council. This group has recently secured funding for a research project into Gaelic in the east of Scotland. A team from the University of Aberdeen will lead on this.

## **6. AREAS FOR FUTURE FOCUS**

- 6.1 Overall, good progress has been achieved with implementation of the Perth and Kinross GLP in key areas.
- 6.2 In Bòrd na Gàidhlig feedback to the Council, the following areas were highlighted as requiring further development:
- Ensuring Council signage, logos and social media communications are bilingual.
- 6.3 An annual update on the plan to BnG is due in March 2020.

## **7. CONCLUSION AND RECOMMENDATION(S)**

- 7.1 This report details the strong progress made towards implementation of the Gaelic Language Plan 2018-2023.
- 7.2 It is recommended that the Council:
- (i) Note the progress made in implementation of the Gaelic Language Plan 2018-2023 and feedback from Bòrd na Gàidhlig on strengths and areas for future development.

### **Author(s)**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Aileen Ogilvie	Gaelic Development Officer	01738 475000

**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	14 May 2019

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	No
External	No
Communication	
Communications Plan	Yes

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

- 1.1 Successful delivery of the Gaelic Language Plan 2018-23 contributes to the delivery of the Perth and Kinross Community Plan / Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens

This report relates to Objective No (i) and (ii).

#### Corporate Plan

- 1.2 The Perth and Kinross Community Plan 2013-2023 and Perth and Kinross Council Corporate Plan 2013/2018 set out five strategic objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;

This report relates to Objective No (i) and (ii).

- 1.3 The report also links to the Education & Children's Services Policy Framework in respect of the following key policy area:

- Learning: Realising Potential

## **2. Resource Implications**

### **Financial**

- 2.1 The Council submits a bid to the Scottish Government Specific Grant for Gaelic Education on an annual basis and secured £110K in 2018/19
- 2.2 The Council submitted 3 successful funding bids to Bòrd na Gàidhlig GLAIF fund securing funding for the following projects in 2018/19:
- Gaelic in the community
  - Gaelic in the workplace

### **Workforce**

- 2.3 The Gaelic Language Plan has provided opportunities for staff development in relation to learning staff accessing Gaelic awareness and training classes.

### **Asset Management (land, property, IT)**

- 2.3 N/A

## **3. Assessments**

### **Equality Impact Assessment**

- 3.1 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as not relevant for the purposes of EqIA

### **Strategic Environmental Assessment**

- 3.2 The proposals have been considered under the Act and

However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

### **Sustainability**

- 3.3 N/A

### **Legal and Governance**

- 3.4 N/A

### **Risk**

3.5 N/A

## **4. Consultation**

### **Internal**

4.1 The Gaelic Language Plan Working Group was consulted in reporting on the progress of the Gaelic Language Plan 2018-23.

### **External**

4.2 Bòrd na Gàidhlig were consulted on our progress in implementing the Gaelic Language Plan 2018-23.

## **5. Communication**

5.1 The Gaelic Development Officer will communicate with the Gaelic Language Plan Working Group in implementing any recommendations.

## **6. BACKGROUND PAPERS**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

Gaelic Language Plan 2018-23.

## **7. APPENDICES**

7.1 A link to the Gaelic Language Plan 2018-23 is included in the introduction of this report.



## Appendix 1

## PERTH AND KINROSS COUNCIL

## Numbers of young people accessing Gaelic learning

	17/18	18/19
<b>Early Learning &amp; Childcare</b>		
Cròileagan Obar Pheallaidh (Aberfeldy Gaelic Playgroup)	33	42
Cròileagan Pheairt (Perth Gaelic Playgroup)	31	43
Breadalbane Academy Nursery (1 afternoon p/w)	5	8
<b>Gaelic Medium Education</b>		
Breadalbane Academy (Primary)	18	20
Goodlyburn Primary School	19	24
Breadalbane Academy (Secondary)	-	3
Perth Academy (Secondary)	1	1*
<i>*There were no P7s in Gaelic Medium at Goodlyburn in 17/18.</i>		
<b>Gaelic Learners (Secondary)</b>		
Breadalbane Academy	95	133
Perth Academy	5	2
<b>Gaelic Learners (Primary)</b>		
Total number of learners across 7 Primary Schools Glenlyon, Blair Atholl, Kinloch Rannoch, Pitlochry, Breadalbane, Royal School of Dunkeld and St Dominics RC.	619	654



# PERTH AND KINROSS COUNCIL

19 JUNE 2019

## PROPOSAL TO GRANT THE FREEDOM OF PERTH TO BRIGADIER SIR MELVILLE JAMESON KCVO CBE, LORD-LIEUTENANT OF PERTH AND KINROSS

Report by Chief Executive and  
Depute Chief Executive, Chief Operating Officer (Report No. 19/192)

### PURPOSE OF REPORT

This report relates to a proposal to grant the Freedom of the City of Perth to Brigadier Sir Melville Jameson KCVO CBE on his retirement as Lord-Lieutenant of Perth and Kinross.

### 1. BACKGROUND

- 1.1 A Lord-Lieutenant is the British monarch's personal representative in each county of the United Kingdom. Historically, each Lieutenant was responsible for organising the county's militia however the Lord-Lieutenant is now an honorary titular position usually awarded to a notable person in the county.
- 1.2 The current Lord-Lieutenant of Perth and Kinross, Brigadier Sir Melville Jameson KCVO CBE, is due to retire from this position as Lord-Lieutenant on 17 July 2019 after nearly 14 years service in this position.

### 2. EXECUTIVE SUMMARY

- 2.1 During his tenure, the Lord- Lieutenant has fully embraced the role of ambassador for Perth and Kinross to promote Perth and Kinross at every opportunity - its tourism, its products, its businesses and its charities, and more. Some of his many highlights including his role in securing high profile royal visits to the area are detailed below.
- 2.2 Section 206 of the Local Government Scotland Act 1973 gives the Council power to grant individuals, who have made a special contribution to their area, Freedom of the City.
- 2.3 206 (1) states:

*A local authority may by resolution passed by not less than two thirds of the members voting therein at a meeting of the authority, the notice of which specifies the proposed admission as an item of business admit to be Honorary Freemen of their area persons of distinction and any persons who have rendered eminent service to their area*

- 2.4 Given his remarkable contribution and unwaivering support to the promotion and betterment of the Perth & Kinross area, it is considered appropriate to acknowledge this in an official way. It is proposed to request the Council to consider exercising its power under Section 206 of the Local Government (S) Act 1973 to grant the current Lord Lieutenant the Freedom of the City of Perth.

### **3. CONTEXT**

- 3.1 The Lord-Lieutenant has worked tirelessly raising the profile of Perth & Kinross. He has been instrumental in attracting a number of high profile events and securing royal visits to the area. The economic impact that can result from a Royal visit, major civic event or presentation of awards and medals should not be under-estimated.
- 3.2 His professional reputation, connections with people all around the world, and his passion and enthusiasm to promote the area have provided the perfect platform for him to carry out his role as Lord-Lieutenant.
- 3.3 As a champion of The Armed Forces and youth/military/cadet organisations he has forged close links with a number of voluntary groups and regimental, arts and heritage groups.
- 3.4 The Lord-Lieutenant was instrumental in developing and supporting the introduction of the City of Perth Salute. The now annual event has featured top international Royal Edinburgh Military Tattoo performers, which have attracted large audiences and generated significant income for city centre businesses.
- 3.5 He was a key supporter who championed Perth's city status bid and application process at the highest levels. His and many others efforts were rewarded when Perth was granted city status to mark HM The Queen's Diamond Jubilee in 2012.
- 3.6 His influence helped secure a number of high profile Royal visits to the area including:-
- Prince Charles and Prince Edward's attendance at the Perth 800 Celebrations on 1 & 2 June 2010.
  - the Queen and Prince Philip's visit to Perth on 6 July 2012 in the Queen's Diamond Jubilee year.
  - the visit by Earl and Countess of Strathearn to Strathearn on 29 May 2014.
  - Prince Charles' visit to Balhousie Castle and Glendelvine squirrel sanctuary on 22 July 2014.
- 3.7 He assisted with the establishment the first International Youth Band Festival in 2018. The 4 day festival was the first of its kind to be held in Scotland, and featured 300 young musicians from China & Hong Kong.

- 3.8 He also played a key role in bringing the City of Perth classic car parade to Perth in 2018, which was attended by Prince Michael of Kent. This was a very special event for the City and brought many visitors to the area.
- 3.9 Throughout his tenure he has advocated consistently for the reinstatement of the Lord Provostship title.
- 3.10 He has been and continue to be a strong supporter of the Council's bid to bring the Stone of Destiny to Perth.

#### **4. HISTORY OF FREEDOM CEREMONIES IN PERTH**

- 4.1 The last Freedom ceremony took place in July 2012 to mark the historic occasion of the visit to Perth in July 2012 by Her Majesty The Queen and His Royal Highness The Duke of Edinburgh in The Queen's Diamond Jubilee year.
- 4.2 The following table details the list of Burgesses and Freemen of the City of Perth since 1933.

29 September 1933	John Buchan, CH LLD MP (later Lord Tweedsmuir) of Elsfield Manor, Oxford
29 September 1933	Francis Norie-Miller JP FEIS of Cleeve, Perth
10 August 1935	Albert Frederick Arthur George, Duke of York, Earl of Inverness and Baron Killarney, KG PC KT GCMG GCVO
10 August 1935	Elizabeth Angela Marguerite, Duchess of York GBE
18 March 1938	Sir William MacKenzie, Lord Amulree FC GBE KC LLD
18 March 1938	Arthur Kinmond Bell of Kincarrathie, Perth
19 July 1947	The Black Watch (Royal Highland Regiment) (Freedom of entry into the City and Royal Burgh of Perth on ceremonial occasions with bayonets fixed, drums beating and colours flying)

19 July 1947	Field Marshall the Right Honourable Earl Wavell PC GCB GCSI GCIE CMG MC
27 May 1948	Winston Leonard Spencer Churchill, OM CH FRS MP
12 May 1956	Anthony Eden KG MC MP (later Lord Astor)
14 September 1961	Stanley Norie-Miller, Baronet MC DL JP of Murrayshall, Perth
24 July 1970	William Gordon Farquharson MC LLD CA of Tay Park, Isla Road, Perth
26 August 1978	Sir Neil Cameron KCB CBE DSO DFC
30 October 1982	David K Thomson CBE TD OStJ JP DL
8 May 2004	The Royal British Legion Scotland
8 May 2010	51st Highland, 7th Battalion, The Royal Regiment of Scotland (7 Scots) (Freedom of entry into the City and Royal Burgh of Perth on ceremonial occasions with bayonets fixed, drums beating and colours flying)
6 July 2012	HRH Prince Philip, The Duke of Edinburgh

## 5 PROPOSALS

- 5.1 It is proposed that the Council agree to grant the Freedom of the City of Perth to Brigadier Sir Melville Jameson KCVO CBE in recognition of his service to the Perth and Kinross area.
- 5.2 On Sunday 18 August 2019, the Council is staging the City of Perth Salute event. The event involves international artistes joining with local bands in a parade from the South Inch to the North Inch, along Tay Street, culminating in an arena performance. The parade will also include local pipe bands, dancers, youth groups, etc which brings a colourful and joyful display to the event.
- 5.3 It is envisaged that the Freedom of the City of Perth ceremony would take place at the end of City of Perth Salute event to take advantage of the assembled crowds and provide a spectacular background to this historic event.

5.4 It is anticipated that the Society of High Constables of the City of Perth would play a ceremonial role in this event.

5.5 Following the ceremony the Provost will host a civic reception for the Lord-Lieutenant and invited guests in the Council offices, 2 High Street, Perth.

## **6. CONCLUSION AND RECOMMENDATIONS**

6.1 Given his remarkable contribution and unwaivering support to the promotion and betterment of the Perth & Kinross area, it is considered appropriate to acknowledge this by granting the Lord-Lieutenant the Freedom of the City of Perth in recognition of his service.

6.2 It is recommended that the Council agrees:

- (i) to exercise its power under Section 206 of the Local Government (S) Act 1973 to grant the Freedom of the City of Perth to Brigadier Sir Melville Jameson KCVO CBE on his retirement as Lord-Lieutenant of Perth and Kinross.
- (ii) that the Freedom of the City of Perth ceremony takes place at the close of the City of Perth Salute on Sunday 18 August 2019.
- (iii) to delegate authority to the Depute Chief Executive in consultation with the Provost, to finalise the arrangements for the event.

### **Author(s)**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Christina Flynn	Democratic Services Manager	committee@pkc.gov.uk

### **Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	14 May 2019

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	None
Corporate Plan	None
<b>Resource Implications</b>	
Financial	Yes
Workforce	None
Asset Management (land, property, IST)	None
<b>Assessments</b>	
Equality Impact Assessment	N/A
Strategic Environmental Assessment	N/A
Sustainability (community, economic, environmental)	N/A
Legal and Governance	N/A
Risk	N/A
<b>Consultation</b>	
Internal	Yes
External	No
<b>Communication</b>	
Communications Plan	No

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

- 1.1 The Perth and Kinross Community Plan 2017-2027 sets out five strategic objectives. The proposals in this report support the promoting a prosperous, inclusive and sustainable economy

#### Corporate Plan

- 1.2 Perth and Kinross Council Corporate Plan 2018-2022 sets out five strategic objectives. The proposals in this report support the promoting a prosperous, inclusive and sustainable economy.

### 2. Resource Implications

#### Financial

- 2.1 The costs associated with the Civic event are anticipated to be:

	£
Equipment – additional grandstand	1,200.00
Photographer	180.00
Regalia (scroll and casket)	930.00
Invitations and postage	132.00
Civic Reception	1,020.00
<b>Total estimated costs</b>	<b>£ 3,462.00</b>

- 2.2 The estimated costs associated with the Freedom of Perth ceremony has been reduced to reflect that the infrastructure is already in place for the Perth Salute and as such can be met from the 2019/20 Civic Hospitality budget.
- 2.3 The Head of Finance has been consulted on the financial implications for the proposals and has indicated his agreement.

#### Workforce

- 2.4 There are no direct workforce implications arising from this report.

#### Asset Management (land, property, IT)

- 2.5 There are no asset management issues arising from this report.

### **3. Assessments**

#### Equality Impact Assessment

- 3.1 Not applicable.

#### Strategic Environmental Assessment

- 3.2 Not applicable.

#### Sustainability

- 3.3 Not applicable.

#### Legal and Governance

- 3.4 The Head of Legal and Governance has been consulted on the proposals detailed in this report.

#### Risk

- 3.5 Risks and the controls required to mitigate any risks will be reported through the Council's risk management process.

### **4. Consultation**

#### Internal

- 4.1 The Provost and the Chief Executive have been consulted during the preparation of this report.

## External

- 4.2 Consultation will take place with external organisations should the report be agreed.

## **5. Communication**

- 5.1 Following approval, the Freedom of the City of Perth ceremony will be advertised as part of the Perth Salute.

## **2. BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

## **3. APPENDICES**

None.

## **AMENDMENTS TO SCHEME OF ADMINISTRATION**

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

### **PART 3**

#### **DELEGATION TO OFFICIALS**

#### **25. Statutory Appointments of Officers**

Section 25.1 – Amend relevant sections as follows:

Social Work (Scotland) Act 1968

Section 3 – Chief Officer of Social Work – Depute Director (Education and Children's Services)

#### **26. Duties of Statutory Officers**

##### **Chief Social Work Officer**

Section 26.15 – Amend as follows:

The Council has resolved that the Depute Director (Education and Children's Services) is the Chief Social Work Officer.

