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**2018**

**Book 1**

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**MINUTES OF MEETINGS FROM**  
**22 November 2017 – 7 February 2018**



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

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PERTH AND KINROSS COUNCIL  
SPECIAL COUNCIL MEETING  
22 NOVEMBER 2017

## **SPECIAL MEETING OF COUNCIL**

Minute of Special Meeting of Perth and Kinross Council held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 22 November 2017 at 1.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, I Campbell, H Coates (from Art. 689 onwards), S Donaldson, D Doogan, E Drysdale, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; B Renton, Interim Executive Director (Environment); G Taylor, L Simpson, S Hendry, G Fogg, C Elliott, C Flynn, K Molley, L Potter and S MacKenzie (all Corporate and Democratic Services); P Marshall, B Murray, N Brian, H Biro, K Briggs and A Finlayson (all The Environment Service); C Mailer and N Robson (both Housing and Community Safety).

Provost D Melloy, Presiding.

### **687. WELCOME AND APOLOGIES**

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

### **688. DECLARATIONS OF INTEREST**

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

### **689. PROPOSED LOCAL DEVELOPMENT PLAN 2**

There was submitted a report by the Depute Chief Executive (Chief Operating Officer) (17/387) seeking (1) approval of the Proposed Perth and Kinross Local Development Plan 2 (LDP2) and supporting documents and (2) agreement to publication of the plan for representations from 1 December 2017 to 2 February 2018.

Prior to discussion, Provost Melloy highlighted a number of points:

- (i) As the Proposed Local Development Plan required to be consistent with the Strategic Development Plan (TAYplan), any amendments to the Proposed Local Development Plan would require to remain consistent with the TAYplan and take account of a range of documents produced by the Scottish Government and others.

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- (ii) Any proposed amendments to the Proposed Local Development Plan would be taken in the following order:
- Chapter 3 – Policies
  - Chapter 4 – Settlements Statements – starting alphabetically with A, B, C, D-G, H-O, then Perth, and finally Perth Airport – W
  - Any other amendments
- (iii) It was agreed that in terms of Standing Order 43, and in the event that any proposed amendments came forward all or parts of which were unrelated, the requirement of Standing Order 43 would be suspended. This would allow unrelated amendments to the Proposed Plan to be voted on their individual merits.

Thereafter, officers answered a number of questions from members on the Proposed Local Development Plan.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 1.55PM

Motion (Councillors Campbell and Lyle)

**The Council is asked to:**

- (i) **Note the contents of the Environmental Report Addendum.**
- (ii) **Approve the amendments proposed to the Development Plan Scheme as outlined in Report 17/387.**
- (iii) **Approve the Proposed Local Development Plan and agree to its publication on 1 December 2017, allowing a 9 week period for representations.**
- (iv) **Authorise the Deputy Chief Executive (Chief Operating Officer) to make changes to the format, appearance and technical details of the Proposed Plan and associated documents prior to its publication and also to correct any factual inaccuracies identified in the Proposed Plan.**
- (v) **Agree the preparation and publication of a schedule of responses in line with the Council decision on the Proposed Plan.**
- (vi) **Instruct the Deputy Chief Executive (Chief Operating Officer) to report the representations received on the Proposed Plan back to the Council.**
- (vii) **Approve the Draft Action Programme for consultation with stakeholders.**
- (viii) **Instruct the Director (Environment) to submit to the Environment, Enterprise & Infrastructure Committee a report on the necessary steps to promote higher design standards in developments.**
- (ix) **Instruct the Director (Environment) to submit to the Environment, Enterprise & Infrastructure Committee a report on a strategy for the delivery of employment land to meet emerging needs in Perth & Kinross.**

COUNCILLOR COATES ENTERED THE MEETING AT THIS POINT

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**Amendments on Chapter 3 – Policies**

**Amendment 1** (Councillors X McDade and R Brock)

An amendment is sought to the Proposed LDP2 Policy 28A: New Development in Conservation Areas. It is requested that “and sympathetic” is added in to the second sentence of the first paragraph after the word appropriate.

The amended text of the policy is shown below with the additional wording in red.

Policy 28A: New Development

Development within a Conservation Area must preserve or enhance its character or appearance. The design, materials, scale and siting of new development within a conservation area, and development out with an area that will impact upon its special qualities should be appropriate **and sympathetic** to its appearance, character and setting.

Where a Conservation Area Appraisal has been undertaken for the area, the details contained in that appraisal should be used to guide the form and design of new development proposals.

Applications for Planning Permission in Principle in Conservation Areas will not be considered acceptable without detailed plans, including elevations, which show the development in its setting.

**Amendment 2** (Councillors X McDade and A Bailey)

An amendment is sought to the Proposed LDP2 Policy 37: Landscape. It is requested that “including the creation of new hill tracks” is added in to the first sentence of the first paragraph after the word change.

The amended text of the policy is shown below with the additional wording in red as amendment above.

Policy 37: Landscape

All Landscapes

Development and land use change, **including the creation of new hill tracks**, should be compatible with the distinctive characteristics and features of Perth and Kinross’s landscapes; which requires reference to the Tayside Landscape Character Assessment. Accordingly, development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross. They will need to demonstrate that either in the case of individual developments, or when cumulatively considered alongside other existing or proposed developments:

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- (a) they do not erode local distinctiveness, diversity and quality of Perth and Kinross's landscape character areas, the historic and cultural dimension of the area's landscapes, visual and scenic qualities of the landscape, or the quality of landscape experience;
- (b) they safeguard views, viewpoints and landmarks from development that would detract from their visual integrity, identity or scenic quality;
- (c) they safeguard the tranquil qualities of the area's landscapes;
- (d) they safeguard the relative wildness of the area's landscapes including, in particular, the areas identified on the 2014 SNH Wild Land Areas map;
- (e) they provide high-quality standards in landscape design, including landscape enhancement and mitigation schemes when there is an associated impact on a landscape's qualities;
- (f) they incorporate measures for protecting and enhancing the ecological, geological, geomorphological, archaeological, historic, cultural and visual amenity elements of the landscape; and
- (g) they conserve the experience of the night sky in less developed areas of Perth and Kinross through design solutions with low light impact.

Development which would affect a Wild Land Area will only be permitted where the Council as Planning Authority is satisfied that:

- (a) the proposed development will not adversely affect the integrity of the area or the qualities for which it has been designated; or
- (b) any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

**Amendment 3** (Councillors C Stewart and L Simpson)

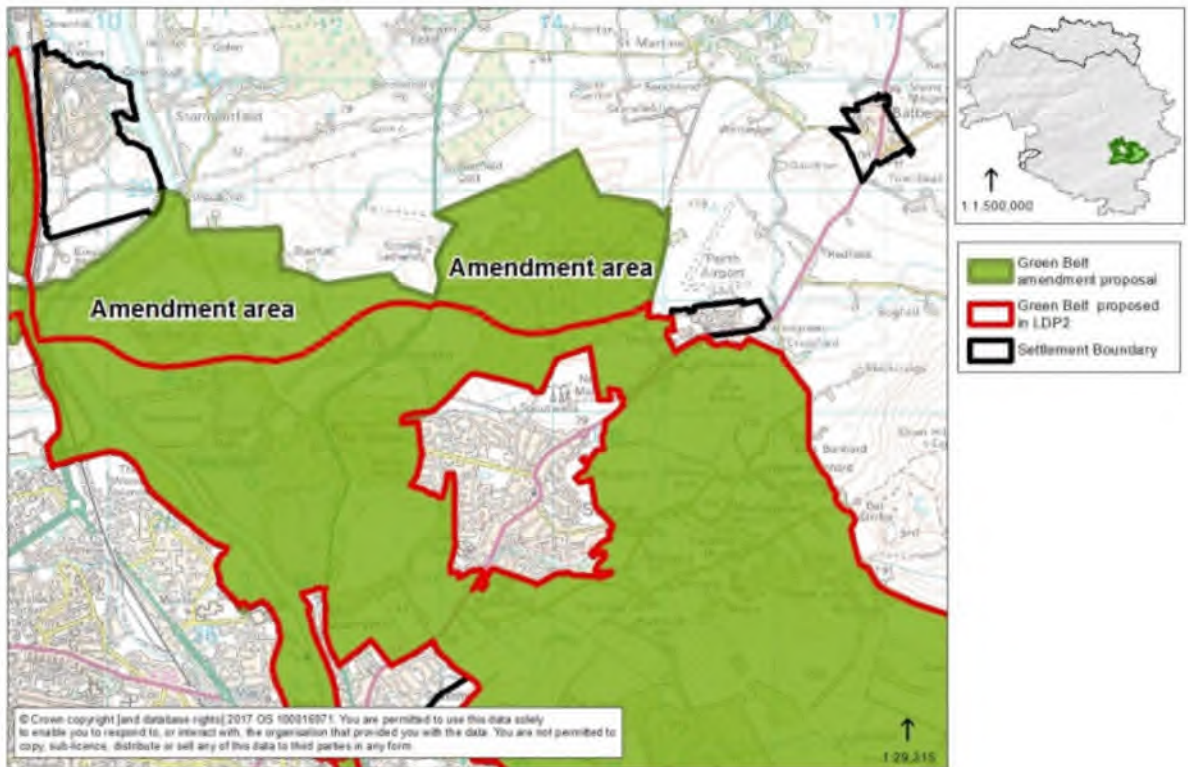
An amendment is sought in relation to Policy 44: Perth Greenbelt Boundary, to amend the northern boundary of the Perth Greenbelt between the east bank of the Tay and the A94 to reflect the boundary as identified in the Adopted Local Development Plan 2014. Map A identifies the area to be included and Map B represents the Proposed Plan incorporating the proposed amendment.



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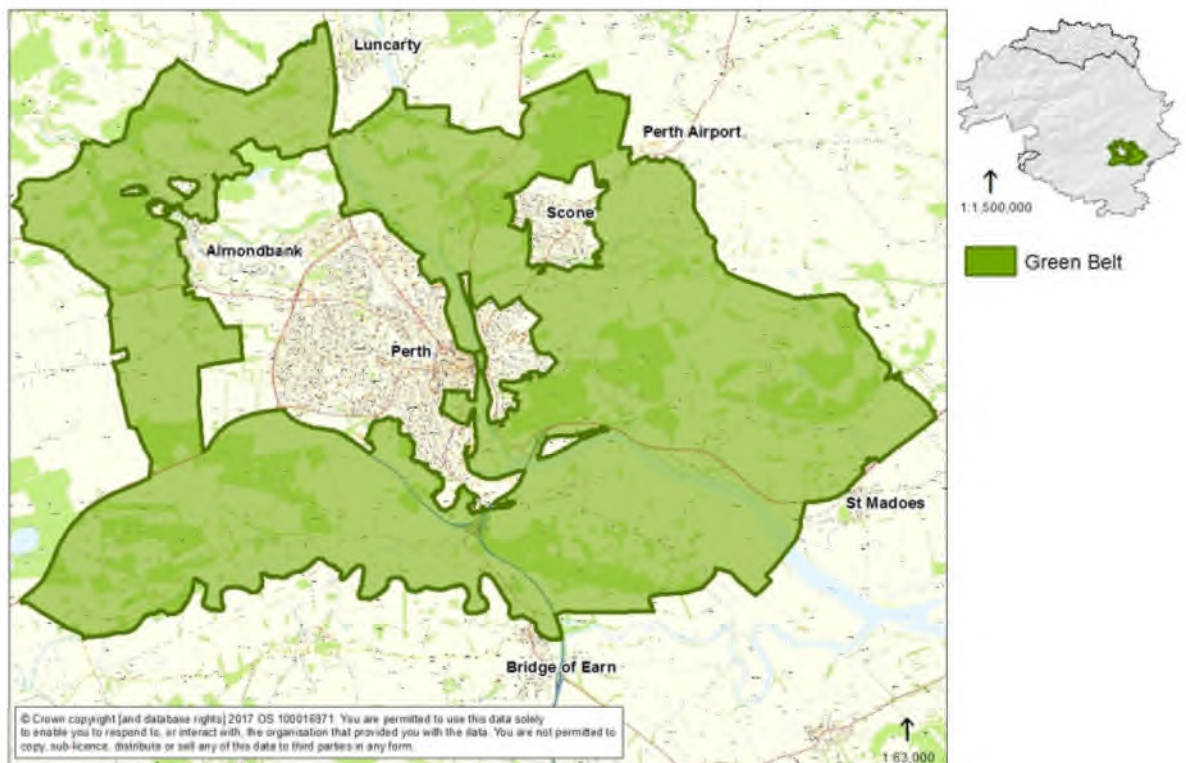
Map A

POLICY MAP E: GREEN BELT - Scone Extract



Map B

POLICY MAP F: GREEN BELT



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**Amendments on Chapter 4 – Settlement Statements - Balado**

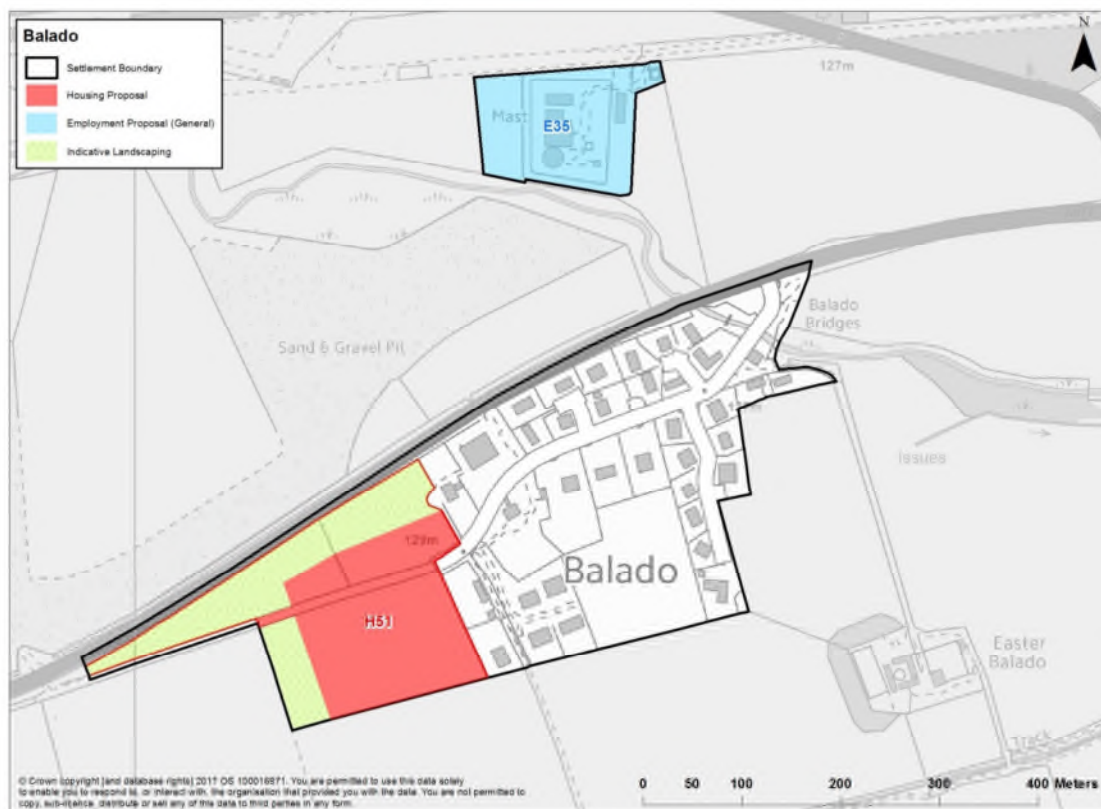
**Amendment 4** (Councillors W Robertson and C Purves)

An amendment is sought to add “All new development should be connected to a publically maintained waste water treatment works”.

**Amendment 5** (Councillors C Purves and W Robertson)

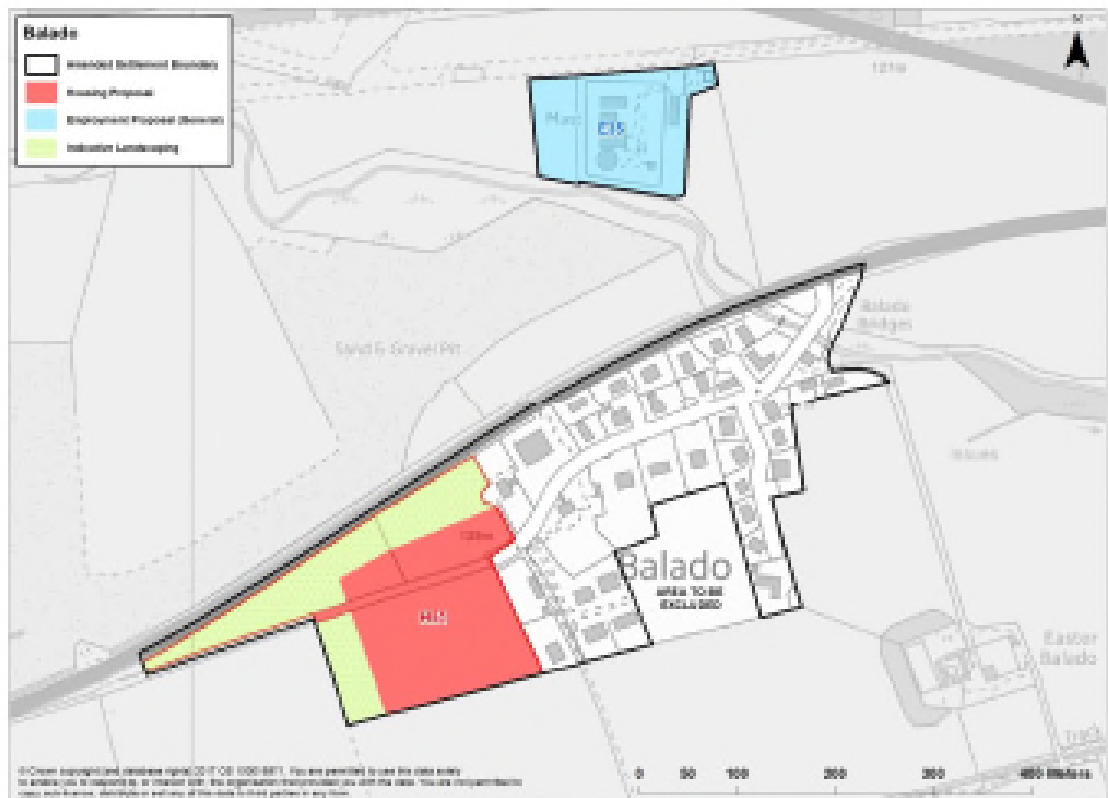
An amendment is sought to the Proposed LDP2 Balado settlement map to remove land at Beaufield from the settlement boundary. The proposed amendment is to replace as shown on the current settlement Map A with Map B below:

**Map A**



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**Map B**



The other consequential changes to Amendments 4 & 5 Amend the reference in the Settlement Statement to the settlement boundary identified for growth to reflect existing planning permissions, the first paragraph would read as follows:

“Balado is a small settlement that lies a mile to the west of Kinross on the A977. The village has been identified for growth to reflect existing planning permissions and is considered a sustainable location for limited small-scale development. All new development should be connected to a publically maintained waste water treatment works.

To the north of this small village is the former and decommissioned Balado Bridge NATO Communications facility, a recognisable feature of the area, known locally as the ‘Golf Ball’. The former NATO facility at Balado Bridge is identified for employment use to encourage the re-development of a brownfield site.”

**Amendments on Chapter 4 – Settlement Statements – Crook of Devon and Drum**

**Amendment 6** (Councillors M Barnacle and R Watters)

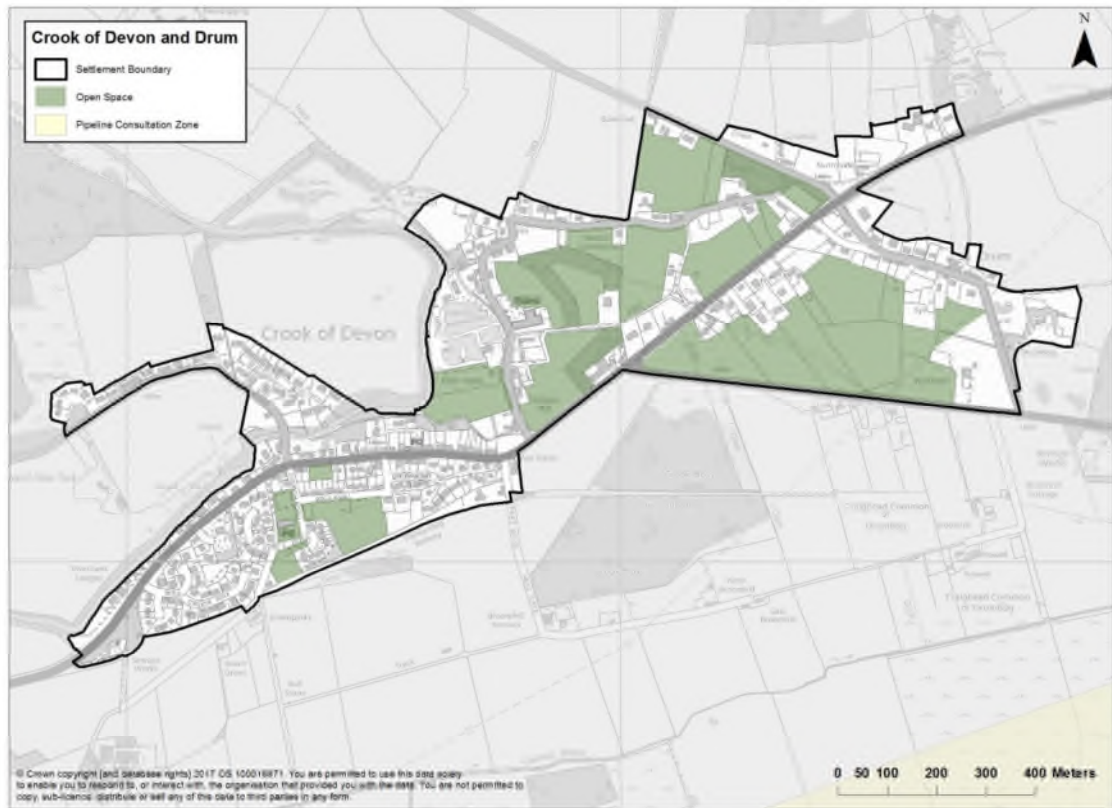
An amendment is sought to the Proposed LDP2 Crook of Devon and Drum settlement summary to introduce a new proposal at Crook of Devon. Map A



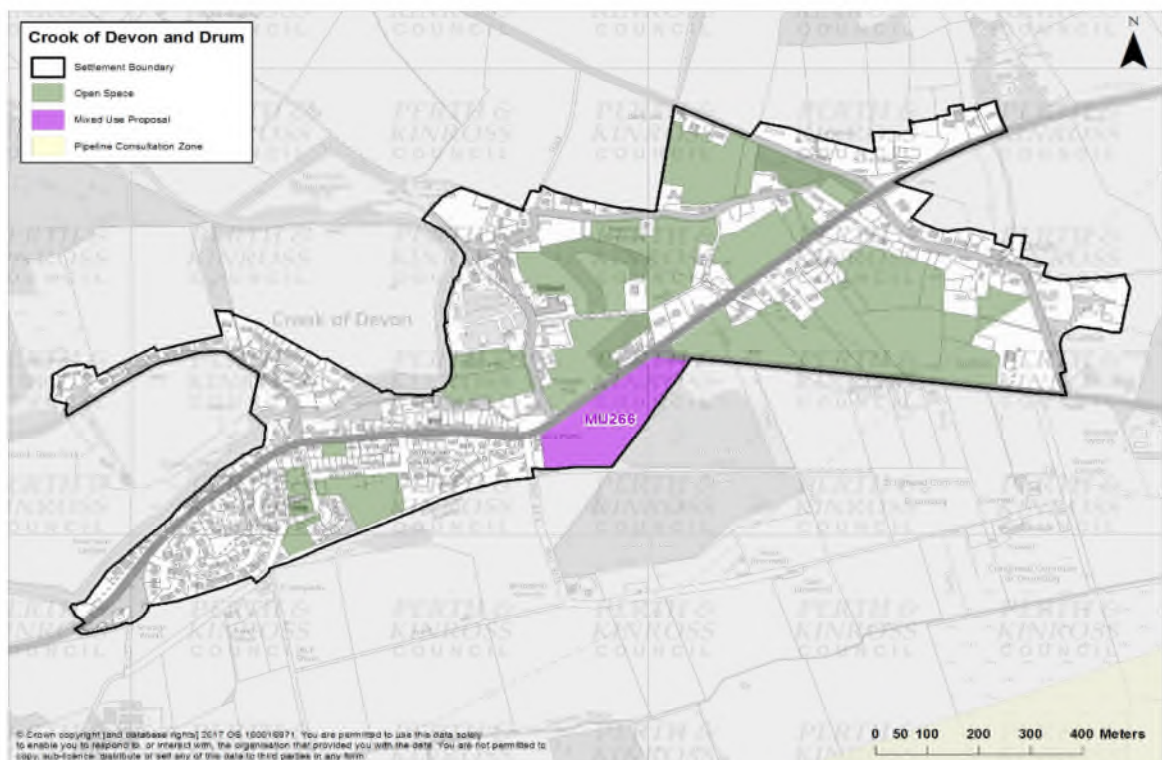
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should be replaced as shown below with Map B which includes a mixed use allocation:

**Map A**



**Map B**



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Ref	Location	Size	Number
MU266	Junction of A977 & B9097	3.1ha	Maximum of 30 homes, employment uses, farm shop/restaurant
<p><b>Site specific developer requirements</b></p> <p>Prepare a masterplan with a high quality design and layout which reflects its gateway position; and a landscape framework which retains some visual separation between Crook of Devon and Drum.</p> <p>The masterplan should be informed by:</p> <ul style="list-style-type: none"> <li>• Landscape and Visual Impact Assessment</li> <li>• Transport Statement and review of pedestrian crossing facilities on the A977 and improved</li> <li>• provision where required</li> <li>• Market research into employment use, and farm shop viability (if there is not demand then provision of land for additional car parking and/or another agreed community use which would benefit the community)</li> <li>• an appropriate peat survey and management plan to minimise impact and implement suitable mitigation measures</li> <li>• Flood Risk Assessment</li> <li>• Drainage Impact Assessment to define area at risk and appropriate detailed layout and levels and SUDS. The SUDS for development proposals should include sufficient attenuation to protect those watercourses which flow into Loch Leven from erosion during periods of heavy rainfall.</li> </ul> <p>The masterplan should provide:</p> <ul style="list-style-type: none"> <li>• a significant landscape buffer along the A977 and the boundary with the village hall</li> <li>• bus shelter, additional car parking for the village hall, and contribution to A977 mitigation measures</li> <li>• an entrance feature</li> <li>• appropriate footpath provision along the frontage of the site, and with existing core path network. Also enhance footpaths between the site and school.</li> <li>• waymarked footpaths, disabled access and a woodland management plan for Crook Moss</li> <li>• 50% affordable housing</li> <li>• a Construction Method Statement where the development site will affect a watercourse. Methodology should provide measures to protect the watercourse from the impact of pollution and sediment so as to ensure no adverse effects on Loch Leven SPA.</li> <li>• financial contribution to education provision in line with the Supplementary Guidance</li> </ul>			

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This amendment also requires consequential amendments to the settlement summary, and the housing background paper.

Paragraph 1 in the settlement summary currently advises that these settlements have been identified as being able to accommodate some limited growth whilst the 2nd paragraph suggests that design workshops should be held to inform LDP3 to help examine and clarify the opportunities and get broad consensus and ownership of the possible solutions during preparation of LDP3. The paragraph referring to design workshops should be deleted since this allocation provides a long term opportunity for the villages, and the 1st paragraph should be amended paragraph to read:

“Crook of Devon contains a range of services and infrastructure including a shop, pub, primary school, recreation facilities and the Village Institute. The villages of Crook of Devon and Drum are considered capable of supporting further development. Identifying an allocation between Crook of Devon and Drum gives opportunity to support the village services without compromising the existing settlement pattern, in particular at Back Crook. Drainage will be required to connect to a publicly maintained waste water treatment works. Currently the treatment works at Drum and Crook of Devon are at or near capacity. It will be for Scottish Water to consider the most effective means of providing wastewater drainage.

The former fish farm is a brownfield site and its redevelopment will also be supported subject to an appropriate Flood Risk Assessment being carried out. Preference will be given to roadside development echoing the character of the original village.”

The housing background paper would add the 30 extra homes to the effective Housing Land Supply total and adjust the surplus to 26 homes in Table 4. Also the last sentence of the paragraph for Kinross Housing Market Area would need to be amended to saying the additional 40+ houses from review of site capacities would add to the small surplus which has been identified. Furthermore, a table should be added which assesses the capacity of the site.

**Amendments on Chapter 4 – Settlement Statements – Perth – Burghmuir Reservoir**

**Amendment 7 (Councillors W Wilson and B Band)**

An amendment is sought to the Proposed LDP2 Perth settlement maps to remove housing site H167 and replace it as white land within the settlement boundary. This area of land does not provide for a good housing site. It is surrounded by back gardens and the reservoir to the north and access to the site is poor.

Map A shows the current settlement map and Map B shows the proposed replacement:





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**Amendments on Chapter 4 – Settlement Statements – Perth – Murray Royal Hospital**

**Amendment 8** (Councillors P Barrett and C Ahern)

An amendment is sought to the Proposed LDP2 Perth settlement statement in respect of the developer requirements for MU336 Murray Royal Hospital site, to limit occupation of development on the site to the conversion of the Listed Buildings prior to the opening of the Cross Tay Link Road.

Table 1 shows the existing text and Table 2 the amended text with the amended wording in red.

**Table 1**

Ref	Location	Size	Number
MU336	Murray Royal Hospital	8.8ha	Residential and/or community uses*
<b>Site Specific Developer Requirements</b>			
<p>A Masterplan setting out the phasing, delivery strategy and the comprehensive development of the whole of this site is required at the time of any planning application.</p> <p>Informing the masterplan will be:</p> <ul style="list-style-type: none"><li>• Transport Assessment. There may be capacity issues prior to CTRLR completion</li><li>• requiring sensitive phasing</li><li>• Flood Risk Assessment from unnamed watercourse and surface water flooding.</li><li>• Biodiversity surveys.</li><li>• An archaeological survey to be undertaken and impacts on the historic environment will be avoided wherever possible through sensitive layout and design.</li><li>• A full condition survey of existing listed buildings.</li></ul> <p>Suitable numbers for this allocation will be determined by the master planning process. This masterplan should:</p> <ul style="list-style-type: none"><li>• Include early phasing of reuse of the listed buildings and a programme of repairs.</li><li>• Consider appropriate use for the chapel investigating potential for community use.</li><li>• Ensure sufficient pathway permeability throughout the former hospital site, connecting to and protecting the core path along the northern and eastern boundaries and providing connection to Gannochy Road.</li><li>• Identify key features, that need to be retained as far as possible including the topography, woodland belts and avenues (some of which are covered</li></ul>			



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- by Tree Preservation Orders) and the attractive stone walls, minimising earthworks by utilising current ground levels.
- Retain important parkland setting southeast of the main buildings as open space.
  - Propose a strong landscape framework of trees throughout the development but especially along the north and east boundaries of the site.
  - Be sensitive to density as whilst there is likely to be loss of some of the open aspect an appropriate landscape plan will be important to ensuring any development sympathetically integrates into its parkland setting.
  - Due to the topography and the significantly visible nature of the site, consideration should be given to use of natural materials and sympathetically coloured materials for external finishes, avoiding large areas of white render so as to reduce visual prominence and settle the buildings into the natural surroundings.
  - Ensure that where new build or replacement elements are deemed acceptable they are of high design quality so that they make an appropriate contribution to the significance of the site.
  - Include a Construction and Environment Management Plan which minimises site traffic movements, ensures on-site parking for construction workers during construction phases, routing of construction traffic and consequent wear and tear of local roads, ensuring road cleaning where required.
- \* Note there is no estimate given on the numbers that will be appropriate as this will be a complicated proposal involving: flatted development; conversion of listed buildings; and retention of large areas of parkland setting

**Table 2**

Ref	Location	Size	Number
MU336	Murray Royal Hospital	8.8ha	Residential and/or community uses*
<b>Site Specific Developer Requirements</b>			
A Masterplan setting out the phasing, delivery strategy and the comprehensive development of the whole of this site is required at the time of any planning application.			
Informing the masterplan will be:			
<ul style="list-style-type: none"> <li>• A Transport Assessment will be required including for the sensitive phasing of the site. To fully address this, the assessment should take account of other committed development feeding into the Bridgend area, both within Perth and the wider Perth area.</li> <li>• Only the conversion of the Listed Buildings will be allowed to be occupied prior to the opening of the CTRL.</li> <li>• Flood Risk Assessment from unnamed watercourse and surface water</li> </ul>			

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flooding.

- Biodiversity surveys.
- An archaeological survey to be undertaken and impacts on the historic environment will be avoided wherever possible through sensitive layout and design.
- A full condition survey of existing listed buildings.

Suitable numbers for this allocation will be determined by the master planning process. This masterplan should:

- Include early phasing of reuse of the listed buildings and a programme of repairs.
- Consider appropriate use for the chapel investigating potential for community use.
- **Ensure sufficient pathway permeability throughout the former hospital site, connecting to and protecting the core path along the northern and eastern boundaries and providing connection to Gannochy Road.**
- Identify key features, that need to be retained as far as possible including the topography, woodland belts and avenues (some of which are covered by Tree Preservation Orders) and the attractive stone walls, **minimising earthworks by utilising current ground levels.**
- Retain important parkland setting southeast of the main buildings as open space.
- Propose a strong landscape framework of trees throughout the development but especially along the north and east boundaries of the site.
- Be sensitive to density as whilst there is likely to be loss of some of the open aspect an appropriate landscape plan will be important to ensuring any development sympathetically integrates into its parkland setting.
- Due to the topography and the significantly visible nature of the site, consideration should be given to use of natural materials and sympathetically coloured materials for external finishes, avoiding large areas of white render so as to reduce visual prominence and settle the buildings into the natural surroundings.
- Ensure that where new build or replacement elements are deemed acceptable they are of high design quality so that they make an appropriate contribution to the significance of the site.
- **Include a Construction and Environment Management Plan which minimises site traffic movements, ensures on-site parking for construction workers during construction phases, routing of construction traffic and consequent wear and tear of local roads, ensuring road cleaning where required.**

\* Note there is no estimate given on the numbers that will be appropriate as this will be a complicated proposal involving: flattened development; conversion of listed buildings; and retention of large areas of parkland setting

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**Amendments on Chapter 4 – Settlement Statements – Rumbling Bridge**

**Amendment 9** (Councillors W Robertson and M Barnacle)

An amendment is sought to the Proposed LDP2 Rumbling Bridge settlement map to include additional land at the gorge within the settlement boundary as part of the open space. This land provides landscape setting to the village and to the gorge and should be included within the settlement boundary as open space.

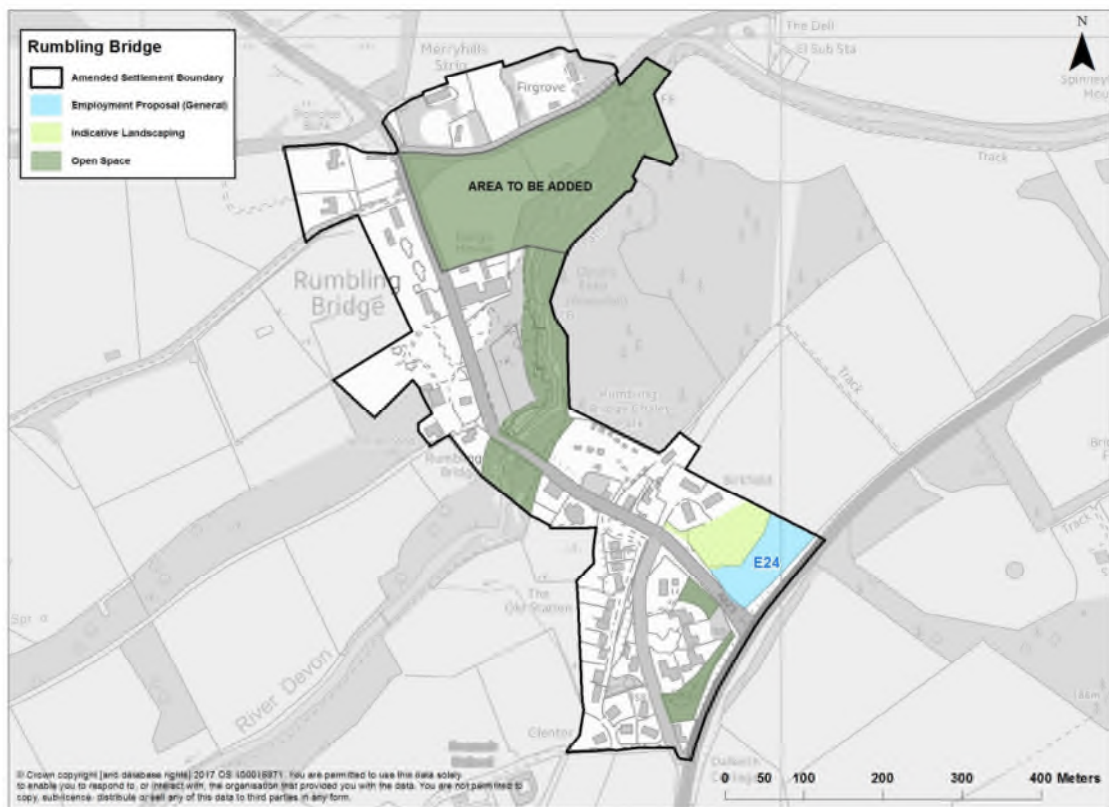
The Map A shows the current settlement map and Map B shows the proposed replacement:

**Map A**



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**Map B**



**Amendments on Chapter 4 – Settlement Statements – Spittalfield**

**Amendment 10** (Councillors G Laing and I James)

An amendment is sought to the Proposed LDP2 Spittalfield settlement statement to remove the requirement for the employment land to be delivered in advance or in conjunction with residential development. It is considered that there is a real need for housing in the village and that this restriction is preventing it being delivered.

There is no requirement to amend the existing Map for Spittalfield. However the text in the table requires amended. Table 1 shows the existing text, and Table 2 the amended text.

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**Table 1**

Ref	Location	Size	Number
MU6	Spittalfield	2.13ha	Employment use and residential. Up to 20 houses on no more than 75% of site.
<p>To improve the quality and range of employment land appropriate residential development will be supported where employment uses are provided on the site.</p> <p><b>Site Specific Developer Requirements</b></p> <ul style="list-style-type: none"><li>• Comprehensive development of the site is required. Class 4-6 units or serviced land compatible with neighbouring residential uses. Employment land to be delivered in advance of or in conjunction with residential development.</li><li>• Retention/protection and enhancement of woodland along the eastern boundary of site; green infrastructure on the site to link to this wider network.</li><li>• Archaeological potential requires investigation with mitigation if necessary.</li><li>• Enhancement of biodiversity.</li></ul>			

**Table 2**

Ref	Location	Size	Number
MU6	Spittalfield	2.13ha	Employment use and residential. Up to 20 houses on no more than 75% of site.
<p><b>Site Specific Developer Requirements</b></p> <ul style="list-style-type: none"><li>• Class 4-6 units or serviced land compatible with neighbouring residential uses.</li><li>• Retention/protection and enhancement of woodland along the eastern boundary of site; green infrastructure on the site to link to this wider network.</li><li>• Archaeological potential requires investigation with mitigation if necessary.</li><li>• Enhancement of biodiversity.</li></ul>			

THERE FOLLOWED A 20 MINUTE RECESS AND THE MEETING RECONVENED  
AT 2.40PM

Note: The mover and seconder of the Motion agreed to incorporate  
Amendments 1-10 into the Motion.

**Resolved:**

In accordance with the revised Motion.

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PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
5 DECEMBER 2017

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

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chambers, 2 High Street, Perth on Tuesday 5 December 2017 at 10.30am.

Present: Councillors W Wilson, H Anderson, R Watters.

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

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

Councillor W Wilson, Convener, Presiding.

### **690. DECLARATIONS OF INTEREST**

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

### **691. MINUTE**

The minute of meeting of the Local Review Body of 7 November 2017 was submitted and noted.

### **692. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(493) - Planning Application – 17/00972/FLL – Change of use and alterations to industrial unit (class 5) to form 2 flats at 32 Main Street, Almondbank, Perth, PH1 3NJ – Mr Martin Congalton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a change of use and alterations to industrial unit (class 5) to form 2 flats at 32 Main Street, Almondbank, Perth, PH1 3NJ.

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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LOCAL REVIEW BODY  
5 DECEMBER 2017

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for a change of use and alterations to industrial unit (class 5) to form 2 flats at 32 Main Street, Almondbank, Perth, PH1 3NJ, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD1: Residential Areas of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that development is compatible with the character and amenity of the area are retained, as it has not been demonstrated that the two flatted dwellinghouse can be accommodated on the site, taking account of the design, massing and overlooking from the rear box dormer window located on the north elevation.
  - 2. The proposal is contrary to Policy PM1A: Placemaking of the Perth and Kinross Local Development Plan 2014, as the conversion of the building would not contribute positively to the quality of surrounding built environment and would not respect the character and amenity of place due to the scale and massing of the box dormer window on the north elevation of the building.

**Justification**

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

**(ii) TCP/11/16(494) - Planning Application – 17/01352/IPL – Erection of a dwellinghouse (in principle), Hoodshill, Fossoway, Kinross, KY13 0PW – Mr Roger Buick**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle), Hoodshill, Fossoway, Kinross, KY13 0PW.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle), Hoodshill, Fossoway, Kinross, KY13 0PW, be refused for the following reasons:

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1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location.
2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in the location.
3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of place as there will be a privacy issue between this proposal and the approved application 10/01244FLL that is still capable of implementation.
4. The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside as there is no sufficient containment to the site.
5. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as the formation of a dwelling curtilage in this location would erode local distinctiveness, diversity and the quality of Perth and Kinross's landscape character.

**Justification**

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

**Note:** Councillor Watters dissented from the majority decision. . He considered that the Appointed Officer's decision should be overturned and that permission for the erection of a dwellinghouse should be granted, and that the proposed erection of a dwellinghouse would represent an improvement and would be reasonably enclosed so as to not impact upon the surrounding area, thereby meeting the criteria of the Housing in the Countryside Guide 2012.

**(iii) TCP/11/16(495) – Planning application - 17/01130/IPL – Erection of a dwellinghouse (in principle) at land 50 metres north of East Saucher House, Saucher, Kinrossie – Mr & Mrs Taylor**

Members considered a Notice of Review seeking an amendment of condition 5 (proportions and appearance) of the conditions imposed by the Appointed Officer for the erection of a dwellinghouse (in principle) at land 50 metres north of East Saucher House, Saucher, Kinrossie.



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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application seeking an amendment of condition 5 (proportions and appearance) of the conditions imposed by the Appointed Officer for the erection of a dwellinghouse (in principle) at land 50 metres north of East Saucher House, Saucher, Kinrossie, be granted subject to the following
  1. Condition 5 to now read as follows;
    - '5. The dwellinghouse shall be of single storey proportions and appearance.'
  2. In this context, the roof pitch shall not exceed 45 Degrees, the principle ridge shall run parallel to the existing dwellinghouse, and the eaves level shall not be greater than 3.3 metres above ground level and 3 metres above ground floor level.

**Justification**

The proposal to vary the terms of Condition 5 is sufficiently in accordance with the Development Plan, notably in relation to Local Development Plan policies PM1A and PM1B (c).

**(iv) TCP/11/16(496) – Planning application - 17/00899/IPL – Residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot – Mr G F Collie**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for a residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot.

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

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body 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 a residential development (in principle), land 40 metres north west of Northbarns Farm, Bankfoot, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location, due to the prominent nature on the landscape.
  - 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in this location, in particular the absence of any landscape features and screening, and a defined site.
  - 3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity, and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape and the quality of landscape experience through the siting of the development within this area of Perth and Kinross.
  - 4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
  - 5. The proposal is contrary to Policy PM1B, criterion (a) and (b) of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside.
  - 6. The proposal does not provide a satisfactory residential environment due to the proximity of the agricultural buildings to the north where there is the potential for future residents at this site to suffer annoyance from noise and odour, contrary to Policy EP8 of the Perth and Kinross Local Development Plan 2014.

**Justification**

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

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**(v) TCP/11/16(498) – Planning application - 17/00834/FLL – Formation of decking (in retrospect), Burnbane and Upper Delvine Fishing Hut, Kinclaven – Clayfield Investments Limited**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the formation of decking (in retrospect), Burnbane and Upper Delvine Fishing Hut, Kinclaven.

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 and legal adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) comment be received from the Interim Development Quality Manager on the potential discrepancy between the plans submitted and the decking;
- (iii) to allow for the applicant to comment on any comments made by the Interim Development Quality Manager;
- (iv) following receipt of all comments, the application be brought back to the Local Review Body.

**(vi) TCP/11/16(500) – Planning application - 17/01074/IPL – Erection of dwellinghouse (in principle), land 100 metres north west of West Kinnochtry House, Kinnochtry, Coupar Angus – L Watt & M Brown**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for erection of dwellinghouse (in principle), land 100 metres north west of West Kinnochtry House, Kinnochtry, Coupar Angus.

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

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

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A TEN MINUTE RECESS FOLLOWED

**693. DEFERRED APPLICATION FOR REVIEW**

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

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

It was noted that, at its meeting of 30 May 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without an unaccompanied site visit. An unaccompanied site visit having been carried out on 26 June 2017, the Local Review Body reconvened on 27 June 2017. At its meeting of 27 June 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without the applicant providing an ecological survey of the buildings in relation to European Protected Species. It was noted that the Local Review Body unanimously agreed that, following receipt of the requested information from the applicant, copies be sent to the Interim Development Quality Manager and Interest Parties for further comment. At its meeting of 7 November 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without all members considering the application comment from the Interim Development Quality Manager on the Ecological Survey, and subsequent comment from the applicant, and without all members of the Local Review Body considering and determining this review application having undertaken an unaccompanied site visit. The comments having been supplied, and a further unaccompanied site visit having been carried out on 29 November 2017, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, including the further information requested by the Local Review Body at its meetings of 27 June 2017 and 7 November 2017, and having carried out site visits on 26 June 2017 and 29 November 2017, sufficient information was before the Local Review Body to determine the matter without further procedure;

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Thereafter, resolved by majority decision that:

- (iii) the Review application for the erection of 8 dwellinghouses and associated works, land 60 metres west of The Bothy, Newburgh, be granted, subject to:
1. the resolution of a Section 75 or 69 Agreement prior to the release of any planning consent.
  2. to secure Affordable Housing, Education and Supplementary Transport Infrastructure contributions.
  3. the imposition of relevant terms, conditions and informatives including a bat protection plan, submission of samples of external finishing materials, assessment for land contamination and identification and provision for any necessary remediation, access road improvement details, to provide housing places at suitable intervals, structural planting landscaping details and the requirement of the provision of the proposed stone walls.

**Justification**

The proposed erection of 8 dwellinghouses was seen as an improvement to the surrounding area, and in that context, with the imposition of relevant conditions and informatives, was not assessed as being contrary to Local Development Plan Policy RD3. Furthermore, the submitted ecological survey and any subsequent bat protection plan was considered to have adequately addressed concerns regarding Local Development Plan Policy NE3.

**Note:** Councillor Wilson dissented from the majority decision. He considered that the Appointed Officer's decision should not be overturned and that permission for the erection of 8 dwellinghouse should be refused.

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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 6 December 2017 at 10.00am.

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

In Attendance: Councillors I Campbell and L Simpson; N Brian, A Condliffe, D Niven, J Scott, L Akroyd, A Belford, L Reid, D Salman and R Stewart (all The Environment Service); C Elliott, K Molley and D Williams (all Corporate and Democratic Services).

Councillor M Lyle, Convener, Presiding.

**694. WELCOME AND APOLOGIES**

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

**695. DECLARATIONS OF INTEREST**

Councillor T Gray declared a non-financial interest in Art. 698(3)(i).

**696. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 15 November 2017 (Arts. 653-657) was submitted, approved as a correct record and authorised for signature.

**697. DEPUTATIONS**

In terms of Standing Order 24, the Convenor decided that requested deputations would not be heard on Art. 698(i) with deputations having been heard at a previous meeting of the Committee and the item then deferred for the purpose of a site visit.

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

**Planning Application No.**  
17/01563/FLL

**Art. No.**  
698(3)(iii)

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**698. APPLICATIONS FOR DETERMINATION**

**(1) Applications Previously Considered**

- (i) 17/00806/FLM – MILNATHORT – Erection of 77 dwellinghouses, formation of landscaping, open spaces and community woodland, and associated works on land north of Linden Park Road, Milnathort – Report 17/396 – Dundas Estates and Development Co. Ltd**

In terms of Standing Order 18, it was agreed that only Members who had both attended the first consideration of Art. 698(1)(i) and completed a site visit would be eligible to vote on Art. 698(1)(i). Councillors H Anderson, B Band, H Coates, A Jarvis and R McCall declared that they would not be eligible to vote on the item.

Anne Condliffe, Interim Development Quality Manager, advised that should the Committee be minded to grant the application, recommended condition 6(b) and (c) be revised to refer to the approved scheme being implemented to the satisfaction of the Planning Authority, and additional conditions be added for approval of boundary materials and enclosures on site.

Motion (Councillors M Barnacle and W Wilson) – Refuse the application for the following reason:

The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, on the basis that the proposed density does not reflect the character of the surrounding area.

Amendment (Councillors E Drysdale and T Gray) – Grant the application subject to the following terms, conditions and informatives contained within Report 17/340, including revised condition 6(b) and (c), and additional conditions for boundary materials and enclosures on the site.

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the commencement of any development hereby approved, pre-construction surveys to identify the presence of any otter holts within 200 metres both upstream and downstream from proposed Sustainable Urban Drainage System (SUDS) outfall in the Hatton/Burleigh Burn shall be submitted to the Planning Authority for approval. If otters are identified within this

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area the survey should be supported by a species protection plan. Thereafter works shall be undertaken in complete accordance with the approved surveys and any species protection plan.

3. Prior to the commencement of any construction works within 30 metres of trees TN6, TN7 and TN9, highlighted in Annex 2 of the Phase 1 Habitat and Protected Species Survey Report by MacArthur Green, date 2 May 2017 as having moderate bat roost potential, further surveys of these trees is required to assess the impact of the works on roosting bats are required. These surveys shall be submitted to the Planning Authority for approval no more than 6 weeks before any such works is to commence. If the surveys identify the presence of roost(s), Scottish Natural Heritage will be consulted in respect of any need and implications for any application for a licence.
4. In addition to the specific requirements of Conditions 2 and 3, should works not commence within 12 months of the approval further pre-construction ecological surveys shall be required to be submitted to the planning authority for approval not more than 6 weeks prior to commencement of approved works. Thereafter any works shall be carried in in complete accordance with any mitigation or exclusion measures identified.
5. In addition to the specific requirements of Conditions 2, 3 and 4, the conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
6. Prior to the commencement of the development hereby approved, the following shall be submitted for the further written agreement of the Council as Planning Authority:
  - a) A 1:200 scale site plan which identifies the Construction Exclusion Zone (CEZ) and Root Protection Areas (RPA). The CEZ and RPAs as agreed shall be strictly adhered to during construction of the development and the protection measures, once in place, shall remain in place for the duration of construction;
  - b) A scheme that details protection methods for the CEZ and for all trees on site (other than those marked for felling on the approved plans) which have RPAs which fall within the site shall be retained and protected (including those subject of Milnathort Tree Preservation Order No 1 2017). The scheme shall provide that all fencing adheres to BS 5837 2012: Trees in Relation to Design, Demolition and Construction and incorporate



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measures identified in the submitted 'Arboricultural Impact Assessment/Method Statement' prepared by Urban-Arb dated 5 May 2017. Thereafter the approved scheme shall be implemented to the satisfaction of the Council as Planning Authority.

- c) A scheme for the technical delivery of any development within the Root Protection Area (RPA) of the trees subject of the Milnathort Tree Preservation Order No 1 2017, such as pathways and underground drainage infrastructure. The pathway specifications shall comply with BS 5837 2012: Trees in Relation to Design, Demolition and Construction and the drainage infrastructure with The National Joint Utilities Group (NJUG) Guidelines Volume 4: NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees and identify and incorporate appropriate mitigation measures for the protection of these trees. Thereafter the approved scheme shall be implemented to the satisfaction of the Council as Planning Authority
7. Prior to the commencement of development, a scheme outlining measures for the protection of animals from being trapped in open excavations and/or pipe and culverts which shall be implemented for the duration of the construction works of the development hereby approved shall be submitted for the approval of the Planning Authority. 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. The approved scheme as agreed shall be implemented during construction of the development.
8. No removal of vegetation, including trees and shrubs will be permitted between 1<sup>st</sup> March and 31 August inclusive, unless a competent ecologist has undertaken a careful and detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the planning authority for approval prior to commencement of works.
9. Where it is intended to create semi-natural habitats, all species used in the planting proposals as detailed in drawing No. C1533.004 Rev: A shall be locally native

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species of local provenance unless otherwise agreed in writing with the local planning authority.

10. The developer shall incorporate swift bricks and bat roost bricks at eaves height in a minimum of 50 properties, which shall be usable prior to the occupation of each property where the bricks have been installed.
11. Prior to the commencement of development design details and a detailed phasing plan shall be submitted to the Planning Authority for written approval for the following matters:
  - a) the provision of site access;
  - b) roads and footpaths layout, design and specification (including arrangements for the disposal of surface water); and
  - c) car parking provision.All of the above shall be designed in accordance with the standards required by the Planning Authority in consultation with the Roads Authority. Once the design is approved, no dwellinghouse within the respective phase/area of the development as agreed in the phasing plan shall be occupied unless this infrastructure has been constructed and is operational to the reasonable satisfaction of the Planning Authority.
12. Prior to the occupation of any dwellinghouse in the development hereby approved all arrangements for the disposal of all surface water (including temporary arrangements during construction) through Sustainable Urban Drainage Systems (SUDS) from the site shall be constructed and fully operational to the satisfaction of the Planning Authority in consultation with the Flood Prevention Authority.
13. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of each dwellinghouse, whichever is the earlier.
14. Prior to the occupation of any dwellinghouse hereby approved, details of the specification including materials of all footpaths and cycleways shall be submitted to the Planning Authority for further approval. For paths in the areas identified in the 'Arboricultural Impact Assessment/Method Statement' prepared by Urban-Arb dated 5 May 2017, the specification shall include incorporation of specifications suitable within any Root Protection Areas. The agreed detail shall thereafter be implemented prior to the completion of the development.

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15. Prior to the commencement of the development hereby approved, a management plan indicating any temporary diversions and signage needed to facilitate the development and/or any works proposed to Core Path MTHT/133 as part of the development shall be submitted for the further agreement of the Council as Planning Authority. The plan as agreed shall be implemented in accordance with the timings identified in the plan.
16. Prior to the commencement of development, a scheme for an onsite signage strategy for the direction and route of Core Path MTHT/133 and other routes through the site, for the purposes of identifying public access routes, shall be submitted for further written approval prior to the Planning Authority. The strategy shall include details for the timing and delivery of the scheme following the completion of any temporary diversion agreed under Condition 14 and shall thereafter be provided in accordance with the approved details prior to the occupation of any dwellinghouse hereby approved.
17. Prior to the commencement of development, and notwithstanding the submitted detail, further landscaping specification and a landscape management plan shall be submitted to and agreed in writing by the Council as Planning Authority, which includes:
  - a) Identification of long-term design objectives (including location and specification of species for all areas), management responsibilities and maintenance schedules for all landscape areas (other than small privately-owned domestic gardens); and
  - b) a detailed delivery plan confirming the phased delivery of the site in respect of landscaping (including of public open spaces and pathways) and associated construction works. This plan shall specify that the phasing for delivery of the areas of open space, woodland and parkland indicated to the north, east and south of the site on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed in advance of the occupation of any phase of development.Thereafter the landscape management plan and scheme shall be fully implemented as agreed
18. 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

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prior to the completion or occupation of last house, whichever is the earlier.

19. A form of enclosure shall be installed on the footway frontage of North Street opposite the pedestrian access between Plots 14 & 15. Details of the enclosure shall be submitted to and agreed in writing by the Council as Planning Authority and the enclosure as approved shall be formed prior to the occupation of any of the Plots 12-17.

**Justification**

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

**Procedural Notes**

Consent shall not to be issued until a Section 75 Agreement relating to planning contributions set out in Para 11 of Report 17/396 has been completed. 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 may result in the planning application being re-assessed through failing to comply with the associated policy requirements and will be ultimately recommended for refusal under delegated powers.

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management

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Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material
5. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
6. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update. Associated with this, it is recommended that the following information and design should be embedded within the final drainage details:
- In the event that the soakaway overtops due to a capacity issue or siltation over time, the surrounding ground should be contoured such to allow a volume of water to be retained before it can overland flow elsewhere. I.e. the land would be graded down to the soakaway (very gently). This would make it easier to identify a problem with the soakaway in the future because it would pond around it. This would provide additional protection to surrounding land/property.
  - A clear indication of the design standard of all the SUDS features on the design and As-Built drawings.
7. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
8. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. No work shall be commenced until an application for building warrant has been submitted and approved.

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10. The applicant is recommended to contact the Council Contamination Officer immediately if any ground contamination is found during construction of the development.
11. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
12. The applicant is recommended to incorporate a mini glass recycling point in strategic areas within the approved development to compliment the kerbside recycling services that will be provided. In order to comply with the 'Household Charter', each household should have access to 10 litres of recycling capacity per week, which would roughly equate to 3 mini glass points over the development. Further details of the requirements can be sought in discussion with the Council Waste Services Team.

Councillor R Watters moved a second amendment to alter the siting of the pedestrian crossing at the proposed site, were the application to be passed. Having failed to find a seconder, the second amendment fell.

THERE FOLLOWED A SEVEN MINUTE RECESS

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

3 Members voted for the Motion as follows:  
Councillors M Barnacle, I James and W Wilson.

5 Members voted for the Amendment as follows:  
Councillors M Lyle, B Brawn, E Drysdale, T Gray and R Watters.

**Resolved:**  
In accordance with the Amendment.

**(2) Major Applications**

- (i) **17/00204/AMM – PERTH – Erection of 70 dwellinghouses (approval of matters specified in conditions 12/01692/IPM) on land to the west of Cherrybank Gardens, Perth – Report 17/397 – Bellway Homes Ltd**

David Niven, Team Leader advised that, should he Committee be minded to grant the application, the procedure note should

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be amended to may result in the application being reassessed, and informative 5 should refer to phase 4.

**Resolved:**

**Grant**, subject to the following terms including revised procedure note, conditions and informatives, including revised informative 5:

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the occupation of any residential plot, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Planning Authority.
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 to the satisfaction of the Council as Planning Authority.
4. Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse, are hereby revoked in full for all terraced dwellings (4) (Plots 54, 55, 56, 57) as detailed on the approved Site Layout Plan (drawing number: PB/Site 2/01 Rev F).
5. Notwithstanding the submitted drawing, an updated detailed landscaping and planting scheme for the site shall be submitted for the further approval of this Planning Authority prior to the commencement of the development. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, species, height, size and density of trees and shrubs to be planted and the scheme as subsequently approved shall be implemented fully within one calendar year of the commencement of development and thereafter maintained to the satisfaction of the Council as Planning Authority.
6. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species.

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7. The areas of public open space indicated on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with a programme to be submitted to and agreed in writing with the Planning Authority prior to the commencement of the development. The scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
8. Prior to commencement of development, an updated and detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be submitted to and approved in writing by the Planning Authority. Such details shall be submitted not less than two month prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the approved CEMP shall thereafter be fully respected and adhered to through the construction phase of the development.
9. For the duration of all construction activities, where site boundaries affect trees, the development shall fully comply with, respect and remain in full accordance with BS5837 2012: *'Trees in relation to construction, demolition and construction. Recommendations'*.
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.

**Justification**

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

**Procedural Notes**

Consent shall not to be issued until a Section 75 Agreement relating to planning contributions has been completed and signed to reflect the current planning reference 17/00204/AMM. 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 may result in the



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planning application being re-assessed through failing to comply with the associated developer contributions policy and may be ultimately recommended for refusal under delegated powers:

- Affordable housing contribution
- Education contribution
- Open Space provision and maintenance

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.
5. The applicant is advised that this permission relates to just Residential Phase Four of the 12/01692/IPM planning approval for residential and employment uses of LDP site MU1. Further applications will be required to discharge the conditions for the remaining employment phases.
6. The applicant is advised that to enable any remaining negative suspensive conditions associated with the 12/01692/IPM planning approval to be fulfilled

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development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.

7. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
8. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
9. 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, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
10. 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.
11. The applicant is advised that the works are likely to 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)
12. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
13. No work shall be commenced until an application for building warrant has been submitted and approved.
14. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.

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**(3) Local Applications**

HAVING DECLARED AN INTEREST, COUNCILLOR T GRAY LEFT THE MEETING AT THIS POINT

**(i) 17/00546/FLL – BLACKFORD – Extraction of sand and gravel on land south east of Milton of Panholes, Blackford – Report 17/398 – Blackford Estates**

Anne Condliffe, Interim Development Quality Manager, advised that should the Committee be minded to grant the application, recommended condition 4 be revised to refer to approval of the restoration seed mix.

**Resolved:**

**Grant**, subject to the following terms, conditions, including revised condition 4, 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 by this permission.
2. The borrow pit hereby approved shall only be exploited to serve planning application 15/01637/FLL for the Blackford Rail Sidings. The total volume of mineral extracted from the mine shall not exceed 19,300m<sup>3</sup> of sand and gravel. No extraction is to occur within 20 metres of Network Rail's Boundary and all excavation/restoration shall be completed not more than 1 year from the date of commencement of the development (as indicated on the 'Notice of Initiation of Development').
3. Mineral extraction and processing shall only be carried out at the site between the hours of 0700-17:30 Monday to Thursday and 0700-15:30 on Friday only. No mineral extraction or processing will occur on Saturday or Sunday. No blasting shall take place on the site.
4. The working, restoration and aftercare of the site shall be carried out only in accordance with the working programme and plans that have been submitted to and approved in writing by the Planning Authority and thereafter implemented in accordance with the approved details to the satisfaction of the Planning Authority. Full details of the restoration seed mix shall be submitted and agreed in writing by the Council as Planning Authority prior to the commencement of extraction.
5. All external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land and ecologically

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sensitive habitats and that light spillage beyond the boundaries of the site is minimised. No illumination of the site is permitted out with the operational hours outlined in condition 3 of this consent.

6. All vehicles, plant and machinery shall operate only during the permitted hours of mineral extraction and processing in condition 3 and shall at all times be silenced in accordance with the manufacturer's recommendations and so operated as to minimise noisy emissions. The Planning Authority reserves the right to insist on any reasonable additional measures to further minimise noise emissions, should it prove expedient to do so.
7. Only the plant machinery and equipment specified in the Noise Assessment submitted with this application (or similar plant which generates no greater sound power levels) shall be used on the mineral extraction site.
8. Should any aspect of the proposed operations result in justified nuisance complaints the applicant shall, if required by the Planning Authority, have qualified consultants carry out monitoring for noise or dust and provide reports to the Planning Authority. The applicant is required to take any reasonable remedial measures recommended in such reports. Noise levels measured at 3.5m from the façade of noise sensitive properties shall not exceed the following limit  $L_{Aeq, 1 \text{ Hour}}$  46 dB (free field).
9. Prior to the commencement of operations, a satisfactory Environmental Management Plan must be submitted to and approved by the Planning Authority. The EMP should include:-
  - (a) a Dust Management Plan covering all operational activities.
  - (b) a Noise Control Plan covering all operational activities.
  - (c) Measure to prevent contamination of the site or any watercourse from oils, fuels, hydraulic fluids and anti-freeze to be stored or used on the site.Thereafter the measures contained with the EMP shall be implemented during the construction programme and records kept for perusal of the Planning Authority.
10. Prior to the commencement of the development hereby approved, the applicant shall submit for the further written agreement of the Planning Authority, in consultation with the Roads Authority (Structures), a Construction Traffic Management Scheme (TMS) which shall include the following;
  - (a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;

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- (b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
  - (c) a code of conduct for HGV drivers to allow for queuing traffic to pass;
  - (d) arrangements for liaison with the Roads Authority regarding winter maintenance;
  - (e) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
  - (f) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
  - (g) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
  - (h) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;
  - (i) details of information signs to inform other road users of construction traffic;
  - (j) arrangements to ensure that access for emergency service vehicles are not impeded;
  - (k) co-ordination with other significant developments known to use roads affected by construction traffic;
  - (l) all vehicles from the site transporting aggregate to the Blackford Rail Siding site shall be covered and measures shall be put in place to ensure no undue idling or waiting on the public road at extraction site and Rail Sidings sites occur.
  - (m) audible vehicle reversing alarms shall be operated on the method that they only emit the warning if necessary, e.g. on an infrared signal which detects persons to the rear of the vehicle.
  - (n) monitoring, reporting and implementation arrangements;
  - (o) arrangements for dealing with non-compliance; and
  - (p) details of HGV movements to and from the site.
- The TMS as approved shall be strictly adhered to during the entire site construction programme.

11. Prior to the commencement of the development an agreement dealing with liability for remedial work required as a result of damage to the local road network directly attributable to the construction of the development and allowing for pre- and post-construction surveys of the said

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local road network shall be submitted to and approved in writing by the planning authority, in consultation with the roads authority.

12. Prior to the commencement of any development on site a detailed plan and phasing proposal for the diversion works to the core path (BFLD/11) and signage needed to facilitate the development at the west and southern end of the site shall be submitted to and approved in writing by the Planning Authority. This plan shall fully detail the temporary arrangements, timescales and proposals for the diversion work to ensure that continued access along the core path and shall take account of any diversion works to (BLFD/3) and asserted Right of Way (29/3) associated with condition 20 of application 15/01637/FLL. The details, as approved in writing, shall be implemented as part of the development of the site and completed to the satisfaction of the Planning Authority prior to the site being brought into use.
13. No land raising shall occur within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent.
14. All surface water arising from the development must be collected and diverted away from Network Rail land. Water must not be caused to pond on or near railway land either during or after any mineral extraction.
15. All trenches and excavations on the site shall be fitted with measures to prevent animals from being trapped. This can include the creation of sloping escape ramps or by using planks within the excavations to allow animals to escape.
16. Prior to the commencement of operations a satisfactory mitigation plan must be submitted to and approved by the Planning Authority in writing to deal with the sand martin resource at the site and shall include the following:-
  - (a) Identification of non-operational areas where suitable vertical faces can be provided to encourage sand martin colonisation along with timescales for the formation of these vertical faces.
  - (b) Identification of long-term retention areas that will not be extracted that can be left for breeding birds in future years.
  - (c) Between mid - March and mid-May the appointment of a suitably qualified ecologist or clerk of works at the developers' expense with the details of appointment being subject to the prior written agreement of the Planning Authority, to ensure the checking of all operational faces for evidence of sand martin nests along with the demarcation of areas which should not be

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disturbed and routinely monitor activities, with the ability to stop operations, make changes to demarcated areas and working practices as necessary.

Thereafter the measures contained with the mitigation plan shall be implemented during the construction programme and records kept for perusal of the Planning Authority.

**Justification**

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

**Informatives**

1. 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 should ensure that any existing wayleaves for maintenance or repair to existing private water supply or septic drainage infrastructure in the development area are honoured throughout and after completion of the development.
5. 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

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subject to a minimum prior notice period for booking of 20 weeks.

6. It is suggested that signing up to a maintenance agreement under Section 96 of the Roads (Scotland) Act 1984 could fulfil the aims of condition 11 in respect of the public roads used to transport the borrow pit material.

COUNCILLOR T GRAY RETURNED TO THE MEETING

**(ii) 17/00992/FLL – DUNKELD – Siting of a mobile crusher and screener on land South of 1 Deans Park, Deans Park, Dunkeld – Report 17/399 – Mills Contractors Ltd**

**Resolved:**

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

**Conditions**

1. Permission is hereby granted for a limited period until 1 December 2022. Prior to this date, the use of all plant and machinery associated with this development shall cease, and all associated equipment removed from the site.
2. 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.
3. Noise from any plant and machinery associated with this development shall be controlled so that noise levels do not exceed 55dB LAeq, 1 hour (free field) at any adjacent dwellinghouse.
4. Prior to the commencement of any development, confirmation of the model of both crusher and screener shall be submitted to the Council as Planning Authority for approval. Any change from the approved model(s) shall be agreed with the Council before being brought into site. All plant and equipment shall thereafter be operated and maintained according to the manufacturer's recommendations. This includes all necessary servicing and the provision of satisfactory exhaust systems to ensure that noise emissions are minimised. Records regarding all services and modifications made to all plant and equipment shall be kept on site and shall be available for inspection by the Council as Planning Authority.
5. The hours of operation of the plant and equipment hereby approved shall be limited to 0700 hours to 1900 hours Monday to Friday and 0800 to 1300 on Saturdays, with no operation on Sunday.
6. Prior to the development commencing, a Dust Management Plan must be submitted for the approval in



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writing by the Council as Planning Authority. The plan must include adequate precautions to ensure that all times and at all stages of the process (including reinstatement), dust generation on the site and outwith, is minimised by implementing agreed dust prevention measures e.g. wheel washing facilities. The plan shall also provide details of future monitoring and reporting on the successfulness of the plan. The approved plan shall thereafter be implemented in full to the satisfaction of the Council as Planning Authority.

**Justification**

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

**Informatives**

1. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
2. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
3. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.

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**(iii) 17/01563/FLL – FEARNAN – Erection of a replacement dwellinghouse at site of former Bruaich Cottage, Fearnan – Report 17/400 – Professor and Mrs Paterson**

Mr R Wagland, an objector to the application, followed by Mr J Denholm, Denholm Partnership LLP, agent for the applicants, addressed the Committee and, following their respective representations, withdrew to the public benches.

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
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.
3. Prior to the commencement of the development hereby approved, a detailed landscaping and planting scheme for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme shall include details of the height and slopes of any mounding or recontouring of the site, full details of all hard landscaping proposals including materials and installation methods and, species, height, size and density of trees and shrubs to be planted. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained.
4. 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

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measures, once in place, shall remain in place for the duration of construction.

5. The stove shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stove and flue and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place.

**Justification**

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

**Informatives**

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
2. Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. An application for Building Warrant may be required.
5. Due to the nature of the proposed work it is important to keep in mind the possibility of finding bats when doing work on the existing roof. If bats are found during works, the work should stop immediately and you should contact SNH at Battleby immediately for advice. Building works should avoid the times of year when bats are most vulnerable to disturbance. The summer months, when bats are in maternity roosts, and the winter months when bats are hibernating, should be avoided. Typically early spring and autumn months are the best times to do work that may affect bats. If you suspect that bats are present you should consult SNH for advice. For further information visit the Bat Conservation Trust website <http://www.bats.org.uk/>.

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6. Existing buildings or structures may contain nesting birds between 1st March and 31st August inclusive. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
7. The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out.

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PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
7 DECEMBER 2017

## LICENSING COMMITTEE

Minute of meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 7 December 2017 at 11.30am.

Present: Councillors R Brock, I James, C Ahern, J Rebbeck and R Watters.

In Attendance: J Dixon, the Environment Service, L Cormack, S Michie, K Molley, M McLaren and L Brown (all Corporate & Democratic Services)

Also In Attendance: M Benn and C Longmead, representing Festival Republic.

Apologies for Absence: Councillors B Brawn, D Illingworth, A Jarvis, A Parrott, F Sarwar and L Simpson.

Councillor R Brock, Convener, Presiding.

### 699. WELCOME AND APOLOGIES

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

### 700. DECLARATIONS OF INTEREST

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

### 701. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Licensing Committee of 26 October 2017 was submitted and approved as a correct record.

### 702. PUBLIC ENTERTAINMENT LICENCE: SCONE PALACE EVENT

There was submitted a report by the Head of Legal and Governance Services (17/401) seeking approval for a Public Entertainment licence received from Festival Republic for a musical event to be held at Scone Palace on 25 and 26 May 2018.

Mr M Benn representing Festival Republic addressed the Committee and answered Members' questions. Mr J Dixon, on behalf of Perth and Kinross Council, also addressed the Committee and answered Members' questions.

#### **Resolved:**

- (i) Public Entertainment Licence PE340 for an event to be held at Scone Palace Perth on 25 and 26 May 2018 be granted for a period of one year along with the draft conditions detailed in Appendix 1 to Report 17/40.
- (ii) Authority be delegated to the Head of Legal and Governance Services in consultation with the Convener of the Licensing Committee, to finalise any necessary adjustment to the conditions of the licence prior to the event.

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PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
20 DECEMBER 2017

## **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 20 December 2017 at 9.30am.

Present: Councillors B Band, C Ahern, P Barrett, I Campbell (from Art. 707), A Coates (from Art. 707(4)), H Coates (from Art. 707(4)), D Doogan (from Art. 705), E Drysdale, M Lyle (from Art. 707), A Parrott and W Wilson.

In Attendance: Councillors S Donaldson, T Gray and R Brock; T Flanagan and S Merone (both The Environment Service); G Motion (Education and Children's Services); D Coyne, J Salisbury, C Flynn, A Taylor, K Molley and S Richards (all Corporate and Democratic Services)

Apology for Absence: Councillors S McCole and J Rebbeck.

Councillor B Band, Convener, Presiding.

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

Councillor B Band welcomed all present to the meeting and apologies were noted as above.

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

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

COUNCILLOR D DOOGAN ENTERED THE MEETING AT THIS POINT.

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

The minute of meeting of the Perth Common Good Fund Committee of 4 October 2017 (Arts. 536-546) was submitted, approved as a correct record and authorised for signature.

### **706. MATTERS ARISING**

There were no matters arising.

COUNCILLORS I CAMPBELL AND M LYLE ENTERED THE MEETING AT THIS POINT.

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PERTH COMMON GOOD FUND  
20 DECEMBER 2017

**707. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Interim Executive Director (Environment) (17/402), asking the Perth Common Good Fund Committee to consider 11 applications for financial assistance.

**Resolved:**

**(1) People with a Mission Ministries**

People with a Mission Ministries be awarded a grant of £1,500 towards the cost of their Perth Senior Citizens 2017 Christmas Appeal.

**(2) Perth & District Badminton Association**

Perth & District Badminton Association be awarded a grant of £3,000 towards the cost of staging the 2018 Scottish Badminton Championships.

**(3) Young Person**

A young person be awarded a grant of £250 towards the costs of participating in the volunteering programme in Myanmar.

COUNCILLORS A COATES AND H COATES ENTERED THE MEETING AT THIS POINT.

**(4) Our Lady's Primary School Parent Council**

Our Lady's Primary School Parent Council be awarded a grant of £700 towards the costs of a pantomime outing.

**(5) Perth Academy**

Perth Academy be awarded a grant of £700 (being £100 each for 7 pupils) towards the costs of a trip to WW1 battlefields in June 2018.

**(6) Young Person**

A young person be awarded a grant of £150 towards the costs of pursuing dance training at National level and at a local dance school.

**(7) Friendly Group**

The Friendly Group be awarded a grant of £196 towards the costs of their Christmas lunch on 12 December 2017 and £200 towards the costs of outings for 28 people.

**(8) Headway Perth and Kinross**

Headway Perth and Kinross be awarded a grant of £350 towards the costs of a Christmas lunch and outing to Perth Theatre on 9 December 2017 for 50 people.

**(9) Perth and Kinross Association of Voluntary Services**

Perth and Kinross Association of Voluntary Services be awarded a grant of £3,000 towards the cost of the Chinese New Year Celebrations on 10 and 11 February 2018 in Perth.

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**(10) Bowerswell Social Tenants Group**

Bowerswell Social Tenants Group be awarded a grant of £210 towards the cost of their Christmas Party for 30 people held on 15 December 2017.

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

- (i) St John's Kirk of Perth be awarded a grant of £2,610 towards the cost of 16 carillon recitals between January and December 2018.
- (ii) An update be provided on the progress of training new Carilloners to the next meeting of the Committee.

**708. 2017/18 FINANCIAL STATEMENT**

There was submitted a joint report by the Head of Finance and the Interim Executive Director (Environment) (17/403), detailing the Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018 for the Perth Common Good Fund.

**Resolved:**

The Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018, be noted.

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PERTH AND KINROSS COUNCIL  
AUCHTERARDER COMMON GOOD FUND  
20 DECEMBER 2017

## **AUCHTERARDER COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Auchterarder Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 December 2017 at 9.48am.

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

In Attendance: Councillors S Donaldson and R Brock; T Flanagan and S Merone (both The Environment Service); G Motion (Education and Children's Services); D Coyne, J Salisbury, C Flynn, A Taylor, K Molley and S Richards (all Corporate and Democratic Services).

Apology for Absence: C Reid.

Councillor T Gray, Convener, Presiding.

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

Councillor Gray welcomed all present to the meeting, and an apology was noted as above.

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

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

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

The minute of meeting of the Auchterarder Common Good Fund Committee of 4 October 2017 (Arts. 554-560) was submitted, approved as a correct record and authorised for signature.

### **712. MATTERS ARISING**

There were no matters arising.

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

There was submitted a report by the Interim Executive Director (Environment) (17/404) asking the Auchterarder Common Good Fund Committee to consider two applications for financial assistance.

#### **Resolved:**

#### **(1) Auchterarder Adult Education Association**

The Auchterarder Adult Education Association be awarded a grant of £1,400 towards the costs of a new annual programme of activities offering courses to adults.

PERTH AND KINROSS COUNCIL  
AUCHTERARDER COMMON GOOD FUND  
20 DECEMBER 2017

**(2) The Community School of Auchterarder**

The Community School of Auchterarder be awarded a grant of £2,000 towards the costs of a two week trip to Malawi for 15 pupils in June 2018.

**714. 2017/18 FINANCIAL STATEMENT**

There was submitted a joint report by the Head of Finance and the Interim Executive Director (Environment) (17/405), providing an update on Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018 for the Auchterarder Common Good Fund.

**Resolved:**

- (i) The Auchterarder Common Good Fund Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018 for Financial Year 2017/18, be noted.
- (ii) The proposed budget adjustments as detailed in Appendix 1 to Report 17/405, be approved.

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PERTH AND KINROSS COUNCIL  
CRIEFF COMMON GOOD FUND  
20 DECEMBER 2017

## **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 20 December 2017 at 9.52am.

Present: Councillors S Donaldson, R Brock, I Campbell, R McCall and M Lyle.

In Attendance: Councillor W Robertson; T Flanagan and S Merone (both The Environment Service); G Motion (Education and Children's Services); D Coyne, J Salisbury, C Flynn, A Taylor, K Molley and S Richards (all Corporate and Democratic Services).

Councillor S Donaldson, Convener, Presiding.

### **715. WELCOME AND APOLOGIES**

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

### **716. DECLARATIONS OF INTEREST**

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

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

The minute of meeting of 4 October 2017 (Arts. 568-574) was submitted, approved as a correct record and authorised for signature.

### **718. MATTERS ARISING**

There were no matters arising.

### **719. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by Interim Executive Director (Environment) (17/406), asking the Crieff Common Good Fund to consider one application for financial assistance.

#### **Resolved:**

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

The Crieff Choral Group be awarded a grant of £200 towards the costs of rehearsals and their Spring concert on 18 March 2018.

PERTH AND KINROSS COUNCIL  
CRIEFF COMMON GOOD FUND  
20 DECEMBER 2017

**720. 2017/18 FINANCIAL STATEMENTS**

There was submitted a joint report by the Head of Finance and the Interim Executive Director (Environment) (17/407), providing an update on the Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018 for the Crieff Common Good Fund.

**Resolved:**

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

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PERTH AND KINROSS COUNCIL  
KINROSS COMMON GOOD FUND  
20 DECEMBER 2017

## **KINROSS COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Kinross Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 December 2017 at 9.58am.

Present: Councillors M Barnacle, I Campbell, M Lyle, W Robertson and R Watters.

In Attendance: Councillor S Donaldson; T Flanagan and S Merone (both The Environment Service); G Motion (Education and Children's Services); D Coyne, J Salisbury, C Flynn, A Taylor, K Molley and S Richards (all Corporate and Democratic Services).

Apologies: Councillors C Purves.

Councillor M Barnacle, Convener, Presiding.

### **721. WELCOME AND APOLOGIES**

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

### **722. DECLARATIONS OF INTEREST**

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

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

The minute of meeting of the Kinross Common Good Fund Committee of 28 June 2017 (Arts. 400-406) was submitted, approved as a correct record and authorised for signature.

### **724. MATTERS ARISING**

There were no matters arising.

### **725. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Interim Executive Director (Environment) (17/408), asking the Kinross Common Good Fund Committee to consider one application for financial assistance.

#### **Resolved:**

#### **(1) Kinross Curling Trust**

The Kinross Curling Trust be awarded a grant of £852 towards the costs of improving access to Kinross Curling facilities.

PERTH AND KINROSS COUNCIL  
KINROSS COMMON GOOD FUND  
20 DECEMBER 2017

**726. 2017/18 FINANCIAL STATEMENT**

There was submitted a joint report by the Head of Finance and the Interim Executive Director (Environment) (17/409), providing an update on the Income and Expenditure to 31 October 2017 and the projected outturn to 31 March 2018 for the Kinross Common Good Fund.

**Resolved:**

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

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PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 DECEMBER 2017

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 December 2017 at 11.00am.

Present: Provost D Melloy, Councillors C Ahern, H Anderson (from Art. 732 onwards), A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, R Brock (with the exception of Art. 731(iii)), I Campbell, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle R McCall, S McCole (up until Art. 740), X McDade, T McEwan, A Parrott, B Pover, J Rebbeck, C Reid, W Robertson, F Sarwar, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Environment); G Taylor, L Simpson, S Hendry, S MacKenzie, C Flynn, K Molley, L Potter, R Fry, K Donaldson, K Barron, D Stokoe and S Walker (all Corporate and Democratic Services); J Pepper, Chief Social Work Officer; P Henderson, Perth and Kinross Health and Social Care Partnership; and F Robertson, Head of Public Service Reform, Culture and Community Development.

Apologies for Absence: Councillors C Purves and C Shiers.

Provost D Melloy, Presiding.

### **727. TRIBUTE TO THE LATE BARBARA VAUGHAN**

Provost Melloy paid tribute to former Perth and Kinross Councillor Barbara Vaughan who tragically died earlier in December following a car accident. She had first been elected to the Council in 2007 and had retired prior to the local government elections in May 2017.

The following motion, proposed by Councillor D Doogan and seconded by Councillor K Baird, was agreed:

In recognition of the many years of dedicated service Barbara Vaughan gave in pursuit of higher educational outcomes for our young people and moreover, in a testament to the priority she placed on the welfare of young carers in our communities Council instructs officers in Education and Children's Services to establish an annual "Barbara Vaughan Memorial Award" which would record and celebrate educational success within our young carer community in Perth and Kinross, and that the establishment of the award be communicated to Barbara's family.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 DECEMBER 2017

**728. WELCOME AND APOLOGIES**

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

**729. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor R Brock declared a financial interest in Art. 731(iii) on the agenda and Councillor R McCall declared a non-financial interest in Art. 731(iii) on the agenda.

**730. MINUTE OF MEETING OF 4 OCTOBER 2017**

The minute of the meeting of Perth and Kinross Council of 4 October 2017 (Arts. 575-590) was submitted and approved as a correct record and authorised for signature.

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

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

**(i) Royal Bank of Scotland**

Motion (Councillors X McDade and M Barnacle)

That the Council is disappointed to note the recent announcement by Royal Bank of Scotland that it intends to close five branches in Aberfeldy, Comrie, Kinross, Perth South Street and Pitlochry; recognises the great deal of anxiety that this has caused for both the customers and staff of the affected branches, which will leave many people unable to easily access a local branch, believes that these branch closures will disproportionately affect those older people who do not use on-line banking services, residents with poor-quality broadband and rural businesses who need to bank on a regular basis; further notes that the majority shareholder of RBS is the UK Government following its bailout in 2008 and that by closing these branches it will not be serving the UK taxpayers living in Perth & Kinross; and instructs the Leader of the Council to write to the Chairman and the Chief Executive of the Royal Bank of Scotland Group to inform them of the Council's opposition to these closures and to encourage them to consider alternative options to closure such as reduced hours of opening.

Amendment (Councillors M Williamson and S Donaldson)

Moreover, we call upon Perth & Kinross Council to approve a request that the Leader of the Council should also write to the Chancellor of the Exchequer to seek the reversal of the decision to close five Royal Bank of Scotland branches within Perth & Kinross. As the majority stakeholder in RBS the Government cannot avoid responsibility, and must take action.



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Perth and Kinross is a huge geographical area. The proposed closures by RBS will affect all sections of society who have come to rely upon the services provided by the bank.

All banks are pushing customers to do their banking business on line, but not everyone has access to broadband services or can use computers and the steady retreat of banking and other services is in danger of exacerbating the existing digital divide.

Businesses will be expected to take on additional insurance and also be faced with the option of travelling long distances or standing outside a mobile bank with large amounts of cash.

However it is not only businesses which will be affected. The proposed closures will also impact on individuals, including those on all forms of benefits, such as universal credit and Pensions.

These proposed branch closures are likely to see more vacant retail units in our main streets. This council recognises the need to maintain valuable banking services within our local communities.

In the event that RBS fails to reverse its decision to close branches in our communities, this Council instructs the Head of Finance to review current banking arrangements with RBS and report back to Council with alternative options.

Note: The Mover and Seconder of the Motion agreed to incorporate the terms of the Amendment into the Motion.

**Resolved:**

In accordance with the revised Motion.

**(ii) Shelter Scotland Campaign to Fix Homelessness**

Motion (Councillors P Barrett and I Campbell)

Perth and Kinross Council:

- Notes the significant and lasting improvements have been achieved across Perth and Kinross to improve the housing outcomes of households facing homelessness. Through a range of preventative measures, the increased supply of affordable housing and the introduction of Home First the duration, stigma and experience of homelessness has been reduced.
- Supports Shelter Scotland's call for national action on homelessness.
- Recognises that every 19 minutes a household in Scotland becomes homeless.
- Re-iterates its commitment to our strategic aim to prevent homelessness arising wherever possible and to ensure that all households within Perth and Kinross have access to good quality affordable accommodation with the necessary support and assistance to sustain people in their homes.

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Perth and Kinross Council agrees to support Shelter Scotland's campaign to fix homelessness.

**Resolved:**

In accordance with the Motion.

COUNCILLOR BROCK LEFT THE MEETING AT THIS POINT

**(iii) Barclay Review of Non-Domestic Rates**

Motion (Councillors C Stewart and K Baird)

That the Council notes the recent announcement by the Cabinet Secretary for Finance and the Constitution on the Barclay Review; understands that the Scottish Government will not be accepting the Review's recommendations to remove non-domestic rates relief from arms-length external organisations operated by local authorities; recognises the significant impact this move would have had on their ability to deliver cultural and leisure services in Perth and Kinross; welcomes the fact that Scottish ministers have listened to the concerns of opposition parties and the wider public on this particular matter; further notes that a decision has now been made by the Scottish Government to support the Review's recommendation to remove non-domestic rates relief from independent schools; welcomes the fact that relief will still be available to some smaller independent schools who offer very specialist help to children with additional support needs, including those referred to them by local authorities; believes however that this is the wrong overall approach and that it will hinder independent schools in their efforts to strive for social balance through the use of bursaries; recognises the considerable contribution made by independent schools to the local economy and to employment in Perth & Kinross; suggests instead that state schools should be awarded the same financial benefit as those in the independent sector; and asks the Leader of the Council to write to the Cabinet Secretary for Finance and the Constitution informing him of the Council's position.

First Amendment (Councillors D Doogan and A Parrott)

That the Council notes the recent announcement by the Cabinet Secretary for Finance and the Constitution on the Barclay Review; understands that the Scottish Government will not be accepting the Review's recommendations to remove non-domestic rates relief from arms-length external organisations operated by local authorities; recognises the significant impact this move would have had on their ability to deliver cultural and leisure services in Perth and Kinross; welcomes the fact that Scottish ministers have listened to concerns on this particular matter.

**Second Amendment (Councillors P Barrett and L Simpson)**

**That the Council notes the recent announcement by the Cabinet Secretary for Finance and the Constitution on the Barclay Review; understands that the Scottish Government will not be accepting the Review's recommendations to remove non-domestic rates relief from arms-length**

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**external organisations operated by local authorities; recognises the significant impact this move would have had on their ability to deliver cultural and leisure services in Perth and Kinross; welcomes the fact that Scottish ministers have listened to the concerns of opposition parties and the wider public on this particular matter; further notes that a decision has now been made by the Scottish Government to support the Review's recommendation to remove non-domestic rates relief from independent schools; welcomes the fact that relief will still be available to some smaller independent schools who offer very specialist help to children with additional support needs, including those referred to them by local authorities.**

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

15 members voted for the First Amendment as follows:

Councillors A Bailey, B Band, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck, F Sarwar, R Watters and M Williamson.

21 members voted for the Second Amendment as follows:

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

The Second Amendment became the substantive Amendment and was put against the Motion:

15 members voted for the Motion as follows:

Councillors C Ahern, K Baird, B Brawn, I Campbell, A Coates, H Coates, A Forbes, D Illingworth, I James, A Jarvis, M Lyle, R McCall, Provost Melloy, C Reid and C Stewart.

21 members voted for the Amendment as follows:

Councillors A Bailey, B Band, M Barnacle, P Barrett, S Donaldson, D Doogan, E Drysdale, T Gray, G Laing, S McCole, X McDade, T McEwan, A Parrott, B Pover, J Rebbeck, W Robertson, F Sarwar, L Simpson, R Watters, M Williamson and W Wilson.

**Resolved:**

In accordance with the Amendment.

COUNCILLOR R BROCK RETURNED TO THE MEETING AT THIS POINT.

COUNCILLOR H ANDERSON ENTERED THE MEETING AT THIS POINT.

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**732. MINUTES OF MEETINGS OF COMMITTEES FROM 20 SEPTEMBER 2017 TO 29 NOVEMBER 2017**

The decisions recorded in Arts. 508-574 and 591-686, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary. It was noted that Councillor S McCole had not been present for the entirety of the meeting of the Scrutiny Committee of 29 November 2017.

**733. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Senior Depute Chief Executive (17/411) providing an update on the activities of the Community Planning Partnership since the last update to Council on 4 October 2017.

**Resolved:**

The progress made in relation to Community Planning in terms of the requirements under the Community Empowerment (Scotland) Act 2015 be noted.

**734. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2017/18 QUARTER 2**

There was submitted a report by the Head of Finance (17/412) (1) providing a summary of Loans Fund transactions for the quarter ending 30 September 2017 and (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices, Investment Strategy and Prudential indicators for the same period.

**Resolved:**

The contents of Report 17/412 be noted.

**735. REVIEW OF TREASURY MANAGEMENT SYSTEMS DOCUMENT**

There was submitted a report by the Head of Finance (17/413) seeking approval of the revised Treasury Management Systems Document as required by the CIPFA Code of Practice for Treasury Management.

**Resolved:**

- (i) The revised Treasury Management Systems Document be noted.
- (ii) A more comprehensive review of the document be deferred until after CIPFA have published the new Prudential Code and Treasury Management Code of Practice.

**736. REVENUE BUDGET 2018/19, 2019/20 & 2020/21 – REPORT NO.1**

There was submitted a report by the Head of Finance (17/414) providing an update in relation to the Revenue Budget for 2018/19, 2019/20 and 2020/21 in light of the information contained in the UK Government's Autumn Budget Statement announced on 22 November 2017 and the Scottish Government's Budget Statement announced on 14 December 2017.

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**Resolved:**

The contents of Report 17/414 be noted.

**737. BEYOND THE FAIR CITY: DELIVERY PLAN**

Following a motion by Councillor I Campbell, the Provost ruled that Report 17/415 be deferred and a revised report be submitted to Council for consideration in 2018.

**738. GAELIC LANGUAGE PLAN 2018-2022**

There was submitted a report by the Senior Depute Chief Executive (17/416) (1) summarising the development process for the new Council Gaelic Language Plan 2018-2022; and (2) seeking approval of the Plan subject to final review by Bòrd na Gàidhlig which monitors Gaelic Language Plans on behalf of Scottish Ministers.

**Resolved:**

The new Gaelic Language Plan 2018-2022 be implemented, subject to any final review comments received from Bòrd na Gàidhlig after 20 December 2017.

**739. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2016/17**

There was submitted a report by the Chief Social Work Officer (17/417) (1) providing the Chief Social Work Officer's overview of social work and social care in Perth and Kinross during financial year 2016/17; (2) setting out how social care and social work services are being delivered and the key challenges in planning and delivering improvement through service redesign and transformation; and (3) showing how well social care and social work services are responding to new responsibilities associated with major legislative and policy direction as well as managing increasing demand and associated budget pressures.

**Resolved:**

- (i) The Chief Social Work Officer Annual Report 2016/17, as set out in Appendix 1 to Report 17/417, be approved.
- (ii) The Chief Social Work Officer be instructed to arrange a workshop for elected members to examine in more detail the full range of social work services in Perth and Kinross.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 1.20PM

**740. BUILDING AMBITION – A WORKFORCE FOR THE 21<sup>ST</sup> CENTURY**

There was submitted a report by the Chief Executive (17/418) detailing the key achievements in workforce planning and development since the last annual workforce report in December 2016.

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**Resolved:**

- (i) The continued emphasis on supporting Council staff as the essential element of the Council's ability to transform as an organisation be acknowledged and endorsed.
- (ii) The progress and achievements over the course of 2017, as detailed in Report 17/418, be noted.
- (iii) The Depute Chief Executive/Chief Operating Officer be instructed to bring forward a new Corporate Workforce Plan in early 2018.

COUNCILLOR S MCCOLE LEFT THE MEETING AT THIS POINT

**741. REVIEW OF POLITICAL DECISION MAKING STRUCTURES**

There was submitted a report by the Chief Executive (17/419) making recommendations following a review of political decision-making structures since the local government elections on 4 May 2017.

**Motion (Councillors I Campbell and M Lyle)**

**That the Council agree that with effect from 1 January 2018 -**

- (i) the areas set out in Paragraph 2.5 of Report 17/419 be included in the remit of the Strategic Policy & Resources Committee
- (ii) the membership and remit of the Scrutiny Committee be amended as outlined in Paragraph 2.7.
- (iii) with the change to the remit of the Environment, Enterprise & Infrastructure Committee, the Committee be renamed the Environment and Infrastructure Committee.
- (iv) the aspects of Trading Standards; Environmental Health; Byelaws & Management Rules currently within the remit of the Housing & Communities Committee be included in the remit of the Licensing Committee.
- (v) the oversight of (i) the implementation of community planning policies and community empowerment legislation (ii) the development of the action plan to implement the Fairness Commission's recommendations be included within the remit of the Housing and Communities Committee as outlined in Paragraphs 2.12 and 2.13.
- (vi) 2 representatives of the Perth & Kinross Youth Forum be appointed to the Lifelong Learning Committee in a non-voting capacity to represent the interests of children and young people as outlined in Paragraph 2.17.
- (vii) the ten existing Common Good Fund Committees be retained.
- (viii) the 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 advisory non-voting members.
- (ix) the remit of the Modernising Governance Member / Officer Group be amended as set out in Paragraph 2.44.

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- (x) the Planning Policy and Practice Member / Officer Working Group be re-established as outlined in Paragraph 2.46.
- (xi) the timetable of meetings be as set out in Appendix 2 to Report 17/419.
- (xii) to proceed with the webcasting / broadcasting of public meetings by recording and broadcasting after the meeting in the first instance, with a review after 12 months of operation.

Amendment (Councillors X McDade and A Bailey)

Accept the recommendations in Report 17/419, with the following exceptions:

- (i) Further discussion to take place with the Convener of the Lifelong Learning Committee, in consultation with the Executive Director (Education and Children's Services), on the proposal to move the start time of the Lifelong Learning Committee to 4.00pm.
- (ii) The Head of Democratic Services be instructed to investigate the possibility of holding all meetings on Mondays and Wednesdays for future timetables.

Note: The Mover and Seconder of the Motion agreed to incorporate the terms of the amendment into the Motion.

**Resolved:**

In accordance with the revised Motion.

**742. BOUNDARY COMMISSION FOR SCOTLAND – 2018 REVIEW OF UK PARLIAMENT CONSTITUENCIES – REVISED PROPOSALS**

There was submitted a report by the Head of Democratic Services (17/420) advising that on 17 October 2017, the Boundary Commission for Scotland had published its revised proposals in respect of boundaries for constituencies for the UK Parliament and referring in particular to the proposals as they affected the Perth and Kinross Council area, in relation to the existing UK Parliament constituencies of Perth & North Perthshire and Ochil & South Perthshire.

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

**The Head of Democratic Services be instructed to respond to the Boundary Commission for Scotland immediately after the Council meeting advising that the Council is supportive of the revised proposals in respect of the 2018 review of the boundaries of the UK parliament constituencies in the Perth and Kinross Council area as outlined in Paragraph 2.2 of Report 17/420, but requesting that the proposed Stirlingshire and South Perthshire constituency be renamed the Stirlingshire, Kinross-shire and South Perthshire constituency.**

**Resolved:**

In accordance with the Motion.

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**743. APPOINTMENTS TO COMMITTEES/PARTNER ORGANISATIONS/  
OUTSIDE BODIES**

**(i) Lifelong Learning Committee**

It be agreed that Councillor A Coates replace Councillor A Jarvis on the Lifelong Learning Committee.

**(ii) Licensing Committee**

It be agreed that Councillor A Coates replace Councillor K Baird on the Licensing Committee.

**(iii) Audit Committee**

It be agreed that Councillor A Coates replace Councillor I James on the Audit Committee.

**(iv) Planning and Development Management Committee**

It be agreed that Councillor L Simpson replace Councillor H Coates on the Planning and Development Management Committee.

**(v) Joint Negotiating Committee for Teaching Staff**

It be agreed that Councillor R McCall replace Councillor W Wilson on the Joint Negotiating Committee for Teaching Staff.

**(vi) Children, Young People and Families Partnership**

It be agreed that Councillor W Wilson replace Councillor R McCall on the Children, Young People and Families Partnership.

**(vii) The Tay Foundation**

It be agreed that Councillor A Coates replace Councillor A Forbes on The Tay Foundation.

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PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
9 JANUARY 2018

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

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chambers, 2 High Street, Perth on Tuesday 9 January 2018 at 10.30am.

Present: Councillors W Wilson, H Anderson 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: Councillor L Simpson; C Brien (the Environment Service); members of the public, including agents and applicants.

Councillor W Wilson, Convener, Presiding.

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

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

### **2. MINUTE**

The minute of meeting of the Local Review Body of 5 December 2017 was submitted and noted.

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

- (i) **TCP/11/16(497) - Planning Application – 17/00471/FLL – Change of use from 4 holiday accommodation units (numbers 1, 2, 4 and 5) to 4 dwellinghouses (class 9), Altamout Park, Coupar Angus Road, Blairgowrie – Target Properties Ltd.**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a change of use from 4 holiday accommodation units (number 1, 2, 4 and 5) to 4 dwellinghouses (class 9), Altamout Park, Coupar Angus Road, Blairgowrie.

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

#### **Decision:**

Resolved by unanimous decision that:

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

PERTH AND KINROSS COUNCIL  
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Thereafter, resolved by unanimous decision that:

- (ii) the Review application for a change of use from 4 holiday accommodation units (number 1, 2, 4 and 5) to 4 dwellinghouses (class 9), Altamout Park, Coupar Angus Road, Blairgowrie, be refused for the following reasons:
  - 1. Notwithstanding the proposed, and envisaged, amendments to the 'as built' layout, window openings and screening measures, the proposed development would still result in an environment which is not suitable for mainstream residential use and which would offer a low level of residential amenity and privacy for future occupiers of the dwellings as permanent living accommodation. Such revisions do not overcome the underlying limitations of the layout regarding the proximity of the sided elevations which also provide the main entrances and parking areas. To this end, the proposed use of the lodges as mainstream dwellings remains contrary to the aims and purposes of Policies RD1 and PM1A of the Perth and Kinross Local Development Plan 2014 which both seek to protect and secure a satisfactory standard of residential amenity.

**Justification**

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

**(ii) TCP/11/16(499) - Planning Application – 17/02152/FLL – Erection of a dwellinghouse, Nether Blelock Farm, Bankfoot – Mr and Mrs Chalmers**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse, Nether Blelock Farm, Bankfoot.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse, Nether Blelock Farm, Bankfoot, be granted subject to:

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1. the securing of transport infrastructure contributions in advance of the decision notice being issued.
2. The imposition of relevant conditions and informatives including confirmation that planning permission is for one dwellinghouse only - the 'granny flat' being ancillary to the occupation of the house for friends and family and not used as independent or separate letting accommodation, a condition on the restriction of occupancy as required for a key worker associated with the management of the associated farmland or to convert to an agreed tenure of affordable housing when the employment use is no longer required, and an informative regarding the pipeline in the vicinity of the application site.

**Justification**

The proposed erection of a dwellinghouses was assessed as necessary to support the agricultural operations of the site and related farmland, and in that context, with the imposition of relevant conditions and informatives, was not assessed as being contrary to the Local Development Plan.

**(iii) TCP/11/16(501) – Planning application - 17/01337/FLL – Erection of a stable buildings (in retrospect) at Dollar Equestrian, Blairingone, Dollar, FK14 7ND – Dollar Equestrian**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of stable buildings (in retrospect) at Dollar Equestrian, Blairingone, Dollar, FK14 7ND.

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

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) the Development Quality Manager to comment on the Acoustic Consultant's e mail, the Manure Plan and revised Landscape Plan submitted in the Notice of Review, and subsequently allow for further comment on the Development Quality Manager's comments;
- (iii) following the receipt of further comment, an unaccompanied site visit be carried out the application be brought back to the Local Review Body.

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- (iv) following the unaccompanied site visit being carried out, the application be brought back to the Local Review Body.

THERE FOLLOWED A TEN MINUTE RECESS

**(iv) TCP/11/16(502) – Planning application - 17/01333/FLL – Installation of replacement windows at First Floor, 127 High Street, Kinross, KY13 8AQ – Mr N Donovan**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the installation of replacement windows at First Floor, 127 High Street, Kinross, KY13 8AQ.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for installation of replacement windows at First Floor, 127 High Street, Kinross, KY13 8AQ, be refused for the following reasons:
  1. The window specification detail, by virtue of the broad width of the sub-frame and window, uPVC framing, fixed top pane, tilt-opening lower pane and lack of credible profile cross section, would have an adverse impact on the visual amenity in a prominent and sensitive townscape location. Approval would therefore be contrary to Policies PM1A and PM1Bc of the Perth and Kinross Local Development Plan 2014 which seek to ensure that development contributes positively to the quality of the surrounding built environment in order to respect the character and amenity of the place.
  2. The window specification detail, by virtue of the broad width of the sub-frame and window, uPVC framing, fixed top pane, tilt-opening pane and lack of credible profile cross section, would have an adverse impact on the character and appearance of the Kinross Conservation Area and the setting of the adjacent civic core Listed Buildings. Approval would therefore be contrary to the Kinross Conservation Area Appraisal 2010, Scottish Planning Policy 2014 and Policies HE2 and HE3a of the Perth and Kinross Local Development Plan 2014, which

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seek to safeguard the historic built environment by ensuring that new development preserves or enhances the character and appearance of the Kinross Conservation Area and that it is sympathetic to the setting of Listed Buildings.

**Justification**

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

**(v) TCP/11/16(504) – Planning application - 17/01268/FLL – Formation of vehicular access at 36 Dunkeld Road, Perth, PH1 5AW – Miss K Griffin**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the formation of vehicular access at 36 Dunkeld Road, Perth, PH1 5AW.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the formation of vehicular access at 36 Dunkeld Road, Perth, PH1 5AW, be refused for the following reasons:
  - 1. The proposal would create an unsatisfactory vehicular access onto a public road which would i) interfere with the safe operation of a pedestrian crossing, ii) jeopardise road and pedestrian safety and iii) obstruct the free movement of pedestrians and other road users. In this context, the acute angle of the proposed access would result in vehicles entering the dual carriageway in a direction contrary to oncoming traffic in both daylight and hours of darkness. Additionally, the proposal does not include any facility to enable vehicles to turn within the site. To this end, the proposal is contrary to the overarching principles of Policy PM1B, criteria (e), of the Perth and Kinross Local Development Plan 2014 which seeks to ensure that all new proposals create safe, accessible, inclusive places for all people.

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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.

**4. DEFERRED APPLICATION FOR REVIEW**

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

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff.

It was noted that, at its meeting of 7 November 2017, the Local Review Body resolved by unanimous decision that insufficient information was before the Local Review Body to determine the matter without comment from the Interim Development Quality Manager on the Ecological Survey, submitted as part of the Notice of Review. The comments having been supplied, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, including the further information requested by the Local Review Body at its meeting of 7 November 2017, sufficient information was before the Local Review Body to determine the matter without further procedure; Thereafter, resolved by unanimous decision that:
- (ii) the Review application for the erection of a dwellinghouse on land 40 metres south west of Glencoe, Baird Terrace, Crieff, be refused for the following reasons:

1. The proposed development is contrary to Policy RD1 of the Perth and Kinross Local Development Plan 2014, as the proposals will involve backland development to the rear of Baird Terrace which would have a significant impact on both neighbouring residential amenity of Numbers 8 and 10 and the character of the landscape. Its approval would also establish an unwelcome precedent for further similar developments which would have a serious detrimental impact on the amenity and character of the area.
2. The proposal is contrary to Policy PM1A, PM1B (b) and PM1B (d) of the Perth and Kinross Local Development Plan 2014, as the proposed development would fail to contribute positively to the quality of the surrounding built and natural environment and would involve backland

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development which fails to respect the prevailing established building line of Baird Terrace and would not be compatible with the residential amenity and character of the surrounding area.

3. The proposal is contrary to Policy NE3 of the Perth and Kinross Local Development Plan 2014 as the felling of trees on the site is considered to potentially impact on the habitat of protected species including birds, bats and red squirrels, all of which have been identified as being present in the immediate area.

**Justification**

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

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LICENSING COMMITTEE  
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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 January 2018 at 10.00am.

Present: Councillors R Brock (Convener), Ian James (Vice-Convener), C Ahern, B Brawn, D Illingworth, A Jarvis, A Parrott, L Simpson, and R Watters.

In Attendance: PC L Gregge (Police Scotland); M McLaren, S Michie and L Brown (all Corporate and Democratic Services).

Apologies for Absence: Councillors A Coates, B Pover, J Rebbeck, and F Sarwar.

Councillor R Brock (Convener), Presiding.

### **5. WELCOME AND APOLOGIES**

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

### **6. DECLARATIONS OF INTEREST**

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

### **7. MINUTES**

The Minute of Meeting of the Licensing Committee of 7 December 2017 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.**

### **8. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1657**

There was submitted a report by the Head of Legal and Governance Services (18/1) together with a letter of objection from Police Scotland dated 18 December 2017 in terms of Schedule 1, Paragraph 11 of the Civic Government (Scotland) Act 1982 regarding suspension of Taxi/Private Hire Car Driver's Licence (TD1657).

#### **Resolved:**

Consideration of suspension of Taxi/Private Hire Car Driver's Licence TD1657 be deferred to the meeting of the Licensing Committee to be held on 22 February 2018.



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**9. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1704 – 3 YEARS**

There was submitted a report by the Head of Legal and Governance Services (18/2) together with letter of objection from Police Scotland dated 6 December 2017 regarding application for grant of a Taxi/Private Hire Car Driver's Licence TD1704.

The applicant was in attendance.

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

FOLLOWING AN ADJOURNMENT THE COMMITTEE RECONVENED.

**Motion (Councillors R Brock and C Ahern) – Application for grant of Taxi/Private Hire Car Driver's Licence TD1704 be refused on the grounds that the applicant is not a fit and proper person to hold a Licence.**

Amendment (Councillors A Parrot and I James) – The application for grant of a Taxi/Private Hire Car Driver's Licence TD1704 be approved for a period of 1 year.

In terms of Standing Order 44, a roll call vote was taken.

2 Members voted for the Amendment as follows:  
Councillors I James and A Parrot.

7 Members voted for the Motion as follows:  
Councillors C Ahern, B Brawn, C Brock, D Illingworth, A Jarvis, L Simpson and R Watters.

**Resolved:**

In accordance with the Motion.

**10. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1711 – 1 YEAR**

There was submitted a report by the Head of Legal and Governance Services 18/3 regarding applicant for grant of Taxi/Private Hire Car Driver's Licence (TD1711).

The Committee noted this item was withdrawn from the agenda.

**11. GRANT OF A STREET TRADER'S LICENCE NO ST/0355**

There was submitted a report by the Head of Legal and Governance Services (18/4) together with a letter of representation from Police Scotland dated 20 December 2017 regarding an application for grant of a Street Trader's licence - ST/0355.

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The representative of the Head of Legal and Governance Services, Perth and Kinross Council, informed the Committee that the applicant had requested consideration of the application be deferred to the next meeting of the Licensing Committee.

**Resolved:**

Consideration of application to grant a Street Trader's Licence (ST/0355) be deferred to the next meeting of the Licensing Committee to be held on 22 February 2018.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
17 JANUARY 2018

**PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 17 January 2018 at 10.00am.

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

In Attendance: Councillor C Purves (up to and including Art. 16(3)(i)); N Brian, A Condliffe, C Brien, J Scott, M Barr, T Maric, L Reid and R Stewart (all The Environment Service); C Elliott and D Williams (all Corporate and Democratic Services).

Apologies: Councillors I James and M Lyle

Councillor B Brawn, Vice-Convener, Presiding.

**12. WELCOME AND APOLOGIES**

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

**13. DECLARATIONS OF INTEREST**

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

**14. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 6 December 2017 (Arts. 694-698) was submitted, approved as a correct record and authorised for signature.

**15. DEPUTATIONS**

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

| <b>Planning Application No.</b> | <b>Art. No.</b> |
|---------------------------------|-----------------|
| 17/00644/AMM                    | 16(2)(i)        |
| 17/01227/FLL                    | 16(3)(i)        |
| 17/01694/FLL                    | 16(3)(iii)      |

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**16. APPLICATIONS FOR DETERMINATION**

**(1) Applications Previously Considered**

- (i) 16/02156/AMM – BRIDGE OF EARN – Erection of 159 dwellinghouses with associated roads, drainage and landscaping at land to the north of A912 at Oudenarde, Bridge of Earn – Report 18/5 – Taylor Wimpey East Scotland and GS Brown Construction Ltd**

This item was withdrawn from consideration prior to the meeting due to being called in by the Scottish Government.

**(2) Major Applications**

- (i) 17/00644/AMM – ALYTH – Erection of 27 dwellinghouses, garages and associated works (approval of matters specified in conditions 15/01177/FLL) on land south west of Alyth Primary School, St Ninian's Road, Alyth – Report 18/6 – Guild Homes (Tayside) Ltd**

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

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the commencement of development an updated site plan shall be provided which shall include the road being installed hard up against the west application site boundary. Thereafter the road shall be installed in accordance with the approved plans prior to the completion of the last house associated with this application.
3. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility which accords with SUDS principles shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented to the satisfaction of the Planning Authority.

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4. The drainage infrastructure approved under application 17/00784/FLL shall be constructed in accordance with the agreed scheme and be operational prior to the bringing into use of the development hereby approved.
5. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained.
6. 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 to the satisfaction of the Council as Planning Authority.

**Justification**

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

**Procedural Notes**

1. Consent shall not be issued until a Section 75 Agreement relating to planning contributions has been completed and signed to reflect the current planning reference 17/00644/AMM. 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 may result in the planning application being re-assessed through failing to comply with the associated developer contributions policy and will be ultimately recommended for refusal under delegated powers.
2. The legal agreement to cover the developer contributions for the site as detailed by the developer contributions officer along with the transfer of the open space and one off payment associated with the maintenance of the open space to the Council.

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this permission or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section

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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. For information, foul flows only will be allowed to discharge to the public system. The developer should arrange to dispose of surface water privately, to the satisfaction of the statutory drainage Authority.
5. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
6. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from [www.pkc.gov.uk](http://www.pkc.gov.uk) and should be returned to [snn@pkc.gov.uk](mailto:snn@pkc.gov.uk).
7. 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.
8. The applicant should be aware of the requirements of the Council's Environment and Regulatory Services in relation to waste collection from the site and should ensure adequate measures are provided on site to allow for the collection of waste.
9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. Recycling facilities should be incorporated into the second phase of the H60 site to ensure the sustainable disposal of waste.
11. Play provision should be incorporated into the second phase of the H60 site to ensure the terms of the in-principle consent are met.
12. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the

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notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:

- Displayed in a prominent place at or in the vicinity of the site of the development
- Readily visible to the public
- Printed on durable material.

**(3) Local Applications**

**(i) 17/01227/FLL – BLAIRINGONE – Change of use of agricultural shed and yard to general storage and distribution (class 6) at Lambhill, Blairingone – Report 18/7 – Barnhill Estates**

Mr A Kinloch and Ms M Milne, objectors to the application, followed by Councillor C Purves, Local Member, addressed the Committee. Following their respective representations, Mr Kinloch, Mrs Milne and Councillor Purves withdrew to the public benches.

Motion (Councillors M Barnacle and R Watters) – Refuse the application for the following reasons:

- (1) The proposal is contrary to the Perth and Kinross Local Development Plan, Policy TA1B on the basis that (i) in terms of first criteria (a), the proposal has not been designed for the safety and convenience of all potential users due to the difficulties in HGV's accessing the site, and (ii) in terms of second criteria (b), a Transport Assessment has not been prepared assessing the impact of the development against mitigation proposals for the A977.
- (2) The proposal is contrary to the Perth and Kinross Local Development Plan, Policy PM1A in that the proposal does not contribute positively to the surrounding built and natural environment as it would intensify an industrial use in a rural location.
- (3) The proposal is contrary to the Perth and Kinross Local Development Plan, Policy ER6 as it does not reflect the rural characteristics of the area with an intensification of an industrial use.

Councillor W Wilson moved an amendment to defer the application for a site visit. Having failed to find a seconder, the amendment fell.

**Resolved:**

In accordance with the Motion.

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- (ii) **17/01626/FLL – GLENLYON – Change of use from holiday accommodation unit to dwellinghouse and ancillary bothy to holiday accommodation unit, siting of yurt to form a holiday accommodation unit and erection of ancillary sauna and shed for holiday accommodation use (in retrospect) at West Cottage Stables, Glenlyon, Aberfeldy, PH15 2PL – Report 18/8 – Mr Tim Cracknell**

**Resolved:**

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

**Conditions**

1. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
2. The stove shall only operate on fuel prescribed and stored in accordance with the manufacturer's instructions. The stove and flue and any constituent parts shall be maintained and serviced in accordance with the manufacturer's instructions. No changes to the biomass specifications shall take place.
3. The holiday accommodation hereby approved (the yurt and the bothy) shall be used solely for holiday accommodation and shall not be occupied as the sole or main residence of any occupant.

**Justification**

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

**Informatives**

1. An application for Building Warrant may be required.
2. The applicant shall ensure the private water supply for the dwellinghouse/ development complies with the Water Scotland Act 1980 (Section 63), The Private Water Supplies (Scotland) Regulations 2006 and The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. Detailed information regarding the private water supply, including the nature, location and adequacy of the source, any storage tanks/ pipework and the filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply shall be submitted



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to Perth and Kinross Council Environmental Health in line with the above Act and Regulations.

3. The presence of protected species, and the extent to which they could be affected by the proposed development, should be established before works commence. Should protected species be identified within the site the developer should ensure that all appropriate measures required to comply with the relevant legislation are carried out. Planning permission for a development does not provide a defence against prosecution under another Act.
4. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act.
5. The applicant should be aware of the Perth & Kinross Council Flooding and Flood Risk Guidance Document (June 2014) for advice on construction within a flood risk area.

**(iii) 17/01694/FLL – MONEYDIE – Formation of a holiday park and siting of 20 accommodation units, erection of a reception/maintenance building, formation of car parking, landscaping and associated works on land north east of Kinvaid House, Moneydie – Report 18/9 – Mr Steven Mackie**

Ms T Strang and Ms K Blackwell, objectors to the application; Mr G Black, Luncarty, Redgorton and Moneydie Community Council; followed by Mr S Mackie, applicant, and Mr C Miles, agent to the applicant, addressed the Committee. Following their respective representations, Ms Strang, Ms Blackwell, Mr Black, Mr Mackie and Mr Miles withdrew to the public benches.

**Resolved:**

**Refuse**, on the grounds that:

1. The proposal is contrary to Perth and Kinross Local Development Plan 2014, Policy ED3 criteria (c) as the proposal would not meet a specific need by virtue of its quality or location, and criteria (e) as it has not been demonstrated that the local road network is capable of accommodating the nature and volume of the traffic generated.

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2. The proposal is contrary to Perth and Kinross Local Development Plan, Policy EP8 as there are inadequate proposals for out of hours management and control of noise pollution.
3. The proposal is contrary to Perth and Kinross Local Development Plan 2014, Policy TA1B on the basis that it is not easily accessible to all modes of transport, and will encourage reliance on private cars.

**(iv) 17/01862/FLL – PERTH – Change of use from retail unit to café/restaurant (class 3) and hot food takeaway at 19 County Place, Perth, PH2 8EE – Report 18/10 – Rhiannon Properties Limited**

**Resolved:**

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

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.
3. Prior to the development hereby approved being completed or brought into use, an effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed and operated such that cooking odours are not exhausted into or escape into any neighbouring buildings. Thereafter the system shall be maintained.

**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)).

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2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.
5. An application for Building Warrant may be required.
6. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
7. This application is for change of use only any external alterations for example shopfront alterations or the installation of a flue may require a further planning application.

**(4) Proposal of Application Notice (PAN)**

- (i) **17/00009/PAN – AUCHTERARDER – Erection of residential development, formation of open space, landscaping and associated infrastructure works on land north east of Stewart Milne Homes, Hunter Street, Auchterarder – Report 18/11 – Stewart Milne Homes Central Scotland**

Councillor T Gray highlighted local concern regarding existing traffic congestion in Hunter Street, and suggested measures to ease congestion be addressed.

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Councillor W Wilson highlighted the potential for site management and condition regarding potential mud on the road.

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

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PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
24 JANUARY 2018

**HOUSING AND COMMUNITIES COMMITTEE**

Meeting of the Minute of the Housing and Communities Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 24 January 2018 at 10.00am.

Present: Councillors P Barrett, C Ahern, H Anderson (substituting for Councillor B Pover), A Bailey, K Baird, B Band (substituting for Councillor T Gray), B Brawn, E Drysdale, R McCall, S McCole and M Williamson (substituting for Councillor T McEwan).

In Attendance: J Fyffe Senior Depute Chief Executive; S Coyle, C Mailer, M Dow, J Cruickshank, S Burt, and J McColl (all Housing and Community Safety); S Johnston and S Johnstone (both Education and Children's Services); C Flynn and K Molley (Corporate and Democratic Services).

Also in Attendance: Chief Superintendent Graeme Murdoch and Inspector Kevin Chase (both Police Scotland); Group Manager B McLintock and G Pryde (both Scottish Fire and Rescue Service); and C Stewart (Tenants' Representative).

Apologies: Councillors H Coates, D Illingworth, T Gray, T McEwan and B Pover; Local Senior Officer C Grieve (Scottish Fire and Rescue Service) and Chief Inspector I Scott (Police Scotland).

Councillor Barrett, Convener, Presiding.

**17. WELCOME AND APOLOGIES**

The Convener welcomed everyone to the meeting and apologies were given.

**18. DECLARATIONS OF INTEREST**

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

**19. MINUTE OF THE MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 1 NOVEMBER 2017 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of the Housing and Communities Committee of 1 of November 2017 was submitted and approved as a correct record and authorised for signature.

**20. 2017 SCOTTISH PUBLIC SERVICE AWARDS - 'CHAMPIONING GENDER EQUALITY AWARD'**

There was a presentation given by S Johnston, on the recent Scottish Public Services Award for Perth and Kinross Council's Men in Childcare' project. S Johnston highlighted that the childcare project aimed to encourage men into childcare and also tried to reduce the gender imbalance between men and women in this sector.

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**Resolved:**

The 2017 Scottish Public Service Awards – ‘Championing Gender Equality Award’, be noted.

S JOHNSTONE AND S JOHNSTON LEFT THE MEETING AT THIS POINT.

**IN TERMS OF STANDING ORDER 19 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**

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

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

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

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

The Committee received and noted a verbal report from Superintendent G Murdoch 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**

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

**(i) Scottish Fire and Rescue Service – Perth and Kinross Interim Activity Report**

There was submitted a report by Area Manager Colin Grieve, Scottish Fire & Rescue Service (18/17) providing an interim update on the activity within the Perth and Kinross area for the period 1 December 2017 to 3 January 2018.

In response to a question from Councillor Band on suppression systems in social housing, Group Manager B McLintock advised that he is in dialogue with the Council and suppression systems are high on the agenda of these discussions. C Mailer stressed that the Housing Service are working to include suppression systems into future new build housing projects. C Mailer advised that the Council would be responding to the Scottish Government Consultation paper and would factor in any outcomes.

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Councillor B Brawn commented on this report, raising the issue of false alarms and if there were actions that could be put in place to make sure that non domestic sites have their equipment maintained. Group Manager B McLintock advised that officers worked closely with the owners/managers of the premises concerned on reducing the number of false alarms and actively encouraged regular maintenance of systems.

**Resolved:**

The interim update on operational and community safety engagement activities of the Scottish Fire and Rescue Service in the Perth and Kinross area, as detailed in Report 18/17 be noted.

Valedictory – The Convener paid tribute to Area Manager Colin Grieve on his retirement from the Scottish Fire and Rescue Service. He thanked him for his contributions and dedicated service to Perth and Kinross community. On behalf of the Committee the Convener wished him well in his retirement.

**(ii) Perth and Kinross Local Policing Area Performance Results - 1 October 2017 to 14 December 2017**

There was submitted a report by Chief Superintendent Graeme Murdoch, Police Scotland “D” Division (Tayside) (18/21) providing an interim update on local policing activity in the Perth and Kinross area for the period 1 October 2017 to 14 December 2017.

In response to a question from the Convener regarding the Police Scotland announcement that 500 officers would be trained in the use of Tasers across Scotland, Chief Superintendent G Murdoch told the Committee that officers will have specific and extensive training including when they should be used. He mentioned that between 40 - 50 officers would be trained within the Division, with hubs in Dundee and Arbroath. The Convener asked for further updates to be provided to future Committees.

In a response to a query from Councillor Baird regarding cyclist safety on the road, Chief Superintendent G Murdoch advised that there are regular campaigns across Tayside to prevent road accidents from occurring, including influencing cyclists to wear reflective clothing.

**Resolved:**

The interim update on the Perth and Kinross Local Policing Area Performance Results as detailed in report 18/21, be noted.

THE REPRESENTATIVES FROM POLICE SCOTLAND AND THE SCOTTISH FIRE AND RESCUE SERVICE LEFT THE MEETING AT THIS POINT.

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HOUSING AND COMMUNITIES COMMITTEE  
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**24. HOUSING REVENUE ACCOUNT (HRA) STRATEGIC FINANCIAL PLAN INCORPORATING THE 5 YEAR CAPITAL INVESTMENT PROGRAMME AND RENT STRATEGY TO 2022/23, RESERVES STRATEGY AND OTHER HOUSING CHARGES FOR 2018/19**

There was a report submitted (18/16) by the Senior Depute Chief Executive and Head of Finance (18/16) (1) setting out the proposed Housing Revenue Account (HRA) Budget for five years from 2018/19 to 2022/23;(2) recommending increases to rents for houses and other HRA property, service charges and also recommending an appropriate level of reserves and (3) presenting the proposed budget for the next five years of the Capital Investment Programme totalling £70 million from 2018/19 to 2022/23.

**Resolved:**

- (i) The Housing Revenue Account Budget for 2018/19 and provisional budgets for financial years 2019/20 to 2022/23 as set out in Appendix 1 to Report 18/16, be approved.
- (ii) The proposed Housing Revenue Account Capital Investment Programme for 2018/19 to 2022/23 as set out in Appendix 4 to Report 18/16, be approved.
- (iii) The Rent Strategy for 2018/19 and a provisional Rent Strategy for the following 4 years to 2022/23 as detailed in Section 6 of Report 18/16, be approved.
- (iv) The 2.2 % rent increase for the year commencing 2 April 2018 for all Council houses be approved, meaning the average weekly rent would be £67.45 per week based on 52 weeks.
  - Council houses. This would mean an average weekly rent increase of £1.45 per week, giving an average weekly rent of £67.45 per week based on 52 weeks, all be approved.
- (v) The rent increase of 2.2% for the year commencing 2 April 2018 be approved for the following:
  - All lock-ups
  - All garage sites
  - Chalets and stances for travelling people at Double Dykes and Bobbin Mill
  - Dispersed tenancies owned by the HRA, all be approved.
- (vi) The revised rental charge of £57.69 per week for temporary accommodation units for Greyfriars as stated in section 9.2 of Report 18/16, be approved.
- (vii) The Housing Revenue Account Reserves Strategy proposed to increase the reserves position by the underspend level at financial year end as detailed in Section 7 of Report 18/16, be approved.
- (viii) The proposal to set Housing service charges from 2 April as stated in Section 10 of Report 18/16, be approved.
- (ix) The move of the annual cost of service charges being raised over 52 week period as stated in Section 10.2 of Report 18/16, be approved.
- (x) Notes and approves where necessary the revised level of all housing related charges as detailed in Appendix 6 to Report 18/16.
- (xi) The progress made to date in delivering and maintaining the SHQS for improving and managing the housing stock as set out in Section 4 of Report 18/16 and the related Business Cases, be noted.



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**25. PERTH AND KINROSS TENANT AND RESIDENT PARTICIPATION STRATEGY 2018 -21 AND SURE TEAM PROGRESS REPORT**

There was a submitted a report by the Interim Executive Director (Housing and Community Safety) (18/18) seeking approval of the newly revised Perth and Kinross Council Tenant and Resident Participation Strategy and its implementation during 2018 – 21.

A video presentation on the success that the SURE team had achieved in increasing tenant and resident participation was shown to the Committee.

**Resolved:**

- (i) The process and the preparation of the development of the Perth and Kinross Council Tenant and Resident Participation Strategy 2018 – 21, be noted.
- (ii) The Perth and Kinross Council Tenant and Resident Participation Strategy 2018-21 and its implementation, be approved.

**26. VALEDICTORIES**

It was announced that it was S Burt's last meeting. Councillor Barrett thanked S Burt for all her work and contribution in the service over the years.

The Convener announced that Suzie Burt, Team Leader, Housing and Community Services was leaving the Council, On behalf of the Committee the Convener thanked Suzie for her contributions to the work with tenants and residents in the Council.

The Convener also took the opportunity to thank, John Fyffe, Senior Depute Chief Executive for his commitment and contributions to the work of the Committee and wished him well in his retirement.

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PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
24 JANUARY 2018

## **LIFELONG LEARNING COMMITTEE**

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth, PH1 5PH on Wednesday 24 January 2018 at 2.00pm.

Present: Councillors C Shiers, R McCall, W Wilson, C Ahern (substituting for Councillor A Coates), H Anderson, K Baird, S Donaldson (substituting for Councillor T McEwan), A Forbes, X McDade, A Parrott (substituting for Councillor F Sarwar), C Purves, J Rebbeck, M Williamson (substituting for Councillor B Pover); and Mrs M McFarlane.

In attendance: Councillors B Band, D Doogan and M Lyle; S Devlin Executive Director (Education & Children's Services), G Boland, R Hill, S Johnston, L Michele-Ross, K Robertson, and C Taylor (all Education & Children's Services); S Rodger, C Flynn and L Brown (all Corporate & Democratic Services).

Apologies for absence: Councillors A Coates, T McEwan, B Pover and F Sarwar; Mrs P Giles and Mrs A McAuley.

Councillor C Shiers, Convener, Presiding.

### **27. WELCOME AND APOLOGIES**

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

### **28. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct Councillors Forbes, Shiers, Williamson and Wilson declared a non-financial interest in Art. 31, the Update Report on Review of Community Campuses.

### **29. MINUTES**

#### **(i) Lifelong Learning Committee**

The minute of meeting of the Lifelong Learning Committee of 1 November 2017 (Arts. 618-628) was submitted, approved as a correct record and authorised for signature.

#### **(ii) Joint Negotiating Committee for Teaching Staff**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 19 September 2017 was submitted and noted. (*Appendix I*)

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
24 JANUARY 2018

**30. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP**

**(i) Minute of meeting of the Children, Young People and Families Partnership**

The minute of meeting of the Children, Young People and Families Partnership of 8 September 2017 was submitted and noted.

**(ii) Economy and Lifelong Learning Group**

The minute of meeting of the Economy and Lifelong Learning Group of 22 September 2017 was submitted and noted.

**31. UPDATE REPORT ON REVIEW OF COMMUNITY CAMPUSES**

There was submitted a report by the Executive Director (Education and Children's Services) (18/12) updating the Committee on the changes that have been implemented in respect of the Review of Community Campuses at Breadalbane, Loch Leven, North Inch and Strathearn.

**Resolved:**

- (i) The progress of the review be noted.
- (ii) The conclusion of the Review by April 2018, be agreed.
- (iii) The Executive Director (Education and Children's Services) be instructed to take forward marketing plans as part of the annual Campus Self-Evaluation process.
- (iv) The membership of a Community Campus Management Group be extended to include a Community Council representative should be there an established Community Council within the Campus area.

**32. OPTIONS APPRAISAL – ST NINIAN'S EPISCOPAL PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (18/13) seeking approval of the Options Appraisal undertaken in respect of St Ninian's Episcopal Primary School.

**Resolved:**

- (i) The Options Appraisal attached as Appendix A to Report 18/13, be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to progress with the establishment of a nursery class within St Ninian's Episcopal Primary School.
- (iii) The Executive Director (Education and Children's Services) be instructed to report back to the Committee on the revised capacity of St Ninian's Episcopal Primary School, once the nursery class has been established.

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**33. OPTIONS APPRAISAL – FORTEVIOT PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (18/14) seeking approval of the recommendation of the Options Appraisal which has been undertaken in respect of Forteviot Primary School.

**Resolved:**

- (i) The recommendation of the Options Appraisal, attached as Appendix A to Report 18/14, that a statutory consultation in relation to the closure of Forteviot Primary School should take place, be approved.
- (ii) The Executive Director (Education and Children's Services) be instructed to prepare and publish a proposal paper to close Forteviot Primary School, transfer pupils to Forgandenny Primary School and extend the delineated area of Forgandenny Primary School to subsume the whole catchment area of Forteviot Primary School.
- (iii) The Executive Director (Education and Children's Services) be instructed to formally consult the appropriate bodies and persons on the terms of the proposal paper, all in terms of the Schools (Consultation) (Scotland) Act 2010.
- (iv) Authority be delegated to the Executive Director (Education and Children's Services) to investigate and manage any alleged omissions or inaccuracies during the consultation process and to take appropriate action in accordance with the Schools (Consultation) (Scotland) Act 2010.
- (v) The Executive Director (Education and Children's Services) be instructed to prepare a report on the results of the consultation and report back to the Committee on the outcome of the consultation at a future meeting of the Lifelong Learning Committee.

**34. OPTIONS APPRAISAL – BALHOUSIE PRIMARY SCHOOL AND NORTH MUIRTON PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (18/15) seeking approval for (1) the replacement of North Muirton Primary School, and (2) the recommendation of the Options Appraisal which has been undertaken in respect of Balhousie Primary School and North Muirton Primary School, which is to close Balhousie Primary School and transfer pupils to the new North Muirton Primary School once it has been built.

**Motion (Councillors Shiers and McCall)**

- (i) **The replacement of North Muirton Primary School using the funding in the Composite Capital Programme 2017/23 for a replacement primary school in the North of Perth, be approved.**
- (ii) **The recommendation of the Options Appraisal, attached as Appendix A to Report 18/15, that a statutory consultation in relation to the closure of Balhousie Primary School should take place, be approved.**
- (iii) **The Executive Director (Education and Children's Services) be instructed to prepare and publish a proposal paper to close Balhousie Primary School, transfer pupils to a new North Muirton Primary School once it has been built and extend the delineated area of North Muirton**

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LIFELONG LEARNING COMMITTEE  
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**Primary School to subsume the whole catchment area of Balhousie Primary School.**

- (iv) The Executive Director (Education and Children's Services) be instructed to formally consult the appropriate bodies and persons on the terms of the proposal paper, all in terms of the Schools (Consultation) (Scotland) Act 2010.**
  - (v) Authority be delegated to the Executive Director (Education and Children's Services) to investigate and manage any alleged omissions or inaccuracies during the consultation process and to take appropriate action in accordance with the Schools (Consultation) (Scotland) Act 2010.**
  - (vi) The Executive Director (Education and Children's Services) be instructed to prepare a report on the results of the consultation and report back to the Committee on the outcome of the consultation at a future meeting of the Lifelong Learning Committee.**
- Amendment – (Councillors Rebbeck and Parrott) –
- (i) Delete recommendations 4.1 and 4.2 of Report 18/15 and in view of the fact that the Options Appraisal makes neither a well argued nor well evidenced case for the closure of Balhousie Primary School and its integration into a new school at North Muirton, it is recommended that both sites remain in use with a new school being provided at North Muirton.
  - (ii) Request that the Executive Director (Education and Children's Services) explore the possibility of additional funding as required to fully refurbish the school building at Balhousie Primary School.

MRS McFARLANE LEFT THE MEETING AT THIS POINT.  
THE COMMITTEE ADJOURNED TO CONSIDER THE AMENDMENT.

THE COMMITTEE RECONVENED.

In terms of Standing Order 44, a roll call vote was taken.

5 Members voted for the Amendment as follows:  
Councillors Anderson, Donaldson, Parrott, Rebbeck and Williamson.

8 Members voted for the Motion as follows:  
Councillor Ahern, Baird, Forbes, McCall, McDade, Purves, Shiers and Wilson.

**Resolved:**

In accordance with the Motion.

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PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE (*Art. 29(ii)*) (*Appendix I*)  
24 JANUARY 2018

**JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF**

Minute of meeting of the Joint Negotiating Committee for Teaching Staff (JNCT) held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Tuesday 19 September 2017 at 2.30pm.

**Present:**

**Representing Perth and Kinross Council**

Councillors F Sarwar, C Shiers and W Wilson; S Devlin, R Hill, S Johnston D MacLeod, T Pupillo and A Thomson, (all Education and Children's Services); P Steel (Corporate and Democratic Services).

**Representing Teachers' Associations**

E Campbell, E Connon, M Laurie, and C Weston (all EIS); A Johnston (SSTA); M Mackie (substituting for C McDonald (VOICE) and S Topen-Cooper (NASUWT).

**In Attendance:**

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

**Apologies:**

B Berhane, J Cook and C Rose (all EIS) and C McDonald (VOICE)

E Campbell, Convener, Presiding.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted and noted as above.

**2. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)**

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

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 20 June 2017 was submitted and approved as a correct record.

**4. MATTERS ARISING**

**(i) Local Agreements and Physical Intervention – (Item 9 refers)**

C Weston reported that representatives from the Teachers' side, Management and HR had met at the end of August to discuss which agreements on the LNCT site needed to be reviewed/updated/removed or added. A number of local agreements were prioritised as necessary for review this year. These included the Working Time Agreement,

Fixed Term/Temporary Contracts/Head Teacher Recruitment Process/Physical Intervention, Aggression and Violence and the Protocol for Classroom Visits. Timescales for implementation were agreed.

It was agreed that there was no requirement for a local agreement on Job Sizing as the National Guidance was followed and complied with. Guidance on this process would be published on eric and GLOW. No local agreement would be required for Leave of Absence and Cover Arrangements as the Council's corporate policy complied with SNCT handbook guidance. The corporate policy for flexible working also adhered to national guidance. Job profiles would continue to be submitted to the JNCT for approval and uploaded on to the LNCT site.

There had been some discussion on whether job profiles could be approved in between JNCT meetings to allow recruitment to be progressed. It was acknowledged that there was scope for this to be agreed but it would require a recognition agreement update within the Protocol for Consultation to allow decisions in between JNCT meetings to be made and then approved at the next meeting. The Protocol for Consultation, although dated, would require to remain as a local agreement. Request for this now to be reviewed.

No action was required on the Grievance Procedure which was updated in 2010 and no action was required on the Professional Update Procedures, including ERD Guidelines.

The Employee Health and Attendance Procedures were currently being reviewed. A further meeting between the Teachers' side representative and HR would be arranged once the draft was ready for discussion.

Concerns had been raised by the Teachers' side regarding some of the practices currently being undertaken when interviewing for teaching positions. It was agreed that there was a need to identify a range of tools which could be applied in teacher recruitment and HR were to develop this further. C Weston suggested that as Head Teacher Recruitment Procedures are a local agreement it would be good practice to have Teacher Recruitment Procedures as a local agreement too. The Teachers' side would also like to have the guidelines on Teacher Competence considered to become a local agreement. C Weston expressed the view that the procedures within these guidelines were not being adhered to and followed correctly. She suggested a short life working group be established to create a policy which complies with General Teaching Council (GTC) guidelines with a view to ratifying this as a local agreement which would hopefully prevent such issues arising in future.

P Steel advised that she did not recall a request being made to establish a short-life working group. It was her recollection that a request was made to the Teachers' side to provide examples of where procedures within the guidelines on Teacher Competence were not being adhered to. This would allow both sides to look again at specifics.

The Disciplinary Framework for Teachers was agreed to be reviewed after issues were raised around the phrase "informal counselling" and where this phrase sat within the framework. There were no guidelines or procedures to suggest what this phrase meant within the local agreement.

As a point of clarification P Steel advised there had been no agreement to review the Disciplinary Framework to Teachers, however, she noted C Weston's concerns regarding "informal counselling" and agreed to look at reviewing that particular aspect of the framework.

The Committee noted the position.

## **5. INCLUSION SERVICES REVIEW**

R Hill, Head of Education, Secondary and Inclusion reported that the review of Inclusion Services had highlighted the need to identify a methodology to devolve resources to individual schools to support predictable needs; develop a new process for allocating support to individuals with exceptional needs, including the option for more locally-based decision making; develop plans to reshape existing provision to ensure greater coherence, equity and locality links, reducing reliance on out of Authority placements, and configure the central inclusion team and financial profiling to support outcomes of the other work streams.

Five work streams were being developed which will be supported by short life working groups. Each group will have an identified work stream lead. This will include members of the ECS management team, Head teachers and members of the Inclusion, Finance and Information and Research teams. The groups will be tasked with developing implementation plans.

A progress report on the review will be submitted to the next meeting of the Lifelong Learning Committee with an update report being submitted to the Teachers Joint Negotiating Committee in January 2018.

In response to an invitation from R Hill, C Weston advised that she welcomed the opportunity for representatives of the JNC to become involved in the progress and agreed to email R Hill with details of those nominated.

The Committee noted the position.



## **6. EXPANSION OF EARLY LEARNING AND CHILDCARE**

S Johnston, Head of Education, Early Years and Primary reported that a special meeting of the Lifelong Learning Committee had been called to consider a report on the Expansion of Early Learning and Childcare in Perth and Kinross.

The implications for the service in Perth and Kinross of the expansion of ELCC were outlined along with workforce development plans and changes to structures/leadership roles going forward. Reports are to be brought back to the JNC and a commitment was given that full consultation would take place.

The Committee noted the position.

## **7. BERTHA PARK HIGH SCHOOL, PERTH**

R Hill, Head of Education, Secondary and Inclusion reported that Bertha Park High School was on target to open in August 2019. Initially the first pupils would join Perth Grammar School in August 2018 moving in to the new school in two stages, commencing in August 2019. The Business Change Team is currently working on staffing and leadership of the new school, and, as the Head teacher will play a key role in developing the transitional arrangements for the new school it was planned to have someone in post by April 2018. R Hill confirmed that the team meet on a monthly basis to work on the transitional arrangements. He also confirmed that meetings are taking place with parents, carers and the young people who will be joining the new school.

C Weston welcomed the update and enquired if she would be involved in the discussion on the staffing of the new school. In response R Hill confirmed that she would be invited to join the Business Support Team when it reached that stage in the process.

The Committee noted the position.

## **8. NATIONAL POLICY LANDSCAPE AND EDUCATION GOVERNANCE**

The Committee received and noted a verbal update from S Devlin, Executive Director (Education and Children's Services) on recent developments within the national policy landscape and education governance in relation to (1) investment in early years, (2) closing the attainment gap in schools, (3) strengthening transitional support for young people leaving school and (4) strengthening the rights of children and young people.

## **9. JOB PROFILE – SENIOR LEADER (NIF)**

Having been advised by the Joint Secretary for the Teachers' side that the Senior Leader (NIF) post had not been job sized as yet the Committee agreed that this item be deferred to the next meeting.

## **10. EMPLOYEE SURVEY**

S Devlin reported that the annual employee survey was now on Eric. She advised that everyone's views and opinions were valued and encouraged all to participate in the survey. The results, once collated and analysed, would be used to help improve the service. C Weston also encouraged all colleagues to participate in the survey.

The Committee noted the position.

## **11. PROVISIONAL TIMETABLE OF MEETINGS FOR 2018**

Subject to final approval by the Council the provisional timetable of meetings of the Joint Negotiating Committee for Teaching Staff for 2018 was agreed as:

16 January;  
20 March;  
19 June (AGM);  
18 September;  
13 November

### **Post meeting note:**

The date of the March meeting was subsequently moved to 27 March.

## **12. ANY OTHER COMPETENT BUSINESS**

### **Joint Inspection of Children, Young People and Families Service**

S Devlin advised that a joint inspection of the Children, Young People and Families Service was currently being undertaken by the Care Inspectorate. A feedback report would be submitted to the JNC at its meeting in January 2018.

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

Tuesday 14 November 2017.

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PERTH AND KINROSS COUNCIL  
ENVIRONMENT AND INFRASTRUCTURE COMMITTEE  
31 JANUARY 2018

## **ENVIRONMENT AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 31 January 2018 at 10.00am.

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

In Attendance: B Renton, Executive Director (Environment); C Beattie, B Cargill, T Flanagan, P Marshall and W Young (all The Environment Service); C Flynn, L Potter and D Williams (all Corporate and Democratic Services).

Apology for Absence: Councillors A Bailey, M Barnacle and C Reid.

Councillor C Stewart, Convener, Presiding.

The Convener led discussion on Arts. 39, 42, 43, 44, 45, 46, 47 and 48 and Vice-Convener Purves led discussion on Arts. 38, 40 and 41.

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

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

### **36. DECLARATIONS OF INTEREST**

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

### **37. MINUTES OF PREVIOUS MEETINGS**

- (i) The minute of meeting of the Environment, Enterprise and Infrastructure Committee of 8 November 2017 (Arts. 635-652) was submitted, approved as a correct record and authorised for signature.
- (ii) The minute of meeting of the Executive Sub-Committee of the Environment, Enterprise and Infrastructure Committee of 25 October 2017 was submitted and noted.

### **38. AUCHTERARDER COMMUNITY FACILITIES FUND**

There was submitted a report by the Executive Director (Environment) (18/28) providing details of funding received and allocated in respect of the Auchterarder Community Facilities Fund from its inception to present date.

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**Resolved:**

- (i) The Executive Director (Environment) be requested to publish the annual report providing details of funding received and allocated.
- (ii) Any application for funding of more than £50,000 be brought forward to Committee for consideration.
- (iii) The Executive Director (Environment) be instructed to bring forward a second annual report on the operation of the fund in 12 months' time.

**39. PUBLIC SECTOR CLIMATE CHANGE DUTIES – PROGRESS UPDATE**

There was submitted a report by the Executive Director (Environment) (18/29) (1) highlighting progress made by the Council in accordance with the Scottish Government's public sector climate change reporting process; and (2) making recommendations for further action following submission of the second mandatory report in November 2017.

**Resolved:**

- (i) The key findings from the second Public Sector Climate Change Duties mandatory report be noted.
- (ii) The current position outlined in Sections 2.3 to 2.6 of Report 18/29, be noted.
- (iii) The Executive Director (Environment) be remitted to take forward the specific actions outlined in Sections 2.7 to 2.9 of Report 18/29, and:
  - instructs the Head of Planning to participate in developing a regional Sustainable Energy and Climate Action Plan (SECAP) with adjoining authorities, Sustainable Scotland Network and CoSLA as appropriate; and,
  - instruct the Head of Planning to develop an activity for Climate Action Week from 10 - 20 September 2018, to raise climate change awareness and promote the actions taken by the Council.
- (iv) The Executive Director (Environment) be requested to submit a further report to this Committee, following the mandatory climate change reporting deadline in November 2018.

**40. PROPOSED ADDITIONAL GREEN ROUTES**

There was submitted a report by the Executive Director (Environment) (18/30) (1) summarising an objection received on the proposal to introduce an additional four routes (Bridge of Earn/Glenfarg, Glenfarg/Milnathort, Rattray/Alyth and Kirkton Road/Old Mill Road to Ashgrove Road to West Mill Farm, Rattray) to be promoted as Green Routes; and (2) recommending the Committee set aside the objection and that the Order is made as advertised.

**Resolved:**

The objection received on the proposal to introduce an additional four routes to be promoted as Green Routes, as detailed in Appendices 2-5 of Report 18/30, be set aside, and the Traffic Regulation Order be made as advertised.

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**41. DISABLED PERSON'S PARKING PLACES (VARIATIONS) ORDER**

There was submitted a report by the Executive Director (Environment) (18/31) 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 Persons' Parking Places) Order, as detailed in Appendix 1 to Report 18/31, be approved.

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

There was submitted a report by the Executive Director (Environment) (18/32) recommending that the List of Public Roads be updated to take account of the amendments detailed in this report.

**Resolved:**

The additions to the List of Public Roads, as detailed in Appendix 1 to Report 18/32, be approved.

**43. PROPOSED 30MPH SPEED LIMITS AT CAPUTH (B9099)**

There was submitted a report by the Executive Director (Environment) (18/33) (1) detailing a proposal to extend the 30mph speed limit at Caputh (B9099); and (2) recommending the start of varying the Traffic Regulation Order for the 30mph Speed Limits.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to extend the 30mph speed limit, at the location shown in Appendix 1 to Report 18/33, be approved.

**44. PROPOSED 30MPH SPEED LIMITS AT INCHMAGRANNACHAN (B898)**

There was submitted a report by the Executive Director (Environment) (18/34) (1) detailing a proposal to introduce a 30mph speed limit at Inchmagrannachan (B898); and (2) recommending the start of varying the Traffic Regulation Order for the 30mph Speed Limits.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the introduction of a 30mph speed limit, at the location shown in Appendix 1 to Report 18/34, be approved.

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**45. PROPOSED VARIATION TO WAITING RESTRICTIONS, WICKS O' BAIGLIE ROAD, BRIDGE OF EARN**

There was submitted a report by the Executive Director (Environment) (18/35) (1) outlining the problems experienced by local residents of Wicks O' Baiglie Road, Bridge of Earn due to indiscriminate parking; and (2) recommending a variation to the Bridge of Earn Traffic Management Order to vary the waiting restrictions on Wicks O' Baiglie Road and Kintillo Road, Bridge of Earn.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time waiting restrictions on Wicks O' Baiglie Road and Kintillo Road, as shown in Appendix 1 to Report 18/35, be approved.

**46. PROPOSED VARIATION TO WAITING RESTRICTIONS, TOM-NA-MOAN ROAD, PITLOCHRY**

There was submitted a report by the Executive Director (Environment) (18/36) (1) outlining concerns raised by local residents of Tom-Na-Moan Road, Pitlochry due to indiscriminate parking; and (2) recommending a variation to the Pitlochry Traffic Management Order to vary the waiting restrictions on Tom-Na-Moan Road, Pitlochry.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time waiting restrictions on Tom-Na-Moan Road, Pitlochry, as shown in Appendix 1 to Report 18/36, be approved.

**47. PROPOSED VARIATION TO WAITING RESTRICTIONS, ABBOT STREET, PERTH**

There was submitted a report by the Executive Director (Environment) (18/37) (1) outlining concerns raised by residents of Abbot Street, Perth due to indiscriminate parking; and (2) recommending a variation to the Perth Traffic Management Order to vary the waiting restrictions on Abbot Street, Wilson Street and Young Street, Perth.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time waiting restrictions on Abbot Street, Wilson Street and Young Street, as shown in Appendix 1 to Report 18/37, be approved.

**48. PROPOSED VARIATION TO WAITING RESTRICTIONS, RUTHVENFIELD PLACE, PERTH**

There was submitted a report by the Executive Director (Environment) (18/38) (1) outlining the problems experienced by businesses in Ruthvenfield Place, Perth due to indiscriminate parking; and (2) recommending a variation to the Perth Traffic Management Order to vary the waiting restrictions on Ruthvenfield Place, Perth.

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**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce No Waiting at Any Time waiting restrictions on Ruthvenfield Place, Perth, as shown in Appendix 1 to Report 18/38, be approved.

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PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
31 JANUARY 2018

## **AUDIT COMMITTEE**

Minute of meeting of the Audit Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 31 January 2018 at 2.00pm.

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

In Attendance: M Morrison, L Potter, L Simpson, G Taylor and C Irons (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); H Hope (The Environment Service) and N Copland and V Riddell (Housing and Community Safety).

Councillor Drysdale, Convener, Presiding.

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

The Convener welcomed everyone to the meeting and welcomed Councillor Audrey Coates to her first meeting of the Committee.

### **50. DECLARATIONS OF INTEREST**

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

### **51. MINUTE**

The minute of meeting of the Audit Committee of 22 November 2017 (Arts.658 -662) was submitted and approved as a correct record and authorised for signature.

### **52. INTERNAL AUDIT FOLLOW UP**

There was submitted a report by the Chief Internal Auditor (18/22), presenting a current summary of Internal Audit's follow up work.

M Morrison highlighted that the report should have stated there were eighty-two agreed actions for follow-up instead of eighty-one and eight high risk actions instead of seven as was correctly recorded in Appendix A to report 18/22.

It was noted that the Internal Audit Team would shortly be utilising a new database which would enable information to be preserved in a more user-friendly format.

In relation to the summary of agreed actions contained in Appendix A to Report 18/22, Councillor Donaldson referred to the improving trend in completion of these actions and although there was a comparison to the previous report considered by the Committee in November 2017, he requested comparator



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information over a longer period. He also expressed concern at the capacity of the Internal Audit Team to deliver the volume of work in the Audit Plan.

Councillor McDade expressed concern at the apparent slow progress by Services on actions of high importance. It was noted that several of these related to arrangements on information sharing, and L Simpson confirmed that a protocol required some actions to be signed off by partners.

With regard to the action for Corporate and Democratic Services (17-05 Management of Contracts), Councillor Donaldson expressed concern at the time taken to progress this action which had been agreed at Committee on 27 September 2017; the sums involved in the contracts subject to audit; and the small sample size. M Morrison assured members that the Financial Controllers had highlighted the issues in each Service; however a new procedure had still to be finalised.

With regard to the action for Education and Children's Services (16-23 Personalisation), M Morrison advised that a workshop was to be arranged led by Education and Children's Services Finance Team. In response to a question from Councillor McDade, J Cockburn advised that in terms of the budget Education and Children's Services were at a lower risk than Housing and Community Safety.

With regard to the action for Housing and Community Safety, N Copland advised that March 2018 was the expected completion date for the mobile working project.

With regard to the action for Housing and Community Safety (14-16 Housing Repairs), Councillor Drysdale stated that services should agree completion dates achievable and he referred to 15-07 Reablement (Action Point 11) which had been to Committee in June 2015 and the action was not to be completed until June 2018. V Riddell advised that training was being carried out by the SQA and Perth College; there was a number of staff to train and the training had to be undertaken in accordance with the Scottish Social Services Council requirements.

With regard to the action for The Environment Service (16-27 – Events & Festivals) (Action Point 8), Councillor McDade asked if there had been progress clarifying delegated authority in relation to the Roads Network, and L Simpson advised she would check the current position and advise the Committee members.

With regard to the action for The Environment Service (16-27 – Events and Festivals) (Action Point 9), Councillor Drysdale & Councillor H Coates referred to the high profile events being held across the Perth and Kinross area and the need for there to be an integrated approach to promoting these events. Councillor McDade sought assurance on whether there was duplication of effort between the communications activity within Services and that undertaken by the Corporate Communications Team. G Taylor advised they were promoted in a number of ways and the Council's website was part of that activity but wherever possible there should be links on the Council's website to ensure people were directed to event information. G Taylor also reassured members that communications activity in

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Services and in the Corporate Communications Team was coordinated and that there was not duplication of effort.

**Resolved:**

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

**53. INTERNAL AUDIT PRODUCT SHARING PROTOCOL**

There was submitted a report by the Chief Internal Auditor (18/23) presenting the Product Sharing Protocol for outputs from the Internal Audit process relating to the Perth and Kinross Integrated Joint Board (IJB).

It was noted that the protocol had already been approved by NHS Tayside and by the IJB.

Councillor McDade queried the extent of impact on the capacity of the Internal Audit Team in relation to undertaking audit work in the IJB, and M Morrison confirmed the work was included within the Audit Plan.

G Taylor confirmed that the IJB was a decision-making body of the Perth and Kinross Health and Social Care Partnership, and accordingly there was a need to ensure the interests of the Council were being considered. Councillor S Donaldson queried if each of the Tayside IJB's had their own auditor rather than solely depending on the Internal Audit Teams within the three Councils.

G Taylor advised that each IJB does have an auditor who also carries out work for the NHS. L Simpson confirmed that IJB audit work was not an additional responsibility but part of the Council's audit responsibility and was also required by the integration scheme underpinning the IJB, with there being two responsibilities: audit and reassurance. L Simpson also confirmed there would be reporting back to this Committee, only if required by the Audit Plan.

**Resolved:**

- (i) The Product Sharing Protocol Appended to Report 18/23 be approved as the basis for an agreement between NHS Tayside; the three Tayside Council's and the three Tayside IJB's for the provision of internal audit services.
- (ii) That NHS Internal Auditors have the same rights of access as Perth and Kinross Council Internal Auditors to all relevant Council Officers and information while conducting approved IJB audit work.

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**54. INTERNAL AUDIT UPDATE**

There was submitted a report by the Chief Internal Auditor (18/24), presenting a summary of Internal Audit's work against the 2017/18 annual plan.

M Morrison advised that a report on the National Fraud Initiative would be submitted to the next Audit Committee on 28 March 2018.

It was noted that there had been a delay to some of the assignments which would now also be reported to the meeting on 28 March 2018.

In response to a question from Councillor H Coates, L Simpson advised that specialist IT audit staff in Highland Council were used by this authority and other authorities as the level of skills are higher than those held within the Internal Audit Team.

L Simpson reassured members that two members of the Internal Audit Team had recently moved on to new posts, and, following a review of current capacity, staff would be recruited to ensure that the Team was able to deliver the Audit Plan. However, given the current reduced capacity, there would be a risk-based approach to undertaking outstanding assignments.

**Resolved:**

The progress of work against the 2017/18 annual plan be noted.

The Committee considered the following final reports:-

**(i) Corporate and Democratic Services**

**(a) 17-22 – Elected Members' Allowances**

There was submitted a report by the Chief Internal Auditor (18/25) on an audit to ensure the adequacy of controls in respect of elected member remuneration and expenses.

Councillor McDade sought clarification on remuneration in respect of office bearers with Joint Boards. G Taylor confirmed that there was a legal requirement to remunerate the Convener and Vice-Convener of the Tayside Valuation Joint Board.

Following a query from Councillor McDade, G Taylor confirmed the position with regard to the completion of travel and subsistence forms.

**Resolved:**

Internal Audit's findings, as detailed in Report 18/25 be noted.

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(ii) **Housing and Community Safety**

(a) **17-01 – Generic Outcome Focussed Assessments**

There was submitted a report by the Chief Internal Auditor (18/26) on an audit to ensure (1) that assessments for social care identify individual outcomes and (2) the provision of the necessary services to achieve those outcomes, on a timely basis.

**Resolved:**

Internal Audit's findings, as detailed in Report 18/26 be noted.

(iii) **Environment Service**

(a) **17-28 – Corporate Health and Safety**

There was submitted a report by the Chief Internal Auditor (18/27) to provide assurance over the effectiveness of the model which ensures that the Council manages its health and safety responsibilities.

It was noted that while performance reports were not being considered by the Executive Officer Team (EOT) collectively, performance was regularly being considered by the Chief Executive and individual members of the EOT and also by the Corporate Management Group (CMG).

**Resolved:**

Internal Audit's findings, as detailed in Report 18/27 be noted.

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PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
6 FEBRUARY 2018

## **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 6 February 2018 at 10.30am.

Present: Councillors W Wilson, I James and L Simpson.

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

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

Councillor W Wilson, Convener, Presiding.

### **55. DECLARATIONS OF INTEREST**

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

### **56. MINUTE**

The minute of meeting of the Local Review Body of 9 January 2018 was submitted and noted.

### **57. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(503) - Planning Application – 17/01363/FLL – Alterations and extension to dwellinghouse, 16 Station Road, Invergowrie, Dundee, DD2 5DU – Mr & Mrs Paesano**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alterations and extension to dwellinghouse, 16 Station Road, Invergowrie, Dundee, DD2 5DU.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

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- (ii) the Review application for alterations and extension to dwellinghouse, 16 Station Road, Invergowrie, Dundee, DD2 5DU, be refused for the following reason:
1. The proposed extension, by virtue of its unsympathetic scale, design and massing, would have a detrimental impact on the character and external appearance of the Listed Building. Approval would therefore be contrary Paragraph 141 of Scottish Planning Policy 2014, Policies PM1A, PM1B(c) and HE2 of the Perth and Kinross Local Development Plan 2014, all of which seek to safeguard listed buildings from inappropriate development.

**Justification**

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

- (ii) **TCP/11/16(505) - Planning Application – 17/01299/FLL – Erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth – Mr M Guild**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth.

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

**Decision:**

Resolved by unanimous decision that:

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse and garage on land 70 metres north east of Middlebank, Waterloo, Bankfoot, Perth, be refused for the following reasons:
1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
  2. The proposal is contrary to Policy PM1B, criterion (a) of the Perth and Kinross Local Development Plan 2014, as the proposal for a dwellinghouse and garage on a

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- prominent piece of land fails to create a sense of identity and erodes the character of the surroundings.
3. The proposal is contrary to Policy PM1B, criterion (b) of the Perth and Kinross Local Development Plan 2014, as the siting of the dwellinghouse and garage on this prominent piece of land would erode and dilute the areas landscape character.
  4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposal for a dwellinghouse and garage on a prominent piece of land does not contribute positively to the surrounding area.
  5. The proposal is contrary to Policy ER6 (a) of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character. This includes eroding the visual and scenic qualities and the quality of landscape experience through the siting of the dwellinghouse and garage on this prominent piece of land.

**Justification**

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

**(iii) TCP/11/16(507) – Planning application - 17/01628/FLL – Change of use from office (class 4) to barbers (class 1) (in retrospect), Suite 1, The Bungalow, Aberfeldy Business Park, Dunkeld Road, Aberfeldy – Miss H McAllister**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a change of use from office (class 4) to barbers (class 1) (in retrospect), Suite 1, The Bungalow, Aberfeldy Business Park, Dunkeld Road, Aberfeldy.

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:**

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

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for a change of use from office (class 4) to barbers (class 1) (in retrospect), Suite 1, The Bungalow, Aberfeldy Business Park, Dunkeld Road, Aberfeldy, be granted subject to suitable conditions, including a condition controlling

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noise from any plant, terms and informatives, including an informative regarding advertisement consent.

**Justification**

Whilst accepting that this change of use would represent a departure from the Development Plan, the Local Review Body considered that a combination of the small scale of the unit, the presence of other uses outwith Use Classes 4, 5 and 6 within the Aberfeldy Business Park, the employment provided by the proposal and the proximity to housing justified a departure from the Development Plan.

**(iv) TCP/11/16(508) – Planning application - 17/01250/FLL – Erection of a dwellinghouse, land 400 metres north east of Leepark, Coldrain – Mr D S McFadzean**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse, land 400 metres north east of Leepark, Coldrain.

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

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) Defer for the Applicant to submit an updated report from SAC on the justification of need, reflective of the additional land referred to in the Notice of Review;
- (iii) following receipt of the updated report, the Interim Development Quality Manager be invited to comment on the report;
- (iv) following the receipt of all further information, the application be brought back to the Local Review Body.

THERE FOLLOWED A TWENTY MINUTE RECESS

**(v) TCP/11/16(509) – Planning application - 17/01524/FLL – Erection of dwellinghouse and outbuilding, land 150 metres north west of Upper Cloan telecommunications mast, Auchterarder – K Laver & D Malcolm**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse and outbuilding, land 150 metres north west of Upper Cloan telecommunications mast, Auchterarder.



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

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, insufficient information was before the Local Review Body to determine the matter without further procedure.
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

**58. DEFERRED APPLICATION FOR REVIEW**

- (i) **TCP/11/16(500) – Planning application - 17/01074/IPL – Erection of dwellinghouse (in principle), land 100 metres north west of West Kinnochtry House, Kinnochtry, Coupar Angus – L Watt & M Brown**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse permission for the erection of a dwellinghouse (in principle), land 100 metres north west of West Kinnochtry House, Kinnochtry, Coupar Angus.

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

It was noted that, at its meeting of 5 December 2017, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. An unaccompanied site visit having been carried out on 30 January 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, and having carried out a site visit on 30 January 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle), land 40 metres north west of Kinnochtry House, Kinnochtry, Coupar Angus, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012, as it does not

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comply with any of the categories of the policy guidance where a dwellinghouse would be acceptable in principle at this location.

2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2012, as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse would be acceptable in the location.
3. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character, visual, scenic qualities of the landscape experience through the siting of the development within this area of Perth and Kinross by virtue of its location.
4. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, as the proposed siting of the development does not respect the character and amenity of this area of Perth and Kinross.
5. The proposal is contrary to policy PM1B, criterion (a), of the Perth and Kinross Local Development Plan 2014 as the proposal, by virtue of its location, fails to create a sense of identity and erodes the character of the countryside.

**Justification**

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

**Note:** Councillor James dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and that permission for the erection of a dwellinghouse (in principle) should be granted. The proposed erection of a dwellinghouse would form part of a building group and create a sense of identity in the surrounding area, thereby meeting the criteria of the Perth and Kinross Local Development Plan 2014.

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PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
7 FEBRUARY 2018

## **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 7 February 2018 at 10.00am.

Present: Councillors M Lyle, P Barrett, B Band, B Brawn (following the death of Councillor I Campbell, Councillor M Lyle assumed the role of Convener – Councillor B Brawn substituted for Councillor Lyle as a member of the Committee), S Donaldson, D Doogan, G Laing, R McCall, S McCole, Provost D Melloy, A Parrott, C Purves, C Shiers, L Simpson and C Stewart.

In Attendance: B Malone, Chief Executive, J Fyffe, Senior Deputy Chief Executive, J Valentine, Deputy Chief Executive and Chief Operating Officer, K Donaldson, S MacKenzie, C Mackie (for Art. 65), K McNamara, L Simpson, G Taylor, S Walker and C Irons (all Corporate and Democratic Services); S Devlin (Education and Children's Services); B Renton, F Crofts, P Marshall and B Murray (Environment Service) and L Cameron (Housing and Community Safety).

Also in Attendance: R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership; L Chalmers, C Flynn, F O'Neill, L Simpson and M Whittet (all Corporate and Democratic Services – up to Art. 59)

Apologies for Absence: Councillor A Bailey

Councillor M Lyle, Vice-Convener, Presiding.

### **59. TRIBUTE TO COUNCILLOR IAN CAMPBELL**

Prior to the commencement of business Councillor M Lyle paid tribute to Councillor Ian Campbell, who had died suddenly earlier in the week and expressed condolences to his family. Councillor Campbell had first been elected in 2007 and had become Leader of the Council in May 2017. Councillors D Doogan, P Barrett and Provost D Melloy also paid tribute and expressed condolences. Thereafter a one minute's silence was held.

### **60. WELCOME AND APOLOGIES**

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

### **61. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor A Parrott declared a non-financial interest in Art. 63 paragraph 2.3.4 (Perth and Kinross Credit Union).

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**62. MINUTES OF PREVIOUS MEETINGS**

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

The minute of meeting of the Strategic Policy and Resources Committee of 29 November 2017 (Arts. 663-676) 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 Strategic Policy and Resources of 18 December 2017 was submitted and noted. *(Appendix I)*

**(iii) Appeals Sub-Committee**

The minute of meeting of the Appeals Sub-Committee of the Strategic Policy and Resources Committee of 8 November 2017 was submitted and noted. *(Appendix II)*

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

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 11 September 2017 was submitted and noted. *(Appendix III)*

**(v) Employees Joint Consultative Committee**

The minute of meeting of the Employees Joint Consultative Committee of 28 September 2017 was submitted and noted. *(Appendix IV)*

**(vi) Perth City Development Board**

The minute of meeting of the Perth City Development Board of 5 September 2017 was submitted and noted.

**(vii) Economy and Lifelong Learning Group**

The minute of meeting of the Economy and Lifelong Learning Group of 22 September 2017 was submitted and noted.

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

The minute of meeting of the Perth and Kinross Integration Joint Board of 3 November 2017 was submitted and noted.

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**63. REVENUE BUDGET 2017/18 – MONITORING REPORT NUMBER 3**

There was submitted a report by the Head of Finance (18/41), providing an update (1) on progress with the 2017/18 General Fund Revenue Budget based on the November 2017 ledger, updated for subsequent known material movements; and (2) on the projected financial position of the Housing Revenue Account.

**Resolved:**

- (i) The contents of Report 18/41 be noted.
- (ii) The adjustments to the 2017/18 Management Revenue Budget, as detailed in Sections 2 and 3 of and Appendix 1 to Report 18/41, be approved.
- (iii) The 2017/18 Service virements, as summarised in Appendices 2 and 4 to Report 18/41, be approved.

**64. COMPOSITE CAPITAL BUDGET 2017/23 & HOUSING INVESTMENT PROGRAMME 2017/22 – MONITORING REPORT NUMBER 3**

There was submitted a report by the Head of Finance (18/42), (1) providing a summary position to date for the Composite Capital Programme for 2017/18 to 2022/23 and the Housing Investment Programme 2017/18 to 2021/22 and (2) seeking approval for adjustments to the Programmes.

**Resolved:**

- (i) The contents of Report 18/42 be noted.
- (ii) The proposed budget adjustments to the six year Composite Capital Programme Budget 2017/18 to 2022/23, as set out in Sections 2 and 3 of and summarised at Appendices 1 and 2 to Report 18/42, be approved.
- (iii) The proposed budget and monitoring adjustments to the Housing Investment Programme Budget 2017/18 to 2021/22, as set out in Section 4 of and summarised at Appendix 3 to Report 18/42, be approved.

**65. TRANSFORMATION PROGRAMME 2015-2020 PROGRESS UPDATE**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/43), providing an update on the Transformation Programme approved by Council on 1 July 2015.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 18/43, be noted.
- (ii) A further report be submitted to the next meeting of this Committee on further proposals for the Transformation Programme.

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

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/44), (1) seeking approval for the proposed programme and priorities for preparing supplementary guidance to support both the Adopted Local Development Plan and the Local Development Plan review process currently under way; and (2) providing an update in respect of progress made on the preparation of the statutory supplementary guidance and the non-statutory guidance work programme of the Local Development Plan Team.

**Resolved:**

- (i) The progress made on the programme for the planning policy framework be noted.
- (ii) The priorities for preparing the Local Development Plan Supplementary Guidance be agreed as set out in Report 18/44.
- (iii) The Executive Director (Environment) be requested to continue to prepare an annual update to the Strategic Policy and Resources Committee on progress with the preparation of Supplementary Guidance to support the Local Development Plan.

**67. BUILDING AMBITION – A BLUEPRINT FOR A 21<sup>ST</sup> CENTURY COUNCIL**

There was submitted a report by the Chief Executive (18/45), advising of changes to the senior management structure which would result in more streamlined and flexible arrangements, and deliver an annual recurring saving of £300,707, with a net reduction of Chief Officers.

**Resolved:**

- (i) The overall savings of £300,707 in a full financial year, be approved.
- (ii) The overall reduction in Chief Officers through the redesignation and deletion of posts to be effective from April 2018, as set out in Report 18/45, be noted.

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

**68. REQUEST FOR A CONTRIBUTION TO A REPLACEMENT UNDERPASS ON B9097**

There was submitted a report by the Executive Director (Environment) (18/46), (1) outlining a request to support the Royal Society for the Protection of Birds to build a new underpass at Vane Farm, near Loch Leven; and (2) seeking to use part of the funding previously allocated towards investment in the car park estate to support this development, while re-allocating the remaining balance to two car park related projects.

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**Resolved:**

- (i) The proposal by RSPB Scotland to build a new underpass under the B9097 new Vane Farm, Kinross be noted.
- (ii) The original proposal for the £250,000 allocated as part of the revenue budget process in February 2017 towards investment in the car park estate was no longer possible.
- (iii) The sum of £250,000 be re-allocated towards the following:
  - (a) £30,000 for improved parking in Millbridge, Kinross
  - (b) £70,000 for improved parking in Auchterarder
  - (c ) £150,000 to support the underpass development being undertaken by RSPB, subject to the Council's standard governance arrangements.

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## **EXECUTIVE SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of meeting of the Executive Sub-Committee of the Strategic Policy and Resources Committee held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Monday 18 December 2017 at 1.30 pm.

Present: Councillors P Barrett, I Campbell, D Doogan, G Laing and M Lyle

In Attendance: B Malone, Chief Executive, J Fyffe, Senior Depute Chief Executive, J Valentine Depute Chief Executive and Chief Operating Officer; K Donaldson, C Flynn, S Mackenzie and S Walker (all Corporate and Democratic Services).

Councillor I Campbell, Convener, 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 BE EXCLUDED DURING  
CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE  
DISCLOSURE OF INFORMATION WHICH WAS CONFIDENTIAL IN TERMS OF  
SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973**

### **3. SENIOR MANAGEMENT ARRANGEMENTS**

There was submitted a report by the Chief Executive (17/421) (1) seeking approval for a request for early retirement in the interests of efficiency of the Service from a chief officer and related adjustment to wider roles and responsibilities and (2) remitting the Chief Executive to carry out a further review of the leadership and management arrangements for the Council and report back in early 2018.

#### **Resolved:**

- (i) Gillian Taylor, Head of Democratic Services, be granted early retirement on grounds of efficiency of the service on 30 November 2018 on the terms outlined in Report 17/421.
- (ii) Gillian Taylor be awarded an additional award of 325 days on the terms outlined in Report 17/421.
- (iii) The post of Director (Environment) be re-designated as Executive Director (Environment) at a cost of £16,606, as detailed in Report 17/421.

COUNCILLOR M LYLE LEFT THE MEETING AT THIS POINT.



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- (iv) The additional net saving of £88,875 to be available for future Revenue Budgets, be noted.
- (v) It be remitted to the Chief Executive to carry out a further review of the leadership and management arrangements as part of the Council's transformation and cultural change programme and report back in early 2018.

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## **APPEALS SUB-COMMITTEE**

Minute of meeting of the Appeals Sub-Committee held on Wednesday 8 November 2017 in Room 410, Fourth Floor, Council Building, 2 High Street, Perth.

Present: Councillors H Anderson, K Baird and J Rebbeck.

In Attendance: Appellant and Appellant's Representative (S Brown, EIS); Service's Representative (E Bayne, Human Resources); and M McLaren, Legal and Governance.

### **1. APPOINTMENT OF CONVENER**

It was unanimously agreed that Councillor Baird be appointed Convener of the Appeals Sub-Committee.

Councillor Baird took the Chair.

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

### **P1. APPEAL AGAINST DISMISSAL (C/HR/20/038)**

The Appeals Sub-Committee was convened to consider an appeal against dismissal by a member of staff from Education and Children's Services (Teacher).

The Appeals Sub-Committee considered documentation lodged by both parties and heard evidence from both representatives and their witnesses. Thereafter the parties each summed up their case and withdrew.

#### **Resolved:**

That the dismissal was found to be fair and reasonable and the appeal be not upheld.

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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 11 September 2017 at 10.00am.

**Present:**                   **Representing Perth and Kinross Council**  
Councillor K Baird  
Councillor E Drysdale  
Councillor D Illingworth (substitute for P Barrett)  
Councillor S McCole  
G Boland (on behalf of Executive Director (Education and Children's Services))  
P Steel (on behalf of Corporate Human Resources Manager)  
J Dixon (on behalf of the Director (Environment))  
A Taylor (on behalf of Director (Housing and Community Safety))

**Trade Union Safety Representatives and Elected  
Representatives of Employee Safety Committees**  
M Blacklaws, SSTA  
T Todd, UCATT

**In attendance:**       S Crawford, Head of Property Services, The Environment Service  
J Handling, Health, Safety and Wellbeing Manager, The Environment Service  
C Irons, Committee Officer, Corporate and Democratic Service  
L McGeorge, Property Compliance Team Leader, Environment Service

**Apologies:**           Councillor P Barrett, S Garrett and C Flynn.

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

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

Councillor D Illingworth nominated Councillor K Baird and Councillor E Drysdale nominated Councillor S McCole.

M Blacklaws expressed concern at the Trade Unions being put in the position of having to determine the appointment of Convener between two Councillors with only two Trade Union members present. He proposed deferring the decision until the next meeting when there would be more Trade Union members present. He further proposed that J Handling chair today's meeting.

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T Todd nominated L McLaren, seconded by M Blacklaws as Vice-Convener.

**Resolved:**

- (i) The appointment of Convener be deferred until the next meeting on 11 December 2017.
- (ii) L McLaren be appointed as Vice-Convener for 24 months to September 2019.

J Handling took the chair.

**2. DECLARATIONS OF INTEREST**

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

**3. PRESENTATION**

J Handling gave a presentation to members outlining the Council's health and safety management system and the role and remit of the Consultative Committee for the information of new members.

**4. MINUTES**

The Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 13 March 2017 was submitted and approved as a correct record.

**5. MATTERS ARISING**

There were no matters arising from the previous minute.

**6. HEALTH AND SAFETY KEY PERFORMANCE INDICATORS – QUARTERLY REPORT**

**(i) Quarter 4 of 2016/17**

There was submitted a report by the Transformation and Business Manager, the Environment Service (G/17/140) providing the Committee with the Health and Safety Key Performance Indicators for quarter 4 of 2016/17, 31 January – 31 March 2017.

It was noted that the violence and aggression figures included incidents in schools which were discussed in detail at the Joint Negotiating Committee for Teachers and training needs considered.

**Resolved:**

- (i) There were five reportable incidents in the quarter.
- (ii) The highest number of incidents in this quarter was violence and aggression followed by slips, trips and falls.

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- (iii) The total number of employee incidents was two hundred and thirty-four, which was a decrease compared to quarter 4 in 2015/16.
- (iv) The total number of non-employee incidents was twenty-four, which was an increase compared to quarter 4 in 2015/16.

**(ii) Quarter 1 of 2017/18**

There was submitted a report by the Transformation and Business Manager, the Environment Service (G/17/141) providing the Committee with the Health and Safety Key Performance Indicators for quarter 1 of 2017/18, 1 April - 30 June 2017.

J Handling referred to the new format of the report which included an overview of the Performance Reviews carried out by the Health, Safety and Wellbeing Team during the first quarter of 2017/18.

J Handling also advised that the Health, Safety and Wellbeing team were conducting a programme of reviews to check that service areas were compliant with the Council's Occupational Health and Safety Policy and topic specific management arrangements. Table 1 in Report G/17/141 summarised the reviews undertaken.

It was also noted that this Committee looked at trends rather than specific incidents which was the responsibility of the Service Committees attended by staff and Trade Union members.

**Resolved:**

- (i) There were two reportable incidents in the quarter.
- (ii) The highest number of incidents in this quarter was violence and aggression followed by slips, trips and falls.
- (iii) The total number of employee incidents was two hundred and eighteen, which was an increase compared to quarter 1 in 2015/16.
- (iv) The total number of non-employee incidents was thirty-four, which was an increase compared to quarter 1 in 2015/16.

**7. FIRE SAFETY KEY PERFORMANCE INDICATORS – QUARTERLY REPORT**

**Quarterly Report**

There was submitted a report by the Transformation and Business Manager, the Environment Service (G/17/142) to (1) inform members of the Fire Safety key performance for quarter 1 of 2017/18 and (2) assist the Committee to monitor the Fire Safety performance across Perth and Kinross Council's Estate.

**Resolved**

- (i) Eighteen Council premises had their Fire Risk assessment reviewed during quarter 1 of 2017/18.

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- (ii) The Scottish Fire and Rescue Service carried out one audit at Council premises.
- (iii) There were no near misses during the quarter.
- (iv) There were three reported incidents of fire during the quarter.
- (v) Future reports to have RAG (Red, Amber Green) flag monitoring to indicate where the issues were in terms of a timeline to address prioritisation, be agreed.

**8. DATE OF NEXT MEETING**

It was noted that the next meeting will be held on Monday 11 December 2017 at 10.00am.

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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 28 September 2017 at 10.00am.

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

Councillors C Ahern (on behalf of Councillor M Lyle),  
H Anderson, and I Campbell; G Boland (on behalf of the  
Executive Director (Education & Children's Services));  
S Crawford (on behalf of the Depute Chief Executive) and  
A Taylor (on behalf of the Senior Depute Chief Executive).

**Present:**                      **Representing Trade Unions:**

F Fraser and S Hope (UNISON); G Ramsay, S Robertson,  
A Thomas and L McLaren and T Todd (Unite the Union).

**In Attendance:**        K Donaldson (Corporate Human Resources Manager); C Baird,  
C Jolly, M Mitchell, S Munro, J Somerville and P Steel (all  
Corporate and Democratic Services); J Dixon (The Environment  
Service); and L Harris (Housing & Community Safety).

**Apologies:**              Councillor S McCole; T Maric and M Dickson (UNISON), and  
H Meldrum (GMB).

**1.        WELCOME**

K Donaldson, Corporate Human Resources Manager, opened the meeting and welcomed all members. She provided slide based overview on the Employees JCC which included the membership, meetings, business and context, headcount by service and professional teams. She added that the JCC was relevant to strategic not individual issues and highlighted its importance in terms of workforce planning and employee relations. She also acknowledged the strong tradition within Perth and Kinross of *working together*.

S Hope, Branch Secretary UNISON, provided the trade union perspective on the Employees JCC and agreed that while there was no requirement for such a forum, within Perth and Kinross the JCC was hugely beneficial in providing a platform for raising issues and the promotion of consultation within a culture of mutual respect.

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**2. DECLARATIONS OF INTEREST**

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

**3. APPOINTMENT OF CONVENER AND VICE CONVENER**

S Hope was nominated and seconded as Convener of the Employees Joint Consultative Committee. In terms of Clause 3 of the Constitution, S Hope was unanimously elected as Convener of the Employees JCC.

S Hope took the Chair

Councillor I Campbell was nominated and seconded as Vice Convener of the Employees Joint Consultative Committee. In terms of Clause 3 of the Constitution, Councillor I Campbell was unanimously elected as Vice Convener of the Employees JCC.

**4. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Employees Joint Consultative Committee of 16 February 2017 was submitted and approved.

**5. MATTERS ARISING**

There were no matters arising from the previous minute.

**6. THE EMPLOYEES JCC CONSTITUTION**

At the last meeting it was proposed that the Employees JCC be reviewed following the merger of UCATT and Unite the Union and to enable the membership to be updated in terms of the current Perth and Kinross Council management structure.

**Resolved: -**

The JCC agreed the proposed amendments as highlighted in the constitution submitted with tracked changes (G/17/151).

**7. TRANSFORMATION PROGRAMME**

Chris Jolly, Team Leader, provided a brief update to the JCC on the current transformation programme and referred to the significant challenges being faced by local authorities. He noted that transformation was not only about financial constraint but that it also centred on service redesign. He added that updates on the transformation programme were made regularly to the Council's Modernising Governance Member Officer Working Group and to each meeting of the Strategic Policy and Resources Committee and invited members to access previous reports for further information on the programme.



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K Donaldson, Corporate Human Resources Manager, noted that questions to representatives from services with roles in the transformation programme could be taken at the meeting or followed-up outwith the meeting.

**Resolved: -**

The JCC noted the update.

**8. FLEXIBLE AND MOBILE WORKING**

Lynne Harris, IT Service Manager, reported on the Perth & Kinross Council Digital Strategy and noted that new technology underpinned business change and transformation in the Council. She noted the shift on citizen engagement and the increased choice on how and when communities could access services.

She referred to mobile working allowing field workers to become more efficient and noted that the area of housing repairs fed into wider transformation.

T Todd and A Thomas referred to issues relevant to training and to mobile working and the locality structure being two separate issues and agreed to further discussion outwith the JCC. L Harris noted that there were improvement champions within the service and S Hope agreed the significant importance of appropriate training for craft workers.

**Resolved: -**

The JCC noted the update.

**9. COUNCIL CONSTRUCTION CHARTER**

G Ramsay introduced the paper, Council Construction Charter (G/17/152), designed to promote local employment, fair wages and worker protection which had been submitted to the JCC at the request of Unite the Union. He referred to investigations following a wall collapse at an Edinburgh school and to the subsequent Professor John Cole Inquiry Report.

Stephen Crawford, Head of Property Services and Mary Mitchell, Corporate Procurement Manager, were introduced to the group and it was noted that Perth & Kinross Council already have procedures such as, Key Performance Indicators and fair work practices in place and that while the Council can encourage adoption of e.g. the living wage, it could not make it a mandatory requirement for contractors.

Councillor Campbell suggested that there was no reason why a set of relevant principles could not be adopted by the Council.

K Donaldson, Corporate Human Resources Manager agreed that there was scope for a meeting to allow for further discussion on this matter and that an update would be submitted back to the JCC in due course.

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**Resolved: -**

The JCC noted the position.

**10. HEALTH AND WELLBEING**

Sheila Munro made a slide based presentation to the JCC and specifically referred to:-

- Health and Wellbeing Projects – Highlights October 2016 to August 2017
- Sickness Absence Performance 1 April 2016-31 March 2017
  - Sickness Absence Trends
  - Reason for Absence
- Future Plans
  - Improved Management Information
  - New Wellbeing Framework

Questions were asked regarding manager training and support and P Steel noted that dialogue between manager and employee can begin at as early a stage as possible. S Hope referred to the stigma that can be associated with mental health related absences and he added that this was also a significant issue for trade unions who could also offer support and help at work. K Donaldson reported that HR was happy to continue to work with trade unions in this regard. She added that it was the core business of the Council to adopt a holistic approach to health and wellbeing and therefore creating a culture of wellbeing and support within our workforce was even more important.

**Resolved: -**

The JCC noted the update.

**11. JOB FAMILIES AND JOB MATCHING**

There was submitted a report by the Corporate Human Resources Manager (G/17/153) providing an update on the progress of the Job Families Project and information on a Job Matching pilot being undertaken within the Council for a 6 month period. Both initiatives are enablers for the Council's transformation agenda and along with the guiding principles on organisational design, are designed to deliver increased flexibility and capacity across the workforce. There are benefits for employees too in terms of job security and more visible development paths. The trade unions have been involved since the outset and are supportive of this work.

**Resolved: -**

The JCC noted the progress made to date on Job Families and the Job Matching pilot and that consultation would be ongoing as job families are extended to other groups of jobs across the Council

**12. VOLUNTARY SEVERANCE SCHEME (VSS)**

K Donaldson reported that the 2017 Voluntary Severance Scheme (VSS) had launched on 8 September 2017 and that to date, approximately 110 requests had been submitted. She added that estimated voluntary severance figures were expected to be issued by 30 November and that final decisions would be made at the February 2018 Council meeting.

**Resolved: -**

The JCC noted the position.

**13. ANY OTHER COMPETENT BUSINESS**

**(i) REVENUE BUDGET 2018/19**

The Corporate Human Resources Manager confirmed that full-time trade union officials would be invited to meet with the Chief Executive or Senior Depute Chief Executive as had occurred in previous years.

S Robertson noted the number of invitations to trade union officials and the difficulties of attending meetings at short notice. K Donaldson said she would remind service managers and HR colleagues of the importance of giving as much notice as practicable.

**(ii) UNISON INITIATIVE IN SCHOOLS**

S Hope drew attention to a forthcoming UNISON initiative to take place in Perth and Kinross schools.

**14. DATE OF NEXT MEETING**

Thursday 23 November 2017 at 10.00am.

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PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
7 FEBRUARY 2018

## **SCRUTINY COMMITTEE**

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 7 February 2017 at 2.00pm.

Present: Councillors G Laing, S McCole, C Ahern, H Anderson, H Coates, D Doogan, D Illingworth, A Parrott, C Purves and M Williamson (substituting for Councillor T McEwan).

In Attendance: B Renton (Executive Director, The Environment Service); S Devlin (Executive Director, Education and Children's Services); K McNamara, K Molley, F Robertson, L Simpson and G Taylor (all Corporate and Democratic Services).

Apologies: Councillor T McEwan

Councillor G Laing, Convener, Presiding.

### **69. TRIBUTE TO COUNCILLOR IAN CAMPBELL**

Prior to commencement of business, Councillor Laing paid tribute to Councillor Ian Campbell, who had died suddenly earlier in the week, and expressed condolences to his family. Councillor Coates also paid tribute and expressed condolences.

### **70. WELCOME AND APOLOGIES**

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

### **71. DECLARATIONS OF INTEREST**

- (i) Councillor G Laing declared a non-financial interest in Art. 73(i)
- (ii) Councillors C Ahern and A Parrott declared a non-financial interest in Art. 73(ii)
- (iii) Councillor H Coates declared a non-financial interest in Art. 73(iii)

### **72. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF SEPTEMBER 2017**

The minute of meeting of the Scrutiny Committee of 29 November 2017 (Arts. 677-686) was submitted, approved as a correct record and authorised for signature.

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SCRUTINY COMMITTEE  
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**73. UPDATES BY ARMS' LENGTH EXTERNAL ORGANISATIONS**

**(i) Live Active Leisure**

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

J Moyes, Chief Executive and D Longmuir, Board Member, Live Active Leisure, gave a verbal update on their progress and answered members' questions. Members sought assurance on matters such as: attendance statistics of leisure facilities; the progress of PH2O; update of new contract and long term savings. The Convener thanked the representatives for their attendance and they left the meeting at this point.

COUNCILLOR LAING RESUMED THE CHAIR AT THIS POINT.

**(ii) Culture Perth and Kinross**

H Smout, Chief Executive and Lady G Bullough, Board Member, Culture Perth and Kinross, gave an update on progress and answered members' questions. Members sought assurance on matters such as: working with external organisations; charging fees; online orders and performance. The Convener thanked the representatives for their attendance and they left the meeting at this point.

**(iii) Horsecross Arts LTD**

G Gibbons, Chief Executive, C McKenzie, Finance Director and M Linklater, Chair, Horsecross Arts Ltd., gave an update on progress and answered members' questions. Members sought assurance on matters such as: the success of the Christmas pantomime production; budgets; external funding, membership schemes and the proposed activity across Perth Theatre & Perth Concert Hall. The Convener thanked the representatives for their attendance and they left the meeting at this point.

**74. COUNCIL COMPLAINTS PERFORMANCE REPORT**

There was submitted a report by the Head of Legal and Governance Services (18/39) providing assurance that the Council has an adequate and effective Complaints Handling Procedure in place. The report also satisfied public performance reporting requirements in accordance with the Scottish Public Services Ombudsman's (SPSO) performance measures for local authorities.

Councillor D Illingworth emphasised how important he felt it was for the public to have the opportunity to complain if they had a problem so the Council was able to rectify the situation as soon as possible.

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In a response to a query from Councillor Anderson regarding complaints out with jurisdiction of the SPSO, L Simpson stated that in all cases there were alternative processes for the complaint to be dealt with by another body.

In response to a query from Councillor S McCole that whether, given the number of ways in which complaints could be submitted, there was information on all complaints captured. L Simpson advised that there were processes in place in each service. B Renton and S Devlin gave an assurance these measures ensured that complaints are notified and relevant data collected.

**Resolved:**

The performance of the Complaints Handling Procedure continue to be monitored.

**75. SUMMARY OF FINDINGS FROM AUDIT SCOTLAND BEST VALUE ASSURANCE REPORTS: INVERCLYDE COUNCIL AND RENFREWSHIRE COUNCIL**

There was submitted a report by the Depute Chief Executive & Chief Operating Officer (18/40) providing a summary of the key messages from Audit Scotland's Best Value Assurance Reports (BVARS) for Inverclyde Council (June 2017) and Renfrewshire Council (August 2017). The report also benchmarked this Council's position against the key messages from the BVARS and summarised areas of focus for the Council. The learning from the BVARS would help the Council to meet its statutory duty to deliver best value in all of its activities.

In response to a query from Councillor Coates regarding the purpose of these reports, K McNamara explained that Audit Scotland scrutinises the performance of councils and publishes BVARS with the expectation that all councils will act on the key messages, by benchmarking themselves against the findings in these reports and by using the learning from that benchmarking to improve their activity. He further explained that Audit Scotland had a programme of issues for local authorities recognising that some have higher risk but the intention is that they would visit all 32 Councils within 5 years. The purpose of these reports is to let the public know that the Council are meeting their best value duty.

In response to a query from the Convener regarding different areas of practice across the country, K McNamara highlighted the benefit of using BVARS as a positive benchmarking tool for the Council could improve in comparing themselves to other local authorities.

In response to a query from Councillors, K McNamara and L Simpson advised that the benchmarking information would also inform the forthcoming process to prepare the annual governance statement. Councillor McCole added that it will prevent the Council from becoming complacent.

**Resolved:**

The benchmarking of Perth and Kinross Council against the Best Value Assurance Reports for Inverclyde and Renfrewshire Councils be noted.

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COUNCILLOR M WILLIAMSON LEFT THE MEETING AT THIS POINT.

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

**76. MINUTE OF MEETING OF THE SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 12 OCTOBER 2017**

There was submitted and noted the minute of the Social Work Complaints Review Committee of 12 October 2017.

**77. MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 3 AUGUST 2017**

There was submitted and noted the minute of the Social Work Complaints Review Committee of 3 August 2017.

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