

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.

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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 21ST 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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