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2019

Book 3

MINUTES OF MEETINGS FROM

10 April 2019 – 22 May 2019

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

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

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

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

Apologies: Councillors B Band and W Wilson.

Councillor R McCall, Convener, Presiding.

171. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting.

172. DECLARATIONS OF INTEREST

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

173. MINUTES

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

174. DEPUTATIONS

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

Planning Application No.
18/00865/FLL

Art. No.
175(2)(i)

175. APPLICATIONS FOR DETERMINATION

(1) Major Applications

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

Resolved:

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

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.
2. The chalets hereby approved shall be used solely for holiday accommodation only and shall not be occupied as the sole or main residence of the occupant.
Reason - To prevent permanent residential use of the site in view of its location within a rural area and in accordance with the Planning Authority's policy of restricting sporadic housing development in the countryside.
3. Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.
Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
4. Prior to the occupation of the development the vehicular access to the B9099 public road shall be formed in accordance with specification Type E, Fig 5.8, access detail to the satisfaction of the Council as Planning Authority.
Reason - In the interests of pedestrian and traffic safety and in the interests of free traffic flow.
5. Prior to the development hereby approved being completed or brought into use, the gradient of the access shall not exceed 3% for the first 5 metres measured back from the edge of the carriageway and the access shall be

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

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

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

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

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

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

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

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

9. Within 6 months of the date of this decision notice a detailed landscaping and planting scheme for the site shall be submitted to and approved in writing by the Planning Authority. The scheme shall include details of the height and slopes of any mounding or re-contouring of the site, full details of all hard landscaping proposals including materials and installation methods and species, height, size and density of trees and shrubs to be planted. The plans shall also include planting to a depth of 40 metres adjacent to the B9099 and shall also incorporate bunding. The submission shall also include full details of the phasing of the landscaping. The scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after completion or bringing into use of the development, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied to the Council as Planning Authority within 7

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18. No further development shall take place on site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Council as Planning Authority, in consultation with Perth and Kinross Heritage Trust. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented including that all excavation, preservation, recording, recovery, analysis, publication and archiving of archaeological resources within the development site is undertaken. In addition, the developer shall afford access at all reasonable times to Perth and Kinross Heritage Trust or a nominated representative and shall allow them to observe work in progress.

Reason - To ensure the scheme of archaeological investigation is fully undertaken on site.

Justification

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

Procedural Notes

The planning permission decision notice shall not be issued until such time as the required Developer Contributions have been secured or paid in full.

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In the event the applicant does not either make the required payment within 28 days from the date the agent/applicant is advised of the need for the contributions, or complete a legal agreement for delayed payment within a 4 month period from the date the agent/applicant is advised of the need for the contributions the application may be refused under delegated powers without any further discussion with the applicant.

Informatives

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

(2) Local Applications

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

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

Motion (Councillors M Barnacle and H Anderson)

Refuse, for the following reason:

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

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Justification

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

Amendment (Councillors R McCall and H Coates)

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

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

5 members voted for the Amendment as follows:

Councillors Brawn, Coates, Drysdale, McCall and Watters.

7 members voted for the Motion as follows:

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

Resolved:

In accordance with the Motion

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LICENSING COMMITTEE  
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## **LICENSING COMMITTEE**

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

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

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

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

Councillor C Ahern (Convener), Presiding.

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

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

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

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

### **178. MINUTES**

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

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

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

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

The applicant was in attendance.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

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

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

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

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

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

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

**Resolved:**

In accordance with the Motion.

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

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

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

**Resolved:**

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

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STRATEGIC POLICY AND RESOURCES COMMITTEE

Minute of meeting of the Strategic Policy and Resources Committee held in the Council Chamber, Council Building, 2 High Street, Perth on Wednesday 17 April 2019 at 9.30am.

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

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

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

Councillor M Lyle, Convener, Presiding.

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

181. WELCOME AND APOLOGIES

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

182. DECLARATIONS OF INTEREST

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

183. URGENT ITEM OF BUSINESS

Instrumental Music Service Fees

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

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

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

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

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

Resolved:

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

184. MINUTES OF PREVIOUS MEETINGS

(i) Strategic Policy and Resources Committee

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

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

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

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

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

(iv) Perth and Kinross Integration Joint Board

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

(v) Corporate Health, Safety and Wellbeing Consultative Committee

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

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(vi) Employees Joint Consultative Committee

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

(vii) Tay Cities Region Joint Committee

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

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

There was submitted a report by the Head of Finance (19/110), providing an update (1) on progress with the 2018/19 General Fund Revenue Budget based on the January 2019 ledger, updated for subsequent known material movements; and (2) on the projected financial position of the Housing Revenue Account.

Resolved:

- (i) The contents of Report 19/110 be noted.
- (ii) The adjustments to the 2018/19 Management Revenue Budget, as detailed in Appendices 1 to 4 and 6 to and Sections 2, 3 and 4 of Report 19/110, be approved.
- (iii) The 2018/19 service virements, as summarised in Appendices 2, 5 and 6 to Report 19/110, be approved.
- (iv) The Health and Social Care projected outturn, as summarised in Paragraphs 3.1 to 3.5 of and Appendix 5 to Report 19/110, be noted.
- (v) The Housing Revenue Account projected outturn summarised in Section 4 of and Appendix 6 to Report 19/110, be noted.
- (vi) The adjustments to the 2019/20 Revenue Budget summarised in Appendices 7, 8 and 9, be approved.

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

There was submitted a report by the Head of Finance (19/111) (1) providing a summary position to date for the 10 year Composite Capital Programme for 2018/19 to 2027/28 and the 5 year Housing Revenue Account (HRA) Capital Investment Programme 2018/19 to 2022/23; and (2) seeking approval for adjustments to the programmes.

Resolved:

- (i) The contents of Report 19/111, be noted.
- (ii) The proposed budget adjustments to the 10 year Composite Capital Budget 2018/19 to 2027/28, as set out in sections 2 and 3 of and summarised at Appendices I and II to Report 19/111, be approved.
- (iii) The proposed budget adjustments to the HRA Capital Investment Programme Budget 2018/19 to 2022/23, as set out in section 4 of and summarised at Appendix III to Report 19/111, be approved.

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

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

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

Resolved:

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

188. CULTURAL TRUSTS TRANSFORMATION PROJECT: FINDINGS AND RECOMMENDATIONS

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

Motion (Councillors M Lyle and P Barrett)

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

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

Amendment (Councillors S Donaldson and S McCole)

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

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

7 members voted for the Motion as follows:

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

7 members voted for the Amendment as follows:

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

1 member abstained as follows:

Councillor K Baird.

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

Resolved:

In accordance with the Motion.

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

189. TRANSFORMATION PROGRAMME 2015-2020

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

Resolved:

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

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

190. COMMUNITY INVESTMENT FUND

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

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

Resolved:

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

191. MANAGING UNREASONABLE DEMANDS POLICY

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

Resolved:

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

192. PROPOSED HEALTH AND WELLBEING FRAMEWORK

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

Resolved:

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

193. RETIREMENT SCHEME

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

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

Resolved:

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

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

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

Resolved:

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

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## **PROPERTY SUB-COMMITTEE**

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

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

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

Apologies: Councillors M Lyle and R McCall.

Vice-Convener Councillor P Barrett, presiding.

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

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

### **2. DECLARATIONS OF INTEREST**

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

### **3. MINUTE**

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

### **4. SCHOOL ESTATE PROGRAMME PROGRESS REPORT**

There was submitted a report by the Executive Director (Education and Children's Services) (18/333) (1) providing an update on the progress and proposals for delivering the current school projects within the Education and Children's Services School Estate Programme; (2) detailing key milestones which had been achieved; and (3) detailing future projects.

#### **Resolved:**

- (i) The significant milestones achieved since the previous report to this Sub-Committee on 16 April 2018, be noted.
- (ii) Funding of £49.4m for the School Estate Programme, under the new 2018/2028 Composite Capital Budget approved by the Council in June 2018, and an additional budget for the replacement of Perth High School of £50m, be noted.

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

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

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

**Resolved:**

The contents of Report 18/334 be noted.

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PROPERTY SUB-COMMITTEE

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

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

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

Councillor M Lyle, Presiding.

1. WELCOME AND APOLOGIES/SUBSTITUTES

The Convener welcomed all those present to the meeting.

2. DECLARATIONS OF INTEREST

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

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

P1. PERTH, LOWER CITY MILL – LEASE DISPOSAL TO HERITAGE TRUST

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

Resolved:

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

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## PERTH AND KINROSS INTEGRATION JOINT BOARD

Minute of Meeting of the Perth and Kinross Integration Joint Board (IJB) held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Friday 30 November 2018 at 10.55am.

**Present:**

**Voting Members**

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

**Non-Voting Members**

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

**Additional Members**

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

**Stakeholder Members**

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

**In Attendance:**

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

**Apologies:**

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

### 1. WELCOME AND APOLOGIES

Dr Peat welcomed all those present to the meeting and apologies were noted as above.



## **2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made in terms of the Perth and Kinross Integration Joint Board Code of Conduct.

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

The minute of meeting of the Perth and Kinross Integration Joint Board of 28 September 2018 was submitted and approved as a correct record, subject to the date in section 3.7 (iii) being amended to 28 September 2019.

*N BEECH ENTERED THE MEETING AT THIS POINT.*

## **4. ACTION POINT UPDATE**

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

## **5. MATTERS ARISING**

There were no matters arising from the previous minute.

## **6. BOARD MEMBERSHIP UPDATE**

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

### **Resolved:**

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

## **7. FINANCE AND GOVERNANCE**

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

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

### **Resolved:**

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

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

## **7.2 AUDIT AND PERFORMANCE COMMITTEE**

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

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

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

The Board noted the position.

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

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

#### **Resolved:**

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

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

### 7.3 STANDING ORDERS ANNUAL REVIEW

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

**Resolved:**

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

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

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

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

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

### 7.4 DEVELOPMENT OF TAYSIDE PUBLIC HEALTH STRATEGY

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

**Resolved:**

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

## 8. PROGRAMMES OF CARE

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

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

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

**Resolved:**

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

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

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

**Resolved:**

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

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

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

**Resolved:**

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

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

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

**Resolved:**

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

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

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

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

**Resolved:**

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

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

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

**Resolved:**

The item be withdrawn for further discussion.

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

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

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

**Resolved:**

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

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

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

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

**Resolved:**

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

## **10. DEVELOPING STRATEGIC OBJECTIVES**

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

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

**Resolved:**

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

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

## **11. INFORMATION**

There were submitted and noted the following reports for information:

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

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

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

## **12 REVISED 2019 MEETING DATES**

January 2019 (Special Meeting – date to be confirmed)

Friday 15 February 2019, 9.30am

Wednesday 1 May 2019, 2.00pm

Wednesday 26 June 2019, 2.00pm

Friday 27 September 2019, 9.30am

Wednesday 4 December 2019, 2.00pm

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

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

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

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

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

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

Councillor S McCole in the Chair

1. APPOINTMENT OF VICE-CONVENER

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

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

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

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

4. HEALTH AND SAFETY PERFORMANCE QUARTERLY REPORT

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

S HOPE ENTERED THE MEETING AT THIS POINT.

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

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

Resolved:

The contents of the report, be noted.

5. FIRE SAFETY QUARTERLY REPORT

There was submitted a report by the Health, Safety and Wellbeing Manager (G/18/185) informing and assisting the Corporate Health, Safety and Wellbeing Consultative Committee in monitoring fire safety performance across Perth and Kinross Council; and (2) providing the Committee with the Fire Safety Key Performance indicators for Quarter 2 of 2018/19 for noting.

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

Resolved:

The contents of the report, be noted.

6. CUSTOMER CONTACT – UNACCEPTABLE ACTIONS POLICY

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

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

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

Resolved:

The Unacceptable Actions Policy, be noted.

7. TIMETABLE OF MEETINGS FOR 2019

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

All meetings commence at 10am.

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

Minute of meeting of the Employees Joint Consultative Committee, held in the Council Chamber, 2 High Street, Perth on Thursday 22 November 2018 at 10.00am.

**Present:                Representing Perth and Kinross Council:**

Councillors H Anderson; D Illingworth (on behalf of Councillor M Lyle), R McCall and S McCole (all Perth and Kinross Council); K Robertson (on behalf of Executive Director (Education and Children Services)).

**Present:                Representing Trade Unions:**

S Hope, F Fraser and T Maric (all UNISON) and H Meldrum (GMB).

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

**Apologies:** Councillor M Lyle (Perth and Kinross Council); M Dickson, and B Nichol (all UNISON); S Robertson (Unite the Union).

S Hope in the Chair

**1.        DECLARATIONS OF INTEREST**

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

**2.        MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Employees Joint Consultative Committee of 27 September 2018 was submitted and approved as a correct record subject to the inclusion of the word "contingency" before the word plan in paragraph 8 of Item 5.

**3.        MATTERS ARISING**

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

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

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

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

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

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

The Committee noted the position.

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

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

**4. JOINT SECRETARY FOR TRADE UNIONS**

The Committee was advised that no nominations had been received as yet from the Trade Unions to fill a vacancy for a Joint Secretary for the Trade Union side following the retirement of Lindsay McLaren from the Committee.

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

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

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

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

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

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

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

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

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

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

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

The Committee:

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

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

**7. EMPLOYEE EQUALITIES**

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

**8. TIMETABLE OF MEETINGS**

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

28 February  
23 May  
26 September  
28 November

**9. OTHER COMPETENT BUSINESS**

**(i) Council Budget**

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

**10. DATE OF NEXT MEETING**

28 February 2019 at 10.00am.

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

Present:-

Angus Council

Councillor Bill DUFF

Councillor Bob MYLES

Councillor Angus MACMILLAN DOUGLAS

Dundee City Council

Councillor John ALEXANDER

Councillor Lynne SHORT

Councillor Richard McCREADY

Fife Council

Councillor Karen MARJORAM

Councillor David ROSS

Perth & Kinross Council

Councillor Murray LYLE

Councillor Dave DOOGAN

Councillor Colin STEWART

Non-Elected Members

Gordon McGUINNESS, Skills Development Scotland

Ellis WATSON, Tay Cities Enterprise Forum

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

Julie FARR, Social Enterprise Network, Third Sector

Jim REID, Scottish Enterprise

Co-opted Member

Councillor Brian GORDON, Tactran (Item VI onwards)

I APOLOGIES

Apologies were intimated from Councillor Tim Brett.

II DECLARATION OF INTEREST

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

III MIINUTE OF MEETING OF 18TH MAY, 2018

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

IV MATTERS ARISING

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

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

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

V CO-OPTED MEMBER

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

The Joint Committee approved the recommendation as detailed.

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

VI TAY CITIES DEAL GOVERNANCE ARRANGEMENTS

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

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

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

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

VII VERBAL UPDATE ON TAY CITIES DEAL INCLUDING HEADS OF TERMS

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

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

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

VIII DATE OF NEXT MEETING

To be confirmed.

Bob MYLES, Chair.

PERTH AND KINROSS COUNCIL
SCRUTINY COMMITTEE
17 APRIL 2019

SCRUTINY COMMITTEE

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

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

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

Apologies: Councillor H Coates.

Councillor G Laing, Convener, Presiding.

THE COMMITTEE AGREED TO HOLD A 30 MINUTE RECESS.

195. WELCOME AND APOLOGIES

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

196. DECLARATIONS OF INTEREST

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

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

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

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

198. UPDATE BY ARMS-LENGTH EXTERNAL ORGANISATIONS

(i) Culture Perth and Kinross

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

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

(ii) Live Active Leisure Ltd.

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

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

(iii) Horsecross Arts Ltd.

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

199. SUMMARY REPORT ON CARE INSPECTORATE AND EDUCATION SCOTLAND INSPECTIONS

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

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

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

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

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

Resolved:

The contents of Report 19/119, be noted.

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

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

200. BUSINESS GATEWAY

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

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

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## **PERTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Perth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 24 April 2019 at 9.00am.

Present: Councillors C Ahern, B Band, P Barrett, A Coates, H Coates, D Doogan, E Drysdale, M Lyle, S McCole, A Parrott, J Rebbeck and W Wilson (from Art. 202).

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

Councillor A Parrott, Convener, Presiding.

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

Councillor A Parrott welcomed all present to the meeting.

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

COUNCILLOR W WILSON ENTERED THE MEETING AT THIS POINT.

In terms of the Councillors' Code of Conduct:

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

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

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

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

### **204. MATTERS ARISING**

There were no matters arising.

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

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

PERTH AND KINROSS COUNCIL  
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**Resolved:**

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

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

**(2) Ballet Dancing Training**

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

**(3) Perth Highland Games Ltd**

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

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

Amendment (Councillors S McCole and J Rebbeck)

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

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

7 members voted for the Motion as follows:

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

5 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

**(4) Police Scotland Youth Volunteers**

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

**(5) Wednesday Tea Dance**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Resolved:**

In accordance with the Amendment.

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

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

**Resolved:**

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

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

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

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

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

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

Amendment (Councillors W Wilson and A Coates)

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

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

8 members voted for the Motion as follows:

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

4 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

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CRIEFF COMMON GOOD FUND COMMITTEE

Minute of meeting of the Crieff Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 24 April 2019 at 10.00am.

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

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

Councillor S Donaldson, Convener, Presiding.

208. WELCOME AND APOLOGIES

Councillor Donaldson welcomed all those present to the meeting.

209. DECLARATIONS OF INTEREST

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

210. MINUTE OF PREVIOUS MEETING

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

211. MATTERS ARISING

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

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

212. APPLICATIONS FOR FINANCIAL ASSISTANCE

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

Resolved:

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

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

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

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

Resolved:

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

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

214. CRIEFF ANGLING CLUB – RENT REVIEW

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

Resolved:

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

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## **PITLOCHRY COMMON GOOD FUND COMMITTEE**

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

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

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

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

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

#### **Resolved:**

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

Councillor J Duff, Convener, Presiding.

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

Councillor Duff welcomed all those present to the meeting.

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

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

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

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

### **218. MATTERS ARISING**

There were no matters arising.

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

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

PERTH AND KINROSS COUNCIL  
PITLOCHRY COMMON GOOD FUND  
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Burgh Council in 1966 which means it is considered to be a Common Good asset. Heads of Terms were agreed with BAM Nuttall on 2 July 2018.

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

COUNCILLOR M LYLE LEFT THE MEETING AT THIS POINT.

**Resolved:**

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

**220. ADVISORY NON-VOTING MEMBER**

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

**Resolved:**

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

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

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

**Resolved:**

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

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PERTH AND KINROSS COUNCIL
COUNCIL MEETING
24 APRIL 2019

COUNCIL MEETING

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

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

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

Provost D Melloy, Presiding.

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

222. WELCOME AND APOLOGIES

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

223. DECLARATIONS OF INTEREST

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

224. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39

(i) Instrumental Music Service Fees

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

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

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

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

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 11.20AM

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

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

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

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

Resolved:

Standing Orders be suspended to allow consideration of the Motion.

Motion (Councillors M Lyle and K Baird)

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

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

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

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

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

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

Resolved:

In accordance with the revised Motion.

(ii) Reduction in Tourism Value-Added Tax

Motion (Councillors C Purves and C Stewart)

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

Amendment (Councillors A Bailey and A Parrott)

Reject the proposals set out in the Motion.

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

29 members voted for the Motion as follows:

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

11 members voted for the Amendment as follows:

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

Resolved:

In accordance with the Motion.

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

Motion (Councillors X McDade and M Barnacle)

Background

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

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

Proposed Changes

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

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

Implementation

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

Amendment (Councillors C Shiers and J Duff)

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

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

21 members voted for the Motion as follows:

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

19 members voted for the Amendment as follows:

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

Resolved:

In accordance with the Motion.

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

225. MINUTES

(i) Minute of meeting of 20 February 2019

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

(ii) Minute of meeting of 27 February 2019

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

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

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

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

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

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Resolved:

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

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

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

Resolved:

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

229. AFFORDABLE HOUSING MEMBER/OFFICER WORKING GROUP

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

Motion (Councillors M Lyle and P Barrett)

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

Amendments (Councillors A Bailey and X McDade)

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

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

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

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19 members voted for the Motion as follows:

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

21 members voted for the Amendment as follows:

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

Resolved:

In accordance with the Amendment

230. APPOINTMENT TO COMMITTEE

Resolved:

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

231. AMENDMENTS TO SCHEME OF ADMINISTRATION

Resolved:

The following changes to the Scheme of Administration be agreed:

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

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

232. TIMETABLE OF MEETINGS OF 2019

Resolved:

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

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

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

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

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

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

Councillor L Simpson, Convener, Presiding.

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

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

### **234. MINUTES**

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

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

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

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

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

**Decision:**

Resolved by unanimous decision that:

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

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Thereafter, resolved by unanimous decision that:

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

**Justification**

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

**236. DEFERRED APPLICATIONS FOR REVIEW**

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

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 20 metres west of 14 Toberargan Road, Pitlochry.

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

It was noted that, at its meeting of 5 March 2019, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With an unaccompanied site visit having taken place on 25 April 2019, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 25 April 2019, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for the erection of a dwellinghouse on land 20 metres west of 14 Toberargan Road, be refused for the following reason:

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

**Justification**

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

**Note:** Councillor Brawn dissented from the majority decision. He considered that the Appointed Officer's decision should be overturned and permission for the erection of a dwellinghouse should be granted. He considered that the proposal was not contrary to the Development Plan and, with the imposition of relevant conditions, including a condition regarding landscaping, would be acceptable in this location.

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PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

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

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

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

Councillor R McCall, Convener, Presiding.

237. WELCOME AND APOLOGIES

The Convener welcomed everyone present to the meeting.

238. DECLARATIONS OF INTEREST

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

239. MINUTES

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

240. DEPUTATIONS

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

Planning Application No.
19/00080/FLL
19/00113/FLL

Art. No.
241(2)(ii)
241(2)(iii)

241. APPLICATIONS FOR DETERMINATION

(1) Major Application

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

Resolved:

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

Conditions

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
Reason: To ensure that the development is carried out in accordance with the plans approved.
2. Prior to the occupation of any dwellinghouse, details of the specification including materials of all footpaths and cycleways shall be submitted to the Council as Planning Authority for further written agreement. The scheme as subsequently agreed shall thereafter be implemented prior to the completion of the development.
Reason: In the interest of pedestrian and cycle safety.
3. Duntaylor Avenue shall not be used at any time by construction traffic associated with the development of Phase 4 to the satisfaction of the Council as Planning Authority.
Reason: In the interests of pedestrian and traffic safety, residential amenity.
4. Prior to the development hereby approved being completed or brought into use, all matters regarding access, pedestrian and cycling facilities, public transport infrastructure, car parking, road layout including width, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority and to the satisfaction of the Council as Planning Authority.
Reason: In the interests of pedestrian and traffic safety.
5. No part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have particular regard to provision for walking, cycling and public transport access to and within the site and will identify the measures to be provided, the system of

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

Reason: In the interests of pedestrian and traffic safety.

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

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

Reason: In the interests of pedestrian and traffic safety.

7. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the

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duration of construction unless otherwise agreed in writing by the Council as Planning Authority.

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

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

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

9. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: In order to prevent animals from being trapped within any open excavations.

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

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

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

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

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

Justification

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

Informatives

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

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

3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the Development
 - Readily visible to the public
 - Printed on durable material
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH3 1JR.
8. The applicant is advised that the granting of planning consent does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. Scottish Waters Records appear to show proposed infrastructure within the site. These records are indicative

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

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

(2) Local Applications

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

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

Motion (Councillors Councillor T Gray and W Wilson)

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

Conditions

- 1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
Reason: To ensure that the development is carried out in accordance with the plans approved.**
- 2. Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.
Reason: In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.**
- 3. Prior to the occupation of any residential plot, details of the specification including materials of all footpaths shall be submitted to the Planning Authority for further approval. The agreed detail shall thereafter be implemented prior to the completion of the development.
Reason: In the interest of pedestrian safety.**
- 4. Prior to commencement of development, a detailed Construction Management Plan (CMP) detailing required mitigation measures and construction method statements, including specific measures for monitoring during construction, shall be submitted to and approved in writing by the Planning Authority in. Such details shall be submitted not less than two month prior to the agreed scheduled commencement date and shall incorporate detailed pollution avoidance and air quality mitigation measures for all construction elements. Thereafter the approved CMP shall thereafter be fully respected and adhered to through the construction phase of the development.
Reason: To ensure the construction phase is carefully managed to minimise landscape impacts and mitigate for any associated impacts on ecology, neighbours, general public and the wider environment.**

- 5. The times of construction should be limited to Monday to Friday 07.00 to 19.00, Saturday 08.00 to 13.00 with no noise generating work on a Sunday. Reason: In the interests of residential amenity.**
- 6. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (CTMS) which shall include the following:**

 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;**
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;**
 - c) arrangements for liaison with the Roads Authority regarding winter maintenance;**
 - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;**
 - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;**
 - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;**
 - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;**
 - h) details of information signs to inform other road users of construction traffic;**
 - i) arrangements to ensure that access for emergency service vehicles are not impeded;**
 - j) monitoring, reporting and implementation arrangements; and**
 - k) arrangements for dealing with non-compliance.**

The CTMS as approved shall be strictly adhered to during the entire site construction programme all to the satisfaction of the Council as Planning Authority. Reason: In the interests of road safety.
- 7. Prior to the development hereby approved being completed or brought into use a Residential Travel Plan (RTP), aimed to encourage more sustainable means of travel, shall be submitted and approved in**

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

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

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

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

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

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

10. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall

remain in place until the permanent surface water drainage scheme is implemented unless otherwise agreed in writing by the Council as Planning Authority.

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

11. The conclusions and recommended action points within the supporting Ecological Appraisal submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

12. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: In order to prevent animals from being trapped within any open excavations.

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

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

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

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

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

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

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

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

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

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

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

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

carried out only in full accordance with such approved details.

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

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

Reason: To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area. To control the impact of leaf fall on the operational railway.

21. Any planting which, within a period of 5 years from the completion of the approved development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of satisfactory schemes of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

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

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

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

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

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

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

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

Justification

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

Procedural Notes

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

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

Informatives

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

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

3. As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
4. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, Perth.
8. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
9. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on

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

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

E-mail: AssetProtectionScotland@networkrail.co.uk

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

Amendment (Councillors H Anderson and M Barnacle)

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

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

9 members voted for the Motion as follows:

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

4 members voted for the Amendment as follows:

Councillors Anderson, Barnacle, Coates and Jarvis

Resolved:

In accordance with the Motion.

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

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

Motion (Councillors E Drysdale and H Anderson)

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

Amendment (Councillors W Wilson and I James)

Grant, subject to the following direction, terms, conditions and informatives.

Conditions

- 1. The development hereby approved must be carried out in accordance with the approved drawings and**

documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason: To ensure the development is carried out in accordance with the approved drawings and documents.

- 2. Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.**

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

- 3. Prior to the commencement of the development hereby approved, details of the proposed boundary treatments for the site shall be submitted for the further written agreement of the Council as Planning Authority. The scheme as subsequently agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier and thereafter maintained to the satisfaction of the Council as Planning Authority.**

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

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

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

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

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

- 6. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.**
- 7. Temporary lights used during construction should be fitted with shades to prevent light spillage outside the working area. Temporary and permanent lights must not illuminate the surrounding tree lines, to reduce impact on foraging bats.
Reason: In the interests of protecting environmental quality and of biodiversity.**
- 8. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.
Reason: In the interests of protecting environmental quality and of biodiversity.**
- 9. The detailed landscaping and planting scheme which is hereby approved shall be completed within the first available planting season (October to March) after the completion or bringing into use of the development, whichever is the earlier. The approved scheme shall thereafter be maintained, with any planting which fails to become established within five years being replaced in the following planting season with others of a size and species as previously approved.
Reason: In the interests of visual amenity and to ensure the satisfactory implementation of the proposed planting scheme.**
- 10. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.**

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

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

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

- 12. Construction work shall be limited to Monday to Friday 0700 hours to 1900 hours and Saturday 0800 hours to 1300 hours with no noisy works out with these times or at any time on Sundays or bank holidays.**

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

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

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

Reason - To ensure the suitable occupancy of the caravan.

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

The CMS should include the following:

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

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

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

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

Justification

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

Informatives

- 1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).**
- 2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.**
- 3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.**
- 4. An application for Building Warrant may be required.**
- 5. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.**
- 6. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds**

- while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
7. The applicant is advised to refer to Perth & Kinross Council's Supplementary guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.
 8. The applicant should be advised that the caravans are required to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore an application should be made to the Environmental Health if planning consent is approved.
 9. The applicant is advised that the granting of planning permission does not guarantee a connection to Scottish Water's assets. The applicant must make a separate application to Scottish Water Planning & Development Services team for permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
 10. This planning permission is granted subject to conditions, some of which require further information to be submitted to Development Management either before works can start on site or at a certain time. Please send the required information to us at developmentmanagement@pkc.gov.uk
Please be aware that the Council has two months to consider the information (or four months in the case of a Major planning permission). You should therefore submit the required information more than two months (or four months) before your permission expires. We cannot guarantee that submissions made within two months (or four months) of the expiry date of your permission will be able to be dealt with before your permission lapses.

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

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

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

Resolved:

In accordance with the Amendment.

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

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

Resolved:

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

Conditions

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
Reason: To ensure the development is carried out in accordance with the approved drawings and documents.
2. Prior to the commencement of works on the development, the applicant shall submit for the written approval of the Planning Authority a Construction Traffic Management Scheme (TMS) which shall include the following:
 - a) restriction of construction traffic to approved routes and the measures to be put in place to avoid other routes being used;
 - b) timing of construction traffic to minimise impact on local communities particularly at school start and finishing times, on days when refuse collection is undertaken, on Sundays and during local events;
 - c) arrangements for liaison with the Roads Authority regarding winter maintenance;
 - d) emergency arrangements detailing communication and contingency arrangements in the event of vehicle breakdown;
 - e) arrangements for the cleaning of wheels and chassis of vehicles to prevent material from construction sites associated with the development being deposited on the road;
 - f) arrangements for cleaning of roads affected by material deposited from construction sites associated with the development;
 - g) arrangements for signage at site accesses and crossovers and on roads to be used by construction traffic in order to provide safe access for pedestrians, cyclists and equestrians;

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

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

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

Justification

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

Informatives

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
3. As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. The applicant is advised to refer to Perth & Kinross Council's Supplementary Guidance on Flood Risk and Flood Risk Assessments 2014 as it contains advice relevant to your development.

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

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## **HOUSING AND COMMUNITIES COMMITTEE**

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

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

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

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

Councillor Barrett, Convener, Presiding.

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

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

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

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

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

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

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

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

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID**

**THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF  
SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

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

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

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

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

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

CHIEF INSPECTOR GALLAGHER LEFT THE MEETING AT THIS POINT.

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

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

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

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

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

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

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

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

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

**Resolved:**

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

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

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

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

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



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

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

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

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

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

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

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

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

**Resolved:**

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

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

FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED AT 11.15 AM.

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

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

**Resolved:**

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

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

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

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

**Resolved:**

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

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

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

**Resolved:**

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

**251. PARTICIPATION IN NEGOTIATED STOPPING PLACES**

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

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**Resolved:**

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

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

**252. COMMUNITY PLANNING PARTNERSHIP UPDATE**

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

**Resolved:**

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

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

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

**Resolved:**

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

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ENVIRONMENT AND INFRASTRUCTURE COMMITTEE

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

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

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

Apologies for Absence: Councillor L Simpson

Councillor A Forbes, Convener, Presiding.

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

254. WELCOME AND APOLOGIES

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

255. DECLARATIONS OF INTEREST

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

256. MINUTE OF PREVIOUS MEETING

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

257. BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2019-20

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

Resolved:

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

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

258. ROAD MAINTENANCE PARTNERSHIP AGREEMENT

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

Resolved:

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

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

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

Resolved:

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

260. COMMUNITY ENVIRONMENT CHALLENGE FUND UPDATE

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

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Resolved:

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

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

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

Resolved:

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

262. DISABLED PERSONS' PARKING PLACES (VARIATIONS) ORDER

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

Resolved:

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

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

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

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

Resolved:

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

264. AMENDMENTS TO THE LIST OF PUBLIC ROADS

There was submitted a report by the Depute Director (Housing and Environment) (19/139) recommending that the list of Public Roads be updated to take account of the amendments detailed in this report.

Resolved:

The amendments to the List of Public Roads, as detailed in Appendix 1 to Report 18/139, be approved.

265. VALEDICTORY

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

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

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## **LICENSING COMMITTEE**

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

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

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

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

Councillor C Ahern (Convener), Presiding.

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

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

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

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

### **268. MINUTES**

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

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

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

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

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

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

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FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

**Resolved:**

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

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AUDIT COMMITTEE

Minute of meeting of the Audit Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 22 May 2019 at 9.30am.

Present: Councillors E Drysdale, S Donaldson, A Coates, D Illingworth, X McDade, M Williamson and W Wilson.

In Attendance: J Clark, C Irons, S Mackenzie, (from Art. 275(i)) L Simpson and M Terava (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); L Brady, F Crofts, F Low and N Sutherland (all Housing and Environment).

Also In Attendance: M Wilkie & A Kolodziej, KPMG

Councillor Drysdale, Convener, Presiding.

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

270. WELCOME AND APOLOGIES/SUBSTITUTIONS

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

271. DECLARATIONS OF INTEREST

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

272. MINUTE

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

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

L Simpson confirmed advice would be provided to all Councillors.

273. INTERNAL AUDIT FOLLOW UP

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

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

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

Resolved:

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

274. INTERNAL AUDIT UPDATE

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

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

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

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

Resolved:

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

275. INTERNAL AUDIT UPDATE

(i) Corporate and Democratic Services

(a) 18-14 – Welfare Reform

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

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

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

N Sutherland added that the CAB were working with the DWP (Department of Work and Pensions) and were offering help to make a claim.

N Sutherland also advised that the Welfare Rights Team were dealing with cases where Universal Credit had been deducted for historical debt. Some of the debt could not be disputed as it was now time-barred and some clients had advised they were unaware of the outstanding debt. There had been discussion with DWP as some crises payments were required but the situation was not sustainable.

Councillor W Wilson stated consideration had to be given to how the Council can be appraised of this situation as the system was defeating its own ends and the problems had to be mitigated.

The Council and parliamentary colleagues need to be made aware of the situation, the consequences of it and consider a way forward.

Councillor S Drysdale requested that a presentation be given to a future meeting of this Committee for members' consideration of how to manage the situation.

L Simpson agreed a presentation would be given to a future Committee and the matter would also be raised with the Executive Officer Team and Corporate Management Group.

Councillor X McDade queried the allowance of 5% for doubtful debt provision and L Brady advised it was difficult to know so early in the financial year, however, cases were monitored for trends and consider the impact of Universal Credit. Account was being taken of the change to the process and issues raised with COSLA and the DWP. Staff will be flexible when arranging repayments.

Councillor X McDade added that he was pleased staff were able to take this approach with repayments and requested figures for the debt provision. L Brady agreed to provide that for him.

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Councillor D Illingworth congratulated the Welfare Rights Team on being accredited to undertake benefits advice work and representation at the highest level as per the Scottish Government Standards. He added that the guide to benefits was very complex creating scope for under and over payments but with the Universal Credit system being updated weekly there was less opportunity for incorrect payments but he felt the Audit Committee was not the best place to discuss the benefits system.

Councillor E Drysdale agreed the Committee was not the natural home for the discussion but the Council want to be doing what they can for those in financial difficulties due to the new payments system.

L Simpson agreed it was not for the Committee to debate the policy but could identify risk to be dealt with. If the risk was due to the policy the Committee then need to look at the policy to mitigate risk.

Councillor M Williamson stated the system seemed to be set up to fail and the Council were at risk because of it and questioned if the number of appeals would rise.

N Sutherland advised the number of appeals for Universal Credit may not rise as there were limited reasons for appealing.

L Brady added that in the last financial year 34 cases had been overturned which was a 75% success rate at appeal.

Councillor M Williamson expressed concern that elderly do not feel they are entitled to benefits and do not apply. L Brady advised that the Welfare Rights Team get information to as many people as they can and will continue to work with partners to contact people. N Sutherland also advised that information was provided at the Cornhill Macmillan Centre in Perth and at Ninewells Hospital, Dundee.

Councillor S Donaldson stated it was an excellent report and the issues raised need to be considered and how to deliver the service, taking account of the risk factor but queried if there was adequate staff to deliver the service. He also asked why appeals were not held in Perth and people had to travel to Dundee, Stirling or Kirkcaldy.

L Brady advised that, like all services across the Council, savings had to be made resulting in a reduction in staffing, however, targets had still been exceeded, despite increased demand.

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With regard to the location for the appeals, N Sutherland advised this had been raised a number of times but there had been reluctance by the Courts and Tribunal Service to change.

Resolved:

- (i) Internal Audit's findings, as detailed in Report 19/163, be noted.
- (ii) A presentation be given to a future meeting on deductions being made from Universal Credit.

L BRADY AND N SUTHERLAND LEFT THE MEETING AT THIS POINT.

HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, THE CONVENER VACATED THE CHAIR AND THE VICE-CONVENER TOOK THE CHAIR.

(ii) Health and Social Care Partnership

(a) 18-22 – Carers' Act Implementation

There was submitted a report by the Chief Internal Auditor (19/159) on an audit to ensure that the Council has adequate arrangements in place for implementation of the Carers (Scotland) Act 2016.

Councillor W Wilson noted there were strong internal controls found in this audit and asked about the Partnership working with PKAVS (Perth and Kinross Association of Voluntary Service). J Clark advised there was a strong partnership with PKAVS for providing support for Carers.

In response to a question from Councillor M Williamson, L Simpson confirmed that the Council was responsible for implementation of the Carers' Act but worked with the Health and Social Care Partnership in partnership with PKAVS.

Councillor S Donaldson highlighted that 59% of those who responded to the Health and Clinical Excellence survey did not feel supported which had to be considered and asked whether there was to be a separate audit on Young Carers. J Clark advised that Young Carers had not been identified as a high risk and therefore there were no plans to undertake an audit. Future audit work would be on the outcomes of the legislation.

Resolved:

Internal Audit's findings, as detailed in Report 19/159, be noted.

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276. FURTHER FOLLOW UP OF FINANCIAL ASSESSMENT AND CHARGING

There was submitted a report by the Chief Internal Auditor (19/160) presenting a summary of Housing and Community Care's response to the outcomes of Internal Audit's report on Financial Assessment and Charging and provides an update on the implementation of the agreed action plan.

F Low advised that the annual review had been completed taking account of the introduction of Frank's Law and procedures will continue to be monitored.

Information from the Scottish Government had been relied upon to undertake the re-assessment and the Charging Board had supported the Charging Team to enable bills to be issued.

L Simpson advised she had been on the Charging Board with the Head of Finance and there had been extensive discussion on priorities; the effect of Frank's law and the issue of bills. Consideration was now being given to how to make further improvements and manage the system more effectively.

Resolved:

- (i) The progress made by the Financial Assessment and Charging Team in implementing the actions agreed in the 16-07 Financial Assessment and Charging Report, be noted.
- (ii) The Chief Internal Auditor be requested to continue to work with Housing and Community Care, through the Charging Board, until the remaining action has been fully concluded.

277. INTERNAL AUDIT ANNUAL REPORT 2018/19

There was submitted a report by the Chief Internal Auditor (19/161) presenting the year-end report and audit opinion for 2018/19.

J Clark referred to the audit opinion that reasonable reliance can be placed on the Council's risk management and governance arrangements. J Clark added that further improvements would continue into 2019/20 regarding the formalising of professional development records and a review of the Counter Fraud and Corruption Strategy. J Clark also advised that the majority of control objectives in the year had been strong and moderately strong, with some moderate and one moderately weak. As there had been fewer actions the audit work could be more targeted. While strong controls were preferable it had to be acknowledged that moderately strong may be good enough.

L Simpson agreed that as the Council was having to do more with less, good enough would have to be an option and the important aspect was understanding the risk. The Annual Governance Statement will show that the Council is managing risk very well.

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Councillor X McDade stated that the increase in staff this year was demonstrated by the output and that it was important to embed transformation and change into the Perth and Kinross Offer and Think Yes with risk as a high priority.

L Simpson advised that the risk register was being revised and a development session would be arranged for Councillors.

Councillor S Donaldson agreed it was good that the Audit Team was now fully staffed and that risk was not a bad thing but had to be assessed. Councillor S Donaldson queried the whistleblowing arrangements; if there had been anything significant reported and if staff were trained on prevention of money laundering. J Clark advised that anything significant would be reported to the Committee and that she had recently attended training on money laundering and this would be rolled out to relevant staff.

Resolved:

The Audit opinion of the Chief Internal Auditor set out in section 7 of Report 19/161, be noted.

278. SAFEGUARDING PUBLIC MONEY: ARE YOU GETTING IT RIGHT

There was submitted a report by the Chief Internal Auditor (19/162) advising of the publication of a report from Audit Scotland on Safeguarding Public Money: Are You Getting it Right.

Resolved:

- (i) The Safeguarding Public Money: Are You Getting It Right, Audit Scotland publication, be noted.
- (ii) A development session be arranged for all Councillors to discuss the Council's response to the checklists contained within the publication.

COUNCILLOR W WILSON LEFT THE MEETING DURING DISCUSSION OF THE FOLLOWING ITEM

279. INTERIM MANAGEMENT REPORT AND AUDIT STATUS SUMMARY – YEAR ENDING 31 MARCH 2019

There was submitted a report by the External Auditor, KPMG, (19/164) presenting the interim management report and audit status summary for the year ending 31 March 2019.

M Wilkie summarised the interim report, highlighting key areas.

S Mackenzie advised that legal advice had been sought on the Statutory Loans Fund as a legal issue on accounting practice had been raised.

L Simpson confirmed that there was no question of improper accounting but a question of whether the Council was bound by old or new legislation. There was a

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difference of opinion with the Scottish Government and the position needed to be clarified.

M Wilkie advised that there was ongoing consultation on this matter as Perth and Kinross Council were not the only Council affected.

S Mackenzie advised that the Loans Fund had been reviewed and that had been reflected in the 2018/19 Revenue budget. The issue now to be resolved was whether debt from 2016 could be dealt with in the same way. S Mackenzie also advised that there would be a financial benefit to the Council of £3-4m if the Loans Fund could be reviewed. A decision was now required by KPMG on the way forward.

Resolved:

The Interim Management Report and Audit Status Summary for the year ending 31 March 2019, be noted.

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## **LIFELONG LEARNING COMMITTEE**

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 27 March 2019 at 1.00pm.

Present: Councillors C Shiers, J Duff, W Wilson, C Ahern (substituting for Councillor C Reid), H Anderson, K Baird, A Forbes, D Illingworth (substituting for Councillor C Purves), X McDade, T McEwan, B Pover, J Rebbeck and F Sarwar;  
Mr A Ferguson, Mrs P Giles, Mrs M McFarlane, Mrs A McAuley and Mrs C Weston.

In attendance: S Devlin, Executive Director (Education & Children's Services); J Pepper, G Boland, R Hill, S Johnston, K Robertson and C Taylor (all Education and Children's Services); J Beveridge, C Cranmer and P Marshall (all Housing and Environment); S Rodger, A O'Brien, C Flynn and L Brown (all Corporate and Democratic Services).

Apologies for absence: Councillors Purves and Reid.

The Convener led discussion on Arts. 280-286 and 289-291, Vice-Convener Duff on Art. 288 and Vice-Convener Wilson on Art. 287.

Councillor C Shiers, Convener, Presiding.

### **280. BARBARA VAUGHAN DEN FOR YOUNG CARERS**

Prior to the commencement of business the Convener advised of the opening of the Barbara Vaughan Den for Young Carers at the new PKAVS Centre in Lewis Place, Perth. The late Barbara Vaughan had been a member of the Committee for many year and had a particular passion that young carers should be afforded every opportunity to develop their academic achievements and that their caring responsibilities should not get in the way of their future success, particularly in relation to their schooling. The Convener conveyed her thanks to the officers of the Council who had been involved in delivering this living legacy to the late Councillor Vaughan.

### **281. SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: - BLAIRINGONE AND GREENLOANING PRIMARY SCHOOLS**

Prior to the commencement of business the Executive Director (Education and Children's Services) advised of the decision of the Scottish Government not to call in proposals to close Blairingone and Greenloaning Primary Schools as approved by the Lifelong Learning Committee at its meeting on 27 March 2019 (Arts. 164 and 165 refer). The Executive Director further advised that the Scottish Government had attached no conditions to either case. Copies of the formal notification letters are available to view on the Scottish Government website.

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**282. WELCOME AND APOLOGIES**

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

**283. DECLARATIONS OF INTEREST**

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

**284. REQUESTS FOR DEPUTATIONS TO BE HEARD**

In terms of Standing Order 66 the Committee agreed to hear a request received from Councillor A Bailey to address the Committee in relation to Art. 286.

In terms of Standing Order 72 the Committee also agreed to hear a request received from Mr McGoldrick to address the Committee in relation to Art. 286.

The Committee agreed to hear both deputations and to vary the order of business to hear the deputations immediately before Art. 286.

**285. MINUTES**

**(i) Lifelong Learning Committee**

The minute of meeting of the Lifelong Learning Committee of 27 March 2019 (Arts. 159-167) was submitted, approved as a correct record and authorised for signature.

**(ii) Executive Sub-Committee**

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 25 March 2019 was submitted and noted.  
*(Appendix I)*

**286. STATUTORY CONSULTATION – ABERNYTE PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (19/153) (1) informing of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to close Abernyte Primary School; and (2) seeking approval to implement the proposal from 1 July 2020, or as soon as possible thereafter.

In terms of Standing Order 66, Councillor A Bailey addressed the Committee and answered Members questions. Following his representation he withdrew to the public benches.

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In terms of Standing Order 72, Mr McGoldrick addressed the Committee and answered Members questions. Following his representation he withdrew to the public benches.

THE COMMITTEE ADJOURNED FOR 10 MINUTES AT 14.25

MR FERGUSON LEFT THE MEETING AT THIS POINT.

THE COMMITTEE RECONVENED AT 14.35

**Motion (Councillors C Shier and W Wilson)**

- (i) **The contents of the Consultation Report, attached as Appendix A to Report 19/153, be noted.**
- (ii) **The implementation of the following proposal be approved:**
  - **Provision of a school at Abernyte Primary School be permanently discontinued with effect from 1 July 2020, or as soon as possible thereafter;**
  - **The pupils of Abernyte Primary School catchment area permanently receive their education at Inchtute Primary School, from 2 July 2020 or as soon as possible thereafter; and**
  - **The delineated catchment area of Inchtute Primary School be permanently extended to subsume the whole delineated catchment area of Abernyte Primary School from 2 July 2020.**

**Amendment (Councillors B Pover and X McDade)**

The Committee:

- (i) Notes the contents of the Consultation Report (attached as Appendix A).
- (ii) Approves that education provision at Abernyte Primary School is continued beyond 1 July 2020.
- (iii) Instructs the Executive Director (Education and Children's Services) to review the viability of a nursery class within Abernyte Primary School in a year's time, to see if this will further help sustain the future roll.

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

7 members voted for the Motion as follows:

Councillors C Ahern, K Baird, J Duff, A Forbes, D Illingworth, C Shiers and W Wilson

6 members voted for the Amendment as follows:

Councillors H Anderson, X McDade, T McEwan, B Pover, J Rebbeck and F Sarwar.

**Resolved:**

In accordance with the Motion.

THE COMMITTEE ADJOURNED FOR 5 MINUTES AT THIS POINT.

THE COMMITTEE RECONVENED.

**287. EDUCATION AND CHILDREN'S SERVICES JOINT BUSINESS MANAGEMENT & IMPROVEMENT PLAN 2019/20 AND ANNUAL PERFORMANCE REPORT 2018/19**

There was submitted a report by the Executive Director (Education and Children's Services) (19/154) summarising the Service performance over the past year and setting out the direction of improvement for the forthcoming year.

**Resolved:**

- (i) The Education and Children's Services Joint Business Management and Improvement Plan 2019/20 and Annual Performance Report 2018/19, as detailed in Appendix 1 to Report 19/154, be approved.
- (ii) It be noted that Report 19/154 would also be submitted to the Scrutiny Committee on 12 June 2019 for scrutiny and comment as appropriate.

**288. EXPANSION OF EARLY LEARNING AND CHILDCARE**

There was submitted a report by the Executive Director (Education and Children's Services) (19/155), (1) providing an update on progress on the planning and delivery of 1140 hours of Early Learning and Childcare by 2020 within Perth and Kinross, (2) outlining the delivery of early phasing of 1140 hours of Early Learning and Childcare; and (3) updating on progress made towards full implementation at August 2020.

**Resolved:**

- (i) The progress to date be noted.
- (ii) The Executive Director (Education and Children's Services) be requested to provide a further report on progress towards full implementation by June 2020.

MRS McFARLANE LEFT THE MEETING AT THIS POINT.

**289. SCHOOL CLOTHING AND FOOTWEAR GRANTS**

There was submitted a report by the Executive Director (Education and Children's Services) (19/156) proposing a change to the eligibility criteria for School Clothing and Footwear Grants with effect from school session 2019/2020.

**Resolved:**

- (i) The revised eligibility criteria for school clothing and footwear grants to be used from school session 2019/2020 onwards, as set out in section 3.2 of Report 19/156, be approved.
- (ii) The Executive Director (Education and Children's Services) be requested to ensure the publication of the revised eligibility criteria for school clothing and footwear grants.

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**290. APPOINTMENTS TO COMMITTEE/SUB-COMMITTEE/PERTH AND KINROSS EDUCATIONAL TRUST**

**Resolved:**

- (i) It be agreed that Dean McBride and Jack Bell replace Robert McCall and Fraser Macdonald as the Youth Representatives on the Lifelong Learning Committee.
- (ii) It be noted that Councillor J Duff replace Councillor C Purves on the Executive Sub-Committee of the Lifelong Learning Committee.
- (iii) It be agreed that Councillor J Duff be appointed to the Perth and Kinross Educational Trust Committee.

**291. COLLABORATIVE APPROACH TO SCHOOL/LEARNING ESTATE TRANSFORMATION**

Prior to the conclusion of business the Executive Director (Education and Children's Services) reported that the closing date for the on-line questionnaire on the potential to develop a joint community learning campus in collaboration with Angus and Dundee City Councils was 7 June 2019. As a consequence it would not be possible to report back on the findings of the questionnaire until after the Summer Recess.

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EXECUTIVE SUB-COMMITTEE OF THE LIFELONG LEARNING COMMITTEE

Minute of Meeting of the Executive Sub-Committee of the Lifelong Learning Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Monday 25 March 2019 at 10.00am.

Present: Councillors C Shiers, C Purves, W Wilson, X McDade and J Rebbeck.

In Attendance: R Hill, Head of Education – Secondary; S Johnston, Head of Education – Early Years and Primary; J Chiles, J Knox, D Macleod, K Ramsay, B Scott, T Pupillo, Headteacher, Perth High School and J White, Acting Head Teacher, Letham Primary School (all Education and Children's Services); L Brown, Corporate and Democratic Services.

Councillor C Shiers, Convener, Presiding.

1. WELCOME AND APOLOGIES

The Convener welcomed all those present to the meeting. An apology for absence was noted as above.

2. DECLARATIONS OF INTEREST

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

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of the Executive Sub-Committee of the Lifelong Learning Committee of 29 October 2018 was submitted, approved as a correct record and authorised for signature.

4. STANDARDS AND QUALITY IN SCHOOLS, LEARNING COMMUNITIES AND PRE-SCHOOL CENTRES/DAY CARE OF CHILDREN

There was submitted a report by the Executive Director (Education and Children's Services) (19/91), setting out the key findings following inspections of pre-school centres and schools undertaken by Education Scotland and, by exception, Care Inspectorate inspections on the day care of children since the Executive Sub-Committee of Lifelong Learning Committee on 29 October 2018.

Resolved:

- (i) The key findings of the inspections reports as appended to Report 19/91, be noted as follows:

Letham Primary School, Perth and Nursery Class (Appendix 1)
Perth High School (Appendix 2)
Kinross Primary School and Nursery Class (Appendix 3)
Methven Primary School Nursery (Appendix 4)

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Bridge of Earn Nursery (Appendix 5)
Oakbank Kids Club, Perth (Appendix 6)
Summary of Education Scotland Inspections (Appendix 7)

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