

PERTH AND KINROSS COUNCIL

Minute of meeting of Perth and Kinross Council held virtually on Wednesday 15 December 2021 at 9.30am.

Present: Provost D Melloy, Councillors K Baird, C Ahern, A Bailey, M Barnacle, L Barrett, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, E Drysdale, J Duff, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, I Massie, 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, F Smith, C Stewart, R Watters, and W Wilson.

In Attendance: T Glen, Chief Executive; B Renton, Executive Director (Communities); C Mailer, Depute Director (Communities); J Pepper, Depute Director (Education and Children's Services); K Donaldson, Chief Operating Officer; G Paterson, Chief Officer/Director – Integrated Health and Social Care; L Simpson, S Hendry, S Mackenzie, S Walker, P Johnstone, A Brown and M Pasternak (all Corporate and Democratic Services); C Guild, P Marshall and D Grant, Communities; R Drummond, Education and Children's Services; I Wilkie, Perth and Kinross Health and Social Care Partnership; B Atkinson, Independent Chair, Perth and Kinross Adult Protection Committee / Perth and Kinross Child Protection Committee.

Apology for Absence: Councillor M Williamson.

Provost D Melloy, Presiding

VALEDICTORY FOR LINDA SIMPSON, MEMBERS' SUPPORT SECRETARY

Prior to the commencement of business, elected members referred to the upcoming retirement of Linda Simpson, Secretary in the Members' Support Team who had worked for the Council and supported elected members for a number of years. The Provost and a number of members passed on their best wishes and wished Linda well in her retirement.

1. WELCOME AND APOLOGIES

The Provost welcomed all those present to the meeting and an apology was noted as above.

2. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor S McCole declared a non-financial interest in Item 5 on the agenda.

3. REQUEST FOR DEPUTATION

In terms of Standing Orders, Council agreed to a deputation request in relation to Item 7 on the agenda. Council agreed to vary the order of business and consider Item 7 as the first main report on the agenda.

4. URGENT BUSINESS ITEM

In terms of Standing Order 9.3(b) the Provost accepted a request from Councillors C Shiers and McCall that the following emergency motion should be considered as an urgent item of business due to the storms that had recently affected communities in Perth and Kinross:

Motion by Councillors C Shiers and R McCall

That this Council:

- **notes the significant damage caused by the impact of Storm Arwen in Perth & Kinross in particular, but also across many areas of Scotland and the UK;**
- **applauds the significant and tireless efforts of individuals and communities across the whole council area to help their neighbours in ways such as...**
 - **the farmers who cleared fallen trees from roads and properties,**
 - **the individuals with power who provided flasks and hot water bottles, and cooked hot food, and brought them to people without,**
 - **the villages and communities which opened up impromptu resilience centres,**
 - **the neighbours who lent gas heaters and bottles,**
 - **the businesses who lent generators to their communities,**
 - **the hospitality staff who gave the respite of hot meals and accommodation to those without power, and**
 - **the friends, family and neighbours who took in and accommodated people;**
- **commends the speed of response of Perth & Kinross Council staff when asked to help vulnerable individuals and communities struggling to cope with the immediate after- effects;**
- **recognises that SSEN staff and contractors faced a mammoth task in restoring power to homes and businesses, but notes that many community concerns have been raised regarding the accuracy and accessibility of communications about power outages;**
- **notes that emergencies due to extreme wind, rain and snow, can require a community response at very short notice, but that many communities have the will but not the means currently to provide such a response, particularly for periods extending into days;**
- **notes the speed of community response compared to the slowness of any response from the Scottish Government;**
- **requests the Leader of the Council to write to the Scottish Government requesting that further funding be made available through local authorities to assist communities in building and refining resilience plans, and in purchasing and maintaining equipment necessary to respond to future emergencies.**

First Amendment (Councillors P Barrett and W Wilson)

In accordance with the Motion but insert after 6th Bullet:

Notes the Scottish Government's budget announcement to cut Local Government core budgets by £100m.

Notes that:

- (i) the NHS in Scotland has been compensated for the increase in their National Insurance costs.
- (ii) Councils in England have been compensated by the UK government for the increase in their National Insurance costs.
- (iii) That Scottish Councils have not been compensated for the increase in NI and are being treated less favourably than Councils in England and the NHS in Scotland.

Perth and Kinross Council supports CoSLA Leaders' unanimous response to the budget announcement that we must fight for a fairer settlement.

Last bullet, first sentence insert text in red to read:

- requests the Leader of the Council to write to the Scottish Government requesting **a fair settlement for local Government which protects essential services, vulnerable communities and will enable a fair recovery** and that further funding be made available through local authorities to assist communities in building and refining resilience plans, and in purchasing and maintaining equipment necessary to respond to future emergencies.

Second Amendment (Councillors G Laing and T McEwan)

Agree the first 5 bullet points within the motion, but striking out points 6 and 7 and inserting new point 6 that "the leader of the Council urgently addresses the lack of available Council emergency help line provision for residents of PKC in emergency situations."

Insert new point 7 " the Council supports local Community Resilience Groups and Community Councils in applying for funding from SSEN through their Resilience Communities Fund and engages and helps to implement the reviews being carried out by SSEN, OFGEM and the Scottish Govt.

Third Amendment (Councillors X McDade and A Bailey)

In accordance with the Motion but remove bullet point 7, and replace bullet point 6 with the following:

Notes the speed of community response and that we will work towards greater co-operation between all levels of government to respond to future emergencies and that appropriate levels of resourcing will be important to ensure this.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 10.53AM.

THERE FOLLOWED A FURTHER RECESS AND THE MEETING RECONVENED AT 11.09AM.

Note: The mover and seconder of the second amendment agreed to withdraw their amendment. The third amendment therefore became the second amendment.

In terms of Standing Order 21.6 a roll call vote was taken.

16 Members voted for 2nd Amendment as follows:

Councillors A Bailey, M Barnacle, R Brock, S Donaldson, E Drysdale, T Gray, G Laing, I Massie, S McCole, X McDade, T McEwan, A Parrott, B Pover, J Rebbeck, F Sarwar and R Watters

5 Members voted for 1st Amendment as follows:

Councillors L Barrett, P Barrett, W Robertson, L Simpson and W Wilson.

18 Members abstained as follows:

Councillors C Ahern, K Baird, B Brawn, A Coates, H Coates, J Duff, A Forbes, D Illingworth, I James, A Jarvis, M Lyle, R McCall, Provost D Melloy, C Purves, C Reid, C Shiers, F Smith and C Stewart.

The second amendment therefore became the substantive amendment and was then put against the Motion.

23 Members voted for the Motion as follows:

Councillors C Ahern, K Baird, L Barrett, 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 Purves, C Reid, W Robertson, C Shiers, L Simpson, F Smith, C Stewart, W Wilson.

15 Members voted for the Amendment as follows:

Councillors A Bailey, R Brock, S Donaldson, E Drysdale, T Gray, G Laing, I Massie, S McCole, X McDade, T McEwan, A Parrott, B Pover, J Rebbeck, F Sarwar, R Watters.

1 Member abstained as follows:

Councillor M Barnacle.

Resolved:

In accordance with the Motion.

Note: At the conclusion of the final vote, Councillor M Lyle gave a commitment to Council to bring a report to a future Council meeting in relation to the comments from all elected members at today's meeting on the Council's response to storm weather events.

5. MINUTES

(i) MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 25 OCTOBER 2021

The minute of the meeting of Perth and Kinross Council of 25 October 2021 be approved as a correct record.

(ii) MINUTE OF SPECIAL MEETING OF PERTH AND KINROSS COUNCIL OF 15 NOVEMBER 2021

The minute of the special meeting of Perth and Kinross Council of 15 November 2021 be approved as a correct record.

IN TERMS OF STANDING ORDER ** THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS.

6. CLIMATE CHANGE STRATEGY AND ACTION PLAN REPORT

There was submitted a report by the Executive Director (Communities) (21/245) (1) providing an update on the climate action progress made since the Council approved the Interim Climate Emergency Report and Action Plan published in December 2019, and (2) providing a summary of public engagement undertaken and the latest emissions update.

Professor J Belch addressed Council on the proposals within the report and then answered a number of questions from elected members.

Resolved:

- (i) The contents of the Report 21/245, along with the update on the interim Climate Emergency Report and Action Plan be noted.
- (ii) The feedback from the existing public engagement, Appendix A to Report 21/245, be noted.
- (iii) It be agreed that engagement and feedback from partners and communities, including young people, will continue to support the ongoing development and delivery of the Climate Action Plan.
- (iv) It be noted that the costs associated with the priority actions will be included, for consideration, in the Revenue and Capital Budgets to be approved by the Council on 23 February 2022.
- (v) The Strategy and Action Plan, as the means for Perth & Kinross to deliver on its legal commitments to deliver a Net Zero Perth & Kinross by 2045 at the latest, Appendices C and D to Report 21/245, be approved.
- (vi) The Executive Director (Communities) to bring forward an annual review of performance and update for the Climate Action Plan.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 2.18PM.

7. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC) STANDARDS AND QUALITY REPORT 2020/21

There was submitted a report by the Chief Social Work Officer (21/225) (1) describing the impact of the COVID-19 pandemic on children, young people, and families, how performance has been maintained, and how services and agencies have successfully adapted, and also (2) confirming that the CPC continues to focus on learning and improvement and has prepared a programme of improvement work for 2021 and beyond.

B Atkinson, Independent Chair of the Committee was in attendance and answered a number of questions from elected members.

Resolved:

- (i) The wide range of work being carried out by Perth and Kinross Council, and partners through the CPC to provide high quality services to protect children and young people, in particular, the high-level commitment to continuous improvement through self-evaluation, be noted.
- (ii) The contents of Report 21/225, the Perth and Kinross Child Protection Committee Standards and Quality Report 2020/2021, Appendix 1 to Report 21/225, and the contents of the Perth and Kinross CPC Improvement Plan 1 August 2021 – 31 July 2023, Appendix 2 to Report 21/225, be endorsed.

8. PERTH AND KINROSS ADULT PROTECTION COMMITTEE (APC) ANNUAL REPORT 2020/2021

There was submitted a report by the Chief Social Work Officer (21/243) (1) providing an overview of the key activities and work of the APC partners to safeguard the welfare and interests of adults from harm, (2) focusing on the impact of the COVID-19 pandemic on adults at risk, how performance has been maintained and how services and agencies have successfully adapted, and (3) confirming that the APC continues to place a strong emphasis on learning and development and has prepared a programme of evidence-based improvement work for 2021/2022

B Atkinson, Independent Chair of the Committee was in attendance and answered a number of questions from elected members.

Resolved:

- (i) The wide range of work being carried out by Perth and Kinross Council and partners through the Adult Protection Committee, to provide high quality services to protect adults at risk and the commitment to continuous improvement, be noted;
- (ii) The contents of the Perth and Kinross Adult Protection Committee Annual Report for 2020/2021 be endorsed.

9. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2020/21

There was submitted a report by the Chief Social Work Officer (21/244) (1) providing the Chief Social Work Officer's overview of social work services in Perth and Kinross during the financial year 2020/21, (2) setting out how social care and social work and criminal justice social work services, have been delivered up until

the end of March 2021, and in some instances, up to the end of July 2021, (3) covering the key challenges in responding to COVID-19 in support of our most vulnerable and at-risk citizens for a full year and describing the impact that this has had on demand for services and how teams have adapted to new ways of working. The report also details the arrangements to enable the Chief Social Work Officer to fulfil the responsibilities outlined in Section 5 (1) of the Social Work (Scotland) Act 1968 (as amended)

Resolved:

The Chief Social Work Officer Annual Report for 2020/21, as set out in Appendix 1 to Report 21/244, be approved.

IT WAS AGREED TO VARY THE ORDER OF BUSINESS AND CONSIDER ITEM 9 ON THE AGENDA AT THIS POINT.

10. BOUNDARY COMMISSION FOR SCOTLAND – 2023 REVIEW OF UK PARLIAMENT CONSTITUENCIES – INITIAL PROPOSALS

There was submitted report by the Chief Executive (21/247) (1) advising that on 14 October 2021, the Boundary Commission for Scotland published its initial proposals in respect of boundaries for constituencies for the UK Parliament, (2) referring to the proposals as they affect the Perth & Kinross Council area, in relation to the existing UK Parliament constituencies of Perth & North Perthshire and Ochil & South Perthshire.

Motion (Councillors J Duff and A Parrott)

In considering the proposed new constituencies against the current position and the design principles, Perth and Kinross Council makes the following comments regarding the 2023 Review proposals:

1. The Council recognises that Perth and Kinross does not qualify for a whole, number of constituencies, with its total of 114,440 voters equating to 1.56 quotas. While the Council acknowledges that this requires Perth and Kinross to be joined with one other Council area, the initial proposals sub-divide the local authority by no fewer than five new UK Parliamentary constituencies, far in excess of what may be reasonably expected. This fails to meet with the stated design principle of not crossing council boundaries where possible.
2. The design of the five proposed new UK Parliamentary constituencies involves parts of Perth and Kinross aligning with no fewer than three other local authority areas – Angus Council, Dundee City Council and Fife Council. No other Council of comparable size has been so severely divided in the current or any previous review of parliamentary boundaries. This fails to take into consideration the local geography design principle.
3. Currently, Perth and Kinross Council works closely with one other local authority (Clackmannanshire) for the administration of a UK Parliamentary election. The proposed five new constituencies would

require the Tayside Valuation Joint Board and the Council to liaise with the three other local authorities in terms of administering the electoral register and conducting the four cross-border elections and counts. This will cause significant administrative issues for both bodies and will lead to confusion for prospective candidates, agents, voters, officers, other stakeholders and, most importantly, communities. This fails to meet the minimum disruption design principle.

4. The Boundary Commission proposals involve the division of two Council wards (the Carse of Gowrie and the Kinross-shire wards) across two UK Parliamentary constituencies. In the case of the Carse of Gowrie ward, this would involve splitting the Council ward into the new Angus and Strathmore and Dundee West and Gowrie constituencies. For Kinross-shire ward, this would involve splitting the ward, which includes the county of Kinross-shire, between the new Glenrothes and Loch Leven and West Fife constituencies. Perth and Kinross Council believes these specific proposals contradict best practice in relation to the policies on Council Areas/Electoral Wards. They group communities which have a keen sense of identity linked with Perth and Kinross but which have little in common with the rest of the proposed constituency. The division of wards and communities marginalises and effectively disenfranchises the residents of these areas; will have a negative impact on voter participation and awareness; is likely to be contentious; and will cause voter confusion. The boundary changes are also likely to cause disruption to the structures of community organisations within these areas. This fails to recognise the community ties design principle.
5. The Perth and Kinross Council area would be represented by five different Members of Parliament requiring the Council to establish and build new relationships with the five MPs and vice versa. As well as being an additional administrative burden on all parties, it is likely to impact on the quality of parliamentary representation provided to the Perth and Kinross electorate and to the Council. The multiple representation situation would be especially detrimental to Perth and Kinross in a way which no other local authority is being required to experience. This fails to meet the minimum disruption design principle.

Resolved:

In accordance with the Motion.

11. PERTH & KINROSS OFFER FRAMEWORK

There was submitted a report by the Depute Director (Communities) (21/246) (1) seeking Council approval for the Perth & Kinross Offer Framework which sets out how we intend to deliver and embed the Perth & Kinross Offer, (2) explaining how it supports the delivery of our strategic objectives, the work that will support our approach and the programme of cultural change that will transform how we work with colleagues, communities, and our partners; and (3) providing an update on progress made in developing and delivering the Offer since last reported to Council on 7 October 2020 (Report no. 20/181).

Resolved:

- (i) The progress made since the last report be noted.
- (ii) The drivers for the change in the way the Council does things and the links to the strategic planning objectives be noted.
- (iii) The Perth & Kinross Offer Framework, as detailed in Appendix 1 to Report 21/246, be approved.

12. PETITIONS PROCEDURE

It be agreed that this item of business be deferred to the Council meeting on 9 March 2022.

13. UPDATES TO SCHEME OF ADMINISTRATION

It be agreed that this item of business be deferred to the Council meeting on 9 March 2022.

14. STANDARDS COMMISSION FOR SCOTLAND - CASE NO. LA/PK/3477 - PERTH AND KINROSS COUNCIL

The recent decision of the Standards Commission for Scotland (Case No. LA/PK/3477 – Perth and Kinross Council) and the finding of no breach of compliance with the Councillors' Code of Conduct, be noted.