

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Assembly Hall, Loch Leven Community Campus, The Muirs, Kinross on Wednesday 4 October 2017 at 2.00pm.

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

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; S Devlin, Executive Director (Education and Children's Services); B Renton Director (Environment); K McNamara, Head of Community Planning, Strategic Commissioning and Organisational Development; S MacKenzie, S Walker, L Simpson, G Taylor, R Fry, S Hendry, A Taylor, A Brown, K Molley, S Grant, D Stokoe, K Barron and C Bannister (all Corporate and Democratic Services); J Pepper and R Drummond (both Education and Children's Services).

Also in Attendance: A Shaw, KPMG

Apologies for Absence: Councillors C Reid and W Wilson.

Provost D Melloy, Presiding.

### **575. WELCOME AND APOLOGIES**

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

### **576. DECLARATIONS OF INTEREST**

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

### **577. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Minute of Meeting of Perth and Kinross Council of 28 June 2017**

The minute of the meeting of Perth and Kinross Council of 28 June 2017 (Arts. 407-421) was submitted and approved as a correct record and authorised for signature.

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**(ii) Minute of Special Meeting of Perth and Kinross Council of 16 August 2017**

The minute of the special meeting of Perth and Kinross Council of 16 August 2017 (Arts. 441-448) was submitted and approved as a correct record and authorised for signature.

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

**(i) Drinks Containers Deposit Return System**

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

Motion (Councillors M Barnacle and C Stewart)

Perth & Kinross Council welcomes the Scottish Government's intention, announced on 5 September, to introduce a deposit return system for drinks containers in Scotland, following the successful campaign by Rural Scotland launched in September 2015 "have you got the bottle?" We seek to ensure that the design of the scheme works well for everyone, especially local authorities and small businesses. We instruct the Leader of the Council to write to Roseanna Cunningham MSP, Cabinet Secretary for Environment and Climate Change, in these terms; offering Perth & Kinross Council involvement with her and COSLA in producing a final design for the scheme in 2018.

**Resolved:**

In accordance with the Motion.

**(ii) Health Care Services**

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

Motion (Councillors A Bailey and R Brock)

**I ask that this Council notes the excellent commitment that health and social care staff make to deliver health care services in Perth and Kinross and beyond. I further ask that the Leader of the Council contacts Scottish Ministers to ask them to take Perth's projected increase in population, ageing demographic and location as a city at the centre of a largely rural area into account in future health service redesigns.**

Amendment (Councillors D Doogan and B Band)

To dispense with the Motion.

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

22 members voted for the Motion as follows:

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

15 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

**(iii) Rail Travel between Perth and Edinburgh**

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

**Motion (Councillors C Purves and M Barnacle)**

**That the Council understands that journeys between Perth and Edinburgh by rail take longer now than they did over a century ago; notes that reopening this line would reduce the time for such journeys by around 35 minutes and build on Perth's position as an inter-city transport hub; recognises the significant benefits that a Park & Ride station at Kinross would have on commuters and other local residents in Kinross-shire; believes that serious consideration must be given to the benefits of upgrading rail infrastructure in comparison to improvements to the road network; and instructs the Leader of the Council to write to the Scottish Government expressing the Council's desire that a review be undertaken to consider these matters in detail.**

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

That the Council understands that train journeys between Perth and Edinburgh are not time competitive with the present road system and that reinstatement of the through route from Perth to Edinburgh via Kinross is, given previous transport infrastructure decisions, very unlikely.

However, Council recognises the significant benefit that a Park & Ride station at Kinross would have for commuters and other residents of Kinross-shire particularly and Perth and Perthshire generally and instructs the Leader of the Council to write to the Scottish Government and Transport Scotland expressing the desire that the specific proposal for the re-opening of the railway from Cowdenbeath

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to a new Kinross Parkway station south of the town, together with a rail franchise integrated non-stop coach service from Kinross Parkway to Perth railway station be investigated in detail.

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

22 members voted for the Motion as follows:

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

15 members voted for the Amendment as follows:

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

**Resolved:**

In accordance with the Motion.

**(iv) Junction 7 of the M90 Motorway**

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

Motion (Councillors W Robertson and C Purves)

That the Council notes the concerns of residents in Milnathort, Kinross and wider Kinross-shire about Junction 7 of the M90, particularly in light of significant levels of development in the area; believes that upgrading to a four-way junction would be of significant benefit to both commuters and other local residents; understands that Transport Scotland are currently undertaking a national transport strategic review; and instructs the Leader of the Council to write to Transport Scotland expressing the Council's support for the upgrading of Junction 7 of the M90 when they review their strategic transport project list.

**Resolved:**

In accordance with the Motion.

**579. MINUTES OF COMMITTEES FROM 21 JUNE 2017 TO 14 SEPTEMBER 2017**

The decisions recorded in Arts. 354-406, 422-440 and 449-507, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary, with the following amendment noted:

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In relation to the minute of the Scrutiny Committee of 13 September 2017, Councillor C Ahern to be recorded as submitting apologies rather than present.

**580. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Senior Depute Chief Executive (17/316), providing an update on the activities of the Community Planning Partnership since the last update to Council on 28 June 2017.

**Resolved:**

The progress made with Community Planning, as detailed in Report 17/316, be noted.

**581. AUDITED ANNUAL ACCOUNTS 2016/17 AND ANNUAL AUDIT REPORT TO THE MEMBERS OF PERTH AND KINROSS COUNCIL AND THE CONTROLLER OF AUDIT FOR THE YEAR ENDED 31 MARCH 2017**

There was submitted a report by the Head of Finance (17/315) (1) presenting the Council's Audited Annual Accounts for financial year 2016/17 in accordance with the Local Authority Accounts (Scotland) Regulations 2014; and (2) including the Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the year ended 31 March 2017.

**Resolved:**

- (i) The contents of KPMG's Annual Audit Report to the Members of Perth and Kinross Council and the Controller of Audit for the year ended 31 March 2017, as detailed in Appendix 1 to Report 17/315, be noted.
- (ii) It be noted that the 2016/17 Audited Annual Accounts had been approved by the Audit Committee on 27 September 2017.
- (iii) The 2016/17 Audited Annual Accounts, as detailed in Appendix 2 to Report 17/315, be noted.

**582. MEDIUM TERM FINANCIAL PLAN 2018-2023**

There was submitted a report by the Head of Finance (17/317) (1) updating the Medium Term Financial Plan approved by Council on 5 October 2016 (Report 16/438 refers); (2) summarising the implications of the latest projections on future Council General Fund Revenue Budgets over the medium term; (3) providing an update on the Council's Capital Budget, Housing Revenue Account, Reserves position and other Funds; and (4) making recommendations on how the Council develops the Revenue Budget over the short to medium term.

**Resolved:**

- (i) The Head of Finance be instructed to maintain the Medium Term Financial Plan and further refine the assumptions that underpin it, as set out in paragraph 3.56 of Report 17/317.
- (ii) The Provisional Revenue Budget for 2018/19 be updated and the development of Provisional Revenue Budget for 2019/20 and 2020/21 be commenced, as set out in paragraph 4.5 of Report 17/317.

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- (iii) The corporate savings targets be approved as the basis for updating the 2018/19 Provisional Revenue Budget and for the preparation of the 2019/20 and 2020/21 Provisional Revenue Budgets, as set out in paragraph 4.13 of Report 17/317.
- (iv) No new detailed business cases be invited from Services at this time for the Composite Capital Budget in financial years 2023/24 and 2024/24, as set out in paragraph 5.8 of Report 17/317.
- (v) The allocation of funding to the top sliced/ring fenced programmes identified at paragraph 5.2, and as set out in paragraph 5.9 of Report 17/317, be approved.
- (vi) The updated Reserves Strategy be presented to the Council in February 2018, as set out in paragraph 6.6 of Report 17/317.
- (vii) The Housing Revenue Account Budget and rent levels for 2018/19, and the five year Housing Investment Programme be determined at the meeting of the Housing and Communities Committee in January 2018, as set out in paragraph 7.3 of Report 17/317.
- (viii) Extend the severance payment scheme to 60 weeks' pay to 31 March 2019, as set out in paragraph 8.10 of Report 17/317.

**583. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2017/18 QUARTER 1**

There was submitted a report by the Head of Finance (17/318) providing a summary of the Loans Fund Transactions for the quarter ending 30 June 2017 and reporting on compliance with the Council's Treasury Management Policy Statement; Treasury Management Practices; the Investment Strategy and the Prudential Indicators for the same period.

**Resolved:**

- (i) The contents of Report 17/318, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The Head of Finance review the operation of the Loans Fund and bring back any proposals to a future meeting of the Council.

*THERE FOLLOWED A 15 MINUTES RECESS AND THE MEETING  
RECONVENED AT 4.10PM*

**584. THE TAYSIDE REGIONAL IMPROVEMENT COLLABORATIVE**

There was submitted a report by the Executive Director (Education and Children's Services) (17/319) providing an update to Council on the progress made in establishing a regional improvement collaborative comprising Angus, Dundee and Perth and Kinross Councils, NHS Tayside and other local and national partners.

The Executive Director advised that on 29 September 2017 agreement had been reached that the regional improvement collaborative be established to take forward improvement focussed collaboration between local and national partners, and that regional collaborative leads be in place by 31 October 2017 and detailed improvement plans by 21 January 2018.

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**Resolved:**

- (i) The background information and progress made to date, as set out in Report 17/319, be noted.
- (ii) The recommendations in the report by Lisa Bird from Scottish Government, The Tayside Children's Services Collaborative, be noted.
- (ii) The approach to establishing an Education Regional Improvement Collaborative, as set out in Section 2.2 of Report 17/319, be approved.
- (iv) The Executive Director (Education and Children's Services) be instructed to bring a progress report back to Council in October 2018.

**585. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC) STANDARDS AND QUALITY REPORT 2016-2017**

There was submitted a joint report by the Chief Executive and Executive Director (Education and Children's Services) (17/320) (1) providing an overview of the key activities of the work of the CPC to protect children and young people from abuse and neglect; (2) presenting the findings from a wide range of CPC-led single agency and multi-agency self-evaluation activities; and (3) setting out the progress made against a three year improvement plan, identifying key strengths and areas for further development.

**Resolved:**

- (i) The wide range of work carried out by Perth and Kinross Council and partners through the Child Protection Committee, 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 the Child Protection Committee Standards and Quality Report 2016-2017 attached as Appendix 1 to Report 17/320, and the contents of the CPC Improvement Plan 2015-2018: Progress Report as at 31 July 2017, attached as Appendix 2 to Report 17/320, be endorsed.
- (iii) It be noted that the report would be presented to the Perth and Kinross Integration Joint Board in due course.

**586. PERTH AND KINROSS ANNUAL PERFORMANCE REPORT 2016/17**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (17/321) providing an overview of how the Council and the Community Planning Partnership had performed against the shared strategic objectives for Perth and Kinross as set out within the Single Outcome Agreement 2013-2023 and the Council's Corporate Plan 2013-2018, for the period 1 April 2016 to 31 March 2017.

**Resolved:**

- (i) The Annual Performance Report 2016/17, attached as Appendix 1 to Report 17/321, be approved.
- (ii) It be noted that the report would be considered by the Community Planning Partnership Board on 6 October 2017.

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**587. PERTH & KINROSS COMMUNITY PLAN/LOCAL OUTCOMES IMPROVEMENT PLAN**

There was submitted a report by the Senior Depute Chief Executive (17/322) presenting the draft Community Plan (Local Outcomes Improvement Plan) for Perth and Kinross which set out the local outcomes which the Community Planning Partnership would prioritise for improvement, with a specific focus on tackling inequality.

**Resolved:**

- (i) The Perth and Kinross Community Plan (Local Outcomes Improvement Plan), attached as Appendix 1 to Report 17/322, be approved for the Council's interests.
- (ii) It be noted that the draft plan would be submitted to the Community Planning Partnership Board meeting on 6 October 2017 for approval.

**588. LOCAL ACTION PARTNERSHIPS: LOCAL ACTION PLANS**

There was submitted a report by the Senior Depute Chief Executive (17/323) (1) presenting the work undertaken by the five Local Action Partnerships in Perth and Kinross to develop the first Local Action Plans for their respective area and (2) setting out the key inequality issues identified by each Partnership, and the joint actions to tackle these issues.

**Resolved:**

- (i) The Local Action Plans, as detailed in Appendices 1A to 1E of Report 17/323, be noted.
- (ii) It be noted that the Local Action Plans would be considered by the Community Planning Partnership Board on 6 October 2017.

**589. APPOINTMENTS TO COMMITTEES/OUTSIDE BODIES**

- (i) Housing and Communities Committee

It be agreed that Councillor K Baird be appointed to the Housing and Communities Committee.

- (ii) Lifelong Learning Committee

It be agreed that Councillor A Jarvis be appointed to the Lifelong Learning Committee.

- (iii) Licensing Committee

It be agreed that Councillor K Baird be appointed to the Licensing Committee.

- (iv) Licensing Board

It be agreed that Councillor L Simpson be appointed to the Licensing Board.



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(v) Strategic Policy and Resources Committee

It be agreed that Councillor M Lyle replace Councillor C Shiers as Vice-Convenor of the Strategic Policy and Resources Committee.

(vi) Modernising Governance Member/Officer Working Group

It be agreed that Councillor M Lyle replace Councillor C Shiers on the Modernising Governance Member/Officer Working Group.

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

(1) It be agreed that the Property Sub-Committee be re-established to include the remit of the School Estate Sub-Committee;

(2) It be agreed that Councillors B Band, P Barrett, I Campbell, D Doogan, G Laing, M Lyle and R McCall be appointed to the Property Sub-Committee.

(viii) Tayside Valuation Joint Board

It be agreed that Councillor D Doogan replace Councillor S Donaldson on the Tayside Valuation Joint Board.

(ix) Perth and Kinross Health and Social Care Integrated Joint Board

It be agreed that Councillor C Reid be appointed Vice-Chair of the Perth and Kinross Health and Social Care Integration Joint Board for a period of two years.

(x) Culture and Sport Advisory Group

It be agreed that Councillor C Shiers be appointed as Chair of the Culture and Sport Advisory Group.

(xi) COSLA Children and Young People Board

It be agreed that Councillor W Wilson replace Councillor A Jarvis on the COSLA Children and Young People Board.

(xii) Friends of Aschaffenburg – Management Committee

It be agreed that Councillor B Pover replace Councillor A Parrott on the Friends of Aschaffenburg – Management Committee.

(xiii) Scots Language Centre Association Limited – Executive Committee

It be agreed that Councillor W Robertson replace Councillor C Shiers on the Scots Language Centre Association Limited – Executive Committee.

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(xiv) Perth Festival of the Arts

It be agreed that Councillor D Illingworth be appointed to the Perth Festival of the Arts.

(xv) Thomas Barclay's Trust

It be agreed that Councillor C Ahern be appointed to the Thomas Barclay's Trust and that nominations for the further vacant position be submitted to the Head of Democratic Services.

(xvi) Culture Perth and Kinross

It be agreed that Councillor K Baird replace Councillor C Stewart on Culture Perth and Kinross.

(xvii) COSLA Convention

It be agreed that Councillor M Lyle replace Councillor C Shiers on the COSLA Convention.

**590. AMENDMENT TO THE SCHEME OF ADMINISTRATION**

It be agreed that the Development Management Committee be renamed the Planning and Development Management Committee.

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