

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

COUNCIL MEETING

Minute of Council Meeting in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 23 May 2012 at 2.00pm.

Present: Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock , I Campbell, J Coburn, A Cowan, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacobazzi, C Gillies, A Grant, E Grant, T Gray, K Howie, A Jack, J Kellas, G Laing, A Livingstone, M Lyle, E Maclachlan, A MacLellan, D Melloy, I Miller, D Pover, M Roberts, W Robertson, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan, G Walker, M Williamson, W Wilson, and A Younger.

Also Attending: B Malone (Chief Executive; I Innes (Head of Legal Services); G Taylor (Head of Democratic Services); S Mackenzie (Acting Head of Finance) and M Kay (All Chief Executive's), D Burke (Executive Director – Housing and Community Care); J Walker Depute Director J Fyffe (Executive Director – Education and Children's Services); J Valentine (Executive Director (Environment), B Renton Depute Director, and staff from Democratic Services.

Apology for Absence: Councillor A Munro

Returning Officer – Chairman

213. INTERIM CHAIR OF MEETING

In terms of the Local Government etc (Scotland) Act 1994, B Malone, Returning Officer, took the Chair.

B Malone advised that a request had been received to film the installation of the new Provost and, in terms of Standing Order 13, the Council agreed to allow the proceedings to be filmed up until the point that the Convener of the Council had been elected and took the Chair.

214. DECLARATIONS OF INTEREST

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

215. RETURN OF MEMBERS OF THE COUNCIL

The Returning Officer reported that the following persons had been elected to the Perth and Kinross Council for the ensuing five years: -

Ward 1 – Carse of Gowrie

Councillor Douglas Pover
Councillor Mac Roberts
Councillor Gordon Walker

Ward 2 – Strathmore

Councillor Alan Grant
Councillor Dennis Melloy
Councillor Ian Miller
Councillor Lewis Simpson

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

Ward 3 – Blairgowrie & Glens

Councillor Bob Ellis
Councillor Elizabeth Grant
Councillor Caroline Shiers

Ward 4 – Highland

Councillor Ian Campbell
Councillor Kate Howie
Councillor Mike Williamson

Ward 5 – Strathtay

Councillor John Kellas
Councillor Grant Laing
Councillor Barbara Vaughan

Ward 6 – Strathearn

Councillor Rhona Brock
Councillor Ann Cowan
Councillor Anne Younger

Ward 7 – Strathallan

Councillor Ann Gaunt
Councillor Tom Gray
Councillor Murray Lyle

Ward 8 – Kinross-shire

Councillor Michael Barnacle
Councillor Dave Cuthbert
Councillor Joe Giacomazzi
Councillor Willie Robertson

Ward 9 – Almond and Earn

Councillor Henry Anderson
Councillor Alan Jack
Councillor Alan Livingstone

Ward 10 – Perth City South

Councillor Bob Band
Councillor Alistair Munro
Councillor Alexander Stewart
Councillor Willie Wilson

Ward 11 – Perth City North

Councillor Dave Doogan
Councillor John Flynn
Councillor Callum Gillies
Councillor Elspeth MacLachlan

Ward 12 – Perth City Centre

Councillor Peter Barrett
Councillor Jack Coburn
Councillor Archie MacLellan
Councillor Heather Stewart

216. ELECTION OF CONVENER OF THE COUNCIL

Councillor Liz Grant was unanimously elected as Provost of Perth and Kinross Council for the period to May 2017, being the next scheduled ordinary election of the Council. Provost Grant was presented with the Chain of Office, took the Chair and thanked the Council for her election.

217. DEPUTE CONVENER OF THE COUNCIL

Resolved:

- (i) A Depute Convener of the Council be elected for the period to May 2017;
- (ii) Councillor Bob Band was unanimously elected as Depute Provost of Perth and Kinross Council.

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

218. POLITICAL DECISION MAKING STRUCTURES

There was submitted a report by the Head of Democratic Services (12/193) on a way forward for a political decision-making structure for the Council.

In terms of Standing Order 42, a motion by Councillor Barrett, seconded by Councillor Robertson that the meeting be adjourned to allow members time to read a revised version of Appendix 6 to Report 12/193 which had been circulated at the meeting, was defeated.

Resolved:

- (i) The existing political decision-making structure be continued until the end of the current calendar year.
- (ii) Conveners, Vice-Conveners and Committee members be appointed in accordance with Paragraphs 3.1 and 3.2 of and Appendices 1A and IB to Report 12/193 as follows:

Community Safety Committee

- 1 Councillor D Pover
(Convener)
- 2 Councillor J Coburn
(Vice-Convener)
- 3 Councillor R Brock
- 4 Councillor J Giacomazzi
- 5 Councillor A Grant
- 6 Councillor G Laing
- 7 Councillor A Munro
- 8 Councillor A MacLellan
- 9 Councillor L Simpson
- 10 Councillor A Stewart
- 11 Councillor H Stewart
- 12 Councillor C Shiers
- 13 Councillor M Williamson

Enterprise and Infrastructure Committee

- 1 Councillor J Kellas
(Convener)
- 2 Councillor J Giacomazzi
(Vice-Convener)
- 3 Councillor I Campbell
- 4 Councillor A Cowan
- 5 Councillor D Doogan
- 6 Councillor J Flynn
- 7 Councillor A Gaunt
- 8 Councillor T Gray
- 9 Councillor A Jack (**See Note 1**)

Development Management Committee

- 1 Councillor T Gray
(Convener)
- 2 Councillor B Band
(Vice-Convener)
- 3 Councillor H Anderson
- 4 Councillor M Barnacle
- 5 Councillor I Campbell
- 6 Councillor A Gaunt
- 7 Councillor J Giacomazzi
- 8 Councillor C Gillies
- 9 Councillor A Jack
- 10 Councillor J Kellas
- 11 Councillor A Livingstone
- 12 Councillor M Lyle
- 13 Councillor G Walker

Environment Committee

- 1 Councillor A Grant
(Convener)
- 2 Councillor M Williamson
(Vice-Convener)
- 3 Councillor M Barnacle
- 4 Councillor R Brock
- 5 Councillor B Ellis
- 6 Councillor C Gillies
- 7 Councillor T Gray
- 8 Councillor G Laing
- 9 Councillor M Lyle

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

- 10 Councillor G Laing
- 11 Councillor A Livingstone
- 12 Councillor W Robertson
- 13 Councillor A Younger

- 10 Councillor D Melloy
- 11 Councillor M Roberts
- 12 Councillor W Robertson
- 13 Councillor A Younger

Housing and Health Committee

- 1 Councillor D Doogan
(Convener)
- 2 Councillor K Howie
(Vice-Convener)
- 3 Councillor H Anderson
- 4 Councillor P Barrett
- 5 Councillor I Campbell
- 6 Councillor D Cuthbert
- 7 Councillor J Flynn
- 8 Councillor E Maclachlan
- 9 Councillor D Melloy
- 10 Councillor W Robertson
- 11 Councillor H Stewart
- 12 Councillor G Walker
- 13 Councillor M Williamson

Licensing Committee

- 1 Councillor J Coburn
(Convener)
- 2 Councillor B Ellis
(Vice-Convener)
- 3 Councillor R Brock
- 4 Councillor J Flynn
- 5 Councillor D Melloy
- 6 Councillor D Pover
- 7 Councillor M Roberts

Lifelong Learning Committee

- 1 Councillor B Band
(Convener)
- 2 Councillor G Walker
(Vice-Convener)
- 3 Councillor C Gillies
- 4 Councillor K Howie
- 5 Councillor G Laing
- 6 Councillor E Maclachlan
- 7 Councillor A Munro
- 8 Councillor D Pover
- 9 Councillor C Shiers
- 10 Councillor L Simpson
- 11 Councillor A Stewart
- 12 Councillor B Vaughan
- 13 Councillor W Wilson

Scrutiny Committee

- 1 Councillor A Stewart
(Convener) **(See Note 2)**
- 2 Councillor B Vaughan
(Vice-Convener)
- 3 Councillor M Barnacle
- 4 Councillor D Cuthbert
- 5 Councillor D Doogan
- 6 Councillor A MacLellan
- 7 Councillor A Younger

Strategic Policy and Resources Committee

- 1 Councillor I Miller*
(Convener)
- 2 Councillor A Grant
(Vice-Convener)
- 3 Councillor B Band
- 4 Councillor P Barrett

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

- 5 Councillor D Cuthbert
- 6 Councillor D Doogan
- 7 Provost E Grant
- 8 Councillor J Kellas
- 9 Councillor A Livingstone
- 10 Councillor A MacLellan
- 11 Councillor D Pover
- 12 Councillor M Roberts**
- 13 Councillor C Shiers
- 14 Councillor A Stewart
- 15 Councillor W Wilson
- 16 Councillor A Younger

* Leader of the Council

** Leader of the Largest Opposition Party

**Perth Common Good Fund
Committee**

- 1 Councillor B Band
- 2 Councillor P Barrett
- 3 Councillor J Coburn
- 4 Councillor D Doogan
- 5 Councillor J Flynn
- 6 Councillor C Gillies
- 7 Councillor A Grant
- 8 Councillor E Maclachlan
- 9 Councillor A MacLellan
- 10 Councillor I Miller
- 11 Councillor A Munro
- 12 Councillor A Stewart
- 13 Councillor H Stewart
- 14 Councillor W Wilson

**Abernethy Common Good Fund
Committee (in abeyance)**

- 1 Councillor A Grant
- 2 Councillor A Jack
- 3 Councillor H Anderson
- 4 Councillor A Livingstone
- 5 Councillor I Miller

**Auchterarder Common Good
Committee**

- 1 Councillor A Gaunt
- 2 Councillor A Grant
- 3 Councillor T Gray
- 4 Councillor M Lyle

**Aberfeldy Common Good Fund
Committee**

- 1 Councillor I Campbell
- 2 Councillor A Grant
- 3 Councillor K Howie
- 4 Councillor I Miller
- 5 Councillor M Williamson

**Alyth Common Good Fund
Committee**

- 1 Councillor A Grant
- 2 Councillor D Melloy
- 3 Councillor I Miller
- 4 Councillor L Simpson

**Blairgowrie Common Good Fund
Committee**

- 1 Councillor R Ellis
- 2 Councillor A Grant
- 3 Provost E Grant
- 4 Councillor I Miller

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

5 Councillor I Miller

5 Councillor C Shiers

Coupar Angus Common Good Fund Committee

- 1 Councillor A Grant
- 2 Councillor D Melloy
- 3 Councillor I Miller
- 4 Councillor L Simpson

Crieff Common Good Fund Committee

- 1 Councillor R Brock
- 2 Councillor A Cowan
- 3 Councillor A Grant
- 4 Councillor I Miller
- 5 Councillor A Younger

Kinross Common Good Fund Committee

- 1 Councillor M Barnacle
- 2 Councillor D Cuthbert
- 3 Councillor J Giacobazzi
- 4 Councillor A Grant
- 5 Councillor I Miller
- 6 Councillor W Robertson

Pitlochry Common Good Fund Committee

- 1 Councillor I Campbell
- 2 Councillor A Grant
- 3 Councillor K Howie
- 4 Councillor I Miller
- 5 Councillor M Williamson

- (iii) Members of the Perth and Kinross Licensing Board be appointed as follows:

Perth and Kinross Licensing Board

- 1 Councillor H Anderson
- 2 Councillor B Band
- 3 Councillor R Brock
- 4 Councillor J Coburn
- 5 Councillor A Cowan
- 6 Councillor J Flynn
- 7 Councillor A Jack
- 8 Councillor D Melloy
- 9 Councillor M Roberts
- 10 Councillor A Younger

- (iv) the current provisions in relation to the Local Review Body be continued in accordance with Paragraphs 3.6 - 3.7 of Report 12/193 and Councillor M Lyle be appointed as Convener of the Local Review Body,
- (v) the current provisions in relation to the Pre-Determination Committee be continued in accordance with Paragraphs 3.8 - 3.9 of Report 12/193,
- (vi) the Police and Fire Reform Transitional Pathfinder Group be re-established, on the basis of the previous remit in accordance with Paragraphs 3.10 – 3.11 of and Appendix 2 to Report 12/193; and to appoint representatives to serve on the Group as follows:

Police and Fire Reform Transitional Pathfinder Group

- 1 Councillor Alexander Stewart
- 2 Councillor Archie MacLellan

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

- 3 Councillor Douglas Pover
- 4 Councillor Bob Band
- 5 Councillor Willie Wilson

- (vii) Council representation on the Health and Social Care Integration Transition Board be continued, on the basis of the previous remit in accordance with Paragraphs 3.12 – 3.13 of and Appendix 3 to Report 12/193 and Councillors I Miller and Councillor D Doogan, Conveners of Strategic Policy and Resources Committee and Housing and Health Committee respectively, be appointed to serve on the Board;
- (viii) Members be appointed to the Community Planning Partnership at this time as follows and the appointment of members to the remaining community planning groups in accordance with Paragraph 3.14 of and Appendix 4 to Report 12/193 be deferred to the Council meeting to be held on 27 June 2012;

Community Planning Partnership

- 1 Councillor A Grant
- 2 Councillor I Miller
- 3 Councillor M Roberts (**See Note 3**)

- (ix) the appointment of external representatives on the Housing and Health Committee and the Lifelong Learning Committee be continued in accordance with Paragraphs 3.15 – 3.18 of Report 12/193;
- (x) the appointment of a non-Council member on the Audit Sub-Committee be considered as part of the review of the decision-making structure in accordance with Paragraphs 3.19 - 3.20 of Report 12/193;
- (xi) the Modernising Governance Member / Officer Working Group be re-established on the basis of the previous remit in accordance with Paragraphs 3.21 – 3.23 of and Appendix 5 to Report 12/193 and the following Council members be appointed to serve on the Group:

Modernising Governance Member/Officer Working Group

- 1 Councillor P Barrett
- 2 Councillor A Grant
- 3 Councillor A MacLellan
- 4 Councillor I Miller
- 5 Councillor M Roberts

- (xii) it be remitted to the Modernising Governance Member/Officer Working Group to consider options for models of political decision-making structures and to submit reports to the Council as the Group considers necessary on aspects of its work, but to submit a final report to the Council meeting on 12 December 2012 with recommendations for a structure to be implemented with effect from January 2013,
- (xiii) it be noted that the Council's Standing Orders and Scheme of Administration will be reviewed as part of the review of the decision-making structure and

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

- that revised versions of these documents will be submitted as part of the final report to Council referred to at (xii) above;
- (xiv) the councillors' remuneration arrangements as set out in Appendix 6 as circulated be approved; **(See Note 4)**
 - (xv) the role profiles / descriptions related to councillors; councillors with significant additional responsibilities and council leaders, and the competencies framework, together with personal development plans, based on the competencies framework be continued, in accordance with Paragraphs 3.29 – 3.30 of and Appendix 7 to Report 12/193;
 - (xvi) the timetable of meetings for the remainder of the current calendar year in accordance with Paragraphs 3.34 – 3.35 of and Appendix 8 to Report 12/193 be approved.

Note 1

The decision above was reached on a division as follows:

Motion (Councillors Miller and A Grant) – The membership of the Enterprise and Infrastructure Committee be as set out in Appendix 1B as circulated at the meeting.

Amendment (Councillors Barnacle and Wilson) – Councillor Barnacle be appointed to the Enterprise and Infrastructure Committee in place of Councillor Jack.

Amendment 7 votes

Motion 21 votes.

Note 2

The decision above was reached on a division as follows:

Motion (Councillors Miller and A Grant) – The membership of the Scrutiny Committee be as set out in Appendix 1B as circulated at the meeting, with Councillor A Stewart appointed as Convener.

Amendment (Councillors Barnacle and Robertson) – Councillor Cuthbert be appointed as Convener of the Scrutiny Committee.

Amendment 8 votes

Motion 19 votes.

Note 3

The decision above was reached on a division as follows:

Motion (Councillors Miller and A Grant) – The membership of the Community Planning Partnership be as set out in Appendix 4 as circulated at the meeting.

Amendment (Councillors Wilson and Robertson) – Councillor Barrett be appointed to the Community Planning Partnership as the Opposition member in place of Councillor Roberts.

Amendment: 10 votes

Motion 11 votes

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

Note 4

The decision above was reached on a division as follows:

Motion (Councillors Miller and A Grant) – The councillors’ remuneration arrangements be as set out in Appendix 6 as circulated at the meeting.

Amendment (Councillors Barrett and Wilson) – The Council continue with the existing remuneration arrangements with any review to be part of the review of the decision-making structure.

Amendment 7 votes

Motion 17 votes.

219. APPOINTMENT OF REPRESENTATIVES TO PARTNER ORGANISATIONS AND OUTSIDE BODIES

There was submitted a report by the Head of Democratic Services (12/194) on the appointment of representatives to a range of partner organisations and outside bodies.

Resolved:

The appointments as undernoted be approved, with the remainder of the appointments as detailed in Appendix 1 to Report 12/194 being considered at the next Council meeting on 27 June 2012.

CoSLA	Councillors I Miller, A Grant, M Roberts and P Barrett
East of Scotland European Consortium	Councillor J Kellas
Forth Estuary Transport Authority	Councillor J Giacobazzi
Highland Reserve Forces and Cadets Association	Councillor D Pover
Scotland Excel Joint Committee	Councillor J Kellas
Scotland Malawi Partnership	Councillor E MacLachlan
Scottish Councils’ Committee on Radioactive Substances (S.C.C.O.R.S.)	Councillor A Younger
Supporting Veterans in Scotland (Scottish Parliament Cross Party Group on Supporting Veterans)	Councillor K Howie
UHI Millennium Institute Foundation	Councillor B Vaughan
Strategic Development Plan Authority Joint Committee (TAYplan)	Councillors J Kellas, A Jack and T Gray
Tayside Fire & Rescue Board	Councillors D Pover, J Coburn, E MacLachlan, A Stewart, A Munro and W Wilson
Tayside Joint Police Board	Councillors D Pover, J Coburn, E MacLachlan, A Stewart, A MacLellan and W Wilson
Tayside Valuation Joint Board	Councillors D Pover, E MacLachlan, A Stewart, A Munro and W Wilson
Tayside Contracts Joint Committee	Councillors G Walker, J Coburn, J

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

	Giacopazzi, C Shiers, M Roberts and R Brock
Tayside & Central Scotland Transport Partnership (TACTRAN)	Councillors J Kellas, A Livingstone and M Barnacle Substitute – T Gray
Tayside Community Justice Authority	Councillors D Pover, A MacLellan Substitutes – J Coburn, A Munro
Dovetail Enterprises (1993) Limited	Councillor R Band
Open Estate Prison Visiting Committee	Councillors D Pover and M Roberts
Perth Prison Visiting Committee	Councillors H Stewart
Scottish Enterprise Tayside Regional Advisory Board	Councillor J Kellas
Tay District Salmon Fisheries Board	Convener of Perth Common Good
Tay Estuary Forum	Councillor G Walker
Tay Landscape Partnership Steering Group	Councillor M Roberts
The Tay Foundation	Provost
Carse of Gowrie Development Group	Councillors D Pover and M Roberts
Children's Panel Advisory Committee (Perth and Kinross)	Councillors D Pover and B Vaughan
David K Thomson Award Trust	Provost
Friends of Aschaffenburg – Management Committee	Provost and Councillor J Coburn
Friends of Bydgoszcz - Management Committee	Provost and Councillor J Kellas
Friends of Cognac - Management Committee	Provost and Councillor T Gray
Friends of Haikou - Management Committee	Provost and Councillor J Coburn
Friends of Pskov – Management Committee	Provost and Councillor E MacLachlan
Highland Perthshire Communities Partnership – Executive Committee	Councillor K Howie
Highland Perthshire Ltd (Board of Directors)	Councillor M Williamson
Horsecross Perth Theatre and Concert Hall – Executive Committee	Councillor H Anderson, M Roberts and W Wilson
J D Fergusson Arts Awards Trust	Councillors J Coburn, A MacLellan
Live Active Leisure Ltd	Councillors J Coburn, G Laing and H Stewart
Morrison's Academy Board	Councillor B Vaughan
Moulin Kirk Trust	Councillor K Howie
Perth & Kinross Community Health Partnership Committee	Councillors D Doogan, K Howie
Perth & Kinross Countryside Trust – Executive Committee	Councillors B Ellis and C Shiers
Perth & Kinross Heritage Trust – Executive Committee	Councillors A Younger and D Cuthbert
Perth & Kinross Quality of Life Trust	Councillors J Coburn, C Gillies and H Stewart
Perth & Kinross Sports Council	Provost and Councillors M Williamson, A Younger, G Laing and A Stewart
Perth Academy War Memorial Bursary Trust	Councillor A Stewart
Perth Airport Consultative Committee	Councillors A Grant and L Simpson

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 MAY 2012

Perth Citizens Advice Bureau – Management Committee	Councillor A Gaunt
Perth Civic Trust – Executive Committee	Councillors J Coburn and W Wilson
Perth Farmers Market Ltd	Councillor T Gray
Perth Festival of the Arts	Councillors J Coburn and H Stewart
Perthshire Area Tourism Partnership	Councillors T Gray, H Anderson and A Cowan
Perthshire Public Art Trust	Councillors B Band and J Kellas
Pitlochry Civic Trust	Councillor K Howie
Recycle to Cycle - Perth Bike Station	Councillor M Williamson
Scots Language Centre Association Limited – Executive Committee	Councillors K Howie
Strathord Initiative Steering Group	Councillors B Vaughan and G Laing
Thomas Barclay's Trust	Provost and Councillors J Coburn, D Pover, W Wilson, E McLachlan, B Band and D Doogan
Alyth, Meigle & District Nursing and Samaritan Association	Councillor I Miller
Blair Atholl and Struan Initiative	Councillor K Howie
Comrie War Memorial Institute	Councillor A Younger
Dr Donald Duncan Bequest	Councillors J Giacopazzi and W Robertson
Hayfield Trust	Councillor J Giacopazzi
Heartland Radio Foundation Limited	Councillor K Howie
Hope Park Trust – Smith Bequest	Councillors B Ellis, A Grant, E Grant and C Shiers
Innerpeffray Library	Councillor A Cowan
Kinloch Rannoch Village Hall Trust	Councillor M Williamson
Laggan Park Playing Field, Comrie	Councillor A Younger
Pitlochry Festival Theatre	Councillors B Vaughan, J Kellas and K Howie
Sharp Fund	Councillor D Pover

220. DATE OF NEXT COUNCIL MEETING

Resolved:

In accordance with the approved timetable of meetings it was noted that the next meeting of the Council would be held on 27 June 2012 at 2.00pm.

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