

PERTH AND KINROSS COUNCIL

Minute of hybrid meeting of Perth and Kinross Council held in the Council Chamber, 2 High Street, Perth on Wednesday 15 May 2024 at 10.30am.

Present: Provost X McDade, Depute Provost A Parrott, Bailies C Ahern, A Bailey, R Brock, C McLaren and M Williamson, Councillors K Allan, H Anderson L Barrett, P Barrett, B Brawn, S Carr, A Chan, D Cuthbert, S Donaldson, E Drysdale, J Duff, A Forbes, M Frampton, N Freshwater, K Harvey, D Illingworth, I James, N Khogali, G Laing, B Leishman, I MacPherson, I Massie, S McCole, T McEwan, J Rebbeck, C Reid (up to and including item 7), W Robertson, C Shiers (up to Item 8), F Smith, C Stewart, G Stewart, R Watters and J Welch.

In Attendance: T Glen, Chief Executive; C Mailer, Director – Strategy, People and Resources; A Williams, Director – Economy, Place and Learning; L Simpson, Strategic Lead – Legal and Governance; S Devlin, Strategic Lead -Education and Learning; G Boland, Strategic Lead – Strategic Planning, People and Performance; D Littlejohn, Strategic Lead – Economy, Development and Planning; S Crawford, Strategic Lead – Property Services; F Crofts, Strategic Lead – Environment and Infrastructure; S Walker, Strategic Lead – Finance & Business Support, E Ritchie, Strategic Lead – Housing and Communities; A Singh, Strategic Lead – Children, Families and Justice; B Wilson (Economy, Place and Learning), S Hendry, A Brown and M Pasternak (all Strategy, People and Resources).

Also in Attendance: P Cromwell (Live Active Leisure)

Provost X McDade, Presiding.

The Depute Provost led discussion on Item 6, and the Provost led discussion on all other items of business.

1. WELCOME AND APOLOGIES

Provost McDade welcomed all those present to the meeting.

Prior to the commencement of business, the Provost congratulated Councillor Steven Carr on receiving The Livingstone Medal awarded by the Royal Scottish Geographical Society, for his humanitarian work in support of children of Ukraine.

2. DECLARATION OF INTEREST

There were no Declaration of Interests in terms of the Councillors' Code of Conduct.

3. MINUTES

3(i) Minute of Special Meeting of Perth and Kinross Council of 28 February 2024 for Approval

Minute of Special Meeting of Perth and Kinross Council of 28 February 2024 was submitted and approved as correct record.

3(ii) Minute of Meeting of Perth and Kinross Council of 6 March 2024 for Approval

Minute of Meeting of Perth and Kinross Council of 6 March 2024 was submitted and approved as correct record.

5. NOTICE OF MOTIONS

5(i) Motion to Stand in Solidarity with The Women Against State Pension Inequality (WASPI) Women to be Paid Compensation

Motion by Councillor M Frampton and Bailie M Williamson

Women who were born in the 1950's had their rights to retirement age changed from age 60 to 65, and later to 66 without being informed of this. It has recently been reported by the Parliamentary and Health Service Ombudsman that the Department for Work and Pensions was guilty of "maladministration" by failing to inform women of their retirement age changes. I would call upon the Council Leader to write to the UK Government to say Perth and Kinross Councillors stand by the WASPI Womens' right to compensation. We ask that the UK Government act now and commit to a compensation payout scheme for the women who were affected by the changes.

Amendment by Councillor L Barrett and Bailie C McLaren

To amend the motion as follows:

1 In paragraph 2, to insert "adequately" between "inform women" and "of their retirement age" and "PHSO" after "Parliamentary and Health Service Ombudsman"

3 In paragraph 3, to delete "I would call" and insert

"Given the PHSO's significant concerns that the DWP will fail to remedy the injustice perpetrated on millions of women, the Ombudsman made the rare decision in March 2024 to bring the matter to Parliament's attention and ask Parliament to intervene and identify a mechanism for providing appropriate remedy. The PHSO reports sets out recommendations on remedy, including compensation for the injustice suffered.

Council calls”

3 In the last paragraph, to delete “and commit to a compensation payout scheme for the women who were affected by the changes” and insert “local Members of Parliament and to the Secretary of State for Work and Pensions” for “the UK Government” and to substitute “with an immediate compensation payout scheme for those who were affected by the changes”

Note: The Mover and Seconder of the Motion agreed to incorporate the changes as set out in the Amendment into the Motion.

Resolved:

In accordance with revised Motion.

5(ii) Motion to merge Climate Change and Sustainability Committee and Environment and Infrastructure Committee

Motion by Councillors A Forbes and N Khogali

For almost two years this Council has had a Climate Change and Sustainability Committee, a sensible response to the climate emergency that we all know exists. However, over the last two years, very few new initiatives have been brought to that committee which wouldn't have been brought to the historic Environment, Infrastructure and Economic Development Committee. Often, the committee regularly has very little business to conduct other than general 'housekeeping' Council business.

The last two committees have had only one item to consider.

Given the following pressures faced by the Council, we believe that it would be prudent to merge the Climate Change and Sustainability Committee and the Economy and Infrastructure Committee, as per the details in the proposition below.

Committee timetable: There have been frequent issues with the availability of time in the Chambers. We believe that committees with low number of items are an inefficient use of time in the committee timetable and staff time.

Financial pressures: The financial pressures on the Council are plain to see, and we believe there is an opportunity for efficiency in merging the two committees, both with regard to the PKC and political administration of the committee.

General staffing pressures: Our Council officers do a fantastic job, and we acknowledge that they are under increasing pressure with regard to their time. We believe that we have an opportunity to optimise the use of their time, and that merging the two committees does this.

Proposition:

- a. We propose that the Climate Change and Sustainability Committee and the Economy and Infrastructure Committee be merged, with the business of the former being moved into the latter, and the former be dissolved. The new name of the committee would be the Economy, Infrastructure, Climate and Sustainability Committee.
- b. We propose that a standard agenda item is created within the new Committee's agenda which specifically reviews the climate impact of decisions taken by the committee. The committee to review and decide upon climate change issues across the Council and also for matters relating to climate change that cannot be dealt with by a service committee.
- c. We propose that one of the existing Vice-Conveners of the Housing and Social Wellbeing Committee and the Learning and Families Committee takes responsibility for leading on matters of climate change for that particular service and a standard agenda item be created on each of those committees for climate change matters relating to that service. This will provide political oversight and will build climate change matters into every service committee.
- d. We propose that 3 members of the Perth and Kinross Climate Change Commission (PKCCC) attend the new committee as non-voting members on a rotating basis, with 1 member under the age of 18 wherever possible.
- e. We reaffirm the PKC commitment to achieving a 75% reduction in emissions by 2030 and reaching net zero by no later than 2045. We believe that the above propositions enable us to achieve that, in the most efficient manner possible.

Amendment by Councillors G Laing and E Drysdale

To reject the terms of the proposed Motion.

In terms of Standing Order 21.5, a roll call vote was taken:

14 Members Voted for the Motion as follows:

Bailie C Ahern, Councillors K Allan, H Anderson, B Brawn, A Chan, J Duff, A Forbes, N Freshwater, D Illingworth, I James, N Khogali, C Reid, C Shiers and F Smith.

24 Members voted for the Amendment as follows:

Provost X McDade, Depute Provost A Parrott, Bailies R Brock, C McLaren and M Williamson, Councillors L Barrett, P Barrett, S Carr, D Cuthbert, S Donaldson, E

Drysdale, M Frampton, K Harvey, G Laing, I MacPherson, I Massie, S McCole, T McEwan, J Rebbeck, W Robertson, C Stewart, G Stewart, R Watters and J Welch.

2 Members abstained as follows:

Bailie A Bailey and B Leishman.

Resolved:

In accordance with the Amendment.

6. CORPORATE DELIVERY AND IMPROVEMENT PLAN 2024/25

There was submitted a report by Chief Executive (24/148) presenting the finalised Corporate Delivery and Improvement Plan (CDIP) for 2024/25 which has been updated following feedback from the Scrutiny and Performance Committee on 31 January 2024 (Report 24/44) and the setting of the Council's budget on 28 February 2024 (Report 24/63).

Resolved:

- (i) The feedback from Scrutiny and Performance Committee (appendix 1) be noted and the changes to the CDIP as a result be agreed.
- (ii) The final version of the Corporate Delivery and Improvement Plan for 2024/25 (appendix 2), be approved.
- (iii) The recommendation to replace references to the Perth and Kinross Offer within the Corporate Plan and future performance reporting and external/internal communications with reference to the 'working in partnership with communities' corporate priority, be approved.
- (iv) It be noted that a review of the purpose and timing of the Corporate Delivery and Improvement plan within the annual performance reporting and improvement cycle will be undertaken within 2024 to consider whether a longer-term view of improvement activity would be valuable.
- (v) It be noted that if there are further areas for improvement highlighted by trends within the Annual Performance Report for 2023/24 these additional improvement actions will be recommended to Council alongside that report in autumn 2024.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 12.05 PM

7. UK GOVERNMENT SPRING BUDGET 2024 LEVELLING UP FUND

There was submitted a report by Strategic Lead – Economy, Development and Planning (24/149) seeking Council approval to submit 3 projects to the UK Government that meet the criteria attached to the award of £5 million for capital investment in the City of Perth. A condition of the award is that an Investment Plan is submitted for the approval of the Department of Levelling Up, Housing &

Communities (DLUHC) prior to any expenditure being incurred. The Investment Plan requires to be submitted no later than 3 June 2024 along with assurance from the Council that the submitted projects represent value for money, are deliverable by March 2026 and are a local priority with broad stakeholder support, including from the area's MPs. The submission also needs to demonstrate compliance with the Subsidy Control Act 2022, which limits direct financial support to private operators or businesses.

Motion by Councillors G Laing and E Drysdale

_____ To approve the recommendations contained within the report.

Amendment by Bailie A Bailey and Councillor B Leishman

Council accepts the three recommendations of the report but in doing so notes the constrained position of its revenue budget and registers its concern about the potential for these projects to have ongoing revenue costs for the Council. It therefore remits officers to put in place measures to ensure that the revenue risk is shared appropriately with project partners and that the adequacy of those risk mitigation measures forms part of future project updates to the relevant committee or Council.

At this point Councillor P Barrett moved a procedural motion (seconded by Councillor L Barrett) in terms of Standing Order 17.3, to suspend the requirements of Standing Order 19.3 for this item of business. A majority agree/disagree vote was taken.

35 Members voted for the procedural motion as follows:

Bailies C Ahern, A Bailey, C McLaren and M Williamson, Councillors K Allan, L Barrett, P Barrett, B Brawn, S Carr, A Chan, D Cuthbert, S Donaldson, E Drysdale, J Duff, A Forbes, M Frampton, N Freshwater, K Harvey, D Illingworth, I James, N Khogali, G Laing, B Leishman, I MacPherson, I Massie, S McCole, T McEwan, J Rebbeck, W Robertson, C Shiers, F Smith, C Stewart, G Stewart, R Watters and J Welch.

2 Members voted against the procedural motion as follows:

Bailie R Brock and Councillor H Anderson.

3 Members abstained as follows:

Provost X McDade, Depute Provost A Parrott and Councillor C Reid.

Resolved:

To suspend the requirements of Standing Order 19.3 for this item of business.

Note: The Mover and Seconder of the Motion agreed to incorporate the Amendment into the Motion.

Amendment by Councillors P Barrett and L Barrett.

To approve the recommendations within the report.
In terms of Standing Order 21.5 a roll call vote was taken:

26 Members voted for the revised Motion as follows:

Provost X McDade, Depute Provost A Parrott, Bailies A Bailey, R Brock and M Williamson, Councillors K Allan, S Carr, D Cuthbert, S Donaldson, E Drysdale, J Duff, M Frampton, N Freshwater, K Harvey, D Illingworth, I James, G Laing, B Leishman, I MacPherson, I Massie, T McEwan, J Rebbeck, C Shiers, C Stewart, G Stewart and J Welch.

14 Members voted for the Amendment:

Bailies C Ahern and C McLaren, Councillors H Anderson, L Barrett, P Barrett, B Brawn, A Chan, A Forbes, N Khogali, S McCole, C Reid, W Robertson, F Smith and R Watters.

Resolved:

In accordance with the revised Motion.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 2.30PM

8. DISPOSAL OF LAND AND BUILDINGS AMENDMENT

There was submitted a report by Strategic Lead – Property Services (24/150) seeking approval to update and amend the Council's Disposal of Land and Buildings Policy (Report 3/13/1) adopted in January 2013.

Resolved:

The revised Disposal of Land and Buildings Policy (Appendix 1 of Report 24/150) to prioritise affordable / social housing provision when disposing of any land or building assets be approved.

9. BELL'S SPORTS CENTRE

There was submitted a report by Strategic Lead – Economy, Development and Planning (24/151) (1) asking Council to approve a formal request from Live Active Leisure (LAL) to withdraw delivery of services from Bell's Sports Centre from August 2024, (2) setting out the background including the decision of Council on 22 January 2024 to consolidate future Perth city sports provision onto a single site; ongoing flood risks; and the architectural significance of Bell's alongside major affordability issues for both the Council and LAL.

Resolved:

- (i) Permission for LAL to withdraw services from Bell's from 31 August 2024, be approved.
- (ii) Transition planning that is underway by LAL, supported by Council officers, to relocate services to the Dewars Centre/elsewhere, be noted.
- (iii) It be noted that alternative public service uses for Bell's Sports Centre are being explored by officers in liaison with Historic Environment Scotland in light of the recently confirmed Category B listed status for the building.
- (iv) Officers be instructed to bring forward further proposals for Bell's to Council later in 2024, including plans for community engagement on these further proposals.

10. REVISIONS TO STANDING ORDERS

Motion by Councillors G Laing and E Drysdale:

To amend Standing Order 19.9 to read as follows:

Any Councillor who is not a member of the Committee, may, with the consent of the Convener, address the Committee for a maximum of 10 minutes on any item of business on an agenda that affects their ward area. The Councillor shall address the Committee prior to questions to officers from the committee and following any deputations from members of the public. The Councillor shall not be entitled to participate in the questioning and discussion or to vote on the matter. This standing order will not be applicable for meetings of the Licensing Committee, Local Review Body, Review Sub-Committee of the Learning and Families Committee or Appeals Sub-Committee of the Finance and Resources Committee.

Amendment by Councillor J Duff and Bailie C Ahern:

In accordance with the Motion but to make the following additional changes:

Update to Standing Order 19.9:

*Any Councillor who is not a member of the Committee, may, with the consent of the Convener, address the Committee for a maximum of 10 minutes on any item of business on an agenda that affects their ward area. The Councillor shall address the Committee prior to questions to officers from the committee and following any deputations from members of the public. The Councillor shall not be entitled to participate in the questioning and discussion, **to sit with the members of the Committee after their deputation** or to vote on the matter. This standing order will not be applicable for meetings of the Licensing Committee, Local Review Body, Review Sub-Committee of the Learning and Families Committee or Appeals Sub-Committee of the Finance and Resources Committee **where Councillors who are not members of these committees are not permitted to make a deputation.***

Update to Standing Order 6.4:

*Any Councillor may attend a meeting of any Committee to which they have not been appointed, as an observer, subject to the **restrictions set out in Standing Order 19.9 and** subject to the same exceptions as set out in Standing Order 25.*

Note: The mover and seconder of the Motion agreed to incorporate the Amendment into the Motion.

Resolved:

In accordance with the revised Motion.

11. UPDATE TO SCHEME OF ADMINISTRATION

Resolved:

The proposed changes to the Scheme of Administration, as set out on the agenda, be agreed.

12. ELECTED MEMBERS BRIEFING NOTES

Resolved:

The Elected Members Briefing Notes, issued since the previous Council meeting and as set out on the agenda, be noted.