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Council Building  
2 High Street  
Perth  
PH1 5PH

29/11/2023

A hybrid meeting of **Perth and Kinross Council** will be held in **the Council Chamber** on **Wednesday, 06 December 2023** at **10:30**.

If you have any queries please contact Committee Services on (01738) 475000 or email [Committee@pkc.gov.uk](mailto:Committee@pkc.gov.uk).

**THOMAS GLEN**  
Chief Executive

***Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.***

***Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.***

**Members:**

Provost X McDade  
All Councillors



**Perth and Kinross Council**

**Wednesday, 06 December 2023**

**AGENDA**

**MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.**

- 1 **WELCOME AND APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 4 OCTOBER 2023 FOR APPROVAL** 7 - 18  
(copy herewith)
- 4 **NOTICE OF MOTIONS**
- 4(i) **BOYS NEED BINS MOTION** 19 - 20  
(copy herewith)
- 5 **APPLICATION FOR PLANNING PERMISSION 21/01855/IPM** 21 - 70  
Report by Strategic Lead, Economy, Development and Planning  
(copy herewith 23/342)
- 6 **REVIEW OF SCHEME OF ESTABLISHMENT FOR COMMUNITY COUNCILS** 71 - 116  
Report by Head of Culture and Communities Service (copy herewith 23/343)
- 7 **REVIEW OF PARLIAMENTARY CONSTITUENCY POLLING DISTRICTS AND POLLING PLACES** 117 - 146  
Report by Strategic Lead - Finance and Business Support (copy herewith 23/344)
- 8 **TAY CITIES REGION DEAL JOINT COMMITTEE PROPOSED CHANGES TO MEMBERSHIP** 147 - 180  
Report by Strategic Lead - Economy, Development and Planning  
(copy herewith 23/345)
- 9 **ANNUAL CLIMATE ACTION REPORT AND ACTION PLAN UPDATE** 181 - 266  
Report by Executive Director (Communities) (copy herewith 23/346)

- 10      **TRANSFORMATION REVIEW OF ARMS LENGTH EXTERNAL ORGANISATIONS**      267 - 294  
 Report by Head of Culture and Communities Service (copy herewith 23/347)
- 11      **NON-DOMESTIC RATES RELIEF ON UNOCCUPIED LANDS AND HERITAGES**      295 - 312  
 Report by Team Leader (Local Taxes) and Service Manager (Revenues & Benefits) (copy herewith 23/348)
- 12      **COUNCIL TAX CHARGES FOR SECOND HOMES**      313 - 324  
 Report by Team Leader (Local Taxes) and Service Manager (Revenues & Benefits) (copy herewith 23/349)
- 13      **UPDATE TO SCHEME OF ADMINISTRATION**      325 - 326  
 (copy herewith)
- 14      **APPOINTMENTS TO COMMITTEES/OUTSIDE BODIES**
- Councillor Eric Drysdale to replace Depute Provost Andrew Parrott on the Environment, Infrastructure and Economic Development Committee and as Convener.
- Councillor Jack Welch to replace Bailie Mike Williamson as Vice-Convener of the Environment, Infrastructure and Economic Development Committee.
- Councillor Grant Laing to replace Councillor Richard Watters on the Environment, Infrastructure and Economic Development Committee.
- Councillor Grant Stewart to replace Councillor Jack Welch on the Learning and Families Committee.
- Depute Provost Andrew Parrott to replace Councillor Tom McEwan on the Climate Change and Sustainability Committee.
- Councillor Stewart Donaldson to replace Councillor Eric Drysdale on the Property Sub-Committee.
- Councillor Tom McEwan to replace Councillor Eric Drysdale as Vice-Convener of the Property Sub-Committee.
- 15      **2024 COMMITTEE TIMETABLE**
- Council is asked to approve that an additional meeting of Full Council be held on Monday 22 January 2024 at 1.00pm.
- 16      **ELECTED MEMBERS BRIEFING NOTES**

Council is asked to note the following [Elected Members Briefing Notes](#) that have been issued to elected Members since the previous Council meeting:

- 27 September 2023 Perth Transport Futures Phase 3
- 29 September 2023 Appointments of Strategic Leads
- 2 October 2023 Challenge Poverty Week 2023
- 4 October 2023 Update on Condensation, Dampness and Mould Growth in PKC Housing Stock
- 6 October 2023 Death at Perth Leisure Pool
- 6 October 2023 Amber Weather Warning
- 7 October 2023 Weather Update
- 8 October 2023 Weather Update
- 8 October 2023 Weather Update
- 8 October 2023 Weather Update
- 9 October 2023 Weather Update
- 10 October 2023 Weather Update
- 17 October 2023 Adverse Weather Update
- 18 October 2023 Adverse Weather Update
- 19 October 2023 Adverse Weather Update
- 20 October 2023 Adverse Weather Update
- 21 October 2023 Adverse Weather Update
- 25 October 2023 Twin Stream Recycling
- 26 October 2023 Staffing Changes for Locality Housing Team Co-ordinator Posts
- 30 October 2023 Rent Setting for 2024/25 - Rent Level Options Being Consulted on with our Tenants
- 16 November 2023 Sustainable, Inclusive Homes : A Net Zero Carbon Design Guide

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## **PERTH AND KINROSS COUNCIL**

Minute of hybrid meeting of Perth and Kinross Council held in the Council Chamber, 2 High Street, Perth on Wednesday 4 October 2023 at 10:30am.

Present: Provost X McDade, Depute Provost A Parrott, Bailies C Ahern, A Bailey and R Brock, Councillors K Allan, H Anderson (left during consideration of Items 12-13), L Barrett, P Barrett, B Brawn, S Carr, A Chan, D Cuthbert, S Donaldson, E Drysdale, 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 Item 11), W Robertson, C Shiers, F Smith, C Stewart, G Stewart, R Watters and J Welch.

In Attendance: T Glen, Chief Executive; L Simpson, Head of Legal and Governance Services; C Mailer, Executive Lead – Strategic Planning and Transformation; B Renton, Executive Director (Communities); S Devlin, Executive Director (Education and Children’s Services), S MacKenzie, Head of Finance; C Guild, Head of Innovation, J Pepper, Director/Chief Officer – Health and Social Care Partnership/Chief Social Work Officer; B Wilson, S Hendry, D Williams, R Ramsay and M Pasternak (all Corporate and Democratic Services).

Apologies: Bailies C McLaren and M Williamson, and Councillor J Duff.

Provost X McDade, Presiding.

The Depute Provost led discussion on Items 8, 10 and 11, and the Provost led discussion on all other items of business.

### **1. REQUEST FOR DEPUTATION**

In terms of Standing Order 13, the Council agreed to hear deputation in relation to the Item 6 on the agenda Tay Forest National Park Bid, from Chair of Crieff Community Council Mr B Wilton.

### **2. WELCOME AND APOLOGIES**

Provost McDade welcomed all those present to the meeting. An apology was noted as above.

### **3. TRIBUTE TO THE LATE BETTY BRIDGEFORD**

The Provost paid tribute to the late Betty Bridgeford, former Director of Social Work at Perth and Kinross Council, who had sadly passed away on 25 September 2023.

#### **4. UPDATE ON NAMING THE CROSS TAY LINK BRIDGE AND ROAD**

The Provost gave an update to members on the naming of the new Cross Tay Link Road and bridge. In line with the motion agreed by Council in May 2023, schools had been asked to vote on the naming of both the new bridge and road. The outcome is that the new crossing would be called Destiny Bridge and the roadway between the bridge and the A94 at Scone had been named the New Kingsway.

#### **5. DECLARATIONS OF INTEREST**

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

#### **6. MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 30 AUGUST 2023 FOR APPROVAL**

The minute of meeting of Perth and Kinross Council of 30 August 2023 was approved as correct record.

#### **7. OUTSTANDING BUSINESS STATEMENT**

The Outstanding Business Statement was noted, and it was agreed to remove the completed actions.

#### **8. NOTICE OF MOTIONS**

##### **8(i) Banking Hub**

##### Motion By Councillors S Donaldson and R Watters

Council notes the major problems that have arisen for local residents and businesses due to the closure of banks in Kinross, Auchterarder and Aberfeldy over the last few years. It considers that the closure of the Bank of Scotland in Crieff next year could have led to a similar outcome but welcomes the promise to establish a banking hub there by summer 2024.

Council calls on the Council Leader to write to Cash Access UK, and Link, to support applications for banking hubs in the three towns where there is at present no banking provision. It believes that for our town centres to survive and thrive, access to banking services is essential.

Council further calls on Council officers to provide assistance where appropriate to Cash Access UK, and Link: in particular to help in locating premises in any of the three towns that are successful with their applications for a banking hub."



Proposed Amendment by Councillor P Barrett

In accordance with the Motion but to also incorporate the following wording into the 2<sup>nd</sup> paragraph after 'banking provision':

'and Dunkeld where the remaining bank is due to close'.

The mover and seconder of the Motion agreed to incorporate the proposed amendment into the Revised Motion.

**Resolved:**

In accordance with Revised Motion.

**8(ii) Proposed Joining of the WHO Global Network of Age-friendly Cities and Communities**

Motion by Councillors I Massie and S McCole

This council notes the great work done by our Health and Social Care Partnership staff in relation to our older population from Integrated care teams, Care at home, Daycare, Care homes and Telecare to name but a few of the services they provide.

The value of our community health and social care services in protecting our most vulnerable people was highlighted during the pandemic and has been described as the glue that binds our communities together.

The standards and principles that underpin our services to older people mirror the standards and principles of the World Health Organisation Global Network for Age-friendly Cities and Communities.

This Council calls on the Provost to write to the World Health Organisation to propose that Perth and Kinross join the Who Global Network for Age-friendly Cities and Communities.

This global platform aims to empower cities and communities to become more age friendly by promoting healthy ageing well-being and inclusivity for older adults.

We believe that by participating in this programme Perth and Kinross can benefit greatly and create a community that fosters the dignity and well-being of our older residents.

**Resolved:**

In accordance with the Motion.

## 9. TAY FOREST NATIONAL PARK BID

There was submitted a report by Head of Planning and Development (23/263) seeking approval of the engagement strategy to help shape the Council's bid to create a new national park in northern Perthshire.

Mr B Wilton addressed the Council on the proposals in the report and thereafter returned to the public gallery.

### Motion by Councillor G Laing and Provost X McDade

- The engagement approach set out in Report 23/263 be agreed, and officers be asked to seek input from communities and stakeholders.
- It be agreed that the findings of the engagement exercise will be reported back to Council in early 2024, along with the finalised bid submission.
- It be agreed that the proposed name of the new park shall be the Tay Forest National Park.
- The branding that has been designed to support the bid be noted.

### Amendment by Councillors S Donaldson and Bailie R Brock

In accordance with the Motion but to add an additional recommendation:

Council agrees to include the town of Crieff in the proposed Tay Forest National Park area, and to hold an additional consultation event in Crieff as part of the engagement process. This will allow local people in the town to be involved and provide them with the opportunity to give their views and opinions.

The mover and seconder of the Motion agreed to incorporate the amendment into the Revised Motion.

#### **Resolved:**

In accordance with the Revised Motion.

THERE FOLLOWS A SHORT RECESS AND THE MEETING RECONVENED AT 12.00PM.

## **10. GAELIC LANGUAGE PLAN 2023-28**

There was submitted a report by Executive Director (Education and Children's Services) (23/264) outlining the next, and third version, of the Perth and Kinross Council Gaelic Language Plan for the period from 2023 – 2028, and asking Council to approve the Plan, subject to final review by Bòrd na Gàidhlig which monitors Gaelic Language Plans on behalf of Scottish ministers.

### **Resolved:**

- (i) The implementation of the new Gaelic Language Plan 2023 – 2028, subject to any final review comments received from Bòrd na Gàidhlig, be approved.
- (ii) The Executive Director (Education and Children's Services) to provide an annual progress update report to the Learning and Families Committee over the lifetime of this new 5-year Plan, with the Scheme of Administration to be amended accordingly.

## **11. PERTH & KINROSS COUNCIL EQUALITIES MAINSTREAMING REPORT 2023-25 and EQUALITIES PERFORMANCE REPORT 2021-23**

There was submitted a report by Head of Innovation (23/265) detailing the Council's equality aims, outcomes and actions every 4 years, and providing the related Equalities Performance Report combining information for 2021/22 and 2022/23 including the Annual Diversity in Employment Report for the same periods.

### **Resolved:**

- (i) The Equalities Bi-Annual Performance Report 2021-23 (Appendix 1 to the report) be approved.
- (ii) The Equality & Diversity in Employment Report 2021–23 (Appendix 2 to the report) be approved.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 1.45PM.

## **12. DRAFT CORPORATE DELIVERY AND IMPROVEMENT PLAN 2024/25**

There was submitted a report by Chief Executive (23/266) presenting the draft Corporate Delivery and Improvement Plan (CDIP) for 2024/25 for consideration, and also highlighting four amended, replacement or new key performance indicators and seeking approval for these to be added to monitoring for future annual performance reports.

### Motion by Councillors G Laing and E Drysdale

- The draft Corporate Delivery and Improvement Plan for 2024/25 be approved.
- The proposed amendments to the key performance indicators for the Corporate Plan priorities as set out in Appendix 2 of the report be approved.

## Amendment by Councillor C Stewart and Bailie A Bailey

In accordance with the Motion but to add the following additional recommendations:

- (1) When the final CDIP is remitted to Council following the budget process, that baselines be set for each of the proposed improvement actions, so that improvement can be objectively measured;
- (2) That the Scrutiny and Performance Committee be remitted to consider the draft CDIP and recommend whether any additional targets be included (or whether any be excluded) for the final 2024/25 CDIP.

The mover and seconder of the Motion agreed to incorporate the amendment into the Revised Motion.

### **Resolved:**

In accordance with the Revised Motion.

## **13. MEDIUM TERM FINANCIAL PLAN 2024-30**

There was submitted a report by Head of Finance (23/267) (1) summarising the implications of the latest projections on future Council General Fund Revenue Budgets over the medium term, (2) providing an update on the Council's Capital Budget, Housing Revenue Account and Reserves position, and (3) setting out a proposed approach to the development of the Revenue and Capital Budgets over the short and medium term.

### **Resolved:**

- (i) The Strategic Lead – Finance & Business Support to maintain the Medium-Term Financial Plan and further refine the assumptions which underpin it – see paragraph 7.47.
- (ii) The setting of the 2024/25 Final Revenue Budget, updated 2025/26 and 2026/27 Provisional Revenue Budgets on 28 February 2024 – see paragraph 8.5, be approved.
- (iii) The setting of the Capital Budget on 28 February 2024 – see paragraph 9.9, be approved.
- (iv) The submission of the updated Reserves Strategy to Council on 28 February 2024 – see paragraph 10.7, be approved.
- (v) The proposals to determine the Housing Revenue Account (HRA) Budget and rent levels for 2024/25 and the five-year Housing Investment Programme at the meeting of the Housing and Social Wellbeing Committee on 24 January 2024 – see paragraph 11.3, be endorsed.

#### **14. WORKING SMARTER TRANSFORMATION PROJECT PULLAR HOUSE MOTHBALLING /CITY CENTRE ACCOMMODATION OPTIONS**

There was submitted a report by the Head of Property Services (23/268) providing an update on progress in relation to implementing the budget decision of March 2023 to mothball Pullar House from April 2024 and realise savings in 2024/25 and 2025/26 from reviewing operational buildings through rationalisation, consolidation or working with other public sector partners.

The report also set out the high level emerging logistical, financial, operational and strategic risks and opportunities identified whilst undertaking the required work to implement Council's decision. Based on assessment of the implications of the mothballing proposal, the report also sought authority to undertake a more detailed options appraisal and develop a concurrent business case to create a Public Service Hub and retain Pullar House for consideration by Council in August 2024. The report also sought approval to draw down funding from the Working Smarter earmarked reserves to complete this work.

##### Motion by Councillors G Laing and E Drysdale

- The content of the report and the work undertaken to date to progress the decision of Council in March 2023, including the operational, financial, partnership and strategic implications which have been identified, be noted.
- The instruction from March 2023 to mothball Pullar House from April 2024 be paused.
- It be noted that officers are currently developing a hybrid working policy for approval by January 2024
- The principle of the development of a public service hub, be agreed.
- Officers be instructed to develop a business case, to include the potential purchase of Pullar House, in accordance with the Council's approved Investment Planning framework, for consideration and decision at a Special Council meeting in August 2024.
- In the absence of a viable business case being presented to Council for consideration in August 2024, staff to be relocated and Pullar House to be mothballed from 1 October 2024 with the lease arrangement terminated on 10 September 2025.
- A Special Council meeting to take place on 19 August 2024 to make a final decision on the future of Pullar House.
- The funding of £179,000 be applied from the Working Smarter earmarked reserve to take forward this work.

Amendment by Bailie A Bailey and Councillor B Leishman

In accordance with the Motion but with the following additional resolutions:

- 1 The business case for the public sector hub model shall achieve the maximum possible level of cost recovery whilst recognising that other public sector and charity bodies also play a vital role in delivering positive outcomes for our residents;
- 2 Council notes that both it and all other public sector bodies are currently very focussed on their journey towards net zero. It therefore requests that officers work with the potential partners to fund and realise net zero ambitions for Pullar House in order to make it a more attractive proposition to potential tenants.

The mover and seconder of the Motion agreed to incorporate the amendment into the Revised Motion.

Amendment by Councillors P Barrett and L Barrett

To agree the recommendations in Report 23/268.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 4.27PM.

In terms of Standing Order 2.8, The Provost moved that the requirements of Standing Order 20.1 be suspended for the remainder of the consideration of this item of business.

36 Members voted for the suspension as follows:

Provost X McDade, Depute Provost A Parrott, Bailies C Ahern, A Bailey and R Brock, Councillors K Allan, H Anderson, L Barrett, P Barrett, B Brawn, S Carr, A Chan, D Cuthbert, S Donaldson, E Drysdale, 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.

The Mover and Secunder of the Revised Motion made the following further revisions to the Revised Motion:

- The content of the report and the work undertaken to date to progress the decision of Council in March 2023, including the operational, financial, partnership and strategic implications which have been identified, be noted.

- The instruction from March 2023 to mothball Pullar House from April 2024 be paused.
- It be noted that officers are currently developing a hybrid working policy for approval by January 2024
- The principle of the development of a public service hub, be agreed.
- Officers be instructed to develop a business case, to include the potential purchase of Pullar House, in accordance with the Council's approved Investment Planning framework, for consideration and decision at a Special Council meeting in August 2024.
- In the absence of a viable business case being presented to Council for consideration in August 2024, staff to be relocated and Pullar House to be mothballed from 1 October 2024 with the lease arrangement terminated on 10 September 2025.
- A Special Council meeting to take place on 19 August 2024 to make a final decision on the future of Pullar House.
- The funding of £179,000 be applied from the Working Smarter earmarked reserve to take forward this work.
- The business case for the public sector hub model shall seek to achieve the maximum possible level of cost recovery whilst recognising that other public sector and charity bodies also play a vital role in delivering positive outcomes for our residents.
- Council notes that both it and all other public sector bodies are currently very focussed on their journey towards net zero. It therefore requests that officers work with the potential partners to realise net zero ambitions for Pullar House in order to make it a more attractive proposition to potential partners.

The mover and seconder of the amendment agreed to withdraw their amendment.

**Resolved:**

In accordance with the Revised Motion.

**15. APPOINTMENT TO COMMITTEES/OUTSIDE BODIES**

Councillor Bob Brawn to replace Councillor Chris Ahern on the Licensing Committee.

Councillor Andy Chan to replace Councillor David Illingworth on the Licensing Committee.

Councillor David Illingworth to replace Councillor Angus Forbes on the Finance and Resources Committee.

Baillie Chris Ahern to replace Councillor Angus Forbes on the Property Sub - Committee.

Baillie Chris Ahern to replace Councillor Noah Khogali on the Executive Sub-Committee of Learning and Families Committee.

Councillor John Duff to replace Baillie Chris Ahern on the Licensing Board.

Councillor Hugh Anderson to replace Councillor Keith Allan on the Environment, Infrastructure and Economic Development Committee.

Councillor Keith Allan to replace Councillor Hugh Anderson on the Planning and Placemaking Committee.

Councillor Angus Forbes to replace Councillor Noah Khogali on the Housing and Social Wellbeing Committee.

Councillor Frank Smith to replace Councillor Noah Khogali on the Perthshire Tourism Board.

Councillor John Duff to replace Councillor Ian James on the Tayside Support Team – Children’s Hearings.

Councillor Hugh Anderson to replace Baillie Chris Ahern on the Tayside Valuation Joint Board.

## **16. CHANGES TO 2024 COMMITTEE TIMETABLE**

The Environment, Infrastructure and Economic Development Committee scheduled for 27 March be moved to 7 February at 1.00pm.

The Learning and Families Committee scheduled for 27 March be moved to 11 March at 1.00pm

A special meeting of Perth and Kinross Council to be arranged for 19 August at 1.00pm.

The Property Sub-Committee scheduled on 19 August be moved to 21 August at 1.00pm.



## **17. 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.



**MOTION BY COUNCILLORS J DUFF AND C SHIERS****BOYS NEED BINS**

This Council notes:

- Prostate cancer is the most common cancer in men. 1 in 8 men will be diagnosed, rising to 1 in 4 for Black men. As many as 69% of those treated with surgery may experience urinary incontinence as a result.
- 1 in 25 men aged over 40 will experience some form of urinary leakage every year.
- 1 in 20 men aged 60 or over will experience bowel incontinence in the UK.
- Men who need to dispose of their sanitary waste (including incontinence pads, pouches, stoma, catheter, colostomy, ileostomy waste by-products) often have no direct access to a sanitary bin in male toilets.
- A survey of men living with incontinence reveals that 95% feel anxiety due to a lack of sanitary bins in men's toilets for disposing of pads hygienically.
- Nearly one third of men surveyed have been forced to carry their own waste in a bag.

This Council believes:

- that men should be able to safely and hygienically dispose of incontinence products easily and with dignity wherever they go.
- that men who need to dispose of their sanitary waste should have direct access to a sanitary bin in male toilets.

This Council resolves:

- To review and consider provision of sanitary bins within facilities normally accessed by adults – both public and in council buildings ;
- To encourage other providers of public and workplace toilets in the Perth and Kinross area to make male sanitary bins available in their facilities;
- To support Prostate Cancer UK's 'Boys Need Bins' campaign.



**Perth And Kinross Council**

**6 December 2023**

**APPLICATION FOR PLANNING PERMISSION 21/01855/IPM**

**Report by Strategic Lead of Economy, Development and Planning**  
(Report No. 23/342)

**1. PROPOSAL**

- 1.1 Mixed use development comprising museum (including ancillary shop and café), hotel and holiday lodge accommodation (including ancillary shop and café functions), complementary retail and associated access, parking, public realm, open space and landscaping works (in principle) (LDP site RT1).

**LOCATION:** Caledonian House & Land at West Kinfauns, Kinfauns Holdings, West Kinfauns, Perth.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Council:

- Confirms this application, subject to the proposed amended conditions and conclusion of the Section 75 agreement.

**3. STRUCTURE OF REPORT**

- 3.1 This report is structured over the following sections:

- Section 4: Summary
- Section 5: Background and Description of Proposal
- Section 6: Appraisal
- Section 7: Proposed Amended Conditions
- Section 8: Planning Obligations and Legal Agreements
- Section 9: Conclusion
- Appendices

#### **4. SUMMARY**

- 4.1 The purpose of this report is to provide an update in relation to National Planning Framework 4 (NPF4) on the above planning application related to 'West Kinfauns'. The meeting of Perth and Kinross Council on 17 August 2022 resolved that it was 'minded to grant' the application, subject to a Section 75 Legal Agreement to secure developer contributions and further obligations. As NPF4 now forms part of the development plan, and the planning consent has not been issued, the Council is now obliged to reassess the application having regard to NPF4.
- 4.2 The negotiation and drafting of the Section 75 has been complex for various reasons, such as the varied uses and potential delivery options within the development as well as the land ownership interests of the involved parties. However, the process is now drawing to a conclusion.
- 4.3 Accordingly, this report updates the Council on the relevant aspects of NPF4 which relate to the application and again concludes with a recommendation that planning permission in principle should still be granted, again subject to a Section 75 Agreement being entered in to, to secure developer contributions and further obligations. The conditions previously recommended have also been slightly amended, reflective of the change in the Development Plan and following further consultation and clarifications from the applicant.

#### **5. BACKGROUND AND DESCRIPTION OF PROPOSAL**

- 5.1 As stated, at the 17 August 2022 Perth and Kinross Council resolved to approve the application in line with the recommendation set out in the Report (Appendix 1). However, as there was a requirement for a section 75 agreement to secure developer contributions and further planning obligations, the decision could not be issued until that process had concluded.
- 5.2 In addition, there have been discussions between the developer and PKC Planning as to how the development can be delivered under the previously approved conditions. As different aspects of the development may be brought forward by different parties at different times, it was agreed that some of the previously agreed conditions should be amended to reflect possible phasing scenarios. The proposed new conditions are set out below with all of the previous conditions contained within Appendix 1. Two new conditions are required, and two others have been substantially altered. Condition 36 will be incorporated into conditions 1 and 2.

## **6. APPRAISAL**

6.1 Sections 25 and 37(2) of the Town & Country Planning (Scotland) Act 1997 (as amended) require the determination of the proposal to be made in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The adopted Development Plan now comprises the National Planning Framework 4 (NPF4) and the Perth and Kinross Local Development Plan 2019 (LDP2). The relevant policies of NPF4 are as follows:

- Policy 1: Tackling the Climate and Nature Crisis
- Policy 2: Climate Mitigation and Adaptation
- Policy 3: Biodiversity
- Policy 4: Natural Places
- Policy 7: Historic Assets and Places
- Policy 13: Sustainable Transport
- Policy 14: Design, Quality and Place
- Policy 18: Infrastructure First
- Policy 20: Blue and Green Infrastructure
- Policy 22: Flood Risk and Water Management
- Policy 26: Business and Industry
- Policy 28: Retail
- Policy 30: Tourism

### **Policy 1 Tackling the Climate and Nature Crises**

6.2 This policy aligns with LDP2 Policies 38: Natural Environment and 41: Biodiversity and seeks to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The Sustainability Statement which supports the application, states that all buildings within the proposed development will be designed to utilise enhanced fabric and energy efficiency measures, with the use of low carbon renewable energy where appropriate. How energy demand is minimised and the associated impact on carbon emissions will be assessed during the detailed design stages via Matters Specified in Conditions (MSC) / detailed applications. Recommended conditions 10, 11, 12, 13 and 14 control compliance with Policy 1 of NPF4.

### **Policy 2 Climate Mitigation and Adaption**

6.3 This policy aligns with LDP2 Policy 1: Placemaking. The proposed development is located within the Kinfauns settlement boundary and the site offers a mix of characteristics that make it attractive as a location for a tourism focused development. This includes: the proximity to Perth City Centre and the strategic transport network; the opportunity to reroute bus services via the site, which is identified in LDP2; proposals to include a transport hub; as well as nearby national cycle routes which could be enhanced by new facilities through the site and along the River Tay. An important aspect of the proposals is seen as the

retention and improvement of the existing Core Path (WCAR/119) and, in turn, the integration of the existing and new path network within the site. Conditions 10, 11, 12, 13 and 14 of the proposal will ensure compliance with Policy 2 of NPF4.

### **Policy 3 Biodiversity**

- 6.4 This policy aligns with LDP2 Policy 41: Biodiversity. In this regard the ecological value of the application site has been assessed in terms of the principle considerations through the submission of an Ecological Impact Assessment and a Biodiversity and Inandscape Strategy. At AMSC stage a Landscape and Environmental Management Plan will be required to ensure the creation of new habitats and enhancement to existing habitats within the site. Future Landscape Frameworks will provide additional opportunities to strengthen the existing green network and provide additional biodiversity value. Conditions 10, 11, 12, 13 and 14 of the proposal will ensure compliance with Policy 3 of NPF4.

### **Policy 7 Historic Assets and Places**

- 6.5 This policy aligns with LDP2 Policy 26: Scheduled Monuments and Archaeology. The site has been assessed as having moderate potential for the recovery of archaeological information. It is recommended that a programme of archaeological work is implemented in accordance with a written scheme of archaeological investigation. Condition 21 will ensure compliance with Policy 7 of NPF4.

### **Policy 13: Sustainable Transport**

- 6.6 In terms of the proposals, this reflects LDP2 Policies 4: Perth City Transport And Active Travel, and 60: Transport Standards And Accessibility Requirements. The submitted indicative layout has been designed for the safety and convenience of all potential users. Areas of parking are reduced to a proportionate level with shared use between functions, reflective of peak/reduced demands. All in order to encourage and facilitate the use of more sustainable modes of travel. It is also proposed to provide electric charging points and secure cycle parking facilities. The submitted Transport Statement demonstrates that the development will not result in an unacceptable cumulative impact on the local transport network. Conditions 23, 28, 30, 32, 33, 34 and 35 will ensure compliance with Policy 13 of NPF4.



## **Policy 14: Design, Quality and Place**

- 6.7 NPF Policy 14 aligns with LDP2 Policies 1: Placemaking; 55: Nuisance from Artificial Light and Light Pollution; 56: Noise Pollution, and 57: Air Quality. The detailed design, controlled via conditions to be assessed at MSC stage will ensure that policy principles are adhered to including through:
- Provision of cycle parking, vehicle parking and footways to ensure that the location of the development will be maximised through opportunities for visitors to use sustainable and active modes of travel. Furthermore, the proposals will be designed with regard to accessibility ensuring that the site reflects the needs of all users;
  - Maximising the sustainability potential of the site, with buildings designed to minimise carbon emissions;
  - The creation of high quality public open space and a landscape strategy which is reflective of the local landscape character and provides for biodiversity gain;
  - Ensuring active frontages to increase safety and security for site users with increased natural surveillance; and
  - Considered detailed building design and massing proposals, which ensure that there is a strong focus on placemaking and amenity.
- 6.8 Conditions 1, 2, 3, 4, 5, 8, 10, 12 and 21 will ensure compliance with Policy 14 of NPF4.

## **Policy 18: Infrastructure First**

- 6.9 This Policy aligns with LDP2 Policy 5: Infrastructure, and sees the provision of a park and choose facility integrated into the proposals. The delivery of the park and choose is one of the items included within the S.75. In addition, the development will deliver electric vehicle chargers and upgrades to core paths/rights of way within the site Conditions. Conditions 1, 20, 22, 25, 31 and 33 will ensure compliance with Policy 18 of NPF4.

## **Policy 22: Flood Risk and Water Management**

- 6.10 NPF4 Policy 22 aligns with LDP2 Policies 52: New Development and Flooding, and 53: Water Environment and Drainage. No material flood risk sources have been identified via the investigations undertaken and thus no specific flood risk mitigation measures are required. A Drainage Impact Assessment supporting the application sets out: the surface and foul water drainage strategies; proposed Sustainable Drainage System (SuDS) features and hydraulic calculations; network sizing and treatment measure calculations; and assesses the increase in surface water runoff attributed to the development and proposes a surface water management strategy to manage this. A bespoke Drainage Maintenance and

Management Plan will be developed and incorporated into a Site Operating Plan to ensure continued effectiveness and design performance of the proposed drainage system. This will be subject to detailed consideration during the AMSC stage as required by conditions 1, 6 and 7.

### **Policy 26: Business and Industry**

- 6.11 This Policy reflects LDP2 Policy 7: Employment and Mixed Use Areas. Within the Settlement Summary for Kinfauns, the existing office building and its immediate surrounds are allocated as 'Employment Safeguarding (General)' land. The proposed development introduces part of the museum building and the public square within this allocation. These elements are compatible with that allocation and the existing office use and only represent a small part of the employment allocation. However it should be noted that the hotel and lodges are located outside of this employment allocation and instead within an area allocated as 'Open Space'. Given the existing office building and associated use is being retained the existing employment use will remain in situ and there will be no loss of employment, indeed the proposals will generate additional employment opportunities. The proposed uses will not prejudice the existing employment allocation and will be compatible with the existing function and character of the area. As such there is not considered to be any unacceptable conflict with Policy 26 of NPF4.

### **Policy 28: Retail**

- 6.12 Policy 28 of NPF4 relates to LDP2 Policy 13: Retail And Commercial Leisure Proposals. Policy 28 in itself applies a town centre first approach to encourage, promote and facilitate retail investment to the most sustainable locations. In this case the retail element proposed is to meet a localised need from the uses proposed, rather than a significant catchment draw in itself. The small convenience store is focused for the visitors to the holiday accommodation, particularly the lodges, and the settlement of Kinfauns, and otherwise includes a shop and café alongside/associated to the museum. The retail units will be small, at approximately 200sqm each, so as not to compete with the retail offering in Perth City Centre. Furthermore, the retail floorspace is to be located within the museum building and holiday accommodation and will therefore be directly associated with those uses. As such it is not considered that there is any significant conflict with Policy 28 of NPF4.

### **Policy 30: Tourism**

- 6.13 This policy aligns with LDP2 Policy 9: Caravan Sites, Chalets And Timeshare Developments. In respect of NPF4 the proposed provision of holiday lodges, hotel and museum development will make a positive contribution to the local economy. The scale and design of the proposed developments will be submitted for consideration as part of detailed AMSC applications, as required by conditions 1, 2, 3, 4 and 5. The proposals will provide tourist facilities and

accommodation to contribute to the local economy, whilst having regard to the surrounding area in terms of nature and scale.

- 6.14 The implications of the relevant policy considerations resulting from the adoption of NPF4 have been considered and it is concluded that there should be no change in recommendation to approve the application, subject to the amended conditions and conclusion of the Section 75 Agreement. The proposal remains to be considered as a departure from the development plan. The specific conflicts which raise the greatest concerns are in respect of policies pertaining to placemaking, the provision and scale of retail within the development proposed and the loss of open space. Recommended conditions will afford some mitigation by retaining control over the scale, form and layout of the development and in particular the scale of retail provision adopted, whilst also securing landscaping. When such conditions are considered alongside the economic benefits of this development, including; job creation, investment in Perth, and an increase in tourism to the area, it is considered there is sufficient justification to permit the development, contrary to the provisions of the adopted development plan and approval of the application is recommended.

## **7. PROPOSED AMENDED CONDITIONS**

- 7.1 The following are proposed as amended conditions, either reflecting further discussions with the applicant or as a consequence of the incorporation of NPF4 as part of the development plan:
- 7.2 *In recognition of the intention to develop the site in phases, the last phase of the development to which this planning permission in principle relates must be begun not later than the expiration of 10 years beginning with the date on which this permission is granted. (This is a new condition to facilitate the phased development of the site and will supersede Condition 36).*

*Reason - To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.*

- 7.3 *Prior to the submission of the first application for the Approval of Matters Specified by Condition 3, a phasing plan detailing (i) the location of each proposed development parcel within the site, (ii) the type of development proposed within each development parcel, and (iii) the proposed sequence in which each proposed development parcel is to be constructed shall be submitted for the written approval of the Council, as Planning Authority. Each application for Approval of Matters Specified by Condition 3 shall comply with the approved details unless otherwise agreed in writing by the Council, as Planning Authority. (This is a new condition to facilitate the phased development of the site and will supersede Condition 36).*

*Reason – In order to secure a satisfactory phasing plan for the development.*

- 7.4 *Development shall not commence on any part of the site until the following specified matters have been subject to approval for that part of the site: the siting, design and external appearance of all built aspects of the development, all hard and soft landscaping of the site, all means of enclosure, means of access to the site, vehicle parking and turning facilities, levels, drainage and waste management provision. (This is an amended condition and will supersede Condition 1).*

*Reason – This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.*

- 7.5 *The design, location and external finishes of the holiday chalets hereby approved shall be specified in the details submitted and agreed in association to Condition 3 above. Notwithstanding the details shown on the drawings hereby approved, no permission is granted for the submitted layout or number of units. The following design parameters shall be complied with in submissions related to Condition 3: a) All holiday chalets shall be a minimum of 25 metres from any external boundary to the site, b) All holiday chalets shall be a minimum of 8 metres from each other unless the visual amenity and appearance of the site can be demonstrably provided to a high standard. (This is an amended condition and will supersede Condition 3).*

*Reason – To protect the amenity of the location and to ensure sufficient open space within the development.*

## **8. PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

- 8.1 Following the 'minded to grant' determination at the meeting of Perth and Kinross Council on 17 August 2022, a Section 75 Legal Agreement has been in preparation, and is now nearing completion. The purpose of this agreement remains the securing of the developer contributions and other obligations as contained in the previous report. The Section 75 will need to be completed and registered before the decision notice can be issued.

## **9. CONCLUSION**

- 9.1 To conclude, the application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this respect, there are material considerations that result in a recommendation to depart from the NPF4 and the approved Perth & Kinross Local Development Plan 2 (2019).

## Author

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## Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	28 November 2023

## APPENDICES

- **Appendix 1 – Planning and Development Report to Perth and Kinross Council, 17 August 2022**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	n/a
Corporate Plan	n/a
<b>Resource Implications</b>	
Financial	n/a
Workforce	n/a
Asset Management (land, property, IST)	n/a
<b>Assessments</b>	
Equality Impact Assessment	n/a
Strategic Environmental Assessment	n/a
Sustainability (community, economic, environmental)	n/a
Legal and Governance	n/a
Risk	n/a
<b>Consultation</b>	
Internal	n/a
External	n/a
<b>Communication</b>	
Communications Plan	n/a

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This report supports all of the priorities within the Community Plan 2022-27.

- (i) *Reducing Poverty (including child poverty, fuel poverty and food poverty)*
- (ii) *Mental and physical wellbeing*
- (iii) *Digital participation*
- (iv) *Skills, learning and development*
- (v) *Employability*

#### Corporate Plan

1.2 This report supports the objectives within the draft new Corporate Plan:-

- (i) *Children and young people grow up safe, respected, well-educated, and confident in their ability to realise their full potential;*
- (ii) *People and businesses are increasingly able to prosper in a local economy which support low carbon ambitions and offers opportunities for all;*
- (iii) *People can achieve their best physical and mental health and have access to quality care and support when they need it;*

- (iv) *Communities are resilient and physically, digital and socially connected;*
- (v) *Perth and Kinross is a safe and vibrant place, mitigating the impact of climate and environmental change for this and future generations.*

## **2. Resource Implications**

### Financial

2.1 N/A.

### Workforce

2.2 N/A.

### Asset Management (land, property, IT)

2.3 N/A.

## **3. Assessments**

3.1 N/A.

### Equality Impact Assessment

3.2 N/A.

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

An EIA (Environmental Impact Assessment) Scoping Opinion was issued by the Council on 20 May 2021, which confirmed the details required to be included in the Environmental Impact Assessment Report for the development set out in the subject application. The assessment of the content of the EIA Report is contained in the relevant sections of Appendix 1.

### Sustainability

3.4 The assessment of the proposals sustainability credentials are contained in the relevant sections of Appendix 1.

### Legal and Governance

3.5 N/A.

Risk

3.6 N/A.

**4. Consultation**

Internal

4.1 Included within the relevant section of Appendix 1.

External

4.2 Included within the relevant section of Appendix 1.

**5. Communication**

1.1 N/A.

**2. BACKGROUND PAPERS**

2.1 N/A.



**PERTH AND KINROSS COUNCIL****17 August 2022****APPLICATION FOR PLANNING PERMISSION 21/01855/IPM****Report by Head of Planning and Development  
(Report No. 22/185 (REVISED))**

**PROPOSAL:** Mixed use development comprising museum (including ancillary shop and café), hotel and holiday lodge accommodation (including ancillary shop and café functions), complementary retail and associated access, parking, public realm, open space and landscaping works (in principle) (LDP site RT1)

**LOCATION:** Caledonian House and land at West Kinfauns, Kinfauns Holdings, West Kinfauns

Ref. No: 21/01855/IPM

Ward No: P1- Carse of Gowrie

**Summary**

This report recommends approval of an application for Planning Permission in Principle for a major mixed used development comprising: a hotel, museum, retail services, holiday chalets and the associated access, services and parking; subject to conditions and a Section 75 legal agreement to secure the transfer of land to the Council for the delivery of an optional 'park and choose' transport hub within part of the site. The development is acknowledged to be a significant departure from the adopted Local Development Plan (LDP) and therefore requires Full Council approval. However, it is considered that there are material planning considerations which justify a departure from the development plan, notably the economic benefits for the Perth and Kinross area. It is recommended that the extent of the retail floorspace that can be provided as part of the development be restricted to ensure it is proportionate and reflective of the extent of the proposed tourism offer; and that the site does not in itself become a significant retail destination. This restriction is necessary to limit the impact on Perth city centre and other identified retail centres, as well as reducing retail only trips to the site.

## BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application site, known as 'West Kinfauns', is situated some 10.8 hectares (ha) and approximately 2 miles southeast of Perth City Centre. Indicative plans show vehicular access off both the A85(T) and the Kinfauns Holdings Road (U202), with the M90/Friarton Bridge further west. The small settlement of Walnut Grove is just to the east, Kinnoull Hill is further north and the River Tay to the south. In terms of land designations within the LDP, the site can be broken into three main sections: 1) the southern and westernmost parts, occupying ground primarily between the River Tay and existing built development onsite being designated as open space; 2) employment safeguarded land, located within the northeast part occupying ground surrounding existing built development onsite; and 3) land designated as for the purposes of establishing a park and choose transport hub (designated RT1). This is positioned at the western part bordering Dundee Road, occupying an area approximately 1.8 ha in size.
- 2 The site comprises a large undeveloped field, bounded to the north by mature vegetation and the public road network. The only building is 'Caledonian House', which provides offices over two floors and sees parking, with a vehicle access off the Kinfauns Holdings U202 Road to the north. This building is to be retained and is not indicated to be affected by the proposals.
- 3 Planning Permission in Principle is sought for a mixed-use development, although no detailed designs are submitted for assessment. The development is classified as being Major in the hierarchy of development regulations. The proposed quantum of uses is:
  - a. A hotel, of 120 to 150 rooms;
  - b. Up to 52 holiday chalets;
  - c. A transport museum and associated workshop (c.5,500 square metres in floor area (m<sup>2</sup>);
  - d. Complementary retail and support services, up to 1,000m<sup>2</sup>,\* (\*to be contained within and appear part of the museum and workshop building). The total size of that building thus being c.6,500m<sup>2</sup>,
  - e. Associated works including services, drainage works, access, parking and landscaping.
- 4 The 'park and choose' transport hub has Planning Permission (Reference 18/02232/FLM). However, it does not form part of this application. To provide a future opportunity for the Council to deliver this infrastructure, a Section 75 planning obligation is recommended by the Council's Transport Planning Team to require an area of land to be set aside by the developer for this use. The proposed 'park and choose' transport hub comprises a public carpark with capacity for approximately 100 vehicles, including bus shelter and bus turning facilities, and electric vehicle (EV) charge points. This provision is not considered in further detail in this report. At this time, the Council has only agreed to prepare a business case and the project is not included in the current capital programme.

- 5 A pre-determination hearing in respect of this application is required, in accordance with Section 7 of the Town and Country Planning (Scotland) Act 1997 as amended and Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Regulation 27 provides that *“before determining an application for planning permission for a major development which is significantly contrary to the development plan, the planning authority are to give to the applicant and to persons who submit representations to the planning authority in respect of that application, an opportunity of appearing before and being heard by a committee of the authority.”* A pre-determination hearing has been set to immediately precede the Council meeting of 17 August 2022.

### **Pre-Application Consultation**

- 6 20/00542/PREAPP. Pre-application advice was provided by officers on 16 November 2020, in relation to a mixed-use development including; support functions for longer stay accommodation and potential Spa style facilities; log cabins for longer stay, larger groups – 5 days plus; a museum and supporting services including complementary retail floorspace; and a potential and Park & Ride facility.
- 7 The applicant has carried out formal pre-application consultation (PAC) in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and the relevant provisions of the Town and Country Planning (Scotland) Act 1997 (as amended). A PAC report was submitted with this application confirming the completion of a digital public event on 16 March 2021. This event was advertised in the Courier and by leaflet drop. 16 responses were received with concerns raised including traffic congestion and road safety, the overall scale and size of the development and a lack of active travel details. No specific concerns were raised regarding the museum or retail options presented.

### **National Policy and Guidance**

#### **National Planning Framework 2014 (NPF)**

- 8 NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government’s Economic Strategy and plans for development and investment in infrastructure. This is a statutory document and material consideration in any planning application. It provides a national context for development plans and planning decisions, as well as informing the on-going programmes of the Scottish Government, public agencies and local authorities.

### **The Scottish Planning Policy 2014 (SSP)**

- 9 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to the:
- preparation of development plans;
  - design of development, from initial concept through to delivery; and
  - determination of planning applications and appeals.
- 10 The following sections of the SPP will be of particular importance in the assessment of this proposal:
- Sustainability: paragraphs 24 – 35
  - Placemaking: paragraphs 36 – 57
  - Valuing the Natural Environment: paragraphs 193 – 218
  - Managing Flood Risk and Drainage: paragraphs 254 – 268
  - Promoting Sustainable Transport and Active Travel: paragraphs 269 – 271.

### **Planning Advice Notes**

- 11 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40: Development Management
  - PAN 51: Planning, Environmental Protection and Regulation
  - PAN 61: Planning and Sustainable Urban Drainage Systems
  - PAN 65: Planning and Open Space
  - PAN 68: Design Statements
  - PAN 69: Planning and Building standards Advice on Flooding
  - PAN 75: Planning for Transport
  - PAN 77: Designing Safer Places
  - PAN 79: Water and Drainage
  - PAN 84: Reducing Carbon Emissions in New Development
  - PAN 1/2013: Environmental Impact Assessment

### **TAYplan Strategic Development Plan 2016-2036**

- 12 TAYplan sets out a vision for how the region will be in 2036 and what must occur to bring about change to achieve this vision. The vision for the area, as set out in the plan, states that:
- 13 “By 2036, the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”

14 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:

- Policy 1: Locational Priorities
- Policy 2: Shaping Better Quality Places
- Policy 3: A First Choice for Investment
- Policy 5: Town Centres First
- Policy 6: Developer Contributions
- Policy 8: Green Networks

### **Perth and Kinross Local Development Plan 2**

15 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, “Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.” It is the most recent statement of Council policy and is augmented by Supplementary Guidance. The following key policies are applicable to the assessment of this application:

- Policy 1A: Placemaking
- Policy 1B: Placemaking
- Policy 1C: Placemaking
- Policy 4: Perth City Transport and Active Travel
- Policy 5: Infrastructure Contributions
- Policy 7A: Employment and Mixed-Use Areas: Business and Industrial
- Policy 9B: Caravan Sites, Chalets & Timeshare Developments: New and Expanded Touring Caravan, Motorhome/ Campervan, and Camping Sites
- Policy 13: Retail and Commercial Leisure Proposals
- Policy 14A: Open Space Retention and Provision: Existing Areas
- Policy 15: Public Access
- Policy 17: Residential Areas
- Policy 26B: Scheduled Monuments and Archaeology: Archaeology
- Policy 32: Embedding Low & Zero Carbon Generating Technologies in New Development
- Policy 38C: Environment and Conservation: Local Designations
- Policy 39: Landscape
- Policy 40B; Forestry, Woodland and Trees: Trees, Woodland and Development
- Policy 41: Biodiversity
- Policy 47: River Tay Catchment Area
- Policy 52: New Development and Flooding
- Policy 53A: Water Environment and Drainage: Water Environment
- Policy 53B: Water Environment and Drainage: Foul Drainage
- Policy 53C: Water Environment and Drainage: Surface Water Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution

- Policy 57: Air Quality
- Policy 60B: Transport Standards and Accessibility Requirements: New Development Proposals

16 The Scottish Government expresses its planning policies through The National Planning Frameworks, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

### **Supplementary Guidance**

17 The following supplementary guidance is of particular importance in the assessment of this application:

- Developer Contributions and Affordable Housing Supplementary Guidance April 2020
- Air Quality and Planning Supplementary Guidance March 2020
- Flood Risk and Flood Risk Assessments Supplementary Guidance Adopted March 2021
- Delivering Zero Waste Supplementary Guidance, January 2020
- Landscape Supplementary Guidance 2020
- Open Space Provision for New Developments Supplementary Guidance Adopted March 2021
- Placemaking Supplementary Guidance, Adopted March 2020
- A guide to Incorporating Biodiversity into Development, Adopted April 2022
- River Tay Special Area of Conservation (SAC) Advice to developers when considering new projects which could affect the River Tay Special Area of Conservation (2020)

### **Other Material Considerations**

18 Getting the Right Change: A Retail Strategy for Scotland – March 2022

19 Scotland's National Strategy for Economic Transformation: Published 1 March 2022

### **Site History**

20 15/01808/FLM On 19 February 2015, detailed Planning Permission was approved, having been sought by the Council, for the formation of a 'park and choose' facility, related access road, landscaping and associated works.

21 18/02232/FLM on 11 March 2020, planning permission was granted (under Section 42 of the Town and Country Planning (Scotland) Act 1997) to modify Condition 13 of Planning Permission 15/01808/FLM to allow the delivery of construction materials for that development on Saturdays between 0800 and 1300 hours.

- 22 21/00001/PAN. A 'Proposal of Application Notice' was submitted on 11 February 2021 for a mixed-use development comprising hotel, museum, holiday accommodation, retail and potential park and ride facility. A report setting out the details of the PAN was presented to the Planning and Development Management Committee on the 9 March 2021.
- 23 21/00684/SCOP. An EIA (Environmental Impact Assessment) Scoping Opinion was issued by the Council on 20 May 2021, which confirmed the details required to be included in the Environmental Impact Assessment Report for the development set out in the subject application.

## **CONSULTATIONS**

As part of the planning application process, the following bodies were consulted:

### External Consultees:

- 24 Scottish Water: No objection. Developer to contact Scottish Water to confirm connection details.
- 25 Transport Scotland: No objection, subject to conditions. Following the request for additional information, including the completion of a Stage 1 Road Safety Audit (being a review of existing infrastructure audit and analysis of traffic / road accident data for that location) by the applicant, a position of agreement has been reached to permit the application subject to conditions. In this case, conditions are recommended to: limit the scale of any retail development onsite; secure a construction traffic management plan; agree design details regarding the new A85 Trunk Road site access; secure a signage strategy; secure a travel plan to reduce private motor vehicle use at the site; secure an external lighting scheme; the managing of stormwater and dirt or debris on the road network; the provision of a barrier at the site boundary where it adjoins the trunk road and that construction material delivery to be sheeted. (Conditions 2, 7, 8, 18, 20, 25 - 29, 34 and 35).
- 26 Network Rail: No objection in principle, subject to conditions on; fencing, construction method statement, drainage, landscaping and a noise impact assessment. Informative notes are also suggested for lighting and construction limitations. (Conditions 8, 9, 12, 14 and 23).
- 27 NatureScot: No objection, provided mitigation options including a construction environmental management plan and the provision of sewer/SUDS systems are in place to protect the River Tay Special Area of Conservation. (Conditions 6, 8, 11 and 12).
- 28 Historic Environment Scotland: No objection. No comments to note.
- 29 Perth and Kinross Heritage Trust: No objection, subject to a condition requiring archaeological evaluation and related informative notes. (Condition 19).

- 30 Scottish Environment Protection Agency: No objection. No Comments to note.
- 31 West Carse Community Council: Object. Consider that there would be adverse transport impacts, road safety implications, the proposals are of an inappropriate scale and character for the area, the chalet layout is too dense, and the height of buildings (hotel) is too high.
- 32 Dundee City Council: No objection. No comment to note. Internal Consultees
- 33 Environmental Health (Noise / Odour): No objection, subject to conditions on: construction noise, noise from operational deliveries and servicing, odour from cafes / kitchen facilities, and any external lighting. (Conditions 12, 13, 15 - 17).
- 34 Transport Planning: No objection, subject to conditions related to, a signage strategy, parking standards, EV charging details, updating trip rate forecasts and the provision of a footway along Kinfauns Holdings. (Conditions 29 – 33).
- 35 Development Plan Team: Object, consider the proposals are contrary to Policies 7, 9, 13 and 14 of the LDP2.
- 36 Community Greenspace: No objection, subject to conditions requiring an agreed active travel plan and landscape details, confirming planting of public open spaces, including the existing core path within the site. (Conditions 8, 21 and 22).
- 37 Structures and Flooding: No objection, subject to a condition requiring a SUDs drainage scheme. (Condition 6).
- 38 Development Contributions Officer: No objection, subject to a condition to secure developer contributions towards transport infrastructure. (Condition 20). For clarity, as the optional “park and choose” transport hub discussed throughout this report does not form part of this application, contributions directly towards its construction cannot be secured via condition.
- 39 Biodiversity/Tree Officer: No Objection, following a request for additional information on the completion of an ecological survey, general agreement on biodiversity / landscape principles to be incorporated into the design, as well as confirmation that conditions are applied in relation to these matters and for the control of any construction impacts. (Conditions 8 - 12).
- 40 Economic Development: No objection, comments provided to inform this report.
- 41 Commercial Waste Team: No objection, subject to a condition requiring a Waste Management Plan and or details/location of bin storage and collection points. (Condition 24).



## Representations

42 14 objections were received. Concerns are summarised as follows:

- Visual impacts: visual amenity / landscape quality
- Overdevelopment and impacts on character of the area
- Loss of open space
- Noise
- Flooding and drainage
- Road safety and traffic congestion
- Over provision of vehicle parking / dependence on private vehicle use
- Impacts on quality of life to residents
- Impacts on ecology and biodiversity
- Loss of employment land

These issues are addressed in the Appraisal section of the report.

## ADDITIONAL STATEMENTS

Screening Opinion	EIA Required
Environmental Impact Assessment (EIA): Environmental Report	Submitted
Appropriate Assessment	Habitats Regulations Appraisal (completed/ AA Completed/ AA Not Required)
Design Statement or Design and Access Statement	Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Submitted/Not Required

## POLICY APPRAISAL

### The Scottish Planning Policy 2014 (SSP)

#### Sustainability / Placemaking

43 SPP promotes high quality successful, sustainable, naturally resilient, connected, and low carbon places. The outcome of development should be that make it attractive as a location for a tourism focused development. This includes: the proximity to Perth City Centre, the opportunity to reroute bus services via the site, which is identified in LDP2, the proposals to include a transport hub, as well as nearby national cycle routes which could be enhanced by new facilities through the site and along the River Tay. A key component of the proposals is seen as the retention and improvement of the existing Core Path (WCAR/119) and, in turn, the integration of the existing and new path network onsite.

- 44 In terms of supporting business and employment, the planning system should promote development that increase economic activity whilst safeguarding the natural and built environment. In addition, due weight should be given to net economic benefits of proposed development. In the case of this assessment, and as is expanded upon below, greater weight has been afforded to the economic benefits of this proposal against negative impacts on amenity and placemaking. Conditions 8 - 12 have been recommended to avoid and mitigate impacts on the natural environment. It is considered that appropriate regard has been given to the economic benefits in this case.

### **Managing Flood Risk and Drainage**

- 45 Principally, a precautionary approach to flood risk from all sources is adopted, taking account of the predicted effects of climate change. In this case, the development is not located within an identified active flood plain area and, as such, risks from flooding are low. Whilst surface water is to be managed onsite, via a SUDs scheme, the Council's Flood Risk Officer has no specific concerns. Condition 6 has been recommended to ensure the Council retains control over design of the SUDs system.

### **Active Travel**

- 46 The planning system should support patterns of development which; optimise the use of existing infrastructure, reduce the need to travel, provide safe and convenient opportunities for walking and cycling for both active travel and recreation, and facilitate travel by public transport, as well as enabling the integration of transport modes. In these regards, the development proposed supports active travel through the retention and enhancement of a core path and wider cycle networks. Opportunity exists to promote public transport to, and from the site, through the rerouting of bus services, which may be enhanced further by a 'park and choose' facility. The development, as a tourism offer, is considered to actively promote transport and active travel. Although a draft Active Travel Plan (ATP) has been submitted, Condition 21 requires updated and a detailed ATP to be approved. Condition 26 seeks that the applicant provide further analysis on ways to reduce the reliance of private motor vehicle dependency to the development.

### **Retail Strategy for Scotland: March 2022**

- 47 The 'Place Principle' adopted in this recent Scottish Government publication is one where people, location and resources combine to create a sense of identity and purpose and is at the heart of addressing the needs and realising the full potential of communities. Creating communities and places people want to visit, live and shop in is seen as vital to economic recovery – not only for retail, but for culture, hospitality and tourism. Where there are actions to support a strong local retail and cultural destinations, there will be opportunities for other businesses, such as hospitality and tourism, to capitalise on increased footfall. 20-minute neighbourhoods are designed to allow people to reach key amenities like shops,

services and green spaces by walking, wheeling, cycling or using public transport. This development offers the opportunity to create a cultural destination focused on the Motor Museum, near to Perth City Centre, supported by tourist accommodation along with complementary and associated retail services which aligns with this policy.

- 48 Concern is raised by neighbours and the community council that the scale of the development is too large for this location and that there will be resulting traffic safety impacts as well as general impacts on local amenity. Regarding amenity, it is accepted that the open nature of this site will result in visual change. However, it is considered that the impact of this can be mitigated through conditions controlling design, scale, size, and landscaping. This is discussed in more detail below. It is also noted that, as an 'in principle' application, the Council is unable to control, beyond which 'use class' is permitted, which operators will occupy each aspect of the development. The applicant has sought to confirm the types of retail anticipated for this location, and it is their intention to support tourism and office activities on site, such as a cafe, restaurant, bakery, cycle repair shop, and small ancillary stores. To ensure that large scale retail services do not encroach into this development in the future, a condition is recommended limiting the scale of each unit to no more than 200m<sup>2</sup>, and a total retail floorspace to 750m<sup>2</sup>. (Conditions 1 and 2). By comparison, the typical local convenience store usually occupies 300m<sup>2</sup>.

### **National Strategy for Economic Transformation: March 2022**

- 49 The Scottish Government launched its National Strategy for Economic Transformation earlier this year, with the aim of creating a well-being economy: a society that is thriving across economic, social, and environmental dimensions, and that delivers prosperity for all Scotland's people and places. They aim to achieve this while respecting environmental limits embodied by climate and nature targets. Whilst creating this vision to increase investment and increase productivity, there is the reality of severe pressure on businesses in the past two years and a particularly difficult environment for the tourism industry. According to the Scottish Tourism Emergency Response Group, Scottish tourism is facing its biggest challenge ever. The proposals in this application look to respond to this challenge and address the vision to enhance economic activities in the area. The project proposal seeks to attract inward investment, create new job opportunities, encourage economic investment in rural areas, and provide social and cultural benefits to residents and visitors. The submission also outlines the capacity to support significant construction jobs over three years. The impact of the construction cost is modelled at £32.2 million, which equates to 85 full-time equivalents (FTE) on and off-site construction jobs during the construction phase. The economic assessment suggests that 115 net additional FTE positions could be generated each year across the wider impact area during the construction period, inclusive of 65 jobs in the local area.

## **TAYplan Strategic Development Plan 2016-2036**

### **Policy 1 Locational Priorities**

- 50 Strategies, plans and programmes require to focus the majority of development towards settlements, followed by land along the edge of principle settlements. Where located outside of a principal settlement, the outcomes must meet the needs of the local community and not undermine regeneration of the cities. In this regard, the proposals are located at the edge of the settlement area of Perth and, therefore, should only be supported where it does not undermine existing regeneration and contributes to the outcomes of the plan. In principle, this means that the development should not seek to create suburbanisation of the countryside and unsustainable patterns of travel. In this case, the development, whilst of 'major' scale is indicated to continue to see large areas of open space, coupled with active travel paths and significant landscaping which will mitigate any perceived urbanisation. Changes to bus routes and improved cycle networks would seek to promote active travel from the site, although it is noted that significant elements of the development seek to facilitate vehicle use, as expected in the peripheral location and nearby roads infrastructure. The climate impacts of this are to be reduced through encouraging less impactful modes of transport via: EV (Electric Vehicle) Charging points, along with a wider active travel plan to encourage other forms of travel once guests arrive. (Conditions 1, 2, 8, 21, 26, 31).

### **Policy 2 Shaping Better Quality Places**

- 51 Better quality places should, by design, be; place led, promote health, be future ready and efficient in terms of resource consumption. In this case, the development in terms of the indicative layout and design seeks to focus large amounts of the built development within the northern section of the site, to minimise visual bulk in a landscape setting and enhances and preserves the natural open space towards the Tay. The development is not located within a flood plain area and, by design, will incorporate a SUDs scheme which both promotes resilience and open space. (Condition 6).

### **Policy 3 A First Choice for Investment**

- 52 A first choice for investment means safeguarding 5 years' supply of employment land and further assisting with the growth of a year-round economy. The central part of the site, occupying land around the existing office building and parking area, is identified in LDP2 as safeguarded employment land. The existing office building and parking is to be retained, but part of that allocation is where the museum and supportive retail are proposed. Whilst these facilities promote employment opportunities, the uses proposed were not intended/planned at this allocation and as such they do not accord with Policy 3. The applicant is of the view that the land is currently underutilised, and the museum presents an opportunity for an alternative, yet compatible, use. However, there is no evidence that this land has been marketed for employment-based use and as such the

basis for the land being underutilised cannot be verified. Notwithstanding, the development presents a significant investment opportunity for the Perth area and, whilst the development will result in the loss of some employment land (c.4 hectares), the proposed uses are, in this case, compatible with the overall development intentions for the site and would provide employment opportunities.

### **Policy 5 Town Centre First**

- 53 The town centre first approach seeks to protect and enhance the vitality, viability and vibrancy of town centres. The Development Plan Team has objected on the basis that the scale of the retail element proposed in the application could adversely impact on and compete with Perth City Centre. However, the Council's Economic Development Team has considered these matters in more detail and, based on the size of the retail elements proposed, it is their view that the use will primarily be from a localised catchment, specifically the hotel, holiday chalet and museum users. Having regard to any potential impacts on Perth Town Centre, the Economic Development Team have also agreed with the conclusions of the Environmental Impact Assessment Report (EIAR) provided by the applicant. This states that *"should any retail offer be used in the future by retail outlets not directly linked to the primary use of the site as proposed, the hypothetical 'worst-case' scenario, even if 100% of the estimated turnover of the Proposed Scheme (£4.38 million, including Food and Beverage turnover) displaced Perth city centre turnover (£271million, not including Food and Beverage turnover), this would equate to an anticipated maximum impact of 1.6% on Perth city centre in 2026.* To further mitigate any potential impacts on Perth city centre and to restrict the proposed retail elements of this development to a proportionately reasonable size, ancillary to the primary use as proposed, condition 2 is recommended restricting the floor area of each unit to no more than 200 m<sup>2</sup> and a maximum total size of 750m<sup>2</sup>.

### **Policy 6 Developer Contributions**

- 54 To ensure suitable infrastructure is in place to facilitate new development, local development plans should set out a policy framework for seeking developer contributions. Condition 20 has been recommended to ensure appropriate contributions are provided with respect to transport infrastructure.

### **Policy 8 Green Networks**

- 55 The development site is positioned within the TAYplan green network between Perth and Dundee. The development is not seeking to remove significant vegetation and has sought to provide a biodiversity strategy which sets out broad aims for the delivery of ecological values for this site. The development also further proposes enhancement of the existing core path by the Tay with further path connections.

## Perth and Kinross Local Development Plan 2

- 56 The proposed development represents a significant departure from the Local Development Plan 2, being contrary to a number of individual policies, and the degree of departure from their intents. However, the application assessment concludes that, although contrary to these policies, material planning considerations, namely the economic benefits of the proposal, along with a number of recommended conditions to control design, layout, scale and landscaping, outweigh the development plan and justify a recommendation of approval.
- 57 The following key LDP policies are applicable and are considered in detail below.

### Policy 1 Placemaking

- 58 *(a) Create a sense of identity by developing a coherent structure of streets, spaces, and buildings, safely accessible from its surroundings.*
- 59 Although no detailed design information has been submitted for consideration, the project is to be brought forward for development in a coordinated manner which will both create a destination identity to the site and afford safe access from the A85 Trunk Road and the Kinfauns Public Road. Conditions 25 - 35 have been recommended regarding road and transport safety matters, as well as EV charge points, trip generation and footpath construction.
- 60 *(b) Consider and respect site topography and any surrounding important landmarks, views or skylines, as well as the wider landscape character of the area.*
- 61 In terms of design and layout, the applicant has considered those important views across the development site towards Kinnoull Hill from the south-west and approach over the M90 over bridge. This is discussed in paragraph 64 below. The greatest massing within the development relates to the hotel and the museum/retail building. Neither of these developments will skyline from any significant viewpoints and, although they will be visible on the approach towards the site, they will also be extensively backdropped against Kinnoull Hill and relate to the existing large office building. Conditions 1 – 6 are recommended to ensure the Council retains control over design, layout and location of any future development.
- 62 *(c) The design and density should complement its surroundings in terms of appearance, height, scale, massing, materials, finishes and colours.*
- 63 Although these matters are addressed through conditions 1 - 6, the applicant has incorporated some design considerations in terms of the proposed layout to seek to minimise visual bulk. These include the integration of the retail facilities to within the museum building and retaining this building within the northern most area, where it is contained from the settlement of Walnut Grove by established

vegetation. Concern is raised by objectors at the scale of development, in particular the number and density of the accommodation lodges. Although the recommended conditions do not seek to reduce the number of lodges, limits regarding minimum separation distance between units and a separation from external boundaries has been recommended (Condition 4) to assist integration into the landscape. Notwithstanding, it is acknowledged that the application for this development is in principle only and the final design, density and layout can only be considered following submission of future applications.

- 64 *(d) An existing building line where appropriate or establish one where none exists. Access, uses, and orientation of principal elevations should reinforce the street or open space.*
- 65 Many of the proposed buildings will be at the northern part of the site, thereby enhancing open space to the south by the Tay. This not only groups buildings to existing developed areas but also seeks to provide an opportunity for biodiversity, open space and path connections, particularly within the southern area.
- 66 *(e) All buildings, streets, and spaces (including green spaces) should create safe, accessible, inclusive places for people, which are easily navigable, particularly on foot, bicycle and public transport.*
- 67 An active travel plan has been provided and will be incorporated into the development. However, following detail design, conditions 21 and 26 are recommended to ensure that active travel and a reduced reliance on private motor vehicle travel to the site is reflected in the future vision for this development.
- 68 *(f) Buildings and spaces should be designed with future adaptability, climate change and resource efficiency in mind wherever possible.*
- 69 Condition 5 is recommended to ensure the finalised design incorporates these values. This will ensure the Council retains some control and further consideration into the design.
- 70 *(g) Existing buildings, structures and natural features that contribute to the local townscape should be retained and sensitively integrated into proposals.*
- 71 The existing office building is to be retained and supported by the proposed development seeking to provide support services and further employment at this location.

#### **Policy 7: Employment & Mixed-Use Areas**

- 72 *(a) Proposals should not detract from the amenity of adjoining places, especially residential areas.*

- 73 In this respect, part of the site, including the existing office building, carpark and immediate surrounding space, is safeguarded for employment purposes. The retention of the existing office headquarters within the development as proposed, which offers considerable office space, meets the intention of the above objective. However, the museum and retail elements are also sited within this safeguarded area. Whilst the development presents an opportunity to diversify potential uses for this allocation, this proposal is a significant move away from the general employment opportunities anticipated in these areas. Policy 7 specifically states that retail, principally for visiting members of the public, should not be encouraged in these areas. Furthermore, museums generally fall under the 'Town Centre First' principle. However, the proposed museum is stated as being for motor vehicles and transport, and this requires space unlikely to be available in an urban area. Concerns have been raised by objectors that the development will detract from the amenity of Walnut Grove. However, whilst the scale of the development is significant, it is considered that concerns regarding amenity can be addressed by good design, and this is sought to be controlled through conditions 1, 2, 4 and 8. However, and notwithstanding this point, whilst there may be some impacts to existing amenity, these would not be to an extent that they could not be mitigated to an acceptable level. In addition, the economic benefits of the proposals are considered to justify those impacts identified.
- 74 *(b) The local road network and connections to the national road network must be suitable for the traffic generated by the proposals.*
- 75 *(c) There should be good walking, cycling and public transport links to new employment generating uses.*
- 76 An active travel plan has been submitted which demonstrates the capacity to connect into an existing core path. It is suggested that minor bus rerouting and improvements in links along the Tay would further enhance the delivery of active travel options to this location. Review of the ATP and Travel Plans will be required following detailed design and is sought through Conditions 21 and 26.
- 77 *(d) Proposals for retail uses in employment areas will not be acceptable unless they are ancillary to an acceptable use on the site.*
- 78 The development does not conform with this part of Policy 7 as the scale of retail proposed by this development is not considered ancillary to the museum or hotel use and must instead be considered a separate component to the development. The applicant considers that the uses proposed will be ancillary and support the main tourism development proposed. However, the Council cannot control the future users of these retail spaces, thus, to ensure that it remains an ancillary and subservient support offering, Condition 2 is recommended to limit the total floor area, as well as the floor area of each unit to no more than 200 square metres and an overall maximum floor space of 750m<sup>2</sup>.



- 79 *(e) Proposals for service facilities (should exclude retail and commercial facilities over 100 m<sup>2</sup>) and should serve the business and industrial area rather than draw outside trade and cumulatively should not equal more than 15% of the allocated employment area.*
- 80 The retail development of this proposal will total 750 square metres in area and may seek to service the wider residential location, contrary to this aspect of policy 7. Whilst the applicant has sought to clarify that the retail elements are specifically aimed at servicing the museum, hotel and holiday chalet lodge guests / visitors in the first instance, the need for convenience goods and services may seek to have an unintended benefit of also serving both the existing office and residents of Walnut Grove. Condition 2 seeks to retain control over the scale and use class of development able to occupy this proposed retail space, specifically Class 1 (Shops) and Class 3 (Food and Drink) only will be permitted. However, if this development is implemented no control is held by the Council as to what retail / hot food and drink outlets occupy the approved premises. Whilst objection is not specifically raised as to the type of retail use, concerns have been noted regarding traffic congestion, road safety and overall impacts to the visual amenity. It is, therefore, implicit that a large retail store occupying this space would potentially add to a greater number of trips to the site and may adversely impact amenity, a matter sought to be controlled by this policy. Whilst condition 2 does not restrict the type of retail offered, a maximum floor area of 200m<sup>2</sup> for each individual unit is specified. This will mean that only small shops (such as those defined by HMRC as a small business) can occupy this space. In conjunction with conditions 13 and 15 (Noise), and Conditions 26 and 32 (Trip Generation), the impacts on amenity relating to retail use can be appropriately mitigated.
- 81 *(f) Proposals for waste management facilities are considered to be acceptable subject to detailed site-specific considerations.*
- 82 Condition 24 seeks to require a waste management plan to be submitted as part of any detailed design or application for approval of matters specified by conditions.
- 83 *(g) Proposals should not result in adverse effects, either individually or in combination, on the integrity of any European designated sites. Applications shall be supported by sufficient information to allow the Council to conclude that there would be no such adverse effects.*
- 84 NatureScot, in its review of the application, did not raise any concerns with respect to impacts on the Tay, subject to the implementation of safeguarding measures. These have been implemented through conditions 8 – 12.

### **Policy 9: Caravan Sites, Chalets & Timeshare Developments**

- 85 Proposals for new or expanded sites for holiday-related uses will be supported where the proposals are compatible with Policy 1: Placemaking.
- 86 The proposed development is seeking permission for up to 52 accommodation lodges for use by longer stay guests (over 5 days). This aspect of the development does not fully meet Policy 1 in terms of its design and density, given the scale of development in contrast to the size of the neighbouring plots and the overall building mass proposed. This is a concern raised by objectors and the Council's Development Plan Team and is discussed above. The applicant has sought to address these matters by setting out that the design and layout of the holiday lodges is not finalised. Being subject to further examination in conjunction with design of the access, parking, servicing, drainage and landscape provisions, the proximity of holiday lodges to the eastern site boundary remains a valid concern. A landscape and biodiversity strategy has been provided, setting out mitigation options. However, any landscaping takes time to establish. To seek to immediately mitigate some of the concerns raised by objectors, condition 4 is recommended. This will seek to ensure the holiday chalets are well separated from one another and neighbouring boundaries. This will afford a visual setback, whilst landscaping is established and will also promote openness and reduce the layout density. Condition 5 and other conditions such as those relating to access, parking and active travel through the site will need to be considered as a whole in the design and layout. Whilst the development overall will cause some impacts to landscape character, it is considered that, with the conditions recommended, appropriate mitigation is offered to minimise those impacts on direct neighbours. Furthermore, and principle to the assessment of this report, it is considered that the positive economic impacts of this development are a material planning consideration and serve to outweigh the development plan in this case.

### **Policy 13: Retail and Commercial Leisure Proposals**

- 87 The location for any use that generates a significant footfall should follow a sequential approach in which locations for such development are considered in the following order:
- (a) city or town centre;
  - (b) edge of city or town centre;
  - (c) other commercial centres identified in the Development Plan;
  - (d) out of centre locations that are, or can be made, easily accessible by a choice of transport modes.
- 88 The proposal is contrary to this policy as the size of the retail space proposed (1,000 square metres) cannot be considered ancillary to the museum facility. Whilst the principal set out in the indicative design, which integrates retail within the museum building, is acceptable, the scale of the retail element is disproportionate to reasonable ancillary requirements of the museum, hotel and holiday lodge. Though some clarification on the types of complementary retail

types envisaged has been provided, the scale is such that it must be considered a separate and distinct aspect of the proposal. In this sense, locations for retail proposals must undertake a sequential approach in considering an appropriate location, the sequence identifying city or town centres as the preferable option, with 'out of centre' locations as the least preferable. Kinfauns is on the edge of Perth but is identified as a separate settlement within LDP2. The applicant, through its Environmental Impact Assessment Report, has provided a socio-economic assessment of the development. This has been reviewed by the Council's Enterprise Team who have confirmed a broad agreement with the conclusions. That is, based on the location and size of units, the retail aspect would primarily seek to support a local market. In order to retain control over the scale of retail operating from this site (in line with the conclusions of the Enterprise team), Condition 2 has been recommended to limit the floor space (750m<sup>2</sup> in total) and overall size of individual units (200m<sup>2</sup>) Having regard to the site accessibility, the development will be easily accessible by public transport, subject to minor changes in bus services. No objections are raised by with the Council's Transport Planning Team or Transport Scotland, subject to the above restrictions by condition 2.

#### **Policy 14A: Open Space Retention & Provision**

- 89 The proposal seeks to locate a considerable number of accommodation lodges / chalet units on, and within, designated open space. The indicative design is such that the lodges will occupy, and could dominate, the open space area, thereby seeking to discourage public access.
- 90 *(a) Where the site is principally used as a recreation resource, the proposed development is ancillary to the principal use of the site as a recreational resource.*
- 91 The local Development Plan lists this open space area as having landscape value rather than being as a recreational resource.
- 92 *(b) The proposed development involves a minor part of the site which would not affect its continued use as a recreational or amenity resource.*
- 93 The accommodation lodges and hotel, shown on the indicative layout presented, occupy approximately half of this open space designation, with the balance to form recreational space (such as paths and landscaping) as well as the SUDs / wildlife pond. Notwithstanding that this indicative layout is still subject to detailed design work, controlled through conditions, it is considered that large parts of the site would remain open for passive amenity purposes, whereby views could still be maintained through, and over, the development site. This will help to maintain its existing value. Having regard to the conclusions and recommendations noted in paragraph 88 above, it is considered that, with appropriate landscaping and conditions regarding siting and design of all built development, the impacts on landscape and wider amenity can be mitigated.

- 94 *(c) In the case of proposals involving the loss of a recreational facility, the facility which would be lost would be replaced by provision of one of comparable or greater benefit and in a location which is convenient for its users, or by the upgrading of an existing provision to provide a better quality facility, either within the same site, or at another location which is convenient for its users.*
- 95 *(d) Where a proposal would involve the loss of a sports pitch, a playing field strategy prepared in consultation with sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.*
- 96 Having regard to items (c) and (d) of this policy, the development is not a recreational and/or sports pitch and, as such, those provisions are not relevant to this assessment.

### **Design and Layout**

- 97 As a Planning Permission in Principle application, only limited detailed consideration can be given to site layout and design. However, the key design considerations to this development have been; 1) the integration of the retail facilities to within the museum building in order to reduce overall bulk and mass onsite, 2) to keep as much building mass to within the safeguarded employment area, which would also allow screening from existing established vegetation, 3) to position the hotel so that it relates to the front façade of the existing office building and to have its gable end onto the main public road/ M90 Bridge. This will have the added benefit of helping to minimise visual bulk when viewed against the natural backdrop of Kinnoull Hill. In terms of the lodges, their arrangement is considered in relation to access, parking, drainage designs for the wider proposals and the position of the core path passing the site.
- 98 Review of the design concepts presented initially saw Council Officers raise concern that the level of detail presented did not provide enough assurance or confidence that, although contrary to LDP2, the site would provide a good area of open space whilst being attractive for visitors and benefiting the community. However, in this case consideration has also be given to the limited use of the site as it is now, and that a Transport Museum requires space, something which was unlikely to be available within a city centre location. Accordingly, this particular type of development is considered a positive opportunity. Coupled with the economic benefits the development could bring and conditions to control the scale, design, landscaping and any construction related impacts, it is considered that, on balance, the principle of much of the primary elements of the development are acceptable for this location.

### **Landscape and Visual Amenity**

- 99 Concern is raised by objectors that the proposal overly develops the site and is not of a scale or character suited to this peripheral location. In these respects, it

is recognised that, given the relatively open and flat nature of the site, there is limited opportunity to use vegetation and/or topography in which to incorporate a design to be significantly absorbed within the landscape. As such, the proposed development presents challenges in terms of visual impact and appearance. However, as noted above, design considerations have sought to address the concerns raised. In combination with conditions to guide and retain further control over the development within the design phase, it is considered that a number of the concerns raised can be mitigated.

- 100 In terms of landscape mitigation, a detailed planting scheme has not been provided with this application, as only the principles rather than details are being assessed. However, it is considered that a suitable scheme can be developed, incorporated into the design, and presented through a further application. This matter is addressed through condition 2.9. Concern has been raised in relation to the lack of detail, as it offers less confidence and assurance that the development can successfully integrate into the landscape. However, the applicant has sought to address this by providing an ecological site appraisal and a set of landscape and biodiversity principles to be adopted in implementing the development. A position is presented that, with the adoption of these principles, and further landscaping details to be provided through conditions, the development can successfully integrate into its surroundings. Whilst landscaping will take time to establish, it is considered that this presents appropriate mitigation in this case. Conditions 4, 6, 8 - 12 and 13 have been recommended below to address the concerns raised.

### **Roads and Access**

- 101 The indicative plans propose three access points to the public road network, 1) a new service entrance for the museum and retail elements opposite numbers 1 and 3 Kinfauns Holdings; 2) the luxury lodges propose use of the existing vehicle access opposite Mesa Verde, Kinfauns Holdings, this also serves Caledonian House; and 3) the hotel entrance and drop off location, public parking area and retail elements of the development will be accessed directly via a new junction from the A85 Trunk Road. Full details are illustrated in drawings provided with the application.

### **Parking**

- 102 The Transport Assessment details sufficient space to comply with the relevant National Roads Development Guide parking standards, which is acceptable for the museum and hotel elements. The applicant has advised that the retail elements are considered 'linked' rather than separate trips. However, at this stage, very limited details have been provided on the retail element and this detail may well impact on traffic generation. As such, further clarity will be required at the matters specified by condition stage. For each chalet, a minimum of two car parking spaces will be provided. Coach Parking shall also be considered and potentially coach EV facilities.

## **Vehicle Access**

- 103 The existing site vehicle entrance to serve the holiday chalets and office building is considered to be of an acceptable standard. The two new vehicle access points to be created (one for the museum and retail servicing with a second to serve the hotel), will be required to meet necessary engineered standards. Transport Planning have confirmed that the appropriate visibility splays can be provided and the detailed design of these accesses shall follow at a later stage.

## **Public Transport**

- 104 An existing bus stop on Dundee Road is served by over 35 buses daily, from 05:04 until 00:29hrs. These services have routes to Perth, Dundee, Edinburgh, Kinross, Ingliston, Edinburgh Zoo and the Carse of Gowrie. An electric bus, operated by Ember, has the potential to link to a number of other tourist attractions and museums. At this stage, it is not possible to confirm if any of the services will divert into the site, but discussions to explore this are likely to take place at a later stage. The application indicates that buses will be able to access and egress the site. These discussions will help inform the location of bus infrastructure.

## **Walking and Cycling**

- 105 The application also indicates the development will provide links into wider path networks, creating permeability through the site for walking and cycling, thus encouraging active travel. A new footway is to be provided along the northern boundary, to the east of the existing Caledonian House entrance, which it is anticipated will connect with the Ogilvie Homes development (Ref [20/00359/FLL](#)) to the immediate east.

## **Trip Generation**

- 106 The approach used to model trip generation is acceptable to both the Council's Transport Planning Team and Transport Scotland. The modelling report, (discussed in more detail within the Transport Planning Response), shows journey times along Dundee Road from the Toll House to Queen's Bridge southbound would see minimal impact between AM and PM. Northbound use would see the journey times similar between all three of the modelled scenarios used. The queue lengths also show little difference between AM and PM. Between the A85 Barnhill and the existing vehicle entrance to Caledonian House, there will be a slight increase in vehicle flows along Kinfauns Holdings. However, Transport Planning colleagues do not see this as a concern, as there is capacity to accommodate the increase.

## **Street Lighting**

- 107 New roads will be subject to a Road Construction Consent which will consider the position of lighting columns. Future detailed applications should also consider

if any alterations are required to existing streetlighting. These matters are addressed through recommended Conditions 1 and 18.

### **Signing Strategy**

- 108 The applicant has advised that the lodges will be signed from the A85 Trunk Road. Given Kinfauns Holdings can be accessed from the Trunk Road Network at two locations, Perth & Kinross Council would be involved in the discussions to limit the amount of traffic using the eastern side of Kinfauns Holdings to access the site. Condition 29 is recommended regarding a signage strategy.

### **Park & Choose Site**

- 109 Planning Permission has previously been approved for part of this site (Reference: [18/02232/FLM](#)) for the development of a Park and Choose facility, which was a Council led proposal. However, the Council does not own this land, which is primarily under the ownership of the applicant. As a result, the Council had no legal mechanism in place to implement the planning permission until agreement is reached with the relevant landowner(s). The proposals that are the subject of this report indicate an area identified by the applicant, as shown within the indicative site layout (drawing 03), for a Park and Choose facility. The Council will secure the transfer of the land for the delivery of this facility as part of the current application by entering into a section 75 legal agreement with the applicant. Conditional control (condition 36) will also ensure that the development is delivered within an acceptable timeframe together with the Park and Choose facility. Since the submission of this application, the Council has agreed a budget to enable a business case for capital investment to be prepared for Members' consideration.

### **Trunk Road Impacts**

- 110 Following the provision of further information, including a road safety audit, Transport Scotland has withdrawn any objection to the development, subject to a number of conditions and restrictions on any development being progressed. Matters covered by conditions include the scale of retail development, signage, access formation, external lighting, stormwater, construction traffic management, vehicle wheel cleaning, protection barriers and means of travel to and from the site. (Conditions 2, 7, 18, 25 – 29, 33, 34 and 35). The breadth and number of conditions recommended reflects a lack of detailed design detail at this time.

### **Drainage and Flooding and Pollution Prevention**

#### **Flooding**

- 111 The flood risk and drainage assessment supporting the application has been reviewed by SEPA as well as the Council's Structures and Flooding Team, both of whom do not object. The site is not shown to be at risk from fluvial or coastal flood sources and is set well above the Coastal Flood Boundary 200-year level of

4.57m and the 1000-yr level of 4.74m Above Ordinance Datum (AOD).

### **Wastewater Drainage**

- 112 Wastewater services for this development have been proposed as being private systems, including three individual package plants, serving the separate aspects of the development (i.e the hotel, the museum and the holiday chalets). If brought forward, each would need its own licence, likely two Complex Licences under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). These matters fall within the remit of SEPA.

### **Surface Water Drainage**

- 113 The Council's Flood Risk Officer has reviewed the application and raised no concerns, subject to a condition regarding further review of the detailed SUDs drainage scheme design. It is advised that arrangements should follow the approach set out in the CIRIA SUDS Manual (C753) and ensure the surface water management proposals comply with CAR General Binding Rules (GBR) 10 and 11.
- 114 In terms of construction related impacts, those matters are to be addressed through the implementation of a construction method statement referred to in conditions 6 and 20.

### **Waste Collection**

- 115 No information has been submitted regarding waste collection, although PKC's Public Waste Operator has raised no objection, subject to a condition to secure a waste management strategy and / or details to confirm waste management onsite. Condition 24 is recommended to this effect.

### **Natural Heritage and Biodiversity**

- 116 In their consultation response of May 2021, NatureScot stated that the Council will require to consider the effects of the proposal on the River Tay Special Area of Conservation (SAC). In this regard, based on the location of the development in relation to the SAC, the risk of direct disturbance is considered very low. Furthermore, as per the Drainage Impact Assessment and Chapter 9 of the Environmental Impact Assessment Report, the residual risk to surface water during construction is minor, due to limited connectivity (no open water courses running through the site) and physical separation distance from the Tay margins. Any SUDs system (discussed above) will provide adequate storage and flow attenuation as well as enhanced water quality management and amenity value, before discharging to an existing private combined sewer network. As such, the residual risk during operation is also considered to be low. Overall, the risk of Likely Significant Effects upon the River Tay SAC is low, subject to conditions 8 - 12.



- 117 In terms of biodiversity and habitat, a full landscape scheme plan will be provided at detailed application stage. However, in recognition of concerns raised both by the Council's Biodiversity Officer and through representations, a landscape and biodiversity strategy has been prepared and this is supportive of the application. Having reviewed the strategy, the principles it sets out are accepted and conditions 10 and 11 are recommended.

### **Archaeology**

- 118 No objection is raised by either Historic Environment Scotland or Perth and Kinross Heritage Trust, subject to the inclusion of a condition relating to archaeological works methodology. Condition 19 is recommended.

### **Developer Contributions**

- 119 No objection to the development is raised, subject to a planning condition to secure developer contributions related to transport infrastructure (Condition 20). The proposal is thus considered to be in accordance with the Council's policy on Developer Contributions and related Affordable Housing Supplementary Guidance 2020.

### **Economic Impact**

- 120 Chapter 11 of the EIAR sets out the socio-economic impacts from the development. The assessment methodology considers; employment generated during the construction phase, employment generated during the operational phase, visitor expenditure, open space and impacts on existing retail provision.
- 121 Based on estimated construction costs, modelled as of 2021 at £32.2 million, and a build period of 3 years, the project is predicted to create on average 85 full-time equivalent (FTE) construction jobs. Accounting for some displacement (i.e., in the absence of this development, workers might otherwise be employed on other construction projects), the number of direct jobs supported is 65 FTEs of which 50 are projected to be taken by residents within Perth and Kinross. The benefits in terms of direct construction employment will also extend to indirect benefits such as construction materials and goods and services purchased locally. It is estimated that construction will support an additional 50 FTEs in the wider impact area as part of the supply chain, of which 15 are predicted to be from within Perth and Kinross. The net employment impact finds that 115 FTE positions could be generated of a wider impact setting, with 65 FTEs from within Perth and Kinross.
- 122 Based on the mixed-use nature of the development as proposed, it is estimated to generate 125 net FTEs once complete and occupied. This is based on 60 FTE associated with the hotel, 45 connected with the retail sector, 15 museum staff and 10 staff to manage the holiday chalets. Again, accounting for displacement, 80 of those FTEs generated will be within Perth and Kinross. It is further estimated that 25 FTEs will also be generated indirectly through the supply chain.

- 123 In terms of visitor expenditure, based on a room occupancy rate of 66% (in line with figures from 2019 for Perthshire), it is estimated that the proposed accommodation (both the hotel and holiday chalets), could accommodate 80,970 visitor nights per year. Estimating a spend of £80 per night (Visit Scotland data), this equates to a gross annual expenditure of £6 million per year. Accounting for expenditure elsewhere, it is estimated that £4.3 million net additional expenditure will be generated within Perth and Kinross.
- 124 Impacts on the existing retail sector within Perth city centre have already been discussed, with it being demonstrated that the proposed development is estimated to equate to only 1.6 % of the total retail turnover for the city centre by 2026. Therefore, any direct impacts are considered negligible and addressed by Conditions 1 and 2. The Council's Economic Development team has reviewed those values along with the employment assessments details above and not raised any concern with the methodology or assessment undertaken. They state that the development proposed represents considerable private investment within Perth and Kinross which is to be encouraged. The positive economic benefits, along with enhancements to the tourism offer and opportunities for Perth are considered a significant material consideration and outweigh the departures from the development plan, particularly with regard to adverse impacts to allocated land use, changes in amenity and landscape setting.

#### **PLANNING OBLIGATIONS AND LEGAL AGREEMENTS**

- 125 It is recommended this application be approved subject to a Section 75 Legal agreement to secure any land transfer for the delivery of a Park and Choose Transport Hub within part of this site.

#### **CONCLUSION AND REASONS FOR RECOMMENDATION**

- 126 In conclusion, this development is a significant departure from LDP2. The specific conflicts which raise the greatest concerns are in respect of policies pertaining to placemaking, the provision and scale of retail within the development proposed and the loss of open space. Recommended conditions will afford some mitigation by retaining control over the scale, form and layout of the development and in particular the scale of retail provision adopted, whilst also securing landscaping. When such conditions are considered alongside the economic benefits of this development, including; job creation, investment in Perth, and an increase in tourism to the area, it is considered there is sufficient justification to permit the development, contrary to the provisions of the adopted development plan.

## RECOMMENDATION

### Conditions and Reasons for Recommendation

#### Approval of Matters

1. The development shall not commence until the following specified matters have been the subject of a formal planning application for the approval of the Council as Planning Authority: the siting, design and external appearance of all built aspects of the development, all hard and soft landscaping of the site, all means of enclosure, means of access to the site, vehicle parking and turning facilities, levels, drainage and waste management provision.

Reason: This is a Planning Permission in Principle under Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning etc. (Scotland) Act 2006.

2. The following use classes are hereby approved within the development and shall not exceed:
  - a. Class 1 (shops) and Class 3 (Food and Drink) with a maximum combined floor space of 750 square metres (m<sup>2</sup>), with no single unit in excess of 200m<sup>2</sup>. In addition, each unit shall be physically conjoined to one of the other approved uses/buildings, and in the case of the Hotel or Museum have interconnectivity between the primary building/use, so as to allow access by patrons internally,
  - b. Class 7 (Hotel) with a maximum number of rooms being 150,
  - c. Class 7 (Holiday Chalets) with a maximum number of 50 individual units, each of a maximum floor area not exceeding 85 square metres (m<sup>2</sup>),
  - d. Class 10 (Non-residential Institutions – Museum) with a maximum floor area of 5,500 square metres.

Reason: In order to control the use classes hereby approved, to minimise interference with the safety and free flow of traffic on the trunk road, and to restrict the scale of authorised retail development.

3. The holiday chalet use hereby approved shall be used solely for holiday accommodation and shall not be occupied by an individual, persons or family group for a period exceeding 14 nights. The applicant shall keep a record of guests and number of nights stayed in order to demonstrate compliance with this condition. This record book shall be made available for inspection upon request by the Council as Planning Authority.

Reason: In order to control the use class hereby approved.

4. The design, location and external finishes of the holiday chalets hereby approved shall be specified in the details submitted and agreed in association to Condition 1 above. Notwithstanding the details shown on the drawings hereby

approved, no permission is granted for the submitted layout or number of units. The following design parameters shall be complied with in submissions related to Condition 1:

- a. All holiday chalets shall be a minimum of 25 metres from any external boundary to the site
- b. All holiday chalets shall be a minimum of 8metres from each other

Reason: To protect the amenity of the location and to ensure sufficient open space within the development.

5. As part of any application for the Approval of Matters Specified by Condition 1 proposing buildings requiring a building warrant, a scheme shall be submitted to, and approved in writing by, the Council as Planning Authority. This must demonstrate how at least 10% of the current carbon emissions reduction set by the Scottish Buildings Standards will be met through the installation and operation of low and zero-carbon technologies. This scheme shall detail the following:

- c. the technology types;
- d. illustrate, through technical calculations, that these will meet at least the 10% reduction;
- e. their siting and location; and
- f. ongoing operation and maintenance.

Once approved, the development shall be completed in accordance with the approved scheme.

Reason: To ensure the proposal complies with Policy 32 of the Local Development Plan.

### **Drainage (SUDs)**

6. As part of any application for the Approval of Matters Specified by Condition 1, a sustainable urban drainage system (SUDS) shall be submitted for the written agreement of the Council as Planning Authority, in consultation with the Scottish Environment Protection Agency (SEPA) where necessary. The scheme shall be developed in accordance with the technical guidance contained in The Sustainable Drainage System (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: In order to ensure all surface water is adequately managed.

7. There shall be no drainage connections to the trunk road drainage system.  
Reason: To ensure that the efficiency of the existing drainage network is not affected.

## **Biodiversity and Landscape**

8. As part of any future application for the Approval of Matters Specified by Condition 1, a landscaping and planting scheme for the relevant areas sought to be developed, shall be submitted for the written agreement of the Council as Planning Authority, in consultation Network Rail and the Council's Biodiversity / Tree Officer and Community Greenspace team. The scheme shall include details of the height and slopes of any mounding or recontouring 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 scheme as subsequently approved shall be carried out and completed within the first available planting season (October to March) after the completion or bringing into use of the development approved by that application, whichever is the earlier, and the date of Practical Completion of the landscaping scheme shall be supplied in writing to the Council as Planning Authority within 7 days of that date. The scheme as agreed and implemented shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

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

9. No trees on the site shall be felled without the prior written agreement of the Council as Planning Authority. Any application for the Approval of Matters Specified by Condition 1, where the area proposed to be developed contains or is bounded by trees which could be affected shall be accompanied by a detailed tree survey covering that area carried out by a qualified and independent arborist indicating the type, age, condition, location and accurate canopy spread of all the trees on and affected by the site and including a tree management report with details of the tree protection measures to be employed during construction in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction.

Reason: To protect the existing trees onsite, to ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

10. The Biodiversity and Landscape Strategy for this site, prepared by Ecus Ltd, dated March 2022 shall be fully adhered to, being incorporated in the Construction Method Statement and Landscape Scheme as specified within Conditions 8 and 12.

Reason: In the interests of amenity and the protection of the River Tay SAC.

11. The mitigation measures set out within the Ecological Impact Assessment, prepared by Ecus Ltd and dated March 2022 shall be fully adhered to, being incorporated in the Construction Method Statement and Landscape Scheme as specified within Conditions 8 and 12.

Reason: In the interests of biodiversity and the protection of the River Tay Special Area of Conservation (SAC).

### **Construction**

12. The development shall incorporate and not commence until a detailed Construction Method Statement (CMS) has been submitted to and agreed by the Council as Planning Authority, in consultation with NatureScot, Network Rail and SEPA as well as the Council's Biodiversity and Environmental Health Officers. 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:
1. pollution prevention safeguards including drainage arrangements and the possible use of siltation traps, settlement tanks and bunds
  2. storage and disposal of materials including the siting of stockpiles, use of buffer strips and disposal methods
  3. construction site facilities including extent and location of construction site huts, vehicles, equipment, fuel, chemicals and materials compound
  4. timing, duration and phasing of construction particularly in relation to salmon and lamprey migration/spawning.
  5. a Dust Management Plan (DMP) for the control of dust during construction.
  6. noise mitigation measures for the control of noise during construction

The CMS and mitigations as agreed shall be fully implemented during the construction phase(s).

Reason: To protect amenity and the River Tay SAC.

### **Noise**

13. The mitigation measures recommended in Section 6.6 of the hereby approved Noise Impact Assessment, prepared by ITP Energised Ltd dated 17 September 2021 shall be fully implemented to the satisfaction of the Council as Planning Authority.

Reason: To ensure that occupants/users of the development do not experience undue disturbance arising from nearby noise nuisances and to protect residential amenity for neighbours and nearby residents to the development.

14. Further to the Noise Impact Assessment completed and referred to in condition 13 and as part of any application for the Approval of Matters Specified by Condition 1, a railway specific noise impact assessment shall be submitted to and approved in writing by the Planning Authority. This noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the railway line. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority in consultation

with Network Rail. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.

Reason: To ensure that occupants/users of the development do not experience undue disturbance arising from nearby railway activities.

15. All plant or equipment shall be so enclosed, attenuated and/or maintained such that any noise therefrom shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 25 between 2300 and 0700 hours daily, within any neighbouring residential property, with all windows slightly open, when measured and/ or calculated and plotted on a rating curve chart.

Reason: To ensure that nearby residents of the development do not experience undue noise disturbance as a result of construction activities.

16. Servicing of and deliveries to the site for all aspects of the development shall be carried out between 0700 and 1900 Monday to Saturday only, with no servicing or deliveries permitted on Sundays.

Reason: To protect residential amenity

### **Odour**

17. As part of any application for the Approval of Matters Specified by Condition 1, where the development proposed incorporates any commercial cooking, the details of an effective ventilation system, commensurate with the nature and scale of the commercial cooking to be undertaken, shall be submitted for the written agreement of the Council as Planning Authority. Prior to the development being completed or brought into use, the approved system shall be installed and operated within the commercial areas, such that cooking odours are not exhausted into or escape into any neighbouring dwellings. Thereafter the system shall be maintained.

Reason: To protect the amenity of nearby residents to the development and to ensure that occupants/users of the development do not experience any undue odour nuisances.

### **External Lighting**

18. 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. Details of the external lighting within the site where the area proposed to be developed adjoins or may impact the trunk road shall be submitted for the approval of the Council as Planning

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished and to protect the amenity of nearby residents from light nuisance and in the interests of biodiversity to mitigate against wildlife interference from the development.

### **Archaeology**

19. As part of the first application for the Approval of Matters Specified by Condition 1, the developer shall secure 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. This may reflect a phasing programme. 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 order to protect the historic environment and to align the development with Scottish Planning Policy and Policy 26 of the Perth and Kinross LDP2.

### **Contributions**

20. The development shall be in accordance with the requirements of Perth & Kinross Council's Developer Contributions and Affordable Housing Supplementary Guidance 2016 in line with Policy 5: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2 (2019) with regard to transport infrastructure, or such subsequent Guidance and Policy which may replace these.

Reason: To ensure the development is in accordance with the terms of the Perth and Kinross Local Development Plan 2 (2019) and to comply with the Council's policy on Developer Contributions and Affordable Housing Supplementary Guidance 2020.

### **Active Travel / Paths**

21. As part of the first application for the Approval of Matters Specified by Condition 1, an active travel plan shall be prepared and submitted for approval in writing by the Council as Planning Authority, in consultation with the Council's Greenspace team.

Reason: In the interests of promote active travel and green infrastructure to and from the development.



22. As part of the first application for the Approval of Matters Specified by Condition 1, a management plan indicating any temporary diversions and associated fencing /signage needed to facilitate the development and/or any works proposed to the right of way/core path as part of the development shall be submitted for the agreement of the Council as Planning Authority. This plan should demonstrate the temporary measures which are to be put in place until any formal diversion of the core path and right of way is approved. The plan, as agreed, shall be implemented in accordance with the timings identified in the plan.

Reason: To ensure that public access is maintained at all reasonable times, to the local path network.

### **Network Rail**

23. As part of the first application for the Approval of Matters Specified by Condition 1, a Network Rail infrastructure exclusion and management plan shall be submitted for approval in writing by the Council as Planning Authority, in consultation with Network Rail. The management plan shall, as a minimum, confirm full details of the location, design and height of a suitable trespass proof fence, for the exclusion of any persons from network infrastructure located within the site boundary. Details shall also be confirmed for the fence's future maintenance and renewal and or any other management of Network Rail infrastructure onsite.

Reason: In order to promote and provide rail safety.

### **Waste Management**

24. As part of the first application for the Approval of Matters Specified by Condition 1, a detailed waste management strategy for this development, confirming any waste and recycling facility enclosures or waste and recycling facility storage areas and associated locations for bin presentation, shall be submitted for the written agreement of the Council as Planning Authority. The duly approved scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.

Reason: To facilitate appropriate waste management within the development.

### **Transport and Road Safety**

25. As part of the first application for the Approval of Matters Specified by Condition 1, the detailed design for the proposed upgraded A 85(T) / site access junction, as generally illustrated on Drawing SK01 Revision P1 (dated 06 August 2021) and taking account of the recommendations made in the Stage 1 Road Safety Audit, shall be submitted to, and approved in writing by, the Council, in consultation with Transport Scotland, as the trunk roads authority.

All works are to be to a standard compliant with DMRB CD 123 (Geometric design of at-grade priority and signal-controlled Junctions).

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

26. As part of the first application for the Approval of Matters Specified by Condition 1, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted and approved in writing by the Council, in consultation with Transport Scotland, as the trunk roads authority. The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.

Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.

27. As part of the first application for the Approval of Matters Specified by Condition 1, details for the design, construction, and ongoing maintenance of a barrier along the boundary of the site with the trunk road, shall be submitted and approved in writing by the Council, in consultation with Transport Scotland, as the trunk roads authority.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road.

28. As part of any application for the Approval of Matters Specified by Condition 1, a Construction Traffic Management Plan (CTMP) has been prepared and approved in writing by Perth and Kinross Council, in consultation with Transport Scotland as the trunk roads authority.

Reason: To minimise interference with the safety and free flow of the traffic on the trunk road, to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities, and to be consistent with current guidance and best practice.

29. As part of the first application for the Approval of Matters Specified by Condition 1, a signing strategy that sets out proposals for sign provision on the public road network shall be submitted and approved in writing by the Council, in consultation with Transport Scotland, as the trunk roads authority. The signage strategy shall include, and set out, a date for implementation.

Thereafter, the adopted strategy shall be implemented prior to the development being first brought into use.

Reason: In the interests of road safety

30. As part of any application for the Approval of Matters Specified by Condition 1, where the developer seeks to secure details for any of the holiday chalets hereby approved, full parking and access details for those chalets shall be demonstrated and agreed by the Council, as Planning Authority, in writing. A minimum of two parking spaces per chalet shall be provided.

Reason: To provide a suitable parking provision for the development.

31. As part of the first application for the Approval of Matters Specified by Condition 1, the applicant shall provide details of the electric charge points for vehicles to be supplied on site, which will be agreed and approved in writing by the Council, as Planning Authority.

Reason: To provide a suitable electric charging provision for the development.

32. As part of any application for the Approval of Matters Specified by Condition 1, the applicant shall provide an updated trip rate forecast for the site, in particular for the retailing elements of the project, which shall be agreed in writing by the Council, as Planning Authority.

Reason: In the interests of road safety

33. As part of the first application for the Approval of Matters Specified by Condition 1, the developer shall submit a proposal for the consideration and written approval of the Council, as Planning Authority, for the construction of a footway, including dropped kerbs, along the frontage of Kinfauns Holdings and/or between Kinfauns Holdings and Walnut Grove to the west of the site. Thereafter, the proposed development shall not be occupied until the approved proposals have been implemented to the satisfaction of the Council, as Planning Authority. In the event a suitable footway construction cannot be agreed within the site frontage, offsite works at another location may be agreed with the planning authority in consultation with the Council's Transport Planning Team and delivered in the above timeframe.

Reason: In the interests of road safety; to ensure an acceptable standard of construction within the public road boundary.

34. The development shall not see groundworks commence until vehicle wheel cleansing facilities have been installed and brought into operation on the site, the design and siting of which shall be subject to the prior approval of Perth and Kinross Council, in consultation with Transport Scotland, as the trunk roads authority.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

35. All vehicles transporting construction material to, and from, the proposed development should be sheeted.

Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety.

36. As part of the first application for the Approval of Matters Specified by Condition 1, a phasing plan shall be submitted for the written approval of the Council, as Planning Authority, which details the delivery of the on-site parking provision and its relationship to the Park and Choose facility. The phasing plan shall include indications of access between both the on-site parking and the Park and Choose facility, and to the public road network, as well as delivery timelines for each element.

Reason: To ensure that the development is compatible with the Park and Choose facility and includes for delivery programming.

## **B JUSTIFICATION**

The development is considered to be a significant departure from the Local Development Plan 2 (2019). However, there are material planning considerations in this instance which justify an approval recommendation.

## **C PROCEDURAL NOTES**

Permission shall not to be issued until the Section 75 Agreement has been signed and registered to take account of this application. 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 being re-assessed through failing to comply with the associated developer contributions policy and may be ultimately recommended for refusal under delegated powers.

## **D INFORMATIVES**

1. An Application for the Approval of Matters Specified in Conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed. In which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
2. The approved development shall be commenced no later than the expiration of 3 years from the date of granting of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
3. The developer is advised to contact Perth and Kinross Heritage Trust on 01738 477080, to discuss terms of reference for work required. This advice is based on information held on the Perth and Kinross Historic Environment Record. This database of archaeological sites and historic buildings is regularly updated.

4. Part of the approved development includes 'caravans', i.e. the 'chalets'. The developer is advised that caravans require to be licensed under the terms of Section 1 of the Caravan Sites and Control of Development Act 1960 and therefore a licence application should be made to Environmental Health. Application forms are available at <https://www.pkc.gov.uk/article/15600/Licence-caravan-site>.
5. The granting of planning permission does not stop the continued right of public access along the existing core path WCAR/119. An order under the Town and Country Planning (Scotland) Act 1997, Section 208 or an amendment of the Core Path Plan under the Land Reform (Scotland) Act 2003 should be sought in advance of any works authorised by this planning permission being commenced. All relevant approvals should be in place prior to any stopping up and diversion of the core path taking place.
6. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent, unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
7. Please be aware that the Planning Permission in Principle may be invalidated by the felling of trees which are required to be retained, prior to gaining Approval of Matters Reserved by Condition.
8. The applicant is advised that, in terms of Sections 56 of the Roads (Scotland) Act 1984, he/she/they must obtain from the Council, as Roads Authority, consent to open an existing road or footway prior to the commencement of works. Information on junction types, requirements for Vehicular Access consents (VA1) and application forms are available at [www.pkc.gov.uk/vehicleaccess](http://www.pkc.gov.uk/vehicleaccess).
9. Advice on the disposal of surface water should be sought at the initial stages of design from Scottish Water and SEPA.
10. 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 consent to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
11. Proposed site lighting designs will need to be submitted to Network Rail's Asset Protection Engineers for approval. The position of the lights, the type of lights and the throw of the lighting: e.g., a sodium light on third party land can 'wash-out' a driver's ability to perceive a signal set at red. To the train driver, the signal could be perceived as yellow and the driver would proceed even though a red signal indicates danger and to stop.
12. No vegetation or planting shall encroach or be able to fall within 4m of any Network Rail infrastructure.

13. 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. The Network Rail Asset Protection Engineers can be contacted regarding the above matters.
14. The applicant is advised that licences under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) would be needed. SEPA Officers recommend that the applicant makes early contact with the relevant local regulatory team to discuss the details of the drainage proposals and or wastewater treatment. Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team at the local SEPA office at: [FASP@SEPA.org.uk](mailto:FASP@SEPA.org.uk)
15. The applicant is advised that any proposed signage will require a further application to be submitted for advertisement consent, unless it benefits from express consent as per the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
16. No work shall be commenced until an application for building warrant has been submitted and approved.
17. 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.
18. 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)).
19. 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.

## Perth And Kinross Council

6 December 2023

### REVIEW OF SCHEME OF ESTABLISHMENT FOR COMMUNITY COUNCILS

#### Report by Head of Culture and Communities Service

(Report No. 23/343)

#### 1. PURPOSE

- 1.1 This report updates members on the statutory review of the Scheme of Establishment of Community Councils in Perth and Kinross and asks Council to approve an amended Scheme, to be implemented from 1 January 2024 and to run until 2028.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that Council: -
- adopts the Scheme of Establishment for Community Councils for Perth and Kinross as set out in Appendix 1 to this report and
  - agrees that it be implemented from 1 January 2024.
  - agree to review the Scheme of Establishment in 2028

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background/Main Issues
- Section 5: Proposals
- Section 6: Consultation Response
- Section 7: Conclusion
- Appendices

#### 4. BACKGROUND / MAIN ISSUES

- 4.1 The Local Government (Scotland) Act 1973 makes provision for the establishment of Community Councils and local authorities have specific statutory duties to undertake as a result. One of these duties is to develop a Scheme of Establishment, which sets out the rules and guidance for the establishment and running of Community Councils in the local authority area.
- 4.2 The current [Scheme of Establishment for Community Councils](#), encompassing a template constitution and standing orders for Community Council meetings was adopted by the Council on 27 February 2019 ([Report 19/67](#) and [Article 116](#) refer). In approving this report, Council also agreed to a further review of the Scheme of Establishment in 2023.

- 4.3 Officers prepared a refreshed draft Scheme of Establishment which was placed on the Council's Consultation Hub for a period of 8 weeks from 30 June until 25 August 2023. The consultation was open to anyone with an interest. Community Councils and elected members were emailed a link to the consultation, encouraging them to respond and share as they saw fit.

## 5. PROPOSALS

- 5.1 The changes to the Scheme of Establishment proposed by officers are summarised below:

<b>Scheme Reference</b>	<b>Change</b>	<b>Reasoning</b>
Section 3	Removal of the ability for current and future Community Councils to create and add sub-areas. Existing Community Councils with established sub-areas can continue as they are.	Sub-areas can be an additional barrier to participation and cause some confusion at election time. Candidates, proposers and seconders have to show on the electoral register for the sub-area and not the Community Council area as a whole. Community Councils can have sub-areas that are never represented, but have people willing to join the Community Council in other sub-areas where there are no vacancies
Section 4.3	Insertion of section detailing items not the responsibility of Perth and Kinross Council	Section added for clarity. These items have never been the responsibility of the Council; however officers are often asked to take action related to them.
Section 6	Decrease of maximum membership as a whole from 15 to 13	Currently this change will only affect one Community Council and will reduce the threshold for it establishing in future.
Section 7.2 ii	Inclusion of 16/17 year olds as eligible candidates and voters for Community Council elections.	This already takes place but was not detailed within the Scheme.
Section 7.3 i	Removal of Proposer and Seconder on election nomination forms and co-option nomination forms and replace with a witness only. This is in line with local authority elections.	Seeking to make standing for Community Council elections more straightforward. This is in line with the requirements for standing for local authority elections. The witness still has to reside and show on the electoral register for the Community Council area or sub-area.



<b>Scheme Reference</b>	<b>Change</b>	<b>Reasoning</b>
Section 7.7 ii	Wording on the number of permitted co-opted members	Seeking to provided clearer wording on this specific point
Section 13.5	Insertion of new section on Virtual/Hybrid meetings	Reflecting the move towards virtual or hybrid meetings which Community Councils have taken on since 2020.
Section 15.2	Clearer wording on Annual Accounts	Wording made clearer to reflect that these annual accounts are for administrative grant money only, provided by Perth and Kinross Council and not for showing other funding/grants that a Community Council may hold. This will help officers determine the level of any additional administrative grant required each year.
Section 15(c) of Constitution	Additional wording on online banking	This is to reflect the current times that Community Councils are increasingly moving towards online banking.

## 6. CONSULTATION RESPONSE

- 6.1 Feedback received on the consultation largely supported the changes proposed in Section 5.
- 6.2 In addition to the consultation responses in relation to the recommended changes from officers, Community Council feedback included two further suggestions for additional changes, which officers support. These are summarised below.

<b>Scheme Reference</b>	<b>Issue</b>	<b>Proposal</b>
Section 13.2 Section 12 Constitution	It is not always feasible to hold the AGM in month of October, as some Community Council meetings are scheduled in advance and do not fall into this timescale	Amend wording of this paragraph to “held in the month of October each year, or as soon as practicable thereafter, in line with Community Council scheduled meeting dates”

<b>Scheme Reference</b>	<b>Issue</b>	<b>Proposal</b>
Section 8 Constitution	The 6 month hiatus on filling of vacancies by co-option after full elections can prevent Community Councils from recruiting new members and can require additional by-elections as a result	Reduce the current 6 month hiatus on filling of vacancies by co-option after full elections to 3 months. Some form of hiatus is preferred in order to ensure that the full elections every three years remain a focus for the democratic process.

6.3 The Scheme consultation also allows Community Councils to request changes to their membership and boundaries. On this occasion, the consultation has resulted in two boundary changes, summarised below:

- Muthill and Tullibardine CC requested a change to their boundary, moving the Tullibardine subarea into Auchterarder & District Community Council and renaming the remaining area as Muthill Community Council. This was accepted by Auchterarder & District Community Council and has come into force.
- Earn Community Council requested to merge two of their subareas, Craigend and Aberdalgie. This was approved and has come into force.

6.4 The amended Scheme, Constitution, Standing Orders and Code of Conduct, including the proposed changes is available at Appendix 1. It is recommended that Council approve the use of the amended Scheme, effective from 1 January 2024.

## **7. CONCLUSION**

7.1 The Scheme of Establishment and associated documents set out the process through which Community Councils are established and thereafter supported to undertake their role. The Local Government (Scotland) Act 1973 requires the Scheme to be reviewed on occasion and Council had previously agreed to a review in 2023.

7.2 This report sets out the proposed amendments to the Scheme, Constitution, Standing Orders and Code of Conduct and recommends that Council approve their adoption and implementation from 1 January 2024 to 2028 and to implement another review of the Scheme in 2028.

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## Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	24 November 2023

## APPENDICES

- Appendix 1 – Scheme of Establishment for Community Councils in Perth and Kinross 2024-2028

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>None</b>
Strategic Environmental Assessment	<b>None</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>None</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This report supports all of the priorities within the Community Plan 2022-27.

#### Corporate Plan

1.2 This report supports the objectives within the draft new Corporate Plan.

### 2. Resource Implications

#### Financial

2.1 N/A.

#### Workforce

2.2 N/A.

#### Asset Management (land, property, IT)

2.3 N/A.

### **3. Assessments**

#### Equality Impact Assessment

3.1 N/A.

#### Sustainability

3.2 N/A.

#### Legal and Governance

3.3 The Scheme of Establishment for Community Councils, template Constitution and Standing Orders adopted by Perth and Kinross Council 27 February 2019 (Report 19/67 and Article 116) were taken into account in preparing this report.

#### Risk

3.4 N/A.

### **4. Consultation**

#### Internal

4.1 No direct consultation has been undertaken in preparation of this report.

#### External

4.2 Public consultation for 8 weeks.

### **5. Communication**

5.1 Elected members and community councils will be advised of the proposals.

### **2. BACKGROUND PAPERS**

None.





**PERTH & KINROSS COUNCIL**

**SCHEME OF ESTABLISHMENT OF**

**COMMUNITY COUNCILS**

**2024 - 2028**

**Incorporating Constitution, Standing Orders, Community Council members Code of Conduct and Area Descriptions**

Document Version	1
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## **Introduction**

Community councils were first established in Scotland following the Local Government (Scotland) Act 1973. Thereafter, the Local Government etc. (Scotland) Act, 1994, which produced the current system of unitary local authorities, made provision for the continuation of community councils. Under the legislation, every local community in Scotland is entitled to petition their council to establish a community council in their area.

The central role of Community Councils in Scotland was further recognised by the Community Empowerment (Scotland) Act 2015 which identifies them as community participation bodies. The Community Empowerment Act allows specific community groups, including Community Councils to have greater influence or control over issues that matter to their community.

The local authority is required to publish a community council scheme for their area outlining various arrangements for community councils including elections, meetings, boundaries, and finance.

This scheme will come into operation from 1 January 2024 and will be subject to review periodically.

## 1. Statutory Purposes

The statutory purposes of community councils established under the Scheme are set out in Section 51 (2) of the Local Government (Scotland) Act 1973: -

***“In addition to any other purpose which community councils may pursue, the general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable”***

## 2. Establishment of Community Councils under the Scheme

Legislation states that when the Council decides to amend the Scheme it shall invite the public to make comment and suggest changes before a revised Scheme is formally adopted by the Council.

If for any reason there is no established community council in an area following elections, twenty local electors who must be on the electoral register for the area concerned may make a request by way of a petition to Perth & Kinross Council for an election to be held. Any members elected in this way will only hold office up to the next scheduled full community council elections.

## 3. Community Council Areas within Perth and Kinross

Perth & Kinross Council has produced a list of named community council areas and a map or maps that define their boundaries. The list of community areas are specified in the First Schedule to the Scheme. These can be modified with the prior approval of Perth & Kinross Council.

Any request to create a new or amend existing community council boundaries by (1) the merging of 2 community council areas or (2) changing the boundaries of existing community councils must be made in writing to Perth & Kinross Council. Such requests should demonstrate local support for the proposal, including the agreement of existing community council(s).

## **4. Roles and Responsibilities of Perth & Kinross Council**

### **4.1 The Role of Perth & Kinross Council**

Create a Scheme for the Establishment of Community Councils in Perth & Kinross with the provision of boundary maps.

### **4.2 Responsibilities of Perth & Kinross Council**

- i. Arrange for establishment of community councils upon receiving 20 signatures of electors in that area in terms of section 52(7) of the Local Government (Scotland) Act 1973
- ii. Review the Scheme, both periodically and in response to representations made, and where amendments are required to propose, consult and vote on those amendments in terms of section 53 of the Local Government (Scotland) Act 1973
- iii. Where appropriate, revoke the existing Scheme and replace it with a new Scheme in terms of section 22 of the Local Government etc (Scotland) Act 1994.
- iv. Consult directly with community councils on all issues where consultation with the public is a statutory requirement.
- v. Consult with community councils on changes in licensing policies.
- vi. Arrange elections for community councils
- vii. Provide an administrative grant to cover administrative costs, volunteer expenses and equipment as per paragraph 15.2 vi. below.
- viii. Provide appropriate Public Liability insurance.
- ix. Register appointed community councillor from each community council as Data Controller with the Information Commissioner's Office in compliance with Data Protection legislation.

**Within the resources available, Perth & Kinross Council shall endeavour to:**

- x. Determine a consistent level of support to community councils across the local authority area within available resources.

- xi. Offer advice and assistance to community councils for development and training on such things as the duties and responsibilities of office bearers, the role of community councils, the functions of Perth and Kinross Council and other relevant topics.
- xii. Consult reasonably with community councils regarding the administration of Common Good funds.

#### **4.3 Issues that are not the responsibility of Perth and Kinross Council**

- i. Complaints received in relation to community council business or members (paragraph 11 below).
- ii. Internal issues regarding the running of the community council.
- iii. The business that the community council wish to be involved in.
- iv. The community council's own policies and procedures.
- v. IT equipment or IT support for virtual/hybrid meetings.
- vi. Legal advice for community councils. Community councils should seek their own legal advice.
- vii. Additional insurance cover for third party groups.

### **5. Role and Responsibilities of Community Councils**

The general purpose of community councils is to act as a voice for their local area.

- This will involve them articulating the views and concerns of local people in their area on a wide range of issues of public concern and make representations to their council, other public sector bodies and private agencies on matters within their sphere of interest.
- It is essential that these views be demonstrated to be accurately representative of the community. Accordingly, the community councils will have in place, recognised consultative mechanisms to validate their views and devise strategies to secure greater involvement by all sectors of the community. The National Standards for Community Engagement are a helpful resource and are available at <https://www.scdc.org.uk/what/national-standards/>

## 5.1 Role

- i. Community councils have a statutory right to be consulted on planning applications. Licensing matters and any other matters may also be jointly agreed between community councils, Perth & Kinross Council and other public sector and private agencies.
- ii. Community Councils are a community participation body under the [Community Empowerment Act 2015](#) and may make requests in relation to the following provisions:
  - Part 3 Participation Requests
  - Part 4 Community Right to Buy
  - Part 8 Common Good
  - Part 9 Allotments.
- iii. Community councils may carry out other activities that are in the general interests of the communities they represent, provided these activities fall within the objects of their Constitution and the terms of Perth & Kinross Council's Scheme of Establishment of Community Councils.
- iv. There should be mutual engagement in the establishment of working relationships with Perth & Kinross Council and other agencies.
- v. In carrying out their activities community councils must at all times adhere to the law, the terms of Perth & Kinross Council's Scheme of Establishment of Community Councils and the Community Councillors' Code of Conduct as set out in Appendix 3.
- vi. Each new community council is required to adopt a Constitution. A standard template is provided in Appendix 1, together with a standard template Standing Orders provided in Appendix 2, to encourage and facilitate their proceedings being properly structured and regulated, to ensure that items of business relevant to the community are properly debated and decisions reached in a democratic manner. Community Councils have the power to change the Constitution and Standing Orders subject to approval by Perth & Kinross Council.

## 5.2 Responsibilities

Community councils have a duty under statute to represent the views of their local community. It is vital therefore, that they reflect the broad spectrum of opinion and interests of all sections of the community.

In order to fulfil their responsibilities as effective and representative, community councils shall:

- i. Be non- political
- ii. Inform the community of their work (e.g.: in newsletters and online in social media outlets such as websites, twitter and Facebook); display agendas and minutes of meetings in public places (such as libraries and notice boards); and, subject to the provisions contained within the Data Protection Act 2018 and the General Data Protection Regulations (2018), provide contact details of community council members.
- iii. Have in place consultative mechanisms to ascertain, co-ordinate and reflect the views of all sectors of the community which it represents. Community councils should liaise with other community groups within the area and seek to fairly express and consider the diversity of opinions and outlooks of the people within the course of the community council business.
- iv. Draft minutes of community council's meetings must be presented to Perth & Kinross Council's Community Council Liaison Officer within 14 days from the date of that meeting. Minutes should be circulated, by whichever means the Community Council feels is appropriate to community council members, elected members, and other interested parties.
- v. Seek to broaden both representation and expertise by promoting the associate membership of the community council of persons (not eligible for election to the community council) for specific projects/issues.
- vi. Make particular efforts to encourage young people and other under-represented groups to attend/participate in community council meetings and to ensure equality of opportunity in the way the community council carries out its functions.
- vii. Maintain proper financial records and present regular financial reports at community council meetings (notes on financial guidance will be provided).
- viii. Inform Perth & Kinross Council of any change in membership (resignations, co-option, and associate membership) as soon as practicable and record any such changes in membership at the next ordinary meeting.

## **6. Membership of Community Councils**

- i. The MAXIMUM membership number of a community council should not be less than 6 or more than 13.
- ii. The minimum age to stand for election as a community councillor is 16 years old.

- iii. Members for community council membership must be named on the electoral register for the community council area in which they reside. Members must also reside within the specific community council area i.e. the individual's electoral registered home must be within the community council area.
- iv. Only, in the circumstances where a candidate, who is resident in the community council area and is excluded from the electoral register as an EU national, their membership can be proposed by residents who reside and are named on the electoral register for the community council area to qualify.
- v. There shall be provision made for non-voting associate membership for purposes as defined by each community council. For example, persons under 16 years of age. Such persons will not be counted in terms of meeting a quorum, or towards the total number of community council members.

## **7. Community Council Elections**

### **7.1 Nominations and Elections**

- i. The first elections to be held under the Scheme shall be held on 6 November 2025.
- ii. Subsequent elections will be held on the first Thursday of November on a three-yearly-cycle. Perth & Kinross Council will administer all elections.
- iii. Perth & Kinross Council will appoint an Independent Returning Officer.

### **7.2 Eligibility**

- i. Candidates wishing to stand for election to a community council must meet the criteria for membership outlined in paragraph 6 of this Scheme. To be eligible to vote in a community council election the voter must reside and be named on the electoral register for that community council area.
- ii. Sixteen and 17 year olds residing in the community council area and named on the Electoral Register for that area are also entitled to both stand for the community council and vote in any election.
- iii. Any community council member who no longer resides within that community council area is deemed to have resigned from that community council.
- iv. Any individual who is elected to serve on Perth and Kinross Council, the Scottish or UK Parliament shall be ineligible to remain a community councillor, or to stand for election to a community council. Such persons, upon taking office, become *ex-officio* members of the community councils contained in whole or in part of their electoral constituency.



### 7.3 Nominations

- i. Individuals seeking election to a community council require to be nominated by a witness, who must be resident and appear on the Electoral Register for that community council area. Nominations require to be submitted with the candidate's consent. Self-nomination is not permitted.
- ii. A nomination form should be completed, the style of which will be determined by Perth & Kinross Council. Nomination forms require to be submitted by the date set down in the election timetable. No nomination forms submitted after that date will be accepted. Candidates are also invited to submit a Personal Statement with the nomination form. In the event that there are more nominations than vacancies in any area or sub-area, a candidate's personal statement will be published along with his or her name and address. Personal statements are limited to 50 words. Where no personal statement is submitted only the candidate's name and address will be printed.

### 7.4 Process

On the expiry of the period for lodging nominations:

- i. Should the number of candidates validly nominated equal or exceed the **MINIMUM** prescribed membership **but** be less than or equal to the total number of vacancies, the said candidates will be declared to be elected unopposed and no ballot shall be held.
- ii. Should the number of candidates validly nominated exceed the number of vacancies, arrangements for a Poll shall be implemented. At the Poll, each voter shall be entitled to vote for candidates up to the number of vacancies on the community council.
- iii. Should the number of candidates validly nominated, be below the **MINIMUM** required membership no community council will be established at that time. However, that does not preclude Perth & Kinross Council from issuing a second call for nominations for a community council area failing to meet the minimum membership requirement within 6 months of the closing date for the registration of the first call for nominations.

### 7.5 Method of Election

Where appropriate, elections will take place across the Perth & Kinross Council area at one time, and with regard to the terms of paragraph 7.1 above. Community councils shall be elected on a simple majority basis.

## 7.6 Filling of casual places/vacancies between elections

Casual vacancies on a community council may arise in the following circumstances:

- i. When an elected community council member submits their resignation;
- ii. When an elected community council member ceases to be resident within that community council area;
- iii. When an elected community council member has their membership disqualified (paragraph 12 below).

Should a vacancy or vacancies arise on a community council between elections, it shall be a requirement that the community council undertake appropriate election arrangements, in consultation with Perth & Kinross Council. Filling a vacancy can be undertaken either through the process of an interim election or by co-option. However, should circumstances arise that lead to the number of elected community councillors falling below the **MINIMUM** permitted membership, Perth & Kinross Council shall be informed and shall undertake arrangements for an interim election to be held.

## 7.7 Co-option to Community Councils

- i. Co-opted members must be eligible for membership to the community council as detailed within paragraph 7. Such co-opted members shall have full voting rights, with the exception of voting on co-option of members, and will serve until the next round of elections (general and interim). A co-option nomination form should be completed and submitted to Perth & Kinross Council for validating before the co-option can take place. Notice of any proposed co-option of a member should be included on the agenda for the next available meeting of the community council.
- ii. The number of co-opted members may not exceed a THIRD of the maximum community council membership and should be rounded up to the nearest figure.
- iii. After 12 months from the date of their co-option to the community council the co-opted member will become a full member with the same rights and this full member will no longer be counted within the ratio of co-opted members.
- iv. Where a community council has sub-areas and there is a vacancy in a sub-area, a co-opted member to fill that vacancy must come from the sub-area.

## **8. Additional Membership**

### **8.1 Associate Members**

Associate members may be appointed by a community council where there may be a need for individuals with particular skills or knowledge. These individuals do not have voting rights.

Associate members may serve for a fixed period as determined by the community council or for the term of office of the community council that has appointed them.

Associate members may include representation from other constituted local voluntary organisations, young people, etc

An associate member does not require to reside within the community council area.

### **8.2 Ex-Officio Members**

Local Authority Councillors, MPs and MSPs whose wards or constituencies fall wholly or partly within the geographical area of the community council area shall be deemed ex-officio members of the community council.

Ex-officio members shall have no voting rights and will not be entitled to be elected or nominated representatives of a community council.

For the avoidance of doubt, the attendance of any associate or ex-officio member at a meeting of the community council will not count towards the quorum for that meeting.

## **9. Resignations**

- i. Resignations of members must be submitted in writing by hard copy or by electronic means to the Chairperson, stating the effective date of resignation. This is not permitted to be retrospective.
- ii. If the Chairperson resigns then they should notify the Vice-Chair and Secretary in the same manner.
- iii. Any notification of resignation received should be acknowledged by the recipient within 7 days or at the next scheduled community council meeting whichever is soonest.
- iv. If a resignation is made during the course of a community council meeting and no written resignation is then submitted, if the resignation has been witnessed by the remainder of the members present at the meeting, then once formally minuted the resignation will stand.

- v. A resignation is final once noted and minuted during the course of business at a community council meeting.
- vi. If the member resigning is appointed as an office bearer, they must ensure that all records held by them on behalf of the community council, are passed to the nominated person appointed by the community council to replace them, within 7 working days of the effective date of resignation.

## **10. Equalities**

Recognition should be given to the contribution of everyone participating in the work of the community council.

Community councils must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

Consideration must also be given by the community council as to their meeting place. This must be in terms of accessibility and facilities for disabled users, as well as location, as far as practicable, to ensure that the needs of all members, visiting public or other additional members are met.

## **11. Complaints**

Community Councils are responsible for dealing with any complaints made about their individual members' or collective conduct. Any complaints that are sent to Perth and Kinross Council will be passed onto the appropriate Community Council

Perth and Kinross Council has no official role in dealing with complaints but has produced a guidance note that can offer some guidance and assist community councils in dealing with a complaint.

## **12. Disqualification of Membership**

- i. Members who cease to reside in the community council area will be deemed to have resigned.
- ii. If any member of a community council fails to attend a community council meeting in a 6 month period, with or without submitting apologies, the community council shall advise Perth & Kinross Council, and terminate their membership. However, at the discretion of individual community councils, a period of leave of absence for community council members may be granted at any meeting of the community council.

- iii. Membership of a community councillor is invalidated should a community council member's name no longer appear on the electoral register for that community council area, except in the circumstances described at Section 6 iv.

## **13. Meetings**

### **13.1 First Meeting**

The first meeting of a community council following a community council election will be called by one of the local elected members of Perth and Kinross Council and will take place within 28 days of the date of the election, or as soon as practicable thereafter.

The business of that meeting will include adoption of a Constitution and Standing Orders, appointment of office bearers and any outstanding business matters from the outgoing community council.

Adoption of a constitution by the community council and ratification by Perth & Kinross Council must follow within 2 months of the first meeting as described at Section 5.1 vi. above.

The community council shall not be considered to be a fully constituted community council or a statutory consultee until a signed constitution is returned and approved. The community council members must abide by the standard constitution in the interim until they are constituted (Appendix 1).

### **13.2 Meeting Frequency**

The frequency of meetings will be determined by each community council, subject to a minimum of one annual general meeting and 3 ordinary meetings being held each year. The annual general meeting shall be held in the month of October each year, or as soon as practicable thereafter, in line with the community council's scheduled meeting dates. In an election year the first ordinary meeting after the election will involve the appointment of office bearers and adoption of constitution, standing orders and code of conduct as detailed at 13.1 above.

### **13.3 Quorum**

The quorum for community council meetings shall be one third of the current voting membership of a community council, or 3 voting members, whichever is the greater.

### **13.3 Declaration of Interest**

Whether before or during any meeting of a community council a member of that community council becomes aware that they or any person connected with them has an interest in or relating to any matter to be or being considered, they shall declare such interest. A member who has declared a financial interest, or a non-financial interest which they consider would cause a member of the public, knowing all the relevant facts and acting reasonably, to form the view that they might be influenced by that interest, shall withdraw from the meeting during such consideration and shall not speak or vote on any question relating to the matter. Such declarations of interest shall be recorded in the minutes of meeting.

### **13.4 Content of Business**

An outline for the content of business that community councils should adhere to when holding ordinary, special and annual general meetings is contained within the Standing Orders (Appendix 2).

### **13.5 Virtual/Hybrid Meetings**

If community councils cannot meet in person, or is holding having a hybrid meeting, the platform to be used for any virtual/hybrid meeting is for the community council to decide.

Virtual/hybrid meetings may include members of the public where this can be accommodated, but this is not mandatory and for each community council to determine.

Whether or not they are able to attend, proper provision must be made to afford members of the public the opportunity to address the community council as set out in the following paragraph.

An Agenda for a virtual/hybrid meeting shall be published in the usual way and all members of the community council and members of the public invited, in advance, to submit comments on any Agenda item to the community council's generic email address or by other appropriate means; such views to be considered by the members dealing with the items of business. Comments may also be submitted during the meeting itself, but the ability to receive comments in advance will assist the community council in managing a remote/hybrid meeting.

Minutes of the meeting and details of any decisions taken must be recorded, in writing, in the usual way and made publicly available. Video or audio recording of meetings can only take place with the clear consent of all present, such consent to be recorded in the written minutes. This should include a clear statement that the recording will be destroyed once the minute is completed and approved.

## **14. Liaison with Perth and Kinross Council**

Correspondence between Perth & Kinross Council and the community councils should, in the first instance be directed through the appropriate Perth & Kinross Council Service.

Community councils may make representations to Perth & Kinross Council and other public and private agencies, on matters for which it is responsible and which it considers to be of local interest. Representations should be made, in the case of statutory objections, such as planning or licensing matters, to the appropriate Service official. On issues where a Perth & Kinross Council Service is consulting with community councils, representations should be made to the appropriate service officer.

However, in order to facilitate the effective functioning of community councils, Perth & Kinross Council has identified an official to act as a Liaison Officer with community councils on constitutional or general issues.

Community councils shall provide copies of their minutes within prescribed timescales via the Perth & Kinross Council's Liaison Officer as detailed in paragraph 5.2 iv. above.

## **15. Resourcing a Community Council**

### **15.1 Financial Year**

The financial year of each community council shall be provided for in the constitution of each community council and shall be from 1 September to 31 August in each succeeding year to allow for the proper submission of independently examined statement of accounts to the community council's annual general meeting on a specified date in October.

### **15.2 Annual Accounts of Administrative Grant**

- i. The administrative grant annual accounts of each community council shall be independently examined by at least one examiner appointed by the community council, who is not a member of the community council.
- ii. A copy of the independently examined statement of accounts/balance sheet shall be forwarded immediately after the statement is approved at the community council's annual general meeting held in the month of October, and no later than 28 February to Perth & Kinross Council's Liaison Officer. Examined accounts/balance sheet should only detail administrative grant money and no other funds the community council hold or spend. Any other funds should be accounted for separately. The level of any administrative grant awarded will be based on the administrative grant balance at the end of the financial year.

- iii. The Liaison Officer may, at their discretion and in consultation with the Council's Chief Financial Officer, require the community council to produce such records, vouchers and account books, as may be required.
- iv. Each community council shall have the power to secure resources for schemes, projects and all other purposes consistent with its functions.
- v. Each community council shall be eligible to apply for grants for suitable projects through Perth & Kinross Council's grant system.
- vi. Subject to the submission of independently examined accounts, Perth & Kinross Council will provide an annual top-up administrative grant, to ensure that a community council has a minimum administrative grant bank balance of £700 at the start of the new financial year. The administrative grant can only be used to assist with the operating costs of the community council as detailed in the Financial Guidance Note provided to community councils.

## **16. Liability of Community Council Members**

A scheme of insurance liability cover has been arranged. The insurance liability cover becomes effective upon Perth & Kinross Council advising the insurance underwriter of the establishment of a community council.

## **17. Dissolution of a Community Council**

The terms for dissolution of a community council are contained within the Constitution.

Notwithstanding these terms, should a community council fail to hold a meeting for a period of 3 consecutive prescribed meeting dates, or its membership falls below the prescribed minimum for a period of 3 consecutive prescribed meeting dates (during which time the community council and Perth & Kinross Council have taken action to address the situation), Perth & Kinross Council shall take action to dissolve that community council.

Dated: January 2024



**THIS IS THE FIRST SCHEDULE**  
**Referred to in the foregoing SCHEME**

**This schedule lists the community councils within Perth and Kinross Council within each  
Local Partnership area**

**Eastern Local Action Partnership Area**

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
17	<b>Blairgowrie and Rattray</b>	8	13	-	<b>8,396</b>	
18	<b>Mount Blair</b>	4	7	-	<b>769</b>	
19	<b>Alyth</b>	6	11	-	<b>2,539</b>	
20	<b>Meigle &amp; Ardler</b>	5	10	-	<b>813</b>	
21	<b>Coupar Angus</b>	4	8	-	<b>1,748</b>	
22	<b>Kettins</b>	5	9	-	<b>531</b>	
37	<b>Burrelton and District</b>	5	9	-	<b>2,336</b>	
39	<b>Scone and District</b>	5	10	-	<b>4,710</b>	
43	<b>Errol</b>	5	9	-	<b>2,030</b>	
44	<b>West Carse</b>	4	7	-	<b>1,591</b>	
45	<b>Inchture</b>	5	10	-	<b>1,817</b>	
52	<b>Invergowrie and Kingoodie</b>	5	10	-	<b>1,464</b>	
53	<b>Longforgan</b>	5	9	-	<b>1,331</b>	

## Highland Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
9	Killiecrankie, Fincastle & Tummel	4	7	-	<b>329</b>	
10	Blair Atholl and Struan	3	6	-	<b>609</b>	
11	Rannoch	4	8	Kinloch Rannoch (6) Rannoch West (2)	<b>380</b> 292 88	
12	Aberfeldy	5	10	-	<b>1,682</b>	
13	Dull and Weem	3	6	-	<b>444</b>	
14	Glenlyon and Loch Tay	3	6	Fearnan (2) Fortingall (2) Glenlyon (1) Lawers/Lochside (1)	<b>416</b> 112 148 67 89	
15	Kenmore and District	4	8	Acharn (4) Kenmore (4)	<b>248</b> 122 126	
16	Mid Atholl, Strathtay & Grandtully	4	7	-	<b>862</b>	
51	Pitlochry and Moulin	5	9	-	<b>2685</b>	

### Strathtay Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
32	Dunkeld and Birnam	4	8	-	1600	
33	Spittalfield and District	4	7	Spittalfield/Glendelvine (2) Murthly (2) Clunie (1) Meikleour (1) Caputh (1)	1529 207 729 198 172 223	
35	Auchtergaven	4	7	-	1,255	
36	Luncarty, Redgorton & Moneydie	4	8	-	2,105	
38	Stanley	4	8	-	1,544	

### Almond and Earn Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
34	Methven	6	12	-	4,253	
40	Abernethy	5	9	-	1,518	
42	Earn	6	13	Aberdalgie & Craigend (2) Bridge of Earn & Dron (6) Forgandenny (2) Forteviot (1) Path of Condie (1) Rhynd (1)	3,740 215 2,685 561 76 55 148	

### Kinross Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
41	<b>Glenfarg</b>	6	12	-	<b>982</b>	
46	<b>Kinross</b>	6	11	-	<b>5,178</b>	
47	<b>Portmoak</b>	4	8	-	<b>1,177</b>	
48	<b>Cleish and Blairadam</b>	4	8	-	<b>701</b>	
49	<b>Milnathort and Orwell</b>	4	8	-	<b>2,347</b>	
50	<b>Fossoway</b>	4	8	-	<b>1,613</b>	

### Perth City Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
1	<b>Central</b>	5	10	-	<b>4,030</b>	
2	<b>Tulloch</b>	5	9	-	<b>4,055</b>	
3	<b>City South</b> (incorporates Friarton/Craigie (3) & Viewlands (6))	7	13	-	<b>13,451</b>	
4	<b>North Inch and Muirton</b>	7	13	-	<b>3,644</b>	
5	<b>Bridgend, Gannochy and Kinnoull</b>	5	10	-	<b>2,974</b>	
7	<b>Letham</b>	5	9	-	<b>5,016</b>	
8	<b>North Muirton</b>	5	9	-	<b>2,331</b>	

## Strathearn and Strathallan Local Action Partnership Area

Area Number	Community Council Name	Membership*		Sub Areas & No. of Seats	Electorate	Date Established
		Min	Max			
23	<b>Crieff</b>	5	10	-	<b>5,839</b>	
24	<b>East Strathearn</b>	5	10	-	<b>1,108</b>	
25	<b>Comrie and District</b>	5	10	-	<b>2,058</b>	
26	<b>St Fillans</b>	3	6	-	<b>186</b>	
27	<b>Auchterarder and District</b>	5	10	Aberuthven (1) Auchterarder (7) Glendevon (1) Tullibardine (1)	<b>5,688</b> 399 5,072 217 267	
28	<b>Dunning</b>	5	9	-	<b>1,136</b>	
29	<b>Blackford</b>	5	9	-	<b>776</b>	
30	<b>Muthill</b>	4	8	-	<b>749</b>	
31	<b>Braco and Greenloaning</b>	3	6	-	<b>986</b>	

\* The maximum membership of a community council is the total number of members that the **individual** community council can have at any one time. The minimum number is the minimum number of members that that **individual** community council can have and if membership falls below that number this then triggers a by-election. This is different from the minimum/maximum membership as described at 6 i. above which is the minimum/maximum prescribed membership of community councils as a whole.

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**Appendix 1 – Constitution**

**COMMUNITY COUNCIL CONSTITUTION**

**1. Name**

The name of the COMMUNITY COUNCIL shall be

.....  
.....

(referred to as “the COMMUNITY COUNCIL” in this document).

**2. Area of the Community Council**

The area which the COMMUNITY COUNCIL shall represent shall be as described in the first schedule to the Scheme and as shown on the map annexed.

**3. Objectives**

The objectives of the COMMUNITY COUNCIL shall be:

- (a) to ascertain, co-ordinate and reflect the views of the community which it represents, to liaise with other community groups within the area, and to fairly express the diversity of opinions and outlooks of the people;
- (b) to express the views of the community to the local authority for the area to public authorities and other organisations;
- (c) to take such action in the interests of the community as appears to it to be desirable and practicable;
- (d) to promote the well-being of the community and to foster community spirit;
- (e) to be a means whereby the people of the area shall be able to voice their opinions on any matter affecting their lives, their welfare, their environment, its development and amenity.

**4. Role and Responsibilities**

In the discharge of their functions and the conduct of their business, the COMMUNITY COUNCIL and its membership shall have regard to their role and responsibilities as set out in paragraph 5 of the Scheme of Establishment of Community Councils, approved by Perth & Kinross Council and the Community Councillors’ Code of Conduct.

## **5. Membership**

The COMMUNITY COUNCIL'S membership is as governed by paragraph 6 of the Scheme for the Establishment of Community Councils and as determined from time to time by Perth & Kinross Council.

## **6. Method of Election**

Election procedures shall be governed by the method of election laid down in paragraph 7 of the Scheme of Establishment of Community Councils.

## **7. Resignations**

Resignation procedures shall be governed by the method of resignation laid down in paragraph 9 of the Scheme of Establishment of Community Councils.

## **8. Casual Vacancies on the Community Council**

Where a vacancy arises which does not result in the number of members falling below the minimum number as specified in paragraph 7.6 of the Scheme of Establishment of Community Councils, and at least 3 months has passed since the last election, the COMMUNITY COUNCIL may, if it considers it to be desirable, agree to:-

- (a) fill the vacancy (and any other outstanding vacancies) by holding an interim election, administered by Perth & Kinross Council, on the basis that such vacancies would be publicised, nominations invited and an election held where the number of candidates exceeded the number of vacancies.
- (b) fill the vacancy by co-opting a resident in terms of paragraph 7.7 of the Scheme of Establishment of Community Councils
- (c) the vacancy to be left unfilled until local public interest is expressed or until the next set of regular elections.

## **9. Voting Rights of Members of the Community Council**

The right to vote at any meeting of the COMMUNITY COUNCIL or any committee thereof, shall be held by all members whether elected or co-opted, but not by Associate Members appointed for specific issues on a temporary basis, or *ex-officio* members.

With the exception of circumstances which may arise under the Scheme of Establishment of Community Councils: paragraph 7.7 – Community Council Elections [Co-option]; and Constitution: paragraph 17 – Alterations to the Constitution and paragraph 18 – Dissolution, all decisions of the COMMUNITY COUNCIL will be decided by a simple majority of those eligible to vote and present and voting.

In the event of a vote of the members that results in a majority not being achieved, the chairperson shall have a casting vote.

## **10. Election of Office-Bearers**

- (a) The COMMUNITY COUNCIL shall appoint a Chair, Secretary, Treasurer and other such office-bearers as required at the Annual General Meeting in October in each year, except for in an election year when this should be done at the first meeting after the elections
- (b) All office-bearers shall be elected for one year, but shall be eligible for re-election, without limitation of time.
- (b) Without the express approval of Perth & Kinross Council, no one member shall hold more than one of the following offices at any one time: Chairperson, Secretary or Treasurer.

## **11. Committees of the Community Council**

The COMMUNITY COUNCIL may appoint representatives to committees of the COMMUNITY COUNCIL and shall determine their composition, terms of reference, duration, duties and powers.

## **12. Meetings of the Community Council**

- (a) The quorum for COMMUNITY COUNCIL meetings shall be at least one third of the current eligible voting membership, or 3 eligible voting members, whichever is the greater.
- (b) Once in each year in the month of October, or as soon as practicable thereafter, in line with COMMUNITY COUNCIL scheduled meetings dates, the COMMUNITY COUNCIL shall convene an annual general meeting for the purpose of receiving and considering the Chairperson's annual report on the COMMUNITY COUNCIL, the submission and approval of the independently examined annual statement of accounts and the appointment of office bearers.
- (c) Including the annual general meeting, the COMMUNITY COUNCIL shall meet not less than 4 times throughout the year.
- (d) Dates, times and venues of regular meetings of the COMMUNITY COUNCIL shall be fixed at the first meeting of the COMMUNITY COUNCIL following ordinary elections and thereafter at its annual general meeting. Special meetings shall require at least 10 days public notice, either called by the Chairperson, or on the request of not less than one-half of the total number of COMMUNITY COUNCIL members. An officer of Perth & Kinross Council has the discretion to call a meeting of the COMMUNITY COUNCIL.



- (e) Copies of all minutes of meetings of the COMMUNITY COUNCIL and of committees thereof shall be approved at the next prescribed meeting of the COMMUNITY COUNCIL. Draft minutes of community council's meetings must be presented to Perth & Kinross Council's Community Council Liaison Officer within 14 days from the date of that meeting. Minutes should be circulated, by whichever means the Community Council feels is appropriate, to community council members, elected members and other interested parties.
- (f) The COMMUNITY COUNCIL shall abide by its Standing Orders for the proper conduct of its meetings.
- (g) The COMMUNITY COUNCIL has a duty to be responsive to the community it represents. Should the COMMUNITY COUNCIL receive a written request (petition), signed by at least 20 persons resident within the COMMUNITY COUNCIL area to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting within 14 days of receipt of such a request and advertise it in the manner prescribed locally for special meetings called by the COMMUNITY COUNCIL.
- (h) The COMMUNITY COUNCIL can meet to discuss items of business in private where it considers it appropriate to do so. The decision to meet in private will be agreed in advance and decided by a majority vote. Notice of such a meeting will be given to the public in the usual way. However, the Notice will record that the meeting, or a part thereof, shall be held in private.

### **13. Public Participation in the Work of the Community Council**

- (a) All meetings of the COMMUNITY COUNCIL and its committees (subject to 12(h), above) shall be open to members of the public. Proper provision is to be made for the accommodation of members of the public and the opportunity should be afforded at each meeting to permit members of the public to address the COMMUNITY COUNCIL, under the guidance of the Chairperson.
- (b) Notices calling meetings of the COMMUNITY COUNCIL and its committees shall be posted prominently within the COMMUNITY COUNCIL area for a minimum period of ten days before the date of any such meeting, and, where possible, be advertised by other suitable means.

## **14. Information to Perth and Kinross Council**

Perth & Kinross Council's Liaison Officer shall be sent an annual calendar of the COMMUNITY COUNCIL'S prescribed meeting dates, times and venues, which should be agreed at the COMMUNITY COUNCIL'S annual general meeting, minutes of all meetings, the annual report, the annual financial statement and any other such suitable information, as may from time to time be agreed between the COMMUNITY COUNCIL and Perth & Kinross Council.

When special meetings of the COMMUNITY COUNCIL are to be held, Perth & Kinross Council's Liaison Officer should be advised of the date, time venue and subject(s) of debate of such meetings, at least 10 days in advance of the meeting date.

## **15. Control of Finance**

- (a) All monies raised by or on behalf of the COMMUNITY COUNCIL or provided by Perth & Kinross Council and other sources shall be applied to further the objectives of the COMMUNITY COUNCIL and for no other purpose. The monies provided by Perth & Kinross Council in the annual Administrative Grant for administrative and other approved purposes shall be used only as prescribed. Monies raised from other sources may be used in accordance with the terms of this provision (so long as they are consistent with the objectives of the community council), or in the absence of such terms, for the furtherance of the objectives of the COMMUNITY COUNCIL.
- (b) The treasurer shall undertake to keep proper accounts of the finances of the community council.
- (c) Any two of three authorised signatories, who would normally be office-bearers of the COMMUNITY COUNCIL, may sign cheques on behalf of the COMMUNITY COUNCIL. Where the community council uses online banking for the operation of any bank or building society account, two of three authorised signatories must approve any payment from the online account. Authorised signatories may not be co-habitees.
- (d) A statement of accounts for the last financial year, independently examined by one examiner appointed by the COMMUNITY COUNCIL, who is not a member of the COMMUNITY COUNCIL, shall be submitted to an annual general meeting of the COMMUNITY COUNCIL and shall be available for inspection at a convenient location.

- (e) The financial year of the COMMUNITY COUNCIL shall be from 1 September until 31 August of the succeeding year. Independently examined accounts as received and approved by the COMMUNITY COUNCIL at the annual general meeting shall be submitted to the local authority immediately following approval at the community council's annual general meeting as detailed in paragraph 15.2 ii. of the Scheme of Establishment of Community Councils.

## **16 Title to Property**

Property and other assets belonging to the COMMUNITY COUNCIL shall be vested in the Chair, Secretary and Treasurer of the COMMUNITY COUNCIL and their successors in these respective offices.

## **17 Alterations to the Constitution**

Any proposal by the COMMUNITY COUNCIL to alter this Constitution must be first considered by a meeting of the COMMUNITY COUNCIL and the terms of the proposal to alter the Constitution shall be stated on the notice calling the meeting, which shall be issued not less than ten days prior to the meeting. Any proposed alterations may not prejudice the terms and objectives contained within the Scheme of Establishment of Community Councils.

If the proposal is supported by two-thirds of the total voting membership of the COMMUNITY COUNCIL and is approved in writing by Perth & Kinross Council, the alteration shall be deemed to have been duly authorised and can then come into effect.

## **18 Dissolution**

If the COMMUNITY COUNCIL by a two-thirds majority of the total voting membership decides at any time that it is necessary or advisable to dissolve, it shall agree a date for a public meeting to be held to discuss the proposed resolution to dissolve.

It is a requirement that not less than ten days prior to the date of such meeting a public notice be given by means of notification publicly. If the resolution is supported by a majority of those members present and qualified to vote and is approved by Perth & Kinross Council, the COMMUNITY COUNCIL shall be deemed to be dissolved and all assets remaining, subject to the approval of Perth & Kinross Council, after the satisfaction of any proper debts or liabilities shall transfer to Perth & Kinross Council who shall hold same in Trust for a future COMMUNITY COUNCIL representing that area.

In the event that the COMMUNITY COUNCIL is dissolved under the above procedure, and twenty or more electors subsequently wish the re-establishment of a COMMUNITY COUNCIL for the area, these electors shall submit a requisition to Perth & Kinross Council in accordance with Section 52(7) of the Local Government (Scotland) Act 1973, on receipt of which the Returning Officer shall arrange for elections to be held in accordance with the Scheme of Establishment of Community Councils.

Where for any reason, the number of COMMUNITY COUNCIL members falls below the minimum specified in the Scheme of Establishment of Community Councils, Perth & Kinross Council may, by suspending the Constitution of the COMMUNITY COUNCIL, cause the COMMUNITY COUNCIL to be dissolved and in this event, the procedures for the establishment of a new COMMUNITY COUNCIL being those identified in the immediately preceding paragraph hereof, shall be initiated.

## 19. Approval and adoption of the Constitution

This Constitution was adopted by .....

Community Council, on .....  
(date)

.....  
Chairman's signature

.....  
Member's signature

.....  
Member's signature

and was approved on behalf of Perth and Kinross Council on

..... (date)

.....  
Signed (Perth & Kinross Council Officer)

**Appendix 2 – Standing Orders**

**COMMUNITY COUNCIL**

**STANDING ORDERS**

**1. Meetings (all held in public)**

- (a) Ordinary meetings of the COMMUNITY COUNCIL shall be held on the/in the months of  
.....  
.....  
.....  
.....[to be entered]. Special meetings may be called at any time on the instructions of the Chairperson of the community council or on the request of not less than one-half of the total number of COMMUNITY COUNCIL members; or on the receipt of a common written request (petition), signed by at least 20 persons, resident within the COMMUNITY COUNCIL area, to convene a special meeting for a particular matter or matters to be debated, it shall call such a meeting. A special meeting shall be held within 14 days of the receipt of the request made to the Secretary of the COMMUNITY COUNCIL. Annual general meetings are held annually.
- (b) The notice of ordinary and annual general meetings of the COMMUNITY COUNCIL, featuring the date, time and venue, shall be provided to each COMMUNITY COUNCIL member and Perth & Kinross Council’s Liaison Officer by the Secretary of the COMMUNITY COUNCIL, at least 10 days before the date fixed for the meeting.
- (c) The taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings, or the making of any oral report on any proceedings as they take place, shall be permitted subject to the approval of the community council and advance notice of any recordings must be published on the agenda of all community council meetings.

**2. Minutes**

Minutes of the proceedings of a meeting of the COMMUNITY COUNCIL shall be drafted up within fourteen days from the date of that meeting, distributed in accordance with paragraph 5.2 iv of the Scheme of Community Councils and shall, following their approval, be signed at the next meeting of the COMMUNITY COUNCIL by the person presiding thereat and retained for future reference.

### **3. Quorum**

A quorum shall be one-third of the current voting membership of the COMMUNITY COUNCIL, or 3 voting members, whichever is the greater.'

### **4. Order of Business**

#### **(i) Ordinary Meeting**

The order of business at every ordinary meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last meeting of the COMMUNITY COUNCIL shall be submitted for approval.
- (c) Any other item of business, which the Chairperson has directed, should be considered.
- (d) Any other competent business.
- (e) Questions from the floor.
- (f) Chairperson to declare date of next meeting and close meeting.

#### **(ii) Annual General Meeting**

It will not be uncommon that the COMMUNITY COUNCIL has arranged for an ordinary meeting of the COMMUNITY COUNCIL to begin at the close of the annual general meeting, to enable any outstanding reporting on business matters to be heard; and for COMMUNITY COUNCIL members and members of the public to have an opportunity to bring matters to the attention of the COMMUNITY COUNCIL, possibly for inclusion on a future agenda.

The order of business at every annual general meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) The minutes of the last annual general meeting of the COMMUNITY COUNCIL shall be submitted for adoption.
- (c) Chairperson's Annual Report (and questions from the floor).
- (d) Secretary's Annual Report (and questions from the floor).

- 
- (e) Treasurer's submission of Balance Sheet and Annual Accounts duly independently examined and certified correct (and questions from the floor).
  - (f) Demit of current office bearers, election of office bearers.
  - (g) Chairperson to declare date of next annual general meeting and close meeting.

**(iii) Extraordinary General Meeting**

The order of business at every extraordinary general meeting of the COMMUNITY COUNCIL shall be as follows: -

- (a) Recording of membership present and apologies received.
- (b) Business for debate, as described in the calling notice for the special meeting.
- (c) Chairperson to close meeting.

**5. Order of Debate**

- (a) The Chairperson shall decide all questions of order, relevancy and competency arising at meetings of the COMMUNITY COUNCIL and their ruling shall be final and shall not be open to discussion. In particular, the Chairperson shall determine the order, relevancy and competency of all questions from the public in attendance at meetings of the COMMUNITY COUNCIL raised at 4, above. The Chairperson in determining the order, relevance and competency of business and questions shall have particular regard to the relevance of the issue to the community and ensure that the discussion and proceedings are conducted in such a manner that decisions are reached in a democratic manner. The Chairperson shall have the power, in the event of disorder arising at any meeting, to adjourn the COMMUNITY COUNCIL meeting to a time they may then, or afterwards, fix.
- (b) Every motion or amendment shall be moved and seconded.
- (c) After a mover of a motion has been called on by the Chairperson to reply, no other members shall speak to the question.
- (d) A motion or amendment once made and seconded shall not be withdrawn without the consent of the mover and seconder thereof.
- (e) A motion or amendment which is contrary to a previous decision of the COMMUNITY COUNCIL shall not be competent within six months of that decision.

## **6. Voting**

- (a) Voting shall be taken by a show of hands of those present and eligible to vote, with the exception that, at an annual general meeting, the election of office bearers may be held by secret ballot.
- (b) The Chairperson of a meeting of the COMMUNITY COUNCIL shall have a casting vote as well as a deliberative vote.

## **7. Obstructive and Offensive Conduct**

In the event of any member of the COMMUNITY COUNCIL or member of public disregarding the authority of the Chairperson of the meeting, or conducting themselves in a disruptive, obstructive or offensive manner, a motion may be moved and seconded to remove the individual from the remainder of the meeting.

Such a motion will be put to the meeting without discussion and if supported by a majority of members of the COMMUNITY COUNCIL present and voting will be declared carried. The individual will be required by the Chairperson to leave the meeting immediately.

## **8. Alteration of Standing Orders**

A proposal to alter these Standing Orders may be proposed to Perth & Kinross Council to be altered or added to at any time by the COMMUNITY COUNCIL, provided that notice of motion to that effect is given at the meeting of the COMMUNITY COUNCIL previous to that at which the motion is discussed. Perth & Kinross Council shall have final discretion on any proposed change.

## **9. Committees**

The COMMUNITY COUNCIL may appoint such committees as it may from time to time decide and shall determine their composition, terms of reference, duration, duties and powers.

## **10. Suspension of Standing Orders**

These Standing Orders shall not be suspended except at a meeting at which three-quarters of the total number of COMMUNITY COUNCIL members are present and then only if the mover states the object of their motion and if two-thirds of the COMMUNITY COUNCIL members present consent to such suspension.



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## Appendix 3 – Code of Conduct

# CODE OF CONDUCT FOR COMMUNITY COUNCILLORS

The Code of Conduct for community councillors is based largely on the Code of Conduct for local authority councillors and relevant public bodies as provided for in The Ethical Standards in Public Life etc (Scotland) Act 2000.

Community councillors, as elected representatives of their communities, have a responsibility to make sure that they are familiar with, and that their actions comply with, the principles set out in this Code of Conduct. The Code of Conduct and its principles, shall apply to all community councillors and those representing the community council. These principles are as follows:

- Service to the Community (Public Service)
- Selflessness
- Integrity
- Objectivity
- Accountability and Stewardship
- Openness
- Honesty
- Leadership
- Respect

## Service to the Community

As a community councillor you have a duty to act in the interests of the local community, which you have been elected or nominated to represent. You also have a duty to act in accordance with the remit of the Council's Scheme of Establishment of Community Councils, as set out by your local authority under the terms of the Local Government (Scotland) Act 1973.

You have a duty to establish and reflect, through the community council, the views of the community, as a whole on any issue, irrespective of personal opinion.

You should ensure that you are, within reason, accessible to your local community and local residents. Various mechanisms to allow the general community to express their views, i.e. suggestion boxes, community surveys, opinion polls should, where possible, be made available.

## Selflessness

You have a duty to take decisions solely in terms of the interest of the community that you represent. You must not use your position as a community councillor to gain financial, material, political or other personal benefit for yourself, family or friends.

## **Integrity**

You must not place yourself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence you in your representation of your community. If you have any private and/or personal interest in a matter to be considered by the community council, you have a duty to declare this and if deemed necessary by other members, withdraw from discussions and the decision making process with regard to that matter.

You should not accept gifts or hospitality that may be seen to influence or be intended to influence your opinion or judgement. The offer and/or receipt of any gifts, regardless of form, should always be reported to and noted by the secretary of the community council.

## **Objectivity**

In all your decisions and opinions as a community councillor, you must endeavour to represent the overall views of your community, taking account of information which is provided to you or is publicly available, assessing its merit and gathering information as appropriate, whilst laying aside personal opinions or preferences.

You may be appointed or nominated by your community council to serve as a member of another representative body. You should ensure that this Code of Conduct is observed when carrying out the duties of the other body.

You are free to have political and/or religious affiliations; however you must ensure that you represent the interests of your community and community council and not the interests of a particular political party or other group.

## **Accountability and Stewardship**

You are accountable for the decisions and actions that you take on behalf of your community through the community council. You must ensure that the community council uses its resources prudently and in accordance with the law.

Community councillors will individually and collectively ensure that the business of the community council is conducted according to the Council's Scheme of Establishment of Community Councils and this Code of Conduct.

Community councillors will individually and collectively ensure that annual accounts are produced showing the financial undertakings of the community council as set out in the Councils Scheme of Establishment of Community Councils. They must also ensure that all resources are used efficiently, effectively and fairly and are used strictly for the purposes of community council business and for no other purpose.

Minutes of meetings recording all actions and decisions made should be produced and circulated to all members of the community council as soon as possible after each meeting.

Any breach of the Council's Scheme of Establishment of Community Councils as set out by your local authority under the terms of the Local Government (Scotland) Act 1973 may be reported to your local authority to determine what action, if necessary, should be taken.

## **Openness**

You have a duty to be open about your decisions, actions and representations, giving reasons for these where appropriate. You should be able to justify your decisions and be confident that you have not been unduly influenced by the views and/or opinions of others.

If you have dealings with the media, members of the public, or others not directly involved in your community council, you should ensure that an explicit distinction is made between the expression of your personal views and opinions from any views or statement made about or on behalf of the community council.

## **Honesty**

You have a duty to act honestly. You also have an obligation to work within the law at all times. You must declare any private interest relating to your community council duties and take steps to resolve any conflicts arising in a way that protects the interest of the community and the community council.

## **Leadership**

You have a duty to promote and support the principles of this Code of Conduct by leadership and example, to maintain and strengthen the community's trust and confidence in the integrity of the community council and its members in representing the views and needs of the local area. You must also promote social inclusion and challenge discrimination in any form.

You should act to assist the community council, as far as possible, in the interest of the whole community that it serves. Where particular interest groups' concerns are in conflict with those of other groups or other areas you should help to ensure that the community council is aware of them.

## **Respect**

You must respect fellow members of your community council and those that you represent, treating them with courtesy, respect and in a non-discriminatory manner at all times. This should extend to any person, regardless of their position, you have dealings with in your capacity as a community councillor.

Recognition should be given to the contribution of everyone participating in the work of the community council. You must comply with Equal Opportunities legislation and ensure that equality of opportunity be given to every participant to have their knowledge, opinion, skill and experience taken into account.

You should ensure that confidential material, including details about individuals, is treated as such and that it is handled with dignity and discretion and is not used for personal, malicious or corrupt purposes.



**Perth & Kinross Council**

**6 December 2023**

**REVIEW OF PARLIAMENTARY CONSTITUENCY POLLING DISTRICTS AND POLLING PLACES**

**Contact Officer: Scott Walker, Strategic Lead – Finance & Business Support**  
(Report No. 23/344)

**1. PURPOSE**

- 1.1 This report seeks the Council’s views on proposed changes to the parliamentary polling districts and polling places within the area of Perth and Kinross following the recent statutory review.
- 1.2 The report also provides an update on the polling districts and polling places that will come into effect following the next dissolution of the UK Parliament.

**2. RECOMMENDATIONS**

- 2.1 The Council is asked to -
  - A. Note the contents of the report
  - B. Endorse the proposals for the designation of polling districts and polling places as set out in **Appendix 1** to this report that come into immediate effect.
  - C. Endorse the proposals for the designation of polling districts and polling places as set out in **Appendix 2** to this report that come into place following the next dissolution of the UK Parliament

**3. STRUCTURE**

- Section 4 – Background
- Section 5 – Proposals – Pre-Dissolution of UK Parliament
- Section 6 – Proposals – Post – Dissolution of UK parliament
- Section 7 - Conclusions

**4. BACKGROUND**

- 4.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty on all local authorities to review their UK Parliamentary polling districts and polling places at least once every four years.
- 4.2 The Electoral Registration and Administration Act 2013 (ERA 2013) introduced a new provision altering the timing of compulsory reviews. The compulsory review periods are now the period of 16 months beginning with 1

October 2013 and the period of 16 months beginning with 1 October every fifth year after that. This means that all local authorities will have to conduct (and complete) a statutory review of polling districts and polling places between 1 October 2023 and 31 January 2025.

- 4.3 Reviews of local government polling arrangements should be conducted simultaneously with a review of polling districts and polling places for UK Parliamentary elections. The aim of the review is to ensure that every elector in Perth and Kinross has such reasonable facilities for voting as are practicable, and to ensure that so far as possible, the accessibility needs of persons with a disability have been considered when designating polling places.
- 4.4 The location of proposed polling districts and places is the responsibility of Perth & Kinross Council, and the location of polling stations is the responsibility of the Returning Officer. However, for the purpose of this review, all aspects of the process have been undertaken jointly.

## **5. PROPOSALS – PRE-DISSOLUTION OF UK PARLIAMENT**

- 5.1 The statutory consultation period ran from 5 October to 16 November 2023. During this period any registered elector, the Returning Officer for the relevant parliamentary constituencies within the local government area, Members of Parliament, Members of the Scottish Parliament, Members of Perth & Kinross Council and persons who are considered to have particular expertise in relation to access to polling premises or facilities for persons who have different forms of disability, are able to make comment on the proposals.
- 5.2 **Appendix 1** to this report details the existing polling arrangements within various polling districts and included the proposed changes that formed part of the statutory consultation.
- 5.3 During the statutory consultation period, the Council received a number of comments, and these are set out on an individual ward basis as follows.

### **WARD 1**

- 5.4 The consultation exercise included a proposal to merge PBE with PBD. The rationale behind this proposal is that these registers already both operate from Inchtute Village Hall, and given the combined size of the electorate, these numbers can be contained within one register.
- 5.5 No representations were received in relation to this proposal.

### **WARD 5**

- 5.6 The consultation exercise included a proposal to relocate PCQ (Royal School of Dunkeld) to the local Guide Hall, which is located on the other side of the street. The rationale behind this proposal was to minimise disruption within

the school during an election. The Guide Hall has been visited and meets all the requirements.

- 5.7 No representations were received in relation to this proposal.
- 5.8 The consultation exercise also included a proposal to relocate SBD (Bertha Park High School) to a local community facility located adjacent to the school. The rationale behind this proposal was to minimise disruption within the school during an election. The use of Bertha Park High School as a polling place was always planned to be temporary pending the community facility becoming available. The community facility is now operational, has been visited and meets all the requirements.
- 5.9 No representations were received in relation to this proposal.

#### **WARD 11**

- 5.10 Traditionally there was a separate polling place that served the needs of the Fairfield and wider area within Ward 11 (polling districts PLI and PLJ), operating from the local community centre. The last election to take place within this community centre was the UK General Election in 2017, after which both polling districts were moved to the Railway Staff Club.
- 5.11 A base within the local Kingdom Housing Association offices has now been identified as a potential replacement polling place for the Fairfield area. The venue has been visited and meets all the requirements. It is proposed that a new polling district is created for Fairfield residents, with the remaining electorate in PLI and PLJ continuing to vote at the Railway Staff Club.
- 5.12 No representations were received in relation to this proposal.

#### **WARD 12**

- 5.13 Polling district PDA previously voted at Rodney Fitness Centre which is no longer available. It is proposed that Kinnoull Church Hall is appointed as the replacement polling place. The venue has been visited and meets all requirements.
- 5.14 No representations were received in relation to this proposal.
- 5.15 There were two representations received relating to PCV (Riverside Church). North Muirton Community Council and one local elected member suggested that the local community centre would be a more appropriate venue for the following reasons - access, parking and location. However, there are no issues with the current venue and therefore it is proposed that there is no change to PCV (Riverside Church).
- 5.16 A number of general representations have been received from the following bodies, all of whom support the proposals around the wider review set out in **Appendix 1** –

- Glenfarg Community Council
- Blair Atholl Community Council
- Perth and Kinross Conservative and Unionist Association

5.17 Subject to approval by Council, these proposals come into immediate effect and would be in place should there be a by election for a UK parliamentary constituency.

## 6. PROPOSALS – POST-DISSOLUTION OF UK PARLIAMENT

6.1 The Boundary Commission for Scotland published its 2023 Final Recommendations for United Kingdom Parliament constituencies in Scotland on 28 June 2023.

6.2 The Commission's 2023 Review Report was submitted to the Speaker of the House of Commons and to the Secretary of State for Scotland on 27 June 2023 and laid before the UK Parliament on 28 June 2023.

6.3 With the Boundary Order being made on 15 November 2023 and coming into force from 29 November 2023, the new boundaries take effect at the next UK General Election following dissolution of the UK Parliament.

6.4 At future UK Parliament elections, the electorate across Perth and Kinross will vote in one of the following UK Parliamentary Constituencies –

- Angus and Perthshire Glens
- Perth and Kinross-shire
- Stirling and Strathallan

6.5 Set out in **Appendix 2** is the list of polling places and polling districts that will come into place on dissolution of the UK Parliament and which constituency they will sit.

6.6 How individual wards across Perth and Kinross are impacted are set out in the following table.



<b>Constituency Name</b>	<b>PKC Ward</b>	
<b>Angus and Perthshire Glens</b>	2 (part)	Strathmore
	3	Blairgowrie and Glens
	4	Highland
	5 (part)	Strathtay
<b>Perth and Kinross-shire</b>	1	Carse of Gowrie
	2(part)	Strathmore
	5(part)	Strathtay
	6	Strathearn
	7(part)	Strathallan
	8	Kinross-shire
	9	Almond and Earn
	10	Perth City South
	11	Perth City North
	12	Perth City Centre
<b>Stirling and Strathallan</b>	7(part)	Strathallan

6.7 The changes to individual polling districts following the introduction of the boundary changes from the 2023 Review are set out below.

### **Ward 2**

- 6.8 Within PBS (Robert Douglas Memorial Institute, Scone), which sits within the new constituency of Perth and Kinross-shire, there is a small area known as Stormontfield Fish Ponds, which moves to the new Angus and Perthshire Glens constituency. It is proposed that this small area is moved to neighbouring parliamentary polling district PBR (Guildtown Hall).
- 6.9 Also, within PBS (Robert Douglas Memorial Institute, Scone), the end of Muirward Wood now sits within the new Angus and Perthshire Glens constituency. It is proposed that this area is moved to the neighbouring parliamentary polling district PBQ (Balbeggie Hall) - no electors are involved in this move.
- 6.10 Within PBR (Guildtown Hall), which sits within the new constituency of Angus and Perthshire Glens, an area known as Ardgilzean, falls within the Perth and Kinross-shire constituency. It is proposed that this area is moved to PBS (Robert Douglas Memorial Institute, Scone) - no electors are involved in this move.
- 6.11 Within PBQ (Balbeggie Hall) that sits in the Angus and Perthshire Glens constituency, Morningside Farm House now falls within the Perth and Kinross-shire constituency. It is proposed that this area is moved to PBS (Robert Douglas Memorial Institute, Scone).

## Ward 7

- 6.12 SLI (Aytoun Hall, Auchterarder) predominantly falls within the new constituency of Perth and Kinross-shire. However, there is an area around Tullibardine Wood and West Third House that falls within the new Stirling and Strathallan constituency. It is proposed that this area is moved to the neighbouring parliamentary polling district SLM (Aytoun Hall, Auchterarder) within the Stirling and Strathallan constituency. This does create the issue of Aytoun Hall being a multi-constituency polling place which will be managed by elections teams and staff at the polling place.
- 6.13 SLM (Aytoun Hall, Auchterarder) predominantly falls within the new Stirling and Strathallan constituency. There is an area known as Westerton, Maidenplan Farmhouse and Woodlands Farm that now falls within the new Perth and Kinross-shire constituency. It is proposed that this area is moved to the neighbouring parliamentary polling district SLQ (Dunning Church Hall) within the Perth and Kinross-shire constituency.
- 6.14 SLP (Aberuthven Hall) predominantly falls within the new Stirling and Strathallan constituency. There is an area around Dalreoch and Masterfield which now falls within the new Perth and Kinross-shire constituency. It is proposed that this area is moved to the neighbouring parliamentary polling district SLQ (Dunning Church Hall) within the Perth and Kinross-shire constituency.

## 7. CONCLUSIONS

- 7.1 This report sets out the outcomes of the recent statutory review of polling districts and polling places which are set out **Appendix 1**.
- 7.2 The report also sets out the polling districts and polling places that will come in to effect following the next dissolution of the UK Parliament which are set out in **Appendix 2**.

### Author(s)

Name	Designation	Contact Details
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Christine Grant	Senior Elections & Community Council Manager	Ext. 75182

### Approved

Name	Designation	Date
Thomas Glen	Chief Executive	24 November 2023

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>No</b>
Asset Management (land, property, IST)	<b>No</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>No</b>
Strategic Environmental Assessment	<b>No</b>
Sustainability (community, economic, environmental)	<b>No</b>
Legal and Governance	<b>Yes</b>
Risk	
<b>Consultation</b>	
Internal	
External	
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 The Council's Corporate Plan 2022 – 2027 lays out seven outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- Tackling poverty
- Tackling climate change and supporting sustainable places
- Growing a sustainable and inclusive local economy
- Enabling our children and young people to achieve their full potential
- Protecting and caring for our most vulnerable people
- Supporting and promoting physical and mental wellbeing
- Placing communities at the heart of how we work

1.2 This report relates to all these objectives.

### 2. Resource Implications

2.1 The resource implications of this report are not yet available but any change is unlikely to be significant.

### 3. Assessments

#### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The proposals in this report have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcomes:

- The proposals to combine parliamentary polling districts allocated to the same parliamentary polling place comply with the relevant legislation in relation to accessibility
- In relation to the proposals not to allocate individual electors or very small groups of electors to a polling place outwith their electoral ward, it is acknowledged that some electors may experience inconvenience but there will be publicity in advance of any election/referendum to promote the availability of postal voting as an alternative to voting in person.

#### Legal and Governance

- 3.2 The legal framework for this report is contained within the Electoral Administration Act 2006 (EAA 2006) and the Electoral Registration and Administration Act 2013 (ERA 2013)

#### Risk

- 3.2 There are no key risks associated with the proposals which have not been addressed elsewhere in the report.

### 4. Consultation

- 4.2 Representations were invited on any aspect of the allocated polling districts and polling places as set out in **Appendix 1** to this report and are included within the main body of the report.

### 2. BACKGROUND PAPERS

- 2.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report.

Representation of the People Act 1983 Schedule A1  
The Review of Polling District and Polling Places (Parliamentary Elections) Regulations 2006  
Electoral Administration Act 2006

**3. APPENDICES**

**Appendix 1** – Report detailing the existing polling arrangements within various polling districts and sets out revised proposals for the designation of polling districts and polling places that will take immediate effect.

**Appendix 2** – Report detailing the existing polling arrangements within various polling districts and sets out revised proposals for the designation of polling districts and polling places that will come into being at the next dissolution of the UK Parliament.



## PERTH AND KINROSS COUNCIL

## ELECTORAL REGISTRATION AND ADMINISTRATION ACT 2013

## REVISED POLLING DISTRICTS AND POLLING PLACES

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 1	PBA	1,455	Invergowrie Church Hall	1-3	No change	Multi ward polling station with register PBL in Ward 2. No option to change as no polling station local to electors.  No concerns.
	PBB	1,333	Longforgan Church Hall	1-3	No change	
	PBC	6	Kettins Church Hall	1	No change	
	PBD PBE	158 1,427	Inchture Village Hall	1-3	Merge polling district PBD with PBE, with PBE being the polling district.	
	PBF	307	Annat Hall, Rait	1	No change	
	PBG	2,100	Errol Community Centre	1-4	No change	
	PBH	1,422	St Madoes Community Centre	1-3	No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 2	PBI	2,142	Alyth Town Hall	1-3	No change	
	PBJ	394	Alyth Town Hall	1-3	No change	
	PBK	823	Kinloch Memorial Hall, Meikle	1-2	No change	
	PBL	275	Kettins Church Hall	1	No change	
	PBM	1,743	St Annes Church Hall, Coupar Angus	1-3	No change	
	PBN	1,113	Burrelton Hall	1-2	No change	
	PBP	296	Kinrossie Hall	1-2	No change	
	PBQ	520	Balbeggie Hall	1-2	No change	
	PBR	636	Guildtown Hall	1-2	No change	
	PBS	4,718	RDM Institute, Scone	1-6	No change	
PERTH & NORTH PERTSHIRE  WARD 3	PBT	3,272	Blairgowrie Town Hall	1-4	No change	
	PBU	2,302	St Catherine's Community Centre	1-3	No change	
	PBV	2,670	Rattray Community Connect	1-3	No change	
	PBW	183	Bridge of Cally Hall	1-2	No change	
	PBX	236	St Catharine's Community Centre	1-3	No change	
	PBY	363	Kirkmichael Hall	1-2	No change	
	PBZ	169	Blackwater Hall	1-2	No change	



(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 4	PCA	272	Mid Atholl Hall, Ballinluig	1-2	No change	
	PCB	2,743	Pitlochry Town Hall	1-4	No change	
	PCC	510	Grandtully Hall	1-2	No change	
	PCD	196	Killiecrankie Hall	1-2	No change	
	PCE	605	Blair Atholl Church Hall	1-2	No change	
	PCF	147	Kynachan Hall	1-2	No change	
	PCG	1,817	Aberfeldy Town Hall	1-3	No change	
	PCH	246	Breadalbane Library, Kenmore	1-2	No change	
	PCI	258	Camserney Hall	1-2	No change	
	PCJ	224	Molteno Memorial Hall, Fortingall	1-2	No change	
	PCK	203	Fearnan Hall	1-2	No change	
	PCL	379	Kinloch Rannoch Village Hall	1-2	No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 5	PCM	172	Meikleour Hall	1-2	No change	Guide Hall, Dunkeld visited and located opposite school. No concerns to move this polling station therefore freeing up the school.      Register PCT cannot be combined with another register due to being in different parliamentary constituencies and different wards. No change.
	PCN	193	Clunie Hall	1-2	No change	
	PCP	504	Caputh Village Hall	1-2	No change	
	PCQ	1,547	Royal School of Dunkeld	1-3	In order to not use schools where an alternative can be sought allocate Register PCQ to Guide Hall, Dunkeld	
	PCR	1,541	Stanley Hall	1-3	No change	
	PCS	632	Murthly Hall	1-2	No change	
	PCT	102	Amulree Hall	1-2	No change	
(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
OCHIL & SOUTH PERTSHIRE  WARD 5	SBA	1,357	Bankfoot Church & Community Centre	1-3	No change	
	SBB	1,372	Luncarty Memorial Hall	1-3	No change	
	SBC	187	Chapelhill Hall, Logiealmond	1-3	No change	
	SMA	1,078	Pitcairngreen Village Hall	1-2	No change	
	SMF 5	815	Ruthvenfield Primary School, Huntingtower	1-2	No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
OCHIL & SOUTH PERTSHIRE  WARD 5	SBD	630	Bertha Park High School	1-2	In order to not use schools where an alternative can be sought allocate Register SBD to Community Facility at Bertha Park	Community Facility, Bertha Park visited and deemed suitable as a polling place. No concerns to move this polling station therefore freeing up the school.
PERTH & NORTH PERTSHIRE  WARD 6	PLM	1	Amulree Hall	1	No change	Register PLM cannot be combined with another register due to being in different parliamentary constituencies and different wards. No change.
OCHIL & SOUTH PERTSHIRE  WARD 6	SLA SLB SLC SLE SLD SLF	186 1,952 97 3,804 2,478 231	Sandison Hall, St Fillans Comrie Community Centre Strathearn Community Campus St Andrews Church Hall	1-2 1-4 1-4 1-3	No change No change No change No change	
OCHIL & SOUTH PERTSHIRE  WARD 7	SLG SLJ SLH SLK SLI SLL SLM SLN SLP	690 330 698 731 235 218 840 4,245 426	Braco Village Hall Muthill Hall Moray Institute, Blackford Aytoun Hall, Auchterarder Aberuthven Hall	1-2 1-5 1-2 1-5 1-2	No change No change No change No change No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
OCHIL & SOUTH PERTSHIRE  WARD 7	SLQ	1,126	Dunning Church Hall	1-2	No change	
OCHIL & SOUTH PERTSHIRE  WARD 8	SLR	1,890	Milnathort Town Hall	1-3	No change	
	SLS	5,230	Millbridge Hall, Kinross	1-5	No change	
	SLT	1,139	Institute, Crook of Devon	1-2	No change	
	SLU	487	Moubray Hall, Powmill	1-2	No change	
	SLV	168	Cleish Hall	1-2	No change	
	SLW	452	Tabernacle Hall, Blairadam	1-2	No change	
	SLX	1,207	Portmoak Village Hall	1-2	No change	
	SLY	1,353	Glenfarg Village Hall	1-3	No change	
OCHIL & SOUTH PERTSHIRE  WARD 9	SMB	1,429	Methven Bowling Club	1-2	No change	
	SMC	266	Fowlis Wester Hall	1-2	No change	
	SMD	237	St David's Hall, Madderty	1-2	No change	
	SME	540	Findo Gask Hall	1-2	No change	
	SMF 9	191	Ruthvenfield Primary School	1-2	No change	
	SMG SMJ	110 3,021	Bridge of Earn Hall	1-4	No change	
	SMH SMI	76 537	Forgandenny Hall	1-2	No change	
	SMK	1,529	Williamson Hall, Abernethy	1-3	No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 10	PLA PDD	490 0	Moncreiffe Community Centre	1-2	No change	Register PDD cannot be combined with PLA due to different Scottish Parliamentary constituencies.
	PLB	751	Moncreiffe Church Hall	1-2	No change	
	PLC	2,698	Craigie Church Hall	1-3	No change	
	PLD PLN	3,712 491	Scout Hall, Perth Academy	1-4	No change	
	PLE	3,090	Oakbank Community Centre	1-3	No change	
	PLF	785	Baptist Church Hall	1-4	No change	
	PLH 10	1,427	Letham St Marks Hall	1-3	No change	
PERTH & NORTH PERTSHIRE  WARD 11	PLG	1,060	Baptist Church Hall	1-4	No change	Kingdom Housing Association offices visited and deemed suitable as a polling place. No concern re this creation of a new PPD and polling station which will incorporate approx. 654 electors.
	PLH 11	921	Letham St Marks Hall	1-4	No change	
	PLI	1,203	Railway Staff Club	1-3	Proposal to create a new PPD from the top area of PLI, Fairfield area (see map below) with electors voting at Kingdom Housing Association offices	
	PLK	3,557	Tulloch Community Centre	1-4	No change	
	PLL	2,299	Perth Gospel Hall	1-3	No change	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & NORTH PERTSHIRE  WARD 12	PCV	2,338	Riverside Church	1-3	No change	Kinnoull Church Hall visited and deemed suitable as a polling place. No concerns.
	PCW	2,103	North Inch Campus	1-3	No change	
	PCX	1,798	North Church Hall	1-3	No change	
	PCY	2,067	Christian Fellowship Centre	1-3	No change	
	PCZ	566	Moncreiffe Community Centre	1-2	No change	
	PDA	1,544	Rodney Fitness Centre	1-2	Allocate PDA from Rodney Fitness Centre as no longer available to Kinnoull Church Hall.	
	PDB	1,237	Gannochy Community Centre	1-2	No change	
	PDC	188	Upper Springlands	1-2	No change	
	PLJ	1,136	Railway Staff Club	1-3	No change	

**THOMAS GLEN**  
Chief Executive

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## PERTH AND KINROSS COUNCIL

## ELECTORAL REGISTRATION AND ADMINISTRATION ACT 2013

## REVISED POLLING DISTRICTS AND POLLING PLACES

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & KINROSS-SHIRE  WARD 1	PBA	1,455	Invergowrie Church Hall	1-3	No change	Multi ward polling station with register PBL in Ward 2. No option to change as no polling station local to electors.  PBD polling district used to vote at Abernyte Primary School, no longer used. No concerns.
	PBB	1,333	Longforgan Church Hall	1-3	No change	
	PBC	6	Kettins Church Hall	1	No change	
	PBD PBE	158 1,427	Inchture Village Hall	1-3	Merge polling district PBD with PBE, with PBE being the polling district.	
	PBF	307	Annat Hall, Rait	1	No change	
	PBG	2,100	Errol Community Centre	1-4	No change	
	PBH	1,422	St Madoes Community Centre	1-3	No change	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
PERTH & KINROSS-SHIRE  WARD 2	PBS	4,718	RDM Institute, Scone	1-6	<p>Align polling district boundary line between PBS, PBR and PBQ with the constituency boundary line. One small area at top of PBS, Stormontfield Fish Ponds, falls within Angus &amp; Perthshire Glens constituency. Proposal to move that area from polling district PBS to PBR and any electors to vote at Guildtown Hall.</p> <p>Top right area of PBS at end of Muirward Wood falls within Angus and Perthshire Glens constituency. Proposal to move that area from PBS to PBQ. No electors involved.</p> <p>Area at bottom left of PBR known as Ardgilzean, falls within Perth and Kinross-shire constituency. Proposal to move that area to polling district PBS. No electors involved.</p> <p>Area at right hand side between polling district PBS and PBQ to align to Westminster constituency boundary. One area within PBQ and Angus and Perthshire Glens constituency, Morningside Farm House, falls within Perth and Kinross-shire constituency. Proposal to move to PBS and electors to vote at RDM, Scone. No properties involved in the other areas of cross over.</p>	



<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
ANGUS & PERTSHIRE GLENS  WARD 2	PBI	2,142	Alyth Town Hall	1-3	No change	
	PBJ	394	Alyth Town Hall	1-3	No change	
	PBK	823	Kinloch Memorial Hall, Meigle	1-2	No change	
	PBL	275	Kettins Church Hall	1	No change	
	PBM	1,743	St Annes Church Hall, Coupar Angus	1-3	No change	
	PBN	1,113	Burrelton Hall	1-2	No change	
	PBP	296	Kinrossie Hall	1-2	No change	
	PBQ	520	Balbeggie Hall	1-2	Area at left hand side between polling district PBS and PBQ to align to Westminster constituency boundary. One area within PBQ and Angus and Perthshire Glens constituency, Morningside Farm House, falls within Perth and Kinross-shire constituency. Proposal to move to PBS and electors to vote at RDM, Scone. No properties involved in the other areas of cross over.	

(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
ANGUS & PERTSHIRE GLENS  WARD 2	PBR	636	Guildtown Hall	1-2	<p>Small area within PBS known as Stormontfield Fish Ponds falls within Angus and Perthshire Glens constituency. Proposal to move that area from polling district PBS to PBR and any electors to vote at Guildtown Hall.</p> <p>Area at bottom left of PBR known as Ardgilzean, falls within Perth and Kinross-shire constituency. Proposal to move that area to polling district PBS. No electors involved.</p>	
ANGUS & PERTSHIRE GLENS  WARD 3	PBT	3,272	Blairgowrie Town Hall	1-4	No change	
	PBU	2,302	St Catherine's Community Centre	1-3	No change	
	PBV	2,670	Rattray Community Connect	1-3	No change	
	PBW	183	Bridge of Cally Hall	1-2	No change	
	PBX	236	St Catharine's Community Centre	1-3	No change	
	PBY	363	Kirkmichael Hall	1-2	No change	
	PBZ	169	Blackwater Hall	1-2	No change	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
ANGUS & PERTSHIRE GLENS  WARD 4	PCA	272	Mid Atholl Hall, Ballinluig	1-2	No change	
	PCB	2,743	Pitlochry Town Hall	1-4	No change	
	PCC	510	Grandtully Hall	1-2	No change	
	PCD	196	Killiecrankie Hall	1-2	No change	
	PCE	605	Blair Atholl Church Hall	1-2	No change	
	PCF	147	Kynachan Hall	1-2	No change	
	PCG	1,817	Aberfeldy Town Hall	1-3	No change	
	PCH	246	Breadalbane Library, Kenmore	1-2	No change	
	PCI	258	Camserney Hall	1-2	No change	
	PCJ	224	Molteno Memorial Hall, Fortingall	1-2	No change	
	PCK	203	Fearnan Hall	1-2	No change	
	PCL	379	Kinloch Rannoch Village Hall	1-2	No change	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
ANGUS & PERTSHIRE GLENS  WARD 5	PCM	172	Meikleour Hall	1-2	No change	Guide Hall, Dunkeld visited and located opposite school. No concerns to move this polling station therefore freeing up the school.          Register PCT cannot be combined with another register due to being in different parliamentary constituencies and different wards. No change.
	PCN	193	Clunie Hall	1-2	No change	
	PCP	504	Caputh Village Hall	1-2	No change	
	PCQ	1,547	Royal School of Dunkeld	1-3	In order to not use schools where an alternative can be sought allocate Register PCQ to Guide Hall, Dunkeld	
	PCR	1,541	Stanley Hall	1-3	No change	
	PCS	632	Murthly Hall	1-2	No change	
	PCT	102	Amulree Hall	1-2	No change	
	SBA	1,357	Bankfoot Church & Community Centre	1-3	No change	
	SBB	1,372	Luncarty Memorial Hall	1-3	No change	
	SBC	187	Chapelhill Hall, Logiealmond	1-3	No change	
SBD	630	Bertha Park High School	1-2	In order to not use schools where an alternative can be sought allocate Register SBD to Community Facility at Bertha Park	Community Facility, Bertha Park visited and deemed suitable as a polling place. No concerns to move this polling station therefore freeing up the school.	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from 1 December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
PERTH & KINROSS-SHIRE  WARD 5	SMA  SMF 5	1,078  815	Pitcairngreen Village Hall  Ruthvenfield Primary School, Huntingtower	1-2  1-2	No change  No change	
PERTH & KINROSS-SHIRE  WARD 6	PLM    SLA  SLB  SLC SLE  SLD SLF	1    186  1,952  97 3,804  2,478 231	Amulree Hall    Sandison Hall, St Fillans  Comrie Community Centre  Strathearn Community Campus  St Andrews Church Hall	1    1-2  1-4  1-4  1-3	No change    No change  No change  No change  No change	Register PLM cannot be combined with another register due to being in different parliamentary constituencies and different wards. No change.
STIRLING & STRATHALLAN  WARD 7	SLG SLJ  SLK	690 330  731	Braco Village Hall  Moray Institute, Blackford	1-2  1-2	No change  No change	



(1) Parliamentary Constituency	(2) Parliamentary Polling District (PPD)	(3) Electorate as published 03/07/23	(4) Polling Places with effect from 1 December 2022	(5) Polling Stations	(6) Proposals	(7) Comments by Returning Officer
PERTH & KINROSS-SHIRE  WARD 7	SLQ	1,126	Dunning Church Hall	1-2	<p>Small area at top right of SLP falls within Perth &amp; Kinross-shire Westminster constituency. Proposal to move those electors from SLP to SLQ and vote at Dunning Church Hall.</p> <p>Small area at top right of SLM falls within the Perth &amp; Kinross-shire Westminster constituency. Proposal to move that small area of electors from SLM to SLQ to vote at Dunning Church Hall.</p>	<p>No concerns with this change.</p> <p>No concerns with this change.</p>
PERTH & KINROSS-SHIRE  WARD 8	SLR	1,890	Milnathort Town Hall	1-3	No change	
	SLS	5,230	Millbridge Hall, Kinross	1-5	No change	
	SLT	1,139	Institute, Crook of Devon	1-2	No change	
	SLU	487	Moubray Hall, Powmill	1-2	No change	
	SLV	168	Cleish Hall	1-2	No change	
	SLW	452	Tabernacle Hall, Blairadam	1-2	No change	
	SLX	1,207	Portmoak Village Hall	1-2	No change	
	SLY	1,353	Glenfarg Village Hall	1-3	No change	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from 1 December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
PERTH & KINROSS-SHIRE  WARD 9	SMB  SMC  SMD  SME  SMF 9  SMG SMJ  SMH SMI  SMK	1,429  266  237  540  191  110 3,021  76 537  1,529	Methven Bowling Club  Fowlis Wester Hall  St David's Hall, Madderty  Findo Gask Hall  Ruthvenfield Primary School  Bridge of Earn Hall  Forgandenny Hall  Williamson Hall, Abernethy	1-2  1-2  1-2  1-2  1-2  1-4  1-2  1-3	No change  No change  No change  No change  No change  No change  No change  No change	
PERTH & KINROSS-SHIRE  WARD 10	PLA PDD  PLB  PLC  PLD PLN  PLE	490 0  751  2,698  3,712 491  3,090	Moncreiffe Community Centre  Moncreiffe Church Hall  Craigie Church Hall  Scout Hall, Perth Academy  Oakbank Community Centre	1-2  1-2  1-3  1-4  1-3	No change  No change  No change  No change	Register PDD cannot be combined with PLA due to different Scottish Parliamentary constituencies.



<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from 1 December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
PERTH & KINROSS-SHIRE  WARD 10	PLF  PLH 10	785  1,427	Baptist Church Hall  Letham St Marks Hall	1-4  1-3	No change  No change	
PERTH & KINROSS-SHIRE  WARD 11	PLG  PLH 11  PLI  PLK  PLL	1,060  921  1,203  3,557  2,299	Baptist Church Hall  Letham St Marks Hall  Railway Staff Club  Tulloch Community Centre  Perth Gospel Hall	1-4  1-4  1-3  1-4  1-3	No change  No change  Proposal to create a new PPD from the top area of PLI, Fairfield area (Appendix 1 and 2 attached) with electors voting at Kingdom Housing Association offices  No change  No change	No concern re this creation of a new PPD and polling station which will incorporate approx. 654 electors.
PERTH & KINROSS-SHIRE  WARD 12	PCV  PCW  PCX  PCY  PCZ	2,338  2,103  1,798  2,067  566	Riverside Church  North Inch Campus  North Church Hall  Christian Fellowship Centre  Moncreiffe Community Centre	1-3  1-3  1-3  1-3  1-2	No change  No change  No change  No change  No change	

<b>(1) Parliamentary Constituency</b>	<b>(2) Parliamentary Polling District (PPD)</b>	<b>(3) Electorate as published 03/07/23</b>	<b>(4) Polling Places with effect from 1 December 2022</b>	<b>(5) Polling Stations</b>	<b>(6) Proposals</b>	<b>(7) Comments by Returning Officer</b>
PERTH & KINROSS-SHIRE  WARD 12	PDA	1,544	Rodney Fitness Centre	1-2	Allocate PDA from Rodney Fitness Centre as no longer available to Kinnoull Church Hall.	Kinnoull Church Hall visited and deemed suitable as a polling place. No concerns.
	PDB	1,237	Gannochy Community Centre	1-2	No change	
	PDC	188	Upper Springlands	1-2	No change	
	PLJ	1,136	Railway Staff Club	1-3	No change	

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**THOMAS GLEN**  
Chief Executive

## PERTH AND KINROSS COUNCIL

6 December 2023

### TAY CITIES REGION DEAL JOINT COMMITTEE PROPOSED CHANGES TO MEMBERSHIP

**Report by Strategic Lead – Economy, Development & Planning**  
(Report No. 23/345)

#### 1. PURPOSE

- 1.1 The purpose of this report is to approve a change to the membership of the Tay Cities Region Joint Committee. The Council previously approved the establishment of the Joint Committee in a report to committee in August 2017. Any changes to the membership bodies represented on the Committee must be approved by the constituent Councils.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that Council:
- approves the change to the membership of the Tay Cities Region Joint Committee, to allocate the vacant voting membership to the Tayside and Central Scotland Transport Partnership (Tactran).

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background
  - Section 5: Proposals
  - Section 6: Conclusion
  - Appendix 1: Terms of Reference of Joint Committee

#### 4. BACKGROUND

- 4.1 Perth and Kinross Council, at its meeting on 16 August 2017, agreed to the establishment of a Joint Committee under Section 57 of the Local Government (Scotland) Act 1973 with Fife, Angus and Dundee City Councils, representatives from the Tay Cities Higher Education and Further Education forum, third sector interface organisations and the Tay Cities Regional Enterprise Forum to oversee the governance arrangements for Tay Cities Deal (report no.17/264 refers). The Council also approved the Minute of Agreement establishing the Joint Committee. Further details are provided within the Joint Committee Governance Agreement attached as Appendix 1.

- 4.2 The partners established the Joint Committee as the decision-making body to implement the Deal and to provide oversight of a number of other functions including regional economic development, regional spatial planning and regional infrastructure. It is supported by a structure led by the Management Group to carry out the operational activities and advise the Joint Committee. The Joint Committee is the ultimate regional decision-making body for the Deal. It also has a wider role to lead regional collaboration more broadly. It oversees all investment and approves relevant business cases. It is governed by the Joint Committee Governance Agreement. The Agreement sets out matters including membership and voting rights; the purpose and functions of the Committee; the powers delegated to the Management Group; the role of the Programme Management Office, funding, and budget arrangements.
- 4.3 The Chair of the Joint Committee and the Management Group rotates on an annual basis between the member Local Authorities. Perth & Kinross Council chaired the Joint Committee (Councillor Grant Laing), as well the Management Group Chair (Barbara Renton, Executive Director - Communities) since December 2022. Fife Council take these positions from December 2023. The four Tay Cities Region local authorities, appoint three members each to the Joint Committee. The current representatives from Perth & Kinross Council are Councillors Grant Laing, John Duff and Sheila McCole.
- 4.4 In the current Joint Committee Agreement, the Enterprise Forum is entitled to two non-elected voting positions (Chair and Vice Chair). However, since March 2021, the Forum have only been using one position at the Joint Committee. In May 2022, when the Forum confirmed its new chair, no vice chair was nominated. Subsequently, the Enterprise Forum has confirmed that they do not require both positions on the Joint Committee.

## **5. PROPOSALS**

- 5.1 Following discussions within the Management Group of the partnership, the proposal is to recommend that the vacant voting position is allocated to the statutory Regional Transport Partnership, Tactran. Tactran is already represented on the Committee as a non-voting member. They are responsible for the Regional Transport Strategy, one of the support functions of the Joint Committee as set out at Appendix 1.

## **6. CONCLUSION**

- 6.1 Following the recommendation from the Tay Cities Region Management Group that the vacant voting membership on the Tay Cities Joint Committee is allocated to Tactran; the Council is asked to approve this change to the Membership of the Joint Committee. The other member local authorities have all confirmed that they have approved the change in membership.

**Author**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Alison Seggie	Economic Development Manager	(01738) 475000 <a href="mailto:comcommitteereports@pkc.gov.uk">comcommitteereports@pkc.gov.uk</a>

**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Barbara Renton	Executive Director (Communities)	24 November 2023

**APPENDICES**

- Appendix 1 – Joint Committee Governance Agreement

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>No</b>
Workforce	<b>No</b>
Asset Management (land, property, IST)	<b>No</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>No</b>
Strategic Environmental Assessment	<b>No</b>
Sustainability (community, economic, environmental)	<b>No</b>
Legal and Governance	<b>Yes</b>
Risk	<b>No</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>No</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This report supports all of the priorities within the Community Plan 2022-27.

- (i) *Reducing Poverty (including child poverty, fuel poverty and food poverty)*
- (ii) *Mental and physical wellbeing*
- (iii) *Digital participation*
- (iv) *Skills, learning and development*
- (v) *Employability*

#### Corporate Plan

1.2 This report supports the objectives within the Corporate Plan:-

- (i) *Children and young people grow up safe, respected, well-educated, and confident in their ability to realise their full potential;*
- (ii) *People and businesses are increasingly able to prosper in a local economy which support low carbon ambitions and offers opportunities for all;*
- (iii) *People can achieve their best physical and mental health and have access to quality care and support when they need it;*
- (iv) *Communities are resilient and physically, digital and socially connected;*
- (v) *Perth and Kinross is a safe and vibrant place, mitigating the impact of climate and environmental change for this and future generations.*

## 2. Resource Implications

### Financial

2.1 This proposal has no financial implications.

### Workforce

2.2 This proposal has no workforce implications.

### Asset Management (land, property, IT)

2.3 This report has no land, property or IT implications.

## 3. Assessments

3.1 The proposal has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

The proposal has been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- in the way best calculated to delivery of the Act's emissions reduction targets;
- in the way best calculated to deliver any statutory adaptation programmes; and
- in a way that it considers most sustainable.

The proposal is not considered to be relevant or requiring assessment against the Council's Principles for Sustainable Development.

## Legal and Governance

- 3.4 The Council agreed to enter into a Minute of Agreement to establish a Joint Committee under Section 57 of the Local Government (Scotland) Act 1973 for the purposes of progressing and implementing the Tay Cities Deal on 16<sup>th</sup> August 2017. To comply with that agreement the Council needs to approve the proposed change in membership to allocate a vacant voting membership to Tactran. The Head of Legal and Governance Services has been consulted.

## Risk

- 3.5 There are no specific identified risks attached to the proposal presented within the report.

## **4. Consultation**

### Internal

- 4.1 The Head of Legal and Governance has been consulted on the preparation of this report.

### External

- 4.2 The Tay Cities Management Group have been consulted in the development of the proposal contained within this report.

## **5. Communication**

- 5.1 No specific communications will be required arising from this report.

## **2. BACKGROUND PAPERS**

- 2.1 Joint Committee Governance Agreement (Appendix 1).





# **Joint Committee Governance Agreement**

## **Tay Cities Region Joint Committee**

## INTRODUCTION

### WHEREAS

- (A) **Angus Council**, the local authority for Angus constituted under the Local Government etc (Scotland) Act 1994 and having their principal offices at Angus House, Orchardbank Business Park, Forfar, Angus, DD8 1AN, **Dundee City Council**, the local authority for the City of Dundee constituted under the Local Government etc (Scotland) Act 1994 and having their principal offices at 21 City Square, Dundee, DD1 3BY, **Fife Council**, the local authority for Fife constituted under the Local Government etc (Scotland) Act 1994 and having their principal offices at Fife House, North Street, Glenrothes, Fife, KY7 5LT and **Perth and Kinross Council**, the local authority for Perth and Kinross constituted under the Local Government etc (Scotland) Act 1994 and having their principal offices at Council Building, 2 High Street, Perth, PH1 5PH (the “Constituent Councils”) entered into a Minute of Agreement (hereinafter referred to as “the MOA”) to form the Tay Cities Region Joint Committee (“the Joint Committee”).
- (B) The MOA, which is referred to for its terms and appended to this agreement at Schedule 1, resolved to create a separate formal agreement or agreements for the administration of the governance arrangements in respect of the functions as detailed in Recital Sixth of the MOA. Where the terms of this agreement differ from the MOA, this agreement shall be considered to have amended the MOA to that extent.
- (C) The Constituent Councils confirm that they have all the necessary powers and authority to enter into such a formal agreement.
- (D) The document (hereinafter referred to as the Joint Committee Governance Agreement) constitutes the separate formal agreement to establish the arrangements for the administration and governance of the functions of the Joint Committee.
- (E) The Constituent Councils may enter into further formal agreements to determine more detailed arrangements for the implementation of any of the functions should this be considered necessary by them or by the Joint Committee.

NOW THEREFORE the Constituent Councils agree as follows:-

We, Angus Council, the local authority for Angus constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at Angus House, Orchardbank Business Park, Forfar, Angus, DD8 1AN, Dundee City Council, the local authority for the City of Dundee constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at 21 City Square, Dundee, DD1 3BY, Fife Council, the local authority for Fife constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at Fife House, North Street, Glenrothes, Fife, KY7 5LT and Perth and Kinross Council, the local authority for Perth and Kinross constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at Council Building, 2 High Street,

Perth, PH1 5PH each agree to become a Constituent Authority of the Tay Cities Region Joint Committee which is a Joint Committee constituted under Section 57 of the Local Government (Scotland) Act 1973. We each confirm that we have all necessary powers to participate as a Constituent Authority of the Tay Cities Region Joint Committee and that our membership of the Tay Cities Region Joint Committee and the operation of the Tay Cities Region Joint Committee and its functions shall be governed by the following terms and conditions:-

## **1 INTERPRETATION**

1.1 In these terms and conditions the following expressions shall have the meanings respectively ascribed to them:-

"The Clerk" means the Head of Democratic and Legal Services of the Lead Authority.

"The Commencement Date" is set out in clause 2.1.

"Confidential Information" is defined in clause 14.2.

"Constituent Authorities" means Angus Council, Dundee City Council, Fife Council and Perth & Kinross Council

"Constituent Member Organisations" shall mean those members of the Joint Committee who are not Constituent Authorities as described in clause 3 of the MOA

"The Contribution Sum" means any sum payable by each Constituent Authority in accordance with these terms and conditions, calculated in accordance with clause 9.8 to meet each Constituent Authority's share of the budgeted costs of work of the Joint Committee, and such other costs as the Joint Committee shall determine.

"Functions" are as defined in clause 4.2 of this Agreement and as otherwise agreed by the Constituent Authorities.

"The Joint Committee" means the Tay Cities Region Joint Committee, a Joint Committee established under Section 57 of the Local Government (Scotland) Act 1973, the terms and conditions of which are set out herein.

"The Lead Authority" means Dundee City Council (unless the Constituent Authorities agree otherwise) whose role and remit is more particularly described in clause 7.

“Management Group” shall mean the group comprising the four Chief Executives or their nominees of the Constituent Authorities and the nominees of the Constituent Member Organisations established in terms of clause 5 of this Agreement.

“MOA” means that minute of agreement between the parties hereto dated 30th November and 1st, 7th and 18th December 2017.

“The Programme Manager” means the officer appointed by the Management Group to lead and manage the Programme Management Office and have responsibility for coordinating the operational delivery of the TCD Programme.

“The Programme Management Office” (the PMO) shall be the team of officers employed by or seconded to the Lead Authority to fulfil the operational tasks necessary to coordinate the delivery of the TCD Programme, whose role is more particularly described in clause 6.

“The Tay Cities Deal” is that to be agreed between the Constituent Authorities and the UK and Scottish Governments comprising the key themes of Inclusive Tay, Innovative Tay, International Tay and Connected Tay.

“The Tay Cities Region” means the local government areas of Angus Council, Dundee City Council and Perth & Kinross Council in their entirety, and in relation to Fife Council, the area of North East Fife.

“The TCD Programme” shall mean the programme of activities, projects and works in respect of the implementation of the Tay Cities Deal.

“The Treasurer” means the Executive Director of Corporate Services of the Lead Authority.

1.2 In this Agreement:-

- (a) References to the Tay Cities Region Joint Committee are to be treated as references to the Joint Committee and vice versa;
- (b) References to contracts/grants entered into or awarded by the Joint Committee are references to contracts entered into or awarded on behalf of the Tay Cities Region Joint Committee by the Lead Authority on the instruction of the Joint Committee or any sub-committee or officer authorised to issue such an instruction.

1.3 Words imparting the masculine gender only shall include the feminine gender and vice versa.

- 1.4 Words imparting the singular number shall, except where the context otherwise requires, include the plural number and vice versa.

## **2 COMMENCEMENT AND DURATION**

- 2.1 The Agreement shall commence on the date these terms and conditions are received by the Lead Authority validly executed on behalf of all the Constituent Authorities. Subscription of these terms and conditions will not impose any legally enforceable rights or obligations on the body which has executed these terms and conditions until then.
- 2.2 Once validly executed, these terms and conditions shall be legally binding upon the Constituent Authorities, subject to any lawful variation thereof, unless and until this Agreement is terminated in accordance with clause 12.

## **3 MEMBERSHIP & VOTING RIGHTS**

- 3.1 The Commencement Date and membership of the Joint Committee is stated in clause 3 of the MOA.
- 3.2 Any Local Authority other than those listed in the Introduction which wishes to become a member of the Joint Committee may apply for membership. Each existing Constituent Authority shall have a veto on this application which each may use entirely at their own discretion.
- 3.3 Each Constituent Authority shall appoint their Leader to be one of their representatives on the Joint Committee. It will, however, be open to each of the Constituent Authorities to replace its representatives on the Joint Committee at any time. The appointment of any substitutes and alterations to those substituted are a matter for each Constituent Authority provided that appropriate written notice is given to the Clerk of such appointment in advance.
- 3.4 Upon formal execution of this document by the Constituent Authorities, all members of the Joint Committee as defined in the first part of clause 3 of the MOA, namely the Constituent Authorities and the Constituent Member Organisations (hereinafter referred to as "Voting Members") shall have full voting rights.
- 3.5 Any Voting Member of the Joint Committee may be substituted by another member of their own authority or organisation. Any such substitute shall have the same powers at the meeting as the member whom he or she is substituting for.

- 3.6 A simple majority of those Voting Members present shall be required in all voting procedures with the exception of the suspension of the standing orders, which shall require a majority of two thirds.
- 3.7 The quorum for the Joint Committee shall be seven Voting Members representing no less than three of the four constituent Councils and one Constituent Member Organisation.
- 3.8 The Joint Committee may appoint for an agreed period Specialist Advisors to represent other interests or provide specialist expertise.

#### **4 PURPOSE AND SCOPE**

- 4.1 The Joint Committee has been established for the purpose of regulating the joint discharge of the Functions by the Constituent Authorities.
- 4.2 The Functions of the Joint Committee are as follows:-
- i. Implementation of the Tay Cities Deal, in particular:-
    - a. The approval and oversight of investments to be funded through the Tay Cities Deal;
    - b. The approval and reporting of business cases in respect of those investments;
    - c. Making recommendations to the Scottish and UK Governments of modified or substitute projects under the Tay Cities Deal as appropriate.
    - d. The monitoring, evaluation and reporting of progress in respect of projects being delivered;
    - e. Signing off on satisfactory completion of each project delivered under the Tay Cities Deal;
    - f. Acting as a strategic point of contact with the Scottish and UK Governments and to provide quarterly progress reports to them in relation to the Tay Cities Deal;
  - ii. Acting as a regional partnership for the Tay Cities Region;
  - iii. Regional economic development for the Tay Cities Region;
  - iv. Regional land use and strategic planning for the Tay Cities Region;
  - v. Regional infrastructure planning for the Tay Cities Region;
  - vi. Support for regional transport planning for the Tay Cities Region;
  - vii. Monitoring, evaluation and reporting in respect of regional economic performance;
  - viii. Approving governance arrangements for the Joint Committee, the Management Group, sub-committees and procedural standing orders;
  - ix. Establishing sub-committees and agreeing to the delegation of responsibilities of the Joint Committee to those bodies and to officers;
  - x. Approval of the roles and remits of any sub-committees to whom areas of authority may be delegated by Constituent Authorities.

- 4.3 The Joint Committee shall adopt standing orders relating to proceedings at their meetings and the meetings of any sub-committees.

## **5 THE MANAGEMENT GROUP**

- 5.1 The Management Group shall undertake such activities as are determined by the Joint Committee from time to time. The current Terms of Reference are attached as Schedule 2 to this agreement.

## **6 PROGRAMME MANAGEMENT OFFICE (PMO)**

- 6.1 The PMO shall be the team of officers employed by or seconded to the Lead Authority to coordinate the operational tasks necessary to implement the delivery of the TCD Programme.

In particular the PMO will:-

- i. provide best practice styles and documentation to the Constituent Authorities;
- ii. scrutinise proposed business cases and make recommendations to the Joint Committee via the Management Group. Where necessary expertise does not exist within this team to fulfil this responsibility, external support may be commissioned and managed by the PMO;
- iii. assess and monitor progress, process, slippage and risks in respect of projects within the TCD Programme and report these to the Management Group;
- iv. analyse the impact of the delivery of the projects within the TCD Programme as well as the wider economic benefits as agreed in business cases and conditions of grant awards and to report the same to the Joint Committee to enable them to fulfil their reporting obligations to all in accordance with commitments made to the UK and Scottish Governments as part of the Tay Cities Deal;
- v. liaise with and co-ordinate programme delivery across other partners and National Bodies, including non-departmental public bodies, as long as such co-ordination advances the aims of the Tay Cities Deal and the functions of the Joint Committee; and
- vi. develop and implement communications and stakeholder engagement strategies.

- 6.2 The Programme Manager shall be appointed by the Management Group to lead and manage the PMO and have responsibility for co-ordination of the operational delivery of the TCD Programme.

- 6.3 The Programme Manager shall be employed by or seconded to the Lead Authority.

6.4 The Programme Manager shall work under the direction of the Management Group and shall be accountable to the Joint Committee, through the Management Group, for the operational delivery of the TCD Programme.

6.5 Through the Management Group, the Programme Manager shall provide quarterly updates and an annual report to the Joint Committee advising on the progress, performance, slippage and risks in respect of all active projects within the TCD Programme.

## **7 LEAD AUTHORITY**

7.1 The Constituent Authorities have agreed that Dundee City Council shall be the Lead Authority.

7.2 The Lead Authority shall be the employing or secondee authority for the Programme Manager, the PMO and any other person appointed by the Joint Committee.

7.3 The Clerk to the Joint Committee may appoint a depute or deputies as appropriate subject always to agreement by the Constituent Authorities.

7.4 The Treasurer to the Joint Committee may appoint a depute or deputies as appropriate subject always to agreement by the Constituent Authorities.

7.5 The Lead Authority shall provide administrative, professional and technical support services as may be required, which services shall include financial, legal, audit, human resources, information technology systems and security and any other professional or technical support services as required to enable the Joint Committee to deliver its functions.

7.6 In particular the Lead Authority shall:-

- i. develop, in consultation with the Heads of Legal Services or equivalent of the other Constituent Authorities, all necessary governance documents for the effective operation of the Joint Committee;
- ii. ensure that the PMO budget and funding are used legally and appropriately;
- iii. prepare regular consolidated budget monitoring statements for consideration of the Joint Committee;
- iv. prepare the annual report and accounts for the Joint Committee and arrange for audit of the said accounts;
- v. ensure that any decisions in delivering the Functions conform with relevant legal requirements including equalities, environment, European Union legislation, sustainability and best value;



- vi. allocate and account for distribution of Tay Cities Deal grant income and enter into grant agreements on behalf of the Joint Committee with the relevant Constituent Authorities, Constituent Member Organisations and third parties in respect of the specified projects required to deliver the TCD Programme;
- vii. prepare and circulate all meeting agenda, reports and minutes;
- viii. publish the Joint Committee processes and outcomes;
- ix. facilitate engagement with the UK and Scottish Governments; and
- x. manage Joint Committee communications including the Tay Cities Deal website.

## **8 TAY CITIES DEAL FUNDING OBLIGATIONS**

- 8.1 All funding in respect of a project under the TCD Programme shall be subject to a formal grant agreement, which shall be entered into by the Lead Authority on behalf of the Joint Committee, with the relevant Constituent Authority, Constituent Member Organisation or other third party ("Grant Recipient").
- 8.2 Where the Grant Recipient is a Local Authority, the terms of the grant agreement must comply with the requirements of the Financial Regulations and other relevant governance requirements of that Authority.
- 8.3 Grant Recipients shall deliver agreed projects under the TCD Programme in accordance with the terms of their grant agreement.
- 8.4 Where a Grant Recipient is failing to deliver a project under the TCD Programme in accordance with the terms of the grant agreement, the Grant Recipient shall report to the Management Group and agree mitigating actions to ensure successful completion of the project.
- 8.5 Grant Recipients shall provide all information requested of them within the prescribed timescales to enable the Joint Committee to fulfil its functions.
- 8.6 Should the Grant Recipient fail to comply with any relevant clause of this agreement or a material condition of the grant agreement, the Joint Committee will have the delegated power to:-
  - i. Suspend any further payment of grant funding until suitable resolution is found;
  - ii. Terminate the relevant grant agreement;
  - iii. Remove the particular project from the TCD Programme;
  - iv. Recalculate the grant award; and

- v. Recover from the Grant Recipient any grant monies already paid and additional costs incurred or losses suffered by the Joint Committee or its Constituent Authorities arising from that failure.

## **9 JOINT COMMITTEE BUDGET**

- 9.1 The Joint Committee shall as soon as reasonably practicable following the valid execution of this agreement have delegated authority to approve a budget to 31 March 2019 in respect of the operational running costs of the Joint Committee ( hereinafter referred to as the “JC Operational Costs”), which shall include the PMO costs and the reasonable costs, expenses and outgoings incurred by the Lead Authority in providing the administrative, professional and technical support services as outlined in clause 7 above.
- 9.2 Thereafter, in each year and prior to 31 March, the Joint Committee shall have delegated authority to consider and approve a budget prepared jointly by the Programme Manager and the Treasurer in terms of the Lead Authority’s budgetary requirements, for the JC Operational Costs in the following financial year.
- 9.3 The Constituent Authorities shall defray the Joint Committee Operational Costs in accordance with these terms and conditions. The Contribution Sum shall be paid quarterly in advance in accordance with arrangements made by the Treasurer.
- 9.4 Since a significant proportion of the Tay Cities Deals will be to the benefit of the University of St Andrews, the University of Dundee, the University of Abertay, the University of the Highlands and Islands and the James Hutton Institute have agreed to contribute to the JC Operational Costs incurred by the Constituent Authorities under clause 9.3 and said contribution will be the subject of a separate Agreement
- 9.5 The Contribution Sum payable by the Constituent Authorities will be the total of the Joint Committee Operational Costs less the amount which is to be paid by the Universities and the Institute named in *Clause* 9.4 above.
- 9.6 The Constituent Authorities each agree to pay their Contribution Sum in accordance with this clause.
- 9.7 The full Contribution Sum shall be payable by each Constituent Authority regardless of the use made by a Constituent Authority of the functions of the Joint Committee or a Constituent Authority’s participation in the projects under the TCD Programme.
- 9.8 The Contribution Sum of the Constituent Authorities shall be a proportion of the JC Operational Costs. The proportion paid by Angus Council, Dundee City Council, Perth & Kinross Council and Fife Council shall be in the ratio 2: 2: 2: 1 respectively.

- 9.9 The Treasurer shall prepare the audited financial statement and accounts of the Joint Committee for approval by the Joint Committee prior to 30 September immediately following the financial year to which the accounts relate. Any deficit arising shall be paid by the Constituent Authorities in accordance with arrangements made by the Treasurer. Any surplus will be reimbursed to Constituent Authorities in accordance with the pro rata Contribution Sums.
- 9.10 No change to the Contribution Sums of any Constituent Authority may be made without prior approval of the Joint Committee following consultation with those Constituent Authorities whose Contribution Sum is affected. The Contribution Sums will be reviewed every three years following the date of signing of this Agreement.

## **10 DEFAULT IN PAYMENTS**

- 10.1 In the event that any Constituent Authority fails to make any payment due under this Agreement, the PMO may determine that interest will run from the date following the date upon which the money became due and payable until paid at a rate of 2% per annum above the base rate of the Royal Bank of Scotland plc.
- 10.2 Where a Constituent Authority remains in default for more than one calendar quarter the terms of clause 8.6 shall apply.
- 10.3 The Lead Authority, on behalf of the Constituent Authorities, and the Constituent Authorities themselves individually, reserve the right to recover any outstanding sums due to them from a defaulting Constituent Authority.

## **11 INDEMNITY AND INSURANCE**

- 11.1 The Constituent Authorities and the Lead Authority shall indemnify each other in respect of any claim, demand, loss, damage, injury, cost or expense (including any liability to their legal advisers) arising from any act or omission of the other party or parties in the course of their obligations under this Agreement.
- 11.2 The Lead Authority shall arrange for the taking out of such policies of insurance as the Treasurer considers appropriate in relation to the carrying out of the functions on behalf of the Joint Committee which insurances shall include without prejudice to the foregoing generality, employers liability, public liability and professional indemnity insurance and the cost of taking out such policies shall be defrayed by the Constituent Authorities as part of the Contribution Sums with each Constituent Authority's share of the costs being calculated by reference to the Contribution Sums.

## **12 TERMINATION**

- 12.1 This Agreement shall continue in full force and effect until the whole TCD Programme as defined in Clause 1 has been concluded.

12.2 The Treasurer shall keep or cause to be kept full and accurate accounts through the currency of this agreement, or any replacement thereof. The detailed records will be available for the following periods:

- (a) for the JC operational Costs detailed records will be held for a period of three years;
- (b) for Grant Receipt and allocation, detailed records will be retained for a period of twenty years.

12.3 The Constituent Authorities shall be entitled, on giving reasonable prior notice, to inspect such accounts and records and to make any examination which they may desire and for this purpose, the Treasurer shall forthwith on demand produce to the Constituent Authorities all relevant information or vouchers as a Constituent Authority may reasonably request.

### **13 PREMISES**

13.1 The PMO shall be located in premises approved by the Joint Committee.

13.2 If applicable, the costs of any premises occupied by the PMO shall be met in accordance with this Agreement.

### **14 CONFIDENTIAL INFORMATION**

14.1 The Constituent Authorities shall at all times use their reasonable endeavours to keep confidential (and to procure that their respective employees, agents, consultants and sub-contractors shall keep confidential) all Confidential Information concerning the Joint Committee, the Functions of the Joint Committee or the business and affairs of the other Constituent Authorities which may now or at any time hereafter be in its possession and shall not disclose it except with prior written consent of the other Constituent Authorities or where the Confidential Information relates only to one Constituent Authority the consent of that Constituent Authority.

14.2 "Confidential Information" means information imparted to any of the Constituent Authorities or their employees, agents, consultants or sub-contractors ("the Receiving Party") which was imparted to the Receiving Party on the basis that it is to be kept confidential or would by its nature normally be regarded as being confidential or to the knowledge of the Receiving Party was obtained by the other Constituent Authorities on the basis that it was to be kept confidential or is of commercial value in relation to the Joint Committee but shall not include any information which is:

- i. already in the public domain otherwise than by reason of its wrongful disclosure by the Receiving Party; or
- ii. already in the possession of the Receiving Party without restrictions as to its use; or

- iii. the disclosure of which is required by statute or court order; or
- iv. is provided for the purpose of obtaining professional advice; or
- v. is received from a third party who lawfully acquired it and who is under no obligation restricting its disclosure; or
- vi. which is information independently developed without access to the Confidential Information including audit and assessing best value.

14.3 This clause is subject always to the obligations of a Constituent Authority to comply with the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, the General Data Protection Regulation (EU) 2016/679, the Data Protection Act 2018 and any other relevant legislation. A Constituent Authority shall not be in breach of this clause where information is released by that Constituent Authority to comply with the aforementioned legislation.

## **15 FREEDOM OF INFORMATION**

15.1 Each Constituent Authority acknowledges that the other Constituent Authorities are subject to the requirements of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 ("FOI").

15.2 Each Constituent Authority shall assist and co-operate with other Constituent Authorities to enable the other Constituent Authorities to comply with their information disclosure obligations under FOI.

15.3 Where a Constituent Authority receives a request for disclosure of information under FOI which that Constituent Authority holds in connection with or as a result of its membership of the Joint Committee or its participation in any of the grants awarded through the Joint Committee, that Constituent Authority shall bring the receipt of such a request to the attention of the Clerk.

15.4 The Constituent Authority receiving a request under FOI shall be responsible for determining whether to disclose the information requested and where it is decided not to release any of the information requested, which of the exemptions in terms of FOI it is relying on. However, before making any determination in terms of this clause the Constituent Authority shall give the Clerk a reasonable opportunity of taking into account any statutory time limit for determining such a request to make representations regarding how the Clerk considers the request under FOI should be dealt with.

15.5 Where a Constituent Authority receives a request for information in relation to information which it is holding on behalf of any of the other Constituent Authorities in connection with its participation in the Joint Committee, it shall:-

- (a) transfer the request for information to the relevant Constituent Authority as soon as practicable after receipt; and

- (b) provide all necessary assistance as reasonably requested by the relevant Constituent Authority to enable the Constituent Authority to respond to the request for information within the time for compliance set out in FOI.

## **16 GIFTS AND HOSPITALITY**

- 16.1 Each member of the Joint Committee shall follow their respective council, organisation or body policies and procedures in relation to the acceptance of gifts and hospitality.

## **17 AUDIT AND SCRUTINY**

- 17.1 The Lead Authority shall submit unaudited accounts to the auditor no later than 30th June immediately following the financial year to which they relate.
- 17.2 The Lead Authority shall submit to the Joint Committee the unaudited annual accounts as submitted to the auditor no later than 31st August immediately following the financial year to which the annual accounts relate.
- 17.3 The Lead Authority shall have audited the accounts of the Joint Committee and prepare an annual report to 31st March in each year which will be submitted to the Joint Committee no later than 30th September following for approval.
- 17.4 The first audit will take place year ending 31st March 2019 and will subsequently take place on an annual basis.
- 17.5 Tay Cities Deal project income and expenditure which is accounted for within Constituent Authorities' own accounts will be subject to audit by an individual authority's own external auditors.

**18 CONFLICTS OF INTEREST**

- 18.1 The members of the Joint Committee will be expected to act in the interests of the Tay Cities Region as a whole when making decisions in relation to the TCD Programme.
- 18.2 Each member of the Joint Committee will be required to complete a register of interests. These will be collated by the Clerk for all members and substitutes and published on the Joint Committee website. At all meetings, members of the Joint Committee will be invited to declare any interests which may be relevant to decisions in relation to the TCD Programme.
- 18.3 A central appraisal team will be located within the PMO to assess individual business cases and make independent recommendations for decision to the Joint Committee. Investment decisions will ultimately remain the remit of the Joint Committee. As such, Constituent Authorities or other members who represent the project promoter for a business case will be asked to consider whether it is appropriate to withdraw from decisions regarding that business case or the approval of a specific project.

**19 MINUTE OF AGREEMENT**

- 19.1 Except insofar as it is inconsistent with this Agreement, the Minute of Agreement among the Constituent Authorities which is attached as Schedule 1 will continue in full force and effect

**20 VARIATION**

- 20.1 These terms and conditions may only be varied by execution of a minute of variation signed by all of the Constituent Authorities.

**21 RESOLUTION OF DISPUTES**

- 21.1 Any dispute between Constituent Authorities arising in connection with its membership of the Joint Committee which cannot be resolved by discussion between the Constituent Authorities in dispute shall be referred to an independent mediator appointed by the Law Society of Scotland. The fees and expenses of the mediator shall be borne equally by the parties involved in the mediation. In the event the parties fail to reach an agreement within 30 days after the commencement of the mediation, then the matter may be determined by an arbitrator.
- 21.2 Arbitration in terms of this clause may be initiated by any of the Constituent Authorities in dispute after the 30 day period referred to in clause 21.1. The arbitrator shall be mutually agreed by the parties in dispute failing which the arbitrator shall be approved by the Law Society of Scotland on the written application of any Constituent Authority.

21.3 The decision of the Arbitrator on the matter in dispute and on any award of expenses relating to the arbitration shall be final and binding on all parties involved in the arbitration.

21.4 The operation of Rule 69 of the Arbitration (Scotland) 2010 Act is excluded. The Constituent Councils also agree not to make a referral to the Outer House all in terms of Section 41 of the Arbitration Act 2010.

## **22 ASSIGNATION**

22.1 No rights or obligations arising from these terms and conditions may be assigned except by the prior written consent of the Joint Committee.

## **23 SERVICE OF NOTICES**

23.1 In any provision within the Agreement, where reference is made to the serving of notices if such notices are registered or recorded delivery post, receipt of such notices will be deemed to have occurred the day after the date of posting.

## **24 INCONSISTENCY**

24.1 If any Constituent Authority shall find any discrepancy in or divergence between any of the following, including a divergence between parts of any one of them, namely:

- a) The Joint Committee Governance Agreement;
- b) The MOA;
- c) Any subsequent or ancillary agreements pursuant to the MOA and the Joint Committee Governance Agreement.

The Constituent Authority shall without undue delay give to the Clerk a written notice specifying the discrepancy or divergence and the Constituent Authorities shall negotiate in good faith to agree any relevant modifications or amendments to the foregoing documents as may be required.

## **25 THIRD PARTY RIGHTS**

25.1 This Agreement does not and is not intended to confer any contractual benefit on any person pursuant to the terms of the Contract (Third Party Rights) (Scotland) Act 2017.



**26 AGREEMENT**

26.1 Subject to clause 2.1 the execution of these terms and conditions by ourselves and by the Lead Authority creates a legally binding agreement between us as a Constituent Authority of the Joint Committee and the Lead Authority as the Lead Authority for the Joint Committee.

IN WITNESS WHEREOF these presents consisting of this and the preceding 16 pages together with the Schedules annexed hereto are subscribed as follows:-

SUBSCRIBED for and on behalf of Angus Council  
at  
on the         day of   2020 by

..... Authorised Signatory  
..... Authorised Signatory's Full Name (Block capitals)  
..... Witness' Signature  
..... Witness' Full Name (Block capitals)  
..... Witness' Address  
.....

SUBSCRIBED for and on behalf of Dundee City Council  
at  
on the         day of   2020 by

..... Authorised Signatory  
..... Authorised Signatory's Full Name (Block capitals)  
..... Witness' Signature  
..... Witness' Full Name (Block capitals)  
..... Witness' Address  
.....

SUBSCRIBED for and on behalf of Fife Council  
at  
on the          day of                          2020 by

..... Authorised Signatory  
..... Authorised Signatory's Full Name (Block capitals)  
..... Witness' Signature  
..... Witness' Full Name (Block capitals)  
..... Witness' Address  
.....  
.....

SUBSCRIBED for and on behalf of Perth & Kinross Council  
at  
on the          day of                          2020 by

..... Authorised Signatory  
..... Authorised Signatory's Full Name (Block capitals)  
..... Witness' Signature  
..... Witness' Full Name (Block capitals)  
..... Witness' Address  
.....  
.....

**This is the Schedule 1 referred to in the foregoing agreement between Angus Council, Dundee City Council, Fife Council and Perth & Kinross Council**

**Schedule 1**

MINUTE OF AGREEMENT

among

ANGUS COUNCIL, DUNDEE CITY  
COUNCIL, PERTH AND KINROSS  
COUNCIL AND FIFE COUNCIL

("The Constituent Councils")

RECITALS:

- FIRST The governance arrangements for the discharge of the functions of the Joint Committee as specified in Recital SIXTH shall be the subject of a separate formal agreement or agreements to be agreed by the Joint Committee of the Constituent Councils and the Constituent Councils.
- SECOND A joint committee is required to discharge a number of functions and the establishment of the committee requires the authorisation of the Constituent Councils.
- THIRD The Constituent Councils are local authorities constituted under the Local Government etc.(Scotland) Act 1994.
- FOURTH It is provided by Section 56(5) of the Local Government (Scotland) Act 1973 ("the 1973 Act") that two or more local authorities may discharge any of their functions by a Joint Committee of theirs.
- FIFTH The Constituent Councils wish to appoint a Joint Committee under Section 57(1) of the 1973 Act for the discharge of the functions referred to below.
- SIXTH The purpose of the Joint Committee shall be to discharge a range of statutory and non-statutory functions as defined and agreed by the Joint Committee, and the Constituent Councils including but not restricted to:
- Acting as a Regional Partnership as defined by the Scottish Government following the 2017 Enterprise & Skills Review and Planning Review
  - Regional Economic Development including, but not restricted to, the approval and oversight of investments to be funded through the Tay Cities Deal
  - Cross-boundary Strategic Planning
  - Regional Transport Planning and Public Transport
  - Cross-boundary Infrastructure Planning
  - Monitoring and Evaluation of Regional Economic performance and implementation of the Tay Cities Deal
  - The additional functions as defined and agreed in a formal agreement to be executed by the parties hereto

NOW THEREFORE:

ONE Commencement

This Agreement shall commence and have effect from the 1st September 2017.

TWO Constitution

There is hereby constituted a Joint Committee to be known as "The Tay Cities Region Joint Committee" hereinafter referred to as the "Joint Committee" for the discharge of the above specified functions in terms of this Agreement.

THREE Members

The Joint Committee shall consist of 18 members. 12 members shall be appointed by the Constituent Councils from among their own members. The number of members to be appointed by the Constituent Councils shall be: 3 by Angus Council; 3 by Dundee City Council; 3 by Perth & Kinross Council and 3 by Fife Council. The Joint Committee shall also include 2 private sector members to be appointed by the Tay Cities Regional Business Forum; 1 member to be appointed by the Tay Cities Regional Higher and Further Education Forum; 1 member to be appointed by the region's third sector interface bodies; 1 member to be appointed by Scottish Enterprise; and 1 member to be appointed by Skills Development Scotland.

The Joint Committee may appoint for an agreed period Specialist Advisors to represent other interests or provide specialist expertise. Any member of the Joint Committee may be represented by another member of the same authority or partner organisation. A person appointed as a substitute shall have the same powers at the meeting as the member whom he or she is representing.

FOUR Voting Rights

Pending the conclusion of the detailed agreement(s) referred to in Recital FIRST, voting rights are restricted in the first instance to the 12 members of the Constituent Councils.

Subject also to Recital FIRST a simple majority of those members present and voting shall be required in all voting procedures.

FIVE Period of Office

Members appointed by the Constituent Councils to the Joint Committee shall, subject to the provisions of Clause SIX hereof, hold office, during the pleasure of the body by which they were appointed, until the next ordinary election of Councillors for the Constituent Councils. Immediately after such election, each Constituent Council shall again appoint its number of members to the Joint Committee. Partner organisations shall be free to vary the period of office for members of the Joint Committee

SIX Vacancies in Membership

A member ceasing to be a member of the Constituent Council which appointed him/her shall cease to be a member of the Joint Committee as at the same date. In that event, or any other time the Constituent Council by which a member was appointed may appoint a member, to take his/her place for the remaining part of his/her period of office. Partner organisations may choose to introduce a replacement member of the Joint Committee at any time.

SEVEN Quorum

A quorum of the Joint Committee shall be 4 members appointed by and representing no less than three of the four Constituent Councils. Should the Joint Committee appoint a Sub-Committee, such Sub-Committee shall be as near as may be proportionately representative of the Constituent Councils as the Joint Committee is, and the membership of the Sub- Committee and its quorum shall be determined by the Joint Committee

EIGHT Standing Orders

The Joint Committee shall adopt its own Standing Orders. In the event of any inconsistency between Standing Orders and the provisions of this Agreement, the provisions of this Agreement shall prevail.

NINE Meetings

The Joint Committee shall hold 4 ordinary meeting each year and may meet on such other occasions as may be necessary when a special meeting may be called in terms of Standing Orders. The venue for ordinary meetings shall be agreed by the Joint Committee.

Copies of notices, agendas and minutes of all meetings of the Joint Committee shall be transmitted to Constituent Councils and others for their information as soon as practicable.

TEN Powers and Duties of Joint Committee

Without prejudice to the foregoing provisions and subject always to the following provisions and the terms of any subsequent formal Agreement(s) as specified in Recital FIRST the Joint Committee shall have the power to undertake the functions as referred to in Recital SIXTH hereof, with the officer support arrangements and the financial arrangements being ratified by the Constituent Councils;

Provided always that:

Subject to Clause SIX hereof, the Joint Committee may appoint from its members such Sub-Committees as it may from time to time consider necessary or desirable for the exercise of its functions and may, subject to such limitations as it may impose, delegate or refer to such Sub- Committees, any of the functions delegated to the Joint committee under this agreement. The Joint Committee shall appoint the Convener of any Sub-Committee appointed under this paragraph.

ELEVEN Clerk

The Chief Executive of Council A or such other person as may be agreed by the Leaders of the Administration of the four Constituent Councils, shall be appointed as Interim Clerk to the Joint Committee for the purposes of convening the first meeting of the Joint Committee at which the Convener and Vice Convener shall be appointed.

TWELVE Convener and Vice Convener to the Joint Committee

Subject to the provisions of this clause the Joint Committee shall appoint a Convener and Vice-Convener. The Convener'ship of the Joint Committee shall then be rotated on a yearly basis at the first meeting of the Joint Committee after 1st April in each year in which there are no ordinary elections of Councillors to the Constituent Councils with the Vice Convener being elected to Convener.

The Convener'ship and Vice-Convener'ship of the Joint Committee shall rotate annually from amongst its members in the following sequence:

	Convener	Vice-Convener
2017/18	Council A	Councils-
2018/19	Council B	Council C
2019/20	Council C	Council D
2020/21	Council D	Council A

Thereafter the same sequence will repeat.

The Convener, when present, shall preside at all meetings of the Joint Committee. In the absence of the Convener the Vice-Convener shall preside and in the absence of both, another member shall preside as the members present appoint. Where a vacancy occurs in the case of the Convener or Vice-Convener, the Joint Committee shall appoint a replacement from the Authority whom the previous Convener or Vice-Convener represented until the expiry of the outgoing Convener or Vice-Convener's terms of office.



THIRTEEN Resources

[This Clause was deleted with effect from the date of signing of the Joint Committee Governance Agreement, that is .....]

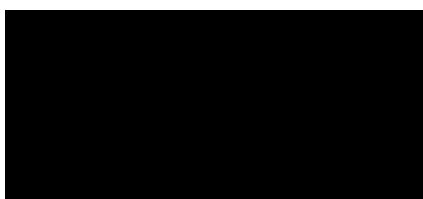
FOURTEEN Amendment of Agreement

These presents may be amended by virtue of a subsequent formal Agreement as specified in recital FIRST of the preamble or by a further Minute of Agreement executed by the Constituent Councils in the same fashion as these presents.

FIFTEEN Difference or Dispute

[This Clause was deleted with effect from the date of signing of the Joint Committee Governance Agreement, that is .....]

IN WITNESS WHEREOF these presents consisting of this and the preceding six pages are signed for and on behalf of the said Dundee City Council by Roger William Hunter Mennie, Head of Democratic and Legal Services and Proper Officer at Dundee on the First day of December Two thousand and seventeen in the presence of Gemma Elizabeth Miller, Solicitor, Twenty one City Square, Dundee.



***Note 1 Clause THIRTEEN and Clause FIFTEEN were deleted with effect from [date of signing Joint Committee Governance Agreement]***

MINUTE OF  
AGREEMENT

among

ANGUS COUNCIL, DUNDEE CITY  
COUNCIL, PERTH AND KINROSS COUNCIL  
AND FIFE COUNCIL

("The Constituent Councils")

---

Subjects: Tay Cities Region Joint  
Committee

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This is the Schedule 2 referred to in the foregoing agreement between Angus Council, Dundee City Council, Fife Council and Perth & Kinross Council

Schedule 2

TERMS OF REFERENCE OF THE TAY CITIES DEAL MANAGEMENT GROUP

The Management Group shall comprise the four Chief Executives of the Constituent Authorities (or their nominees), namely Angus Council, Dundee City Council, Fife Council and Perth and Kinross Council, the Executive Directors of the Constituent Member Organisations, (or their nominees), namely Skills Development Scotland, Scottish Enterprise, Transport Scotland, Tay Cities HE/FE Chair, Tactran, Visit Scotland and Dundee City Council's S95 Officer and will have responsibility for the following:-

1. Appointment and direction of the Programme Manager to lead and manage the Programme Management Office and co-ordinate the operational delivery of the Tay Cities Deal Programme.
2. Scrutiny of proposed business cases and the making of recommendations to the Tay Cities Deal Joint Committee on such business cases, following consultation with the PMO.
3. Consideration of quarterly and annual reports from the PMO assessing and monitoring progress, process, performance, slippage and risks in respect of all active projects within the Tay Cities Deal Programme.
4. Consideration of reports by Grant Requestors who are failing to deliver a project under the Tay Cities Deal programme in accordance with the terms of the grant agreement and the agreement of mitigating actions to ensure the successful completion of the project.



## Perth And Kinross Council

6 December 2023

### ANNUAL CLIMATE ACTION REPORT AND ACTION PLAN UPDATE

#### Report by Executive Director (Communities)

(Report No. 23/346)

## 1. PURPOSE

- 1.1 This report is the second annual Climate Action Report. It provides the Council with an update on Perth and Kinross Council's (PKC) progress in delivering its Climate Change Strategy and Action Plan. It reviews overall performance and progress and then explores the progress in each of the eight themes identified in the plan. It proposes an annual update to the action plan for 2024/25 and the associated resources required to deliver them.

## 2. RECOMMENDATIONS

- 2.1 It is recommended that the Council:
- approves the Climate Change Annual Report (Appendix A) along with the associated detailed Action Plan for 2024/25 (Appendix B).
  - notes that the resources required to take forward the priority actions will be considered as part of the Revenue and Capital budget process.
  - requests members and officers to continue to raise the resource and delivery challenges associated with addressing the climate and biodiversity emergency with COSLA, the Scottish and UK Governments, and other relevant bodies, whenever appropriate.

## 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background
  - Section 5: Progress since November 2022
  - Section 6: Proposal for action in Year 3
  - Section 7: Conclusion
  - Appendices

## 4. BACKGROUND

- 4.1 In December 2019, Perth and Kinross Council approved an Interim Climate Emergency Report and Action Plan ([Report No 19/362 refers](#)). This highlighted the Intergovernmental Panel on Climate Change (IPCC) concerns in relation to keeping the global average temperature rise below 1.5°C, which has been also reflected at COP26 and at COP27.

- 4.2 To keep the global average temperature rise below 1.5°C, dramatic emissions reductions are required by 2030. To ensure Scotland plays its role in meeting this, the Scottish Government has set a 75% emissions reduction target by 2030.
- 4.3 Perth and Kinross Council has a legal responsibility for emissions reductions and climate resilience, both within the Council's operations as well as across the entirety of Perth and Kinross. In December 2021, the Council approved its Climate Change Strategy and Action Plan (Report No 21/245 refers), which covers the identified necessary actions for the Council to undertake for both areas. This report set the strategic principles for the Council's approach to addressing the climate emergency and provided detailed action plans for eight key thematic areas. These include Transport, Buildings & Energy, Waste & Circular Economy, Business & Industry, Land Use, Resilience, Education & Engagement and Governance.
- 4.4 The report acknowledged that, as climate action is a rapidly changing environment, this plan will need to be constantly evolving. It also included a requirement to provide an annual update to the Climate Change Action Plan.
- 4.5 In November 2022, the Council formally declared a Climate and Biodiversity Emergency (Report No. 22/272 refers). The Council furthered its commitment to tackling the Climate and Biodiversity Emergency by making 'tackling climate change and supporting sustainable places' one of its seven Corporate Plan priorities (Report 22/311 refers).
- 4.6 The Council agreed, at its meeting on 6 October 2021, to establish the Perth and Kinross Climate Change Commission (Report No. 21/142 refers). The Commission met for the first time in July 2022 and has been meeting quarterly since then.
- 4.7 In February 2022 (Report No 22/35), the Council approved an additional £500,000 of recurring revenue budget to address the top priority items identified in the action plan. In March 2023 (Report No 23/72 refers), the Council agreed an additional £45,000 to fund the creation of a Climate Change Land Restoration Officer.
- 4.8 In addition, the Council has also signed up to a number of initiatives. By becoming signatories to the Covenant of Mayors, the Edinburgh Declaration and the Glasgow Food and Climate Declaration (Report No. 21/209 refers), the Council has enhanced its commitment to taking its responsibilities seriously.

### **Legislation and targets**

- 4.9 The UK Climate Change Act 2008 sets the UK's approach to climate change and commits the UK Government to reach net zero greenhouse gases emissions by 2050. The Act also requires the UK government to produce a UK Climate Change Risk Assessment every five years in order to assess current and future risks and opportunities for the UK from climate change.

- 4.10 Scotland has set more ambitious legislation in the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 which makes provisions about advice, plans and reports in relation to targets for the reduction of greenhouse gases emissions. This includes reaching net zero by 2045 and has set interim targets to reduce net emissions by at least 56% by 2020, 75% by 2030, and 90% by 2040 compared to the baseline year (1990) respectively.
- 4.11 Supporting the new targets set by the Act, the Scottish Government published its [Climate Change Plan Update](#) in 2020. “Securing a green recovery on a path to net zero: climate change plan 2018 – 2032 update” sets out the pathway for a green and just transition to net zero in achieving Scotland’s climate change targets.
- 4.12 In addition to setting new emissions reduction targets, the Act also placed a duty on Scottish Ministers to act on climate change adaptation and prepare a programme of action. The second Scottish Climate Change Adaptation Programme (SCCAP2) was launched in 2019 and addresses the risks set out in the UK Climate Change Risk Assessment 2017 to help Scotland prepare for the impact of climate change.
- 4.13 The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 has also given local authorities the duty to ensure their local authority areas decarbonise in line with the Scottish Government Target; are resilient to the impacts of climate change; and promote sustainable development. Compliance with this means climate change should be considered at the heart of every council decision, as well developing new streams of activity.
- 4.14 There are several pieces of corresponding legislation that put additional climate related duties onto Local Authorities. These include the Local Heat and Energy Efficiency Strategy (Scotland) Order (2022) and the Heat Networks Scotland Act (2021).

## **5. PROGRESS TO DATE**

- 5.1 This report covers the progress made between October 2022 and September 2023. The Perth and Kinross Climate Change Update - 2023 (Appendix A) provides a full summary of progress, performance and next steps. The key points are summarised below.

### *Key Achievements*

- 5.2 There has been progress to note across the six Strategic Priorities identified in the Climate Change Strategy and Action Plan attributed to all of the eight delivery plan themes. Highlights of this progress includes:

**1. Achieving Net Zero aligned with the Paris Agreement and the Scottish Government Targets, with the ambition of achieving them sooner.**

- Achieving a 14% year-on-year emissions reductions for the Council's non-domestic estate. (Buildings & Energy)
- Developing key decarbonisation strategies including our first Local Heat and Energy Efficiency Strategy (CCS Report 23/330) and EV Charging Strategy (CCS Report 23/165). (Buildings & Energy)
- Opening Riverside Primary School – Perth and Kinross's first Passivhaus Primary School, which will save an estimated 71 tCO<sub>2</sub>e per annum (Buildings & Energy)
- Delivering the £2.7M Recycling Improvement Fund to include city centre food recycling to 1000 properties and preparing for the introduction of a twin-stream recycling service across Perth and Kinross (Waste and Circular Economy)

**2. Building a more resilient Perth and Kinross**

- Undertaking a comprehensive Climate Change Risk and Opportunity Assessment that assesses risks and opportunities to both Perth & Kinross and PKC operations. (Resilience)
- Approval of 2 Flood Risk Management projects by the Council in December 2022. (Resilience)
- Working with community groups and volunteers on our award-nominated Ponds for Puddocks project (Resilience)

**3. Delivering a fair transition and a green recovery**

- Expanding provision of home energy advice services with our partners (the HEAT Project and SCARF) to over 880 households this year and supporting numerous others to access funding sources. (Buildings & Energy)
- Green Business Grants - 24 businesses have been paid a total of £439,847.61 from the Capital Green Recovery Grant scheme (Business & Industry)
- Running the *Keep Cosy this Winter* campaign in Winter 2022/23, focused on promoting energy savings tips and resources.

**4. Preventing an ecological emergency and enhancing biodiversity**

- Working with the Scottish Invasive Species Initiatives and over 30 community volunteers to develop and deliver a comprehensive Invasive and Non-Native Species Initiative for the River Almond Catchment (Land Use)
- Supporting Blairgowrie and Rattray to become Scotland's first Biodiversity Town. (Land Use)
- Declaring of a climate and biodiversity emergency in November 2022. (Governance)
- Rolling out of trials for managed grassed areas to enhance biodiversity (Land Use).



## 5. Engaging and empowering our children and young people

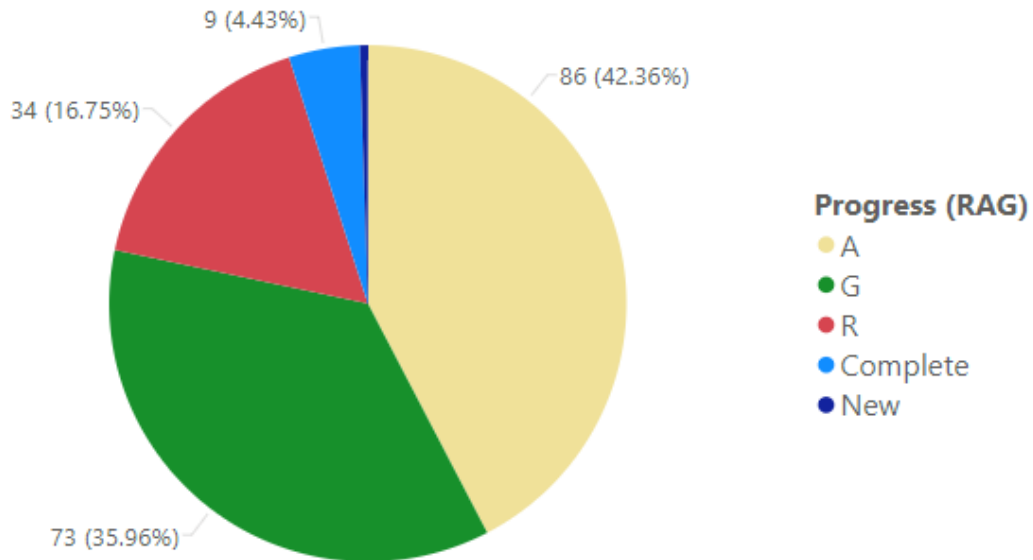
- Hosting a successful second annual Youth Climate Conference in October 2023 (Education & Engagement)
- Working with 12 PKC schools on reducing their energy consumption using an engaging platform - Energy Sparks (Education & Engagement)
- Developing a Climate Action Plan template and guidance for schools to develop their own action plans for students, teachers and staff (Education & Engagement)

## 6. Empowering our communities

- Successfully completion of the Innovate UK funded *Dialogue to Accelerate the Net Zero Transition* Project in Tulloch, Aberfeldy and Blairgowrie & Rattray (Education & Engagement)
- Continuing our communications and social media approach with over 90,000 views across our PKClimateAction Webpage and Social Media sites (Education & Engagement)
- Targeting engagement with 165 businesses identified as having heat and power demand above 0.5Mwh and/or as large employers. (Business & Industry)
- Continuing Council officer engagement in working groups, along with specific community activities such as Biodiversity Ambassadors.

### *Delivery*

- 5.3 As of 13 October 2023, 83% of actions showed good or some progress – this is made up of: 4% of actions were marked as complete; 36% of actions were classified as Green (on-track), 42% as Amber (some progress, but not progressing as quickly as envisioned) and 16% as Red (no progress). When looking at the ‘Top’ actions prioritised by elected members in 2022/23, all of the actions have progressed this year and two of these have been deemed by Officers to have made sufficient progress to move from Red to Amber. Appendix A summarises progress by theme and Appendix B provides an action level update on progress.



*Challenges and barriers*

5.4 **Resources and capacity** – The additional resources available for 2022/23 and 2023/24 have increased capacity. However, several teams are still experiencing challenges in recruiting and retaining internal staff with the required skills, knowledge and experience. Most of the action continues to have been delivered by officers, who balance business as usual statutory duties with climate change actions, which is limiting the speed and ability to progress. Additional resources have been identified as required to progress the identified top priority actions this year.

5.5 As identified in the Climate Change Strategy and Action Plan Report in December 2021, by 2030, across Scotland there needs to be £5-6 billion investment annually, up more than 10 times current levels. It remains too early to provide a realistic estimate of the share of this estimated cost across Perth and Kinross. It will, however, have significant implications for the use of the Council’s overall budgets, and in particular of key capital and revenue programmes around waste & recycling, transport, fleet, flood risk management, property and housing. The current high levels of inflation are also compounding the pressure on capital projects needed to deliver our climate ambitions.

The completion of the Domestic and Non-Domestic Estate Decarbonisation Strategy and the Perth and Kinross Mobility Strategy, both due for completion in Spring 2024, will provide the necessary clarity on these key streams of work. This will enable the Council to consider how to include them in its long-term financial planning.

5.6 **Embedding climate change into decision making and across all Council decisions and operations** - Since its formation, the Climate Change and Sustainability Committee by the Council has been a positive step towards helping to embed climate change into the Council’s governance. The rollout of

climate literacy training to members and officers has led to more climate-informed decisions and the refreshed Impact and Value Assessment Tool will screen all Council plans and proposals for climate impacts. The attendance at training and use of the IVA has been variable by service area, leading to a range of impacts being identified. The new Leadership structure with a nominated Strategic Lead for Climate Change should also help to strengthen the current governance arrangements.

- 5.7 **Influencing others to take action** - While we have a responsibility for overall climate emissions reductions across Perth and Kinross, the public sector is only directly responsible for less than 3% of emissions. We have means of having wider influence, through policies, planning and infrastructure provision that will get us part of the way there. In some areas, it will require us to work differently (e.g. focus on public behavioural change) or with different partners and trying to have a wider influence than we traditionally have – e.g. working with the agriculture and land use sectors. However, there are limits to what the Council can do.

#### *Performance*

- 5.8 Seven high-level key performance indicators (KPIs) have been established to give an overview of the Council's progress towards net zero. It should be noted that, due to the lag of the data sources being published, the values reported range from 2021 (pre-implementation of our plan) to 2022/23. As a result, the first 3 shown in Table 1 do not reflect changes due to the implementation of the Climate Action Plan. Please see Appendix A for more details and analysis of the performance data and theme specific performance data.
- 5.9 A summary of the key performance data is shown in Table 1. For indicators No 1, 2, and 3, the values for 2021 were published by the UK Department for Business, Energy & Industrial Strategy (BEIS) in June 2023. As transport is the highest source of emissions in Perth and Kinross, the Covid-related travel restrictions resulted in an artificial fall in emissions in 2020 and the 2021 data shows a rebound as expected. Positively, however, emissions in 2021 were still lower than pre-Covid 2019 (5% lower for Greenhouse gas Emissions and 9% for CO<sub>2</sub> emissions only). Even with this decrease of the area-based CO<sub>2</sub> emissions, it was not sufficient to match the estimated trajectory needed to reach the Scottish Government target of 75% reduction by 2030 and there are still approximately 20% higher than required to be on a smooth Paris-aligned trajectory.
- 5.10 PKC's own emissions are shown in KPI 4 as increasing by 10.5% for 2022/23 in relation to 2021/22. However, this is attributed to the addition of an additional Scope 3 emissions category (Staff Commuting 5,369 ktCO<sub>2</sub>e) which was requested for inclusion by the Climate Change & Sustainability Committee Members in November 2022. This was to allow appropriate comparison with the introduction of reporting on home working emissions. Without the addition of this additional category, there would have been a 4.5% year-on-year decrease predominantly attributed to a 14% emission decrease from PKC's property portfolio.

5.11 Positive performance was demonstrated for KPIs 5 and 7. The Carbon Disclosure Project City score is an independently audited assessment of our progress in tackling climate change. Our 2022 score has put us above the regional average. The grant funding received has significantly increased. There is the potential for further improvements.

Table 1 2022/23 KPI Data

KPI	Target	Current value	% change over previous year	Comment on performance
1. Perth and Kinross Area-wide territorial greenhouse gas emissions (kt CO <sub>2</sub> e)	75% reduction on 1990 levels by 2030 and zero net emissions by 2045.	1306.1 (2021)	+7.6%	Increase in comparison to artificially low emissions in 2020 (1213.6) – decrease with respect to 2019
2. Perth and Kinross Area-wide territorial greenhouse gas per Capita emissions (t CO <sub>2</sub> e)	75% reduction on 1990 levels by 2030 and zero net emissions by 2045.	8.5 (2021)	+6.2%	As above 2020 (8)
3. Perth and Kinross Area-wide CO <sub>2</sub> emissions (kt CO <sub>2</sub> e)	376kt CO <sub>2</sub> e by 2030 (75% reduction on 1990 levels)	731 (2021)	+13.7%	As above 2020 (643)
4. Perth and Kinross Council Scope 1,2, and 3 emissions (t CO <sub>2</sub> e)	Net zero by 2045	39,798 (2022/23)	+10.5%	Increase due to inclusion of additional Scope 3 category in reporting. There was a 4.5% decrease when comparing like-for-like emissions. 2021/22 (36,008)
5. Carbon Disclosure Project (City Score)	'A' by 2024	B (2022)	Better	Improvement from C in 2021
6. Percentage of Climate Change Indicators showing positive change*	100%	46% (2023)	N/A	Without including the KPIs related to the 2021 BEIS data this increase to 55%
7. Climate Change Grant Funding secured (£k)	No target set	£1,768,102 (2022/23)	+174%	Note: excludes the Flooding grants from the Scottish Government and large capital building grants. 2021/22 (646K)

### *Perth and Kinross Climate Change Commission*

5.12 The Perth and Kinross Climate Change Commission was formed in October 2021 following selection by application and selection of an Independent Panel. The Commission was selected to have 21 Members, 6 of whom are young people in the age range of 14-24. The Convener and Vice-convener of the Climate Change and Sustainability Committee, along with the Executive Director (Communities) represent the Council on the Commission. Since its creation, some commissioners have resigned for different reasons reducing the number of members. To address the situation, the Commission has carried out a review of its membership and activities. At a recent meeting, the Commission agreed to launch a new recruitment campaign to be as open,

transparent and inclusive as possible as well as focusing on young people. The Commission also agreed to strengthen its identity via stronger online presence and its programme of activities by targeting key areas of interests and connections with local community and interest groups.

## **6. PROPOSED YEAR 3 ACTION**

6.1 Appendix A contains an overview by theme of the priorities for climate action for Year 3 and highlights any significant additions or changes to actions from what has been previously approved. The detailed action plans with the current action status are contained in Appendix B. Across all themes, there are only minor adjustments to the Action Plan to reflect lessons learnt and progress made so far.

6.2 Several key plans and thematic strategies have been completed or will be completed early into Year 3 – including the Mobility Strategy, Domestic and Non-domestic estate decarbonisation strategy, and the Local Heat and Energy Efficiency Strategy (LHEES), EV Expansion Strategy and Flood Risk Management Cycle 2. This will require a shift in operational approach from planning to delivery – trying to realise the quick wins, while also developing the strategic projects and exploring external funding options. The bid for the creation of new National Park could also be an opportunity to attract public and private funding towards nature investments to support climate change and biodiversity.

Other key projects include the delivery of further Passivhaus projects including Perth High School and Blairgowrie Recreation; continued delivery of Flood Risk Management and Bridge Scour assessment and management programmes; delivery of Nature Restoration Fund projects; and development of Perth Eco-Innovation Park.

### *Resources*

6.3 While the Council is in a challenging financial situation, in both the 2022/23 and 2023/24 budgets, the Council demonstrated its commitment to climate action by ensuring that all Top priority actions had the resources required. Reviewing the on-going resource requirements to deliver the Top priority project in Year 3, additional resources would be needed, focusing on surface water management and meeting our duties under the Heat Networks Act.

6.4 The resources to meet the identified needs have been estimated at £200k of recurring revenue funding and £4.81M of capital investment over the next three years for the Council's Estate Decarbonisation Programme. These figures only reflect the immediate resources needed to meet specific identified actions, but not the full extent of investment required particularly to deliver decarbonisation of domestic and non-domestic estate and of transport. At this time, the full extent of the expenditure required is not yet known, however, it is likely to run into several hundreds of millions of pounds.

6.5 While the future challenges are significant, the Council is already investing significant resources in its revenue and capital budgets to adapt its estate to meet the demands of the climate change agenda. However, compared to the

scale of investment required from the statutory intermediate targets, in or around 2030, there requires to be consideration by Council on the level of commitment and steps it is required to make to change our pace of action.

- 6.6 Funding the route map to net zero is perhaps the most significant of the challenges. Until there is greater clarity about the financial assistance available from Governments and other sources, it will remain so. The response to the behavioural and cultural change required by residents and businesses is also a significant unknown but is key to the success of addressing and mitigating the impact of climate change. We therefore stress the urgent need for individuals, communities and businesses to take action and be part of the delivery.
- 6.7 Officers will pursue all available funding sources with current capacity. The Council will, however, continue to work with other Local Authorities and COSLA to highlight these areas to the Scottish Government and seek solutions. Elected members are also requested to use all opportunities to raise the resource and delivery challenges associated with addressing the climate and biodiversity emergency with COSLA, the Scottish and UK Governments, and other relevant bodies.

## **7. CONCLUSION**

- 7.1 The Council has made good progress in the second year of delivery of the Climate Change Strategy and Action Plan – helping to lay a foundation for the work in future years. However, to meet our statutory targets and organisational commitments and play an appropriate role in addressing the climate emergency, we need to increase our pace and scale of action next year and years going forward. This will require us to lead by example and continue to change in the way we operate and make decisions across the Council.
- 7.2 As have been seen by events throughout 2023, from the record heats, the October floods, intense winter storms and spread of forest fires – climate change can no longer be thought of as a future risk but is a real and pressing current emergency. While there are other on-going crises, including the current cost of living crises, many of the actions proposed to address climate change will also help our businesses and residents manage those – e.g. improving energy efficiency cuts both bills and emissions, as can household renewables, improving public transport and active transport is the most equitable and cost effective means, and helping our businesses prepare for the green economy can help create attractive, well-paying jobs.

## Authors

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Serge Merone	Climate Change & Smart Investment Manager	
Scott Nicoll	Property Services Manger	

## Approved

Name	Designation	Date
Barbara Renton	Executive Director (Communities)	24 November 2023

## APPENDICES

- Appendix A: Annual Climate Change Progress Report
- Appendix B: Updated Climate Change Action Plan
- Appendix C: Proposed KPI changes

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>No</b>
Workforce	<b>No</b>
Asset Management (land, property, IST)	<b>No</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>Yes</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement/Corporate Plan

- 1.1 Climate change clearly links to the Objective: 'Creating a safe and sustainable place for future generations.' It is also beneficial interlinked in multiple ways to all of the other priorities of the Community Plan and Corporate Plan.
- 1.2 Examples of the benefits are included below:
- (i) Giving every child the best start in life – Addressing fuel poverty
  - (ii) Developing educated, responsible and informed citizens – Engagement and climate literacy
  - (iii) Promoting a prosperous, inclusive and sustainable economy – Supporting the Development of green skills and jobs
  - (iv) Supporting people to lead independent, healthy and active lives – Increased levels of active transport and improved air quality
  - (v) Creating a safe and sustainable place for future generations – The overarching ambition of the Climate Action Strategy



## 2. Resource Implications

### Financial

- 2.1 This report has no direct resource implications, but the Head of Finance has been consulted on the resource requirements for the delivery of this Strategy which would to be considered as part of the 2024/25 budget setting process.

### Workforce

- 2.2 This report does not directly have workforce implications.

### Asset Management (land, property, IT)

- 2.3 This report does not directly have asset management implications.

## 3. Assessments

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **relevant** for the purposes of the EqIA (with both positive and negative likely effects):
    - a. Equalities impacts were identified using the Integrated Appraisal Toolkit as part of the initial approved interim Climate Change Plan in 2019. The proposed Climate Change Strategy and Action Plan 2021 builds on the interim strategy, with relevant general impacts as highlighted in b). All actions proposed in the new action plan were considered for their equalities impacts during the plan development phase. Once the action plan has been approved, actions will be periodically assessed as they progress, and if necessary, a full EqIA will be undertaken, and appropriate mitigation taken as described in c).
    - b. The report recognises that the most severe impacts of climate change are likely to be felt by people experiencing greater risks of poverty and disadvantage. It also recognises that by promoting future mitigation measures in the move towards zero carbon, certain groups may be disproportionately impacted.
    - c. The strategy and action plan seek to create a net zero economy that is fair for all, minimises potential for inequalities, and maximises the socio-economic opportunities for all. As part of the action plan, a decision-making toolkit will be

established to consider future climate change mitigation and adaptation actions, to ensure just transitions are prioritised.

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 This section should reflect that the proposals have been considered under the Act and pre-screening has identified that the PPS will have no or minimal environmental effects, it is therefore exempt, and the SEA Gateway has been notified. The reason(s) for concluding that the PPS will have no or minimal environmental effects is that the Strategy is unlikely to trigger the Act as will not lead to future development by itself but rather other sector and subject plans, programmes and strategies will provide the detail which if appropriate will be assessed at the time.

### Sustainability

- 3.5 The proposal has been considered under the provisions of the Climate Change (Scotland) Act 2019 and it has been assessed that:
- 3.6 A large number of positive climate change and sustainable development outcomes are likely as a result of this proposal being implemented, across all eleven sections of the Integrated Appraisal Toolkit. The screening undertaken for the Interim Climate Emergency Report was reviewed and determined to be still applicable.
- 3.7 All actions proposed are likely to contribute to the provisions of the Act and will be reported as part of the annual Public Sector Bodies Climate Change Duties Reporting process.

### Legal and Governance

- 3.8 The Head of Legal and Governance has been consulted in the preparation of this report.

### Risk

- 3.9 Climate Change is recognised as the joint-top corporate risk to the Council. The proposals focus on addressing and reducing the risks that Climate Change poses.

## **4. Consultation**

### Internal

- 4.1 The Council's Climate Change Board and Climate Change Working Groups were consulted on the report and appendices.

## External

- 4.2 The Perth and Kinross Climate Change Commission was consulted on the annual report and a summary of their comments is provided below:
- Need to stress more prominently and clearly the need to move from strategy and action plans to actual delivery.
  - Progress is noted, but there are little real quantification or narrative on whether overall Perth and Kinross area is on track or not. Carbon emissions are higher than what is required to be on trajectory for the 2030 target and this should be highlighted more to ensure citizens, businesses and communities understand why action and behaviour changes are needed. There should be more emphasis on the urgent need for individuals, communities and businesses to take action and be part of the delivery.
  - Highlights' impacts should be more quantified and follow-up results or actions.
  - Reference to communication on behaviour change in all of themes should be more prominent.
  - There is a need for more narrative to demonstrate how the individual themes are interconnected to avoid silos.

Where possible, these comments and other suggestions have been reflected in amendments to the annual report.

## **5. Communication**

- 5.1 Communication is addressed by the actions under the Education and Engagement theme action plan.

## **2. BACKGROUND PAPERS**

- 2.1 This section should list the documents that have been relied on in preparing the report, other than those committee reports already referenced within the main body of the report. All documents must be kept available by the author for inspection by the public for four years from the date of the meeting at which the report is presented.





# Climate Change Annual Report

YEAR 2

PERTH AND KINROSS COUNCIL



## Introduction

The extreme weather events of 2023 have further highlighted this year the urgency for all to play their part in addressing climate change and building resilience to the climatic changes already upon us. The cost-of-living crises experienced by so many of our residents and businesses has highlighted the need to deliver solutions that address these twin crises.

Perth and Kinross Council (PKC) in December 2022 recognised ‘*Tackling climate change and supporting sustainable places*’ a one of the key corporate priorities identified in the new Corporate Plan. This further strengthens PKC’s commitment to addressing the climate and ecological emergency, as outlined in its [Climate Change Strategy and Action Plan](#) (CCSAP).

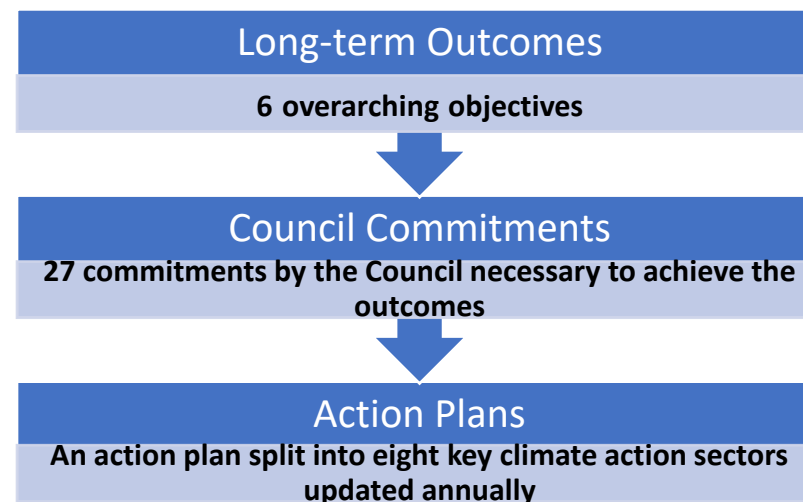
The CCSAP was unanimously approved in December 2021 and then updated as part of the annual reporting process in November 2022. This report provides the update on PKC’s climate action, covering the second year of delivery, from October 2022 – September 2023.

It highlights the commitment to climate change and good progress the Council has made in the second year of delivery of the Strategy and Action Plan to lay down the foundations through the development of crucial strategies, organisational development and the implementation of specific solutions.

It also recognises that while the area carbon emissions are positively lower than 2019 levels, the value is 10% higher than what is required to be on trajectory for the 2030 target and not in compliance with the 2021 target. There are therefore many challenges to overcome and to meet our statutory targets and organisational commitments. There needs to be an increase in pace and scale of action next year and years going forward

from individuals, communities, businesses, private and public organisations all working together.

The CCSAP is divided into long-term objectives, Council Commitments and eight thematic plans.



## Progress

The Council has made noticeable progress this year against all six of our overarching objectives and 36 Commitments, the highlights of which are shown in Figure 1.

Our performance data has highlighted that progress is made, there is the need for all to accelerate the pace of action to remain aligned to the Paris Agreement and the Scottish Government targets.

Figure 1: Objectives and commitments

Perth and Kinross Council's Climate change strategy						
Overarching Objectives	1. Achieving Net Zero aligned with the Paris Agreement and the Scottish Government Targets, with the ambition of achieving them sooner.	2. Building a more resilient Perth and Kinross	3. Delivering a fair transition and a green recovery	4. Preventing an ecological emergency and enhancing biodiversity	5. Engaging and empowering our children and young people	6. Empowering our communities in line with the Perth and Kinross Offer
Council Commitments	<ul style="list-style-type: none"> <li>Decarbonising our operations</li> <li>Aligning our investments</li> <li>Allocating appropriate capital and revenue funding</li> <li>Delivering on our priority themes</li> <li>Continuing to develop our base evidence</li> <li>Reviewing our climate change plan annually</li> <li>Demonstrating our collaborative working</li> </ul>	<ul style="list-style-type: none"> <li>Mainstreaming climate resilience into asset reviews</li> <li>Managing climate change risks proactively</li> <li>Assessing and reviewing the strategic climate risk assessment</li> <li>Continuing to raise awareness with communities</li> <li>Promoting land use practices that contribute to natural flood management</li> </ul>	<ul style="list-style-type: none"> <li>Taking action to reduce fuel, food and transport poverty</li> <li>Ensuring climate action addresses rural and urban climate challenges</li> <li>Improving the energy efficiency of social housing</li> <li>Working with businesses to identify and address skills shortages to support the green economy</li> </ul>	<ul style="list-style-type: none"> <li>Declaring an ecological emergency, as well as a climate one, and sign the Edinburgh Declaration</li> <li>Accelerating PKC biodiversity strategies and actions to keep pace with the UK and Scottish Government Biodiversity Strategies and Action Plans</li> <li>Strengthening our capacity to implement nature-based solutions</li> <li>Monitoring the impact of a changing climate on our ecosystems and take appropriate action</li> </ul>	<ul style="list-style-type: none"> <li>Listening to our young people, encouraging them to have their say and acting on their views, ideas and priorities</li> <li>Continuing to ensure the curriculum supports learning about climate change</li> <li>Leading by example through, minimising emissions through best practice in energy, waste and transport</li> <li>Utilising school grounds to promote biodiversity, food growing and healthy eating</li> </ul>	<ul style="list-style-type: none"> <li>Working in partnership with our residents, businesses and community partners to support them to make transformational change</li> <li>Acting as an enabler for community-based climate change</li> <li>Providing and signposting our communities to trusted sources of advice and funding</li> </ul>

## Overall Highlights on achieving objectives

### **1. Achieving Net Zero aligned with the Paris Agreement and the Scottish Government Targets, with the ambition of achieving them sooner.**

- Achieving a 14% year-on-year emissions reductions for the Council's non-domestic estate. (Buildings & Energy)
- Developing decarbonisation strategies including our Local Heat and Energy Efficiency Strategy and EV Charging Strategy. (Buildings & Energy)
- Opening Riverside Primary School – Perth and Kinross's first Passivhaus Primary School, which will save an estimated 71 tCO<sub>2</sub>e per annum (Buildings & Energy)
- Delivering the £2.7M Recycling Improvement Fund to include City Centre food recycling to 1000 properties and introduction of a twin-stream recycling service across Perth and Kinross (Waste and Circular Economy)

### **2. Building a more resilient Perth and Kinross**

- Undertaking a comprehensive Climate Change Risk and Opportunity Assessment that looks at risks and opportunities to both Perth & Kinross and PKC operations. (Resilience)
- Approval of 2 Flood Risk Management projects by the Council in December 2022. (Resilience)
- Working with community groups and volunteers on our award-nominated Ponds for Puddocks project (Resilience)

### **3. Delivering a fair transition and a green recovery**

- Expanding provision of home energy advice services with our partners the HEAT Project and SCARF to over 880 households this year and supporting numerous others to access funding sources. (Buildings & Energy)
- Green Business Grants - 24 businesses have been paid a total of £439,847.61 from the Capital Green Recovery Grant scheme (Business & Industry);
- Running the Keep Cosy this Winter campaign in Winter 2022/23 focused on promoting energy savings tips and resources.

### **4. Preventing an ecological emergency and enhancing biodiversity**

- Working with the Scottish Invasive Species Initiatives and over 30 community volunteers to develop and deliver a comprehensive Invasive and Non-Native Species Initiative for the River Almond Catchment (Land Use)
- Supporting Blairgowrie to become Scotland's first Biodiversity Town. (Land Use)
- Declaring of a climate and biodiversity emergency in November 2022. (Governance)



## **5. Engaging and empowering our children and young people**

- Hosting a successful second annual Youth Climate Conference in October 2023 (Education & Engagement).
- Energy Sparks – Working with 12 PKC schools on reducing their energy consumption using an engaging platform (Education & Engagement)
- Developing a Climate Action Plan template and guidance for schools to develop their own action plans for students, teachers and staff (Education & Engagement)

## **6. Empowering our communities in line with the Perth and Kinross Offer**

- Successful completion of an IUK funded Dialogue to Accelerate the Net Zero Transition Project in Tulloch, Aberfeldy and Blairgowrie & Rattray (Education & Engagement)
- Continuation of comms and social media with over 90,000 views across our PKClimateAction Webpage and Social Media sites (Education & Engagement)
- Targeted engagement with 165 businesses identified as having heat and power demand above 0.5Mwh and/or as large employers. (Business & Industry)
- Council's officers' engagement in working groups, along with specific community activities such as Biodiversity Ambassadors

### Challenges and barriers

Specific challenges and barriers for each theme of the action plan, but there are several common challenges and barriers

- To identify and unlock funding opportunities to ensure future targets are achieved
- Resource and skills gap within the Council and supply chain to be able to scale up at pace to meet Net Zero targets
- Challenges in recruiting and retaining internal staff with the required skills, knowledge and experience
- Limits to emissions that are under the direct control of the Council
- Need to accelerate the pace of action

### Performance

The Council has developed eight thematic action plans with 176 overall actions. In 2022, the Council agreed 25 priority actions focused on the most important actions for achieving area-wide emissions reduction, Council emissions reduction and building resilience.

Progress has been made for all 25 actions.

Table 1 2023 KPI Data

KPI	Target	Current value	% change over previous year	Comment on performance
Perth and Kinross Area-wide territorial greenhouse gas emissions (kt CO <sub>2</sub> e)	75% reduction on 1990 levels by 2030 and zero net emissions by 2045.	1306.1 (2021)	+7.6%	Increase in comparison to artificially low emissions in 2020 (1213.6) – decrease with respect to 2019
Perth and Kinross Area-wide territorial greenhouse gas per Capita emissions (t CO <sub>2</sub> e)	75% reduction on 1990 levels by 2030 and zero net emissions by 2045.	8.5 (2021)	+6.2%	As above 2020 (8)
Perth and Kinross Area-wide CO <sub>2</sub> emissions (kt CO <sub>2</sub> e)	376kt CO <sub>2</sub> e by 2030 (75% reduction on 1990 levels)	731 (2021)	+13.7%	As above 2020 (643)
Perth and Kinross Council Scope 1,2, and 3 emissions (t CO <sub>2</sub> e)	Net zero by 2045	39,798 (2022/23)	+10.5%	Increase due to inclusion of additional Scope 3 category. 4.5% decrease when comparing like-for-like emissions. 21/22 (36,008)
Carbon Disclosure Project (City Score)	'A' by 2024	B	Better	C in 2021
% of Climate Change Indicators showing positive change*	100%	46%	N/A	Without including the KPIs related to the 2021 BEIS data this increase to 55%
Climate Change Grant Funding secured (£k)	No target set	£1,768,102 (2022/23)	+174%	Excludes Flooding grants from the SG and large capital building grants. 21/22 (646K)

\* Due to many KPIs being new in 2022, this KPI only has only been calculated from 2023 onwards

## Perth and Kinross Area-wide territorial greenhouse gas emissions (ktCO<sub>2</sub>e)

Figure shows territorial emissions by sectors with Transport and Agriculture sectors as the largest emitters.

Figure 1 GHG Territorial Emissions for Perth and Kinross, BEIS 2023<sup>1</sup>

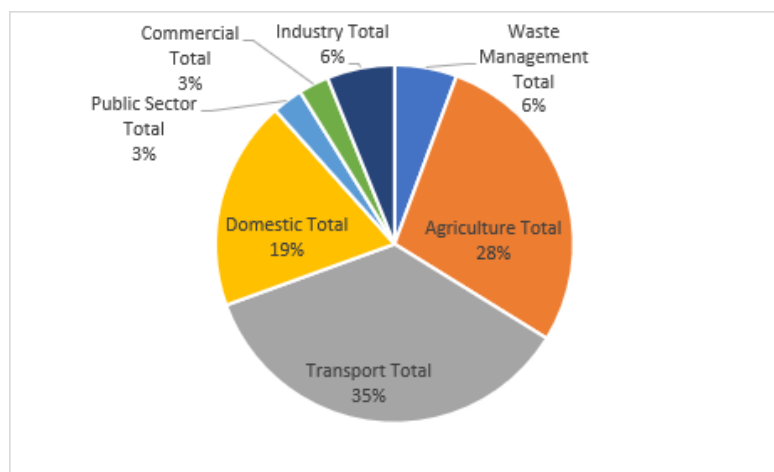
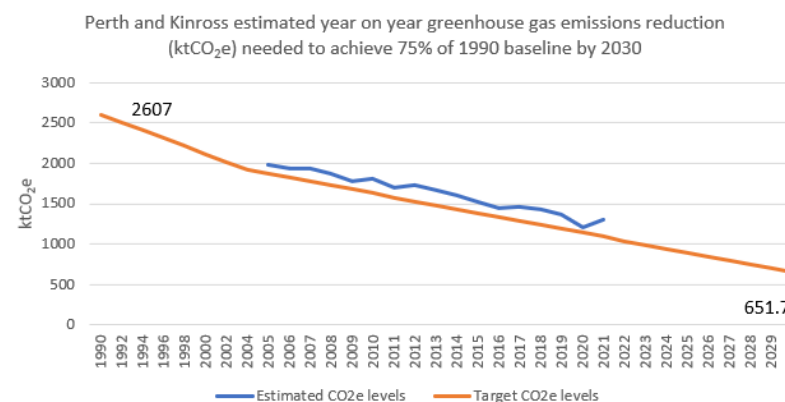


Figure 2 shows recorded greenhouse gas emissions between 2005 and 2021. This shows that as expected after the transport emission reductions observed in 2020, that there was a year-on-year emissions increase, primarily associated with Transport emissions.

<sup>1</sup> Note: as the Scottish government has not yet released the Perth and Kinross 1990 baseline for either the full suite of GHGs or CO<sub>2</sub>, a Perth and Kinross target figure for 2030 has been estimated for these two indicators assuming Perth and Kinross followed the Scottish trends<sup>1</sup> between 1990 and 2005 when data first became available. Data is released by BEIS approximately 18 months after year end, so 2021 is the most recent data available.

While emissions in 2021 had decreased from the pre-Covid 2019 level, the decrease was not sufficient to match the estimated trajectory needed to reach the Scottish Government target of 75% reduction by 2030. Currently the GHG emissions in Perth and Kinross are 19% higher than a trajectory aligned to Scottish Government targets. It is important to note that as the Council's climate change action plan was approved in December 2021, any changes in performance associated with this plan are yet to be reflected in the data.

Figure 2 GHG Territorial Emissions for Perth and Kinross, BEIS 2023<sup>2</sup>



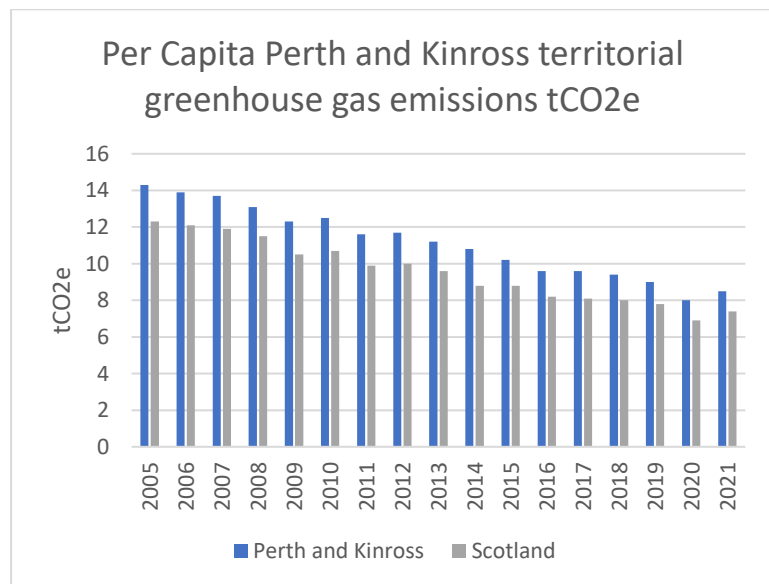
<sup>2</sup> Note: as the Scottish government has not yet released the Perth and Kinross 1990 baseline for either the full suite of GHGs or CO<sub>2</sub>, a Perth and Kinross target figure for 2030 has been estimated for these two indicators assuming Perth and Kinross followed the Scottish trends<sup>2</sup> between 1990 and 2005 when data first became available. Data is released by BEIS approximately 18 months after year end, so 2021 is the most recent data available.

### Perth and Kinross Area-wide territorial greenhouse gas per Capita emissions (tCO2e)

As shown in Figure , since 2005, per capita greenhouse gas emissions in Perth and Kinross have steadily reduced until the increase in 2021, following the trend for Scotland but have continued to remain higher than the Scottish average as would be expected for a local authority with a more rural population.

The year-on-year increase shown this year is the reflection of recovery from artificial Covid-related emissions reductions from 2020 and shows a decrease from 2019 emissions albeit not on trajectory.

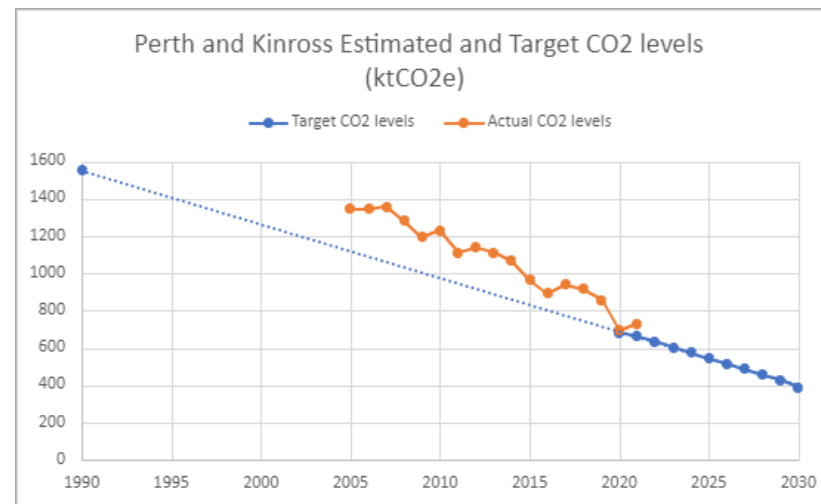
Figure 3 Per Capita GHG Emissions (BEIS, 2023)



### Perth and Kinross Area-wide CO2 emissions (ktCO2e)

Figure shows a steady reduction in recorded CO<sub>2</sub> emissions from 2005 until 2020. It shows that while there was a steady downwards trend, only the significant Covid related emissions reductions in 2020 brought the emissions down to a level that complies with the Scottish Government’s interim emission target for 2020 of 56%. The 2021 data, however, shows a 13.7% increase from 2020 levels. While this is positively lower than 2019 levels, the value is 10% higher than what is required to be on trajectory for the 2030 target and not in compliance with the 2021 target.

Figure 4 Perth and Kinross CO2 emissions (BEIS,2023)



## Perth and Kinross Council Scope 1, 2, and 3 emissions (tCO<sub>2</sub>e)

Since 2015/16, the Council has reported its Scope 1, 2 and 3 emissions as part of the statutory Public Bodies Climate Change Duties Compliance Reporting process.

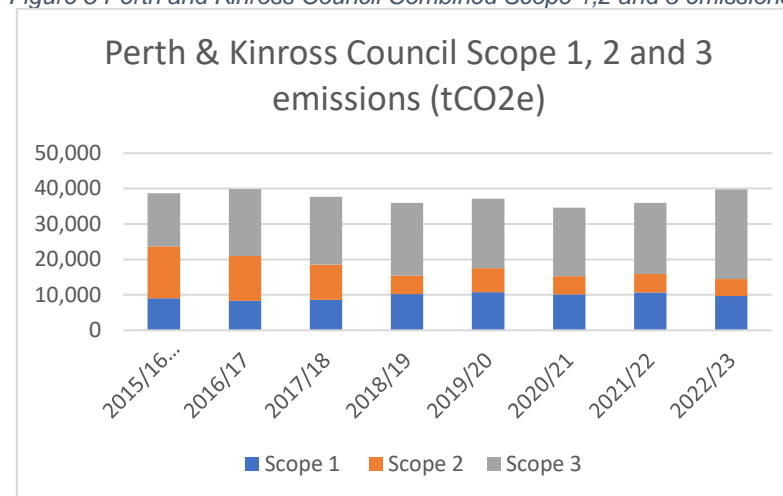
Scope 1 emissions are direct emissions from sources owned or controlled by the Council - e.g. emissions from fleet or oil-fired boilers.

Scope 2 emissions are from the generation of purchased electricity.

Scope 3 emissions are all other indirect emissions which relate to the Council’s activities, including waste, homeworking, staff travel to/from work.

Due to an increase in Scope 3 data able to be reported, it is difficult to compare year-on-year total footprint. As can be seen in Figure , in 2022/23 a carbon footprint of 39,798 tCO<sub>2</sub>e was recorded. This shows a 2.8% increase on the 2015/16 baseline and 4% year-on-year increase. This associated with the addition of the Scope 3 staff commuting emissions for the first time. A staff travel and homeworking survey was used to estimate the carbon footprint of Council staff travelling to/from work was 5,369 tCO<sub>2</sub>e (13.5%). Without the inclusion of these emissions, the Council’s footprint would total to 34,429 tCO<sub>2</sub>e, a 11% decrease from the 2014/15 baseline and a 4.5% year-on-year decrease. Further progress will be required to meet our Statutory targets.

Figure 5 Perth and Kinross Council Combined Scope 1, 2 and 3 emissions



## Carbon Disclosure Project (CDP) City Score

The CDP City Score is an independently audited assessment of climate action progress to assist organisations in measuring and managing their risks and opportunities on climate change. In 2022, Perth and Kinross Council was assessed as having a city score of ‘B – Management level’. This shows improvement on the previous year (C) and indicates the Council has begun to manage the impacts of climate change across Perth and Kinross while it also begins to undertake work to understand how to best adapt to these impacts.

## % of Climate Change Indicators showing positive change

46% of the Climate Change indicators show positive change. It should be noted, however, that due to the data delay for a number of indicators, some of the data being reported on is still related to pre-Strategy performance. If these indicators were to be removed, the value would increase to 55%. As this year is the first year data is available for a number of the Council's Climate Change indicators, this percentage figure only relates to the indicators where past data is available for comparison.

## Climate Change Grant Funding secured (£k)

In 2022/23 the Council secured £1,748,000 of Climate Change related grant funding. This is a significant increase on the £646k in 2021/22. There is significant grant funding available and further efforts are being made to increase this amount and meet our aspirations.

## Theme 1 Transport

Transport work progressed the actions against all key areas in the Climate Action Plan. These include:

- Increase active transport across Perth and Kinross
- Accelerate the EV transition
- Reduce vehicles in town centres
- Improve public transport provision.

### Highlights

Highlights this year are set out in table 2 and include:

- Supporting Greener Glenfarg develop a successful and transformative community run minibus scheme and helping pilot an expansion of community bus services in Highland Perthshire.
- Development and approval of a Perth & Kinross-wide EV charging expansion strategy that has currently been submitted to the Scottish Government for funding.
- Development of the Main Issues Report for the Perth & Kinross Mobility Strategy and progress developing the draft Strategy.
- Anti-idling enforcement and an associated public awareness campaign was launched to help reduce both vehicle emissions and improve air quality.

Table 2: Key transport actions from 2023

Action	Action	RAG Status	Comments
T1	Develop comprehensive Mobility Strategy for Perth and Kinross	G	Work ongoing, main issues and objectives being developed alongside draft Strategic Action Plan. Estimated date to Council Committee early 2024. Work being done in collaboration with Regional Transport Partnership.
T18	Development of Park and Ride sites	A	Discussions ongoing with Developers at West Kinfauns and Bertha Park. Parka and Ride at Bertha Park may be incorporated as part of the wider Perth Transport Futures Phase 3 work.
T7	Develop a strategy for the expansion of EV charging infrastructure	Complete	Strategy and Action Plan are now developed. Working in collaboration with Scottish Futures Trust and bid submitted to the Electric Vehicle Infrastructure Fund. Key element of work is the role of the Private Sector and provision of EV infrastructure in residential areas. Additional £250k allocated in 2023/24 council budget to accelerate short term roll out in rural areas.
T10	Develop and implement a strategy to transform the Council's fleet to electric and alternative fuel vehicles	A	Council have been purchasing EV vehicles when funding is available. There still remains a lack of infrastructure so internal combustion engine vehicles remain still in use. Work has commenced with Urban Foresight to set out the future vision for the Council fleet. The Council is also working with TACTRAN about HGV fleet transition to hydrogen and total cost of ownership.

## Delivery

### Review of progress of Top Priority Actions:

#### Delivery challenges

- Grid capacity and the timeframe for required upgrades and connections is a limiting factor for EV expansions;
- Timescales for getting funding agreed and released, along with getting multi-year funding

agreements arranged to be able to progress projects and appropriately resource them, which increases reliance on external consultants.

#### Delivery opportunities

- Significant increase in sustainable and active travel funding available from Transport Scotland and Sustrans over the near-term future.
- Continued partnership working across the TACTRAN region to maximise available resources
- Linking transport choices, climate, safety and health and equity

#### Outcomes

Positive outcomes as a result of Priority Actions:

- Clear strategic priorities being developed and appraised using an evidence-based approach.
- Increased utilisation of EV infrastructure supporting the rising ownership and usage rates of low carbon vehicles.

## Progress against Statutory Targets

There are several statutory targets in relation to the decarbonisation of the Transportation sector as follows.

- I. Transport Sector emissions reduced by 75% by 2030:

*Status: Off-track - 16% reduction in emissions between 2005 and 2021*

- II. 20% reduction in vehicle kilometres required across Scotland by 2030 compared to 2019 levels:

*Status: On-track - 9% reduction in car kilometres between 2019 and 2022/23 (important to note that large part of period referenced was during Covid restrictions)*

- III. Decarbonisation of public sector fleets (no new ICE light fleet by 2025, heavy fleet by 2030):

*Status: On-track – while there has been negative performance this year, the Council has plans for full implementation ahead of the 2025 deadline.*

- IV. Establish Low Emission Zones (LEZ) to transform towns and cities into cleaner, healthier places, to live, work and visit by 2023

*Status: On-track – no longer applicable due to the improvements in air quality in the Council’s two Air Quality Management Areas, which has meant that they are now below the threshold where an LEZ is required. However, improvements are still required.*



## Key Performance Indicators

*Table 3 2023 KPI data*

KPI	Previous Value	Current Value	Target
Transport emissions CO <sub>2</sub> (kt CO <sub>2</sub> e)	468	508.6	75% reduction in Transport emissions by 2030
% Journeys to school by active transport	50.3%	49.8%	To be set as part of the P&K Mobility Strategy (under development)
% Journeys to work by sustainable mode of transport	27%	20%	To be set as part of the P&K Mobility Strategy (under development)
Total car kms (millions)	1477.3	1718.6	20% reduction on 2019 levels by 2030 – 2095 million km
Public EV charging devices per 100,000 population	88.2	125.5	To be set as part of the P&K Mobility Strategy (under development)
Council fleet vehicles that are zero direct-carbon	5%	4%	100% new light fleet from 2025 and heavy fleet from 2030

## Focus for upcoming year

The focus for the upcoming year is to continue to deliver the actions in the plan. The priority actions for next year include:

- Continued roll out of public EV infrastructure
- Accelerating the design and implementation of active and sustainable travel options
- Public consultation and adoption of new mobility strategy and strategic action plan for Perth & Kinross
- Increased communications on behaviour change on travel

## Theme 2 – Buildings and Energy

The Buildings and Energy work of the Climate Change Strategy and Action Plan has been progressing in relation to the following categories:

- Non-domestic Perth & Kinross Council properties
- Non-domestic Perth and Kinross area properties
- Domestic Perth & Kinross Council properties
- Domestic Perth and Kinross area properties (non-Council)
- LHEES development

*It is important to note that a 'Fabric first' approach (ie reducing buildings heat loss) should always will be used.*

### Highlights

While good progress has been made across the theme, a few highlights of the year include:

- Supporting over 880 households with free home energy and extending this provision of this with SCARF and the HEAT Project to the end of March 2024 for energy efficiency advice and support for tenants and residents, and for support in delivery of programmes relating to HEEPS-ABS and ECO4.
- Progressing with consultancy work as part of the Council's Local Heat & Energy Efficiency Strategy (LHEES) which also allows for more detailed planning for decarbonising the Council's Non-Domestic & Domestic estate.
- Achieving a 14% reduction in the Scope 1 and 2 emissions in the Council's Non-Domestic estate between Apr 22 and Mar 23. In March 23, PKC allocated an additional £2M of capital funding to further

accelerate the decarbonisation of our non-domestic estate.

- Completion and occupation of Perth and Kinross Council's (and Scotland's) first certified Passivhaus primary school - Riverside Primary School in North Muirton, Perth which will save an estimated 71 tCO<sub>2</sub>e per annum which equates to an annual reduction of more than 50% from the previous gas heated facilities and designed to meet the energy target of 67 kWh/sqm/pa for core use. Work has also started on the replacement Perth High School, also being build to Passivhaus standards.



Figure 6 New Riverside Primary School

**Delivery**

The Buildings and Energy Action Plan contains 23 actions – 3 are Complete or Green Status, 14 are Amber status indicating delayed progress and 6 are classified as Red.

**Review of progress of Top Priority Actions:**

The top 25 Climate Action Plan Actions were agreed by Members as part of the Year 1 review process. Of these, 6 of them are within the Buildings & Energy Theme, the progress of which is shown in table 4 below.

*Table 4 Progress of Top Priority Buildings and Industry Actions*

Action Number	Action	RAG Status	Comments
B1	Develop and deliver the Local Heat and Energy Efficiency Strategy (LHEES)	G	Work being undertaken by the team and ARUP to meet statutory requirements by December 2023 outlined in LHEES guidance (draft).
B2	Develop and deliver a programme to ensure all existing Council houses are brought up to EPC B by 2032	A	On-going consultancy work with ARUP as part of LHEES obligation develop an estate decarbonisation plan for both Domestic and Non-domestic estates. On-track to be completed by March 2024.  Work to improve EPC levels in existing Housing stock - being tackled from a variety of different angles, with a priority on getting Band E & F Properties up to at least the required Band D.
B11	Develop options, costs and funding avenues for PKC Estate Portfolios to reduce greenhouse gas emissions	A	As per B2
B12	All non - domestic buildings considered for refurbishment must have improved energy efficiency and performance, adopting the 'fabric first' approach and incorporating non-direct emissions heat sources	R	Being considered as part of LHEES and estate wide decarbonisation project.
B13	Develop and invest in local district heat/communal heat/electricity networks where viable which use alternative non-direct emissions heat sources	A	Feasibility study for Perth City Centre completed. PKC duties under the Scottish Government Heat Network Regulations and associated Building Assessment Reports (BAR) on-going.
B21	Replace all Oil-fired heating systems with non- direct emissions heat source	R	Initial projects being undertaken using £2M of internal funding for estate decarbonisation. All remaining sites require additional funding to meet targets.

## Delivery challenges for both Domestic and Non-Domestic buildings

- To identify and unlock funding opportunities to ensure future targets are achieved.
- Resource and skills gap within the supply chain to be able to scale up at pace to meet Net Zero targets.
- Challenges in recruiting and retaining internal staff with the required skills, knowledge and experience.

## Opportunities

- Future funding opportunities through grant funding as part of “Public Sector Heat Decarbonisation Fund” for Non – Domestic buildings. A total of £20M is available across the entire fund for all Public Sector bodies and Local Authorities.
- Power Circle/CAN DO Innovation Green Heat Feasibility to be explored.
- Exploring possible pilot projects with IRT thermal imaging and DReam retrofitting carbon reduction software.
- Consideration of possible solutions utilising private funding opportunities.

## Outcomes

The following positive outcomes as a result of Priority Actions include:

- Significantly reduced Scope 1 and 2 emissions within the Non-Domestic PKC estate, including optimising use of Building Management Systems
- HEEPS-ABS grant funding award received from Scottish Government for 2023/24 for Domestic privately owned properties.

- Reduction in number of PKC Domestic properties at EPC Bands E and F.

## Progress against statutory targets and key KPI's

- I. 68% reduction in emissions from buildings by 2030 with respect to 2020 levels: *on-track 13.4% reduction in 2022/23 from 2021/22*
- II. Decarbonisation of the Public Sector Estate by 2038: *off-track 11.9% increase in 2021 from 2020 levels*
- III. Social housing to be EPC D by 2026 and EPC B by 2032: *on-track 8.2% increase in 2023/24 from 2022/23*
- IV. Development of Local Heat & Energy Efficiency Strategies (Strategy & Delivery Plan) by end of 2023: *on-track, baseline report and consultation complete by October 2023. Final Strategy & Delivery Plan to be presented to Council in November.*

## Key Performance Indicators

Table 5: 2023 KPI data

KPI	Previous Value	Current Value	Target
Total area-wide carbon dioxide ktCO <sub>2</sub> emissions from domestic sources	252.6	265.9 (2021)	Estimated 115 ktCO <sub>2</sub> based on 75% reduction in domestic emissions by 2030 in relation to 1990 levels.
Scope 1 and 2 emissions from Council Estate (tonnes CO <sub>2</sub> )	10,658	9,226	Annual emissions of 4,396 tonnes CO <sub>2</sub> by 2030
Heating oil consumption in PKC non-domestic estate (kWh)	2,164,774	1,943,066	All sites with oil as a heat source to be removed by 2030
Renewable energy generated across the PKC estate, including from Low Carbon Heat Sources (MWh)	2534	2226	Renewable energy shall be installed where feasible to maximise production
% of Council housing meeting the Energy Efficient Standard 2 for social housing (minimum EPC B)	6.1%	6.6%	EESH2 standards of 100% of Council Housing to meet EPC B by 2032
Number of P&K households provided with energy efficiency and/or low carbon heating advice (PKC funded)	424	884	2022/23 - 500

<sup>3</sup> The Heat Networks (Heat Network Zones and Building Assessment Reports) (Scotland) Regulations 2023

## Focus for upcoming year

The focus for the upcoming year is to continue to deliver the actions in the plan including completion of the following:

- LHEES and associated delivery plan, and transition to focusing on plan implementation;
- Provided a detailed and costed decarbonisation plan for the Council's Domestic and Non-Domestic Estate.
- Work toward targets indicated in aforementioned Corporate Key Performance Indicators (KPI).
- Comply with Heat Network Regulations<sup>3</sup> and identify areas suitable for the development of heat networks, designating heat network zones (HNZ) where favourable.
- Undertake statutory duty in relation to public sector Non-Domestic buildings and the compilation of Building Assessment Reports (BAR) in accordance with Heat Network Regulations.
- Increased communications on behaviour change by all on heat and energy.

### Theme 3 - Business and Industry

Building and industry work progressed the actions against all key areas in the Climate Action Plan. These include:

- Data & Strategic targeting
- Engagement, empowerment, and awareness
- Strategic Actions
- Measuring performance

### Highlights

- Data, business & intelligence and strategic engagement has improved. Approximately 165 businesses have been identified as having heat and power demand above 0.5Mwh and/or as large employers. Communication has targeted these businesses to build and strengthen engagement. This contributes to the Council’s business relationship management.
- Progress has been made in developing Perth Eco-Innovation Park – PKC has agreed its inclusion in the Capital Programme and borrowing capacity of £10m has been agreed. The Outline Business Case has been revised to secure Tay Cities Deal funding. There is a new dedicated Project Board to help increase pace of delivery going forward.
- A Smart Local Energy Systems investment decision toolkit to develop business cases for private/public projects has been developed and is currently being disseminated.
- Improved integration with other themes: Circular Economy, Food waste Strategy (Waste), Mobility Strategy and strategic action plan (Transport), energy strategies/plan (Buildings and Energy).

### Delivery

The Business & Industry Action Plan currently has 17 actions on the plan. Of these, two are completed, 10 are green and 5 are Amber. This theme had one Priority Action - the progress of which is shown in Table .

### Review of progress of Top Priority Actions:

There was only one Priority Action selected by Council as Top Priority as shown in the Table below.

Table 6 Review of Building and Industry Top Priority Action(s)

Action Number	Action	RAG Status	Comments
B&I 14	Develop Perth West and Perth Eco-Innovation Park as a national net zero exemplar for decarbonisation of transport and energy - Full Business Case to be developed and supported at Scottish and UK levels.	A	Outline Business Case is being finalised with funding strategy for consideration by Council in February 2024. External Funding to be explored. Target completion date: March 2028.

### Delivery challenges and opportunities

- **Skills/Jobs:** Although more intelligence is being developed e.g. ‘Tay Cities Clean Growth Skills Report’, it is still a challenge to access statistics and establish baseline on ‘green’ skills and jobs. Actions are therefore fragmented and small-scale. The importance of Developing the Young Workforce and other activities in schools around future careers is needed.
- **Funding for Perth Eco-Innovation Park:** a growth opportunity, but a fully funded strategy is requested, and external funding opportunities are pursued and active engagement with investors to attract private funding.
- **Funding for Energy Investment Programme:** a growth and investment opportunity, but needs engagement with possible strategic partners to bring expertise and funding.

### Positive outcomes as a result of Priority Actions:

The Tay Cities Clean Growth platform is growing in strength and reach with 121 members from 112 organisations <https://taycitiescleangrowth.scot/> and list 19 clean growth projects across the region.

The Council has pledged financial support for Perth Eco-innovation Park and a Project Board is well established and progressing the planning and design aspects of the scheme.

The Council is exploring with the support of Scottish Futures Trust the development of a Strategic Energy Partnership which would help deliver a range of renewable energy and decarbonised heating projects across Perth & Kinross

£10M has been allocated by the Council from its Capital Programme to support the development of Perth Eco-Innovation Park. A bid to the Levelling Up Fund Round 3 (due to be launched by UKG) is also being prepared.

### Progress against statutory targets and key KPIs

The table below details the key performance indicators aiming to measure progress towards the reduction of overall carbon emissions from industrial and commercial sources.

They are around support to businesses and to sectors greening the economy, focusing on businesses which have the greatest impact on emissions and maximising access to green skills and green jobs opportunities.

After reviewing what data was regularly available and reliable, the Business and Industry KPI list has been reduced this year to four key KPIs.

It is important to note the increase in carbon emissions from industrial and commercial sources which shows a concerning trend.

Table 7 2023 KPI data

KPI	Previous Value	Current Value	Target
Total area-wide Carbon dioxide emissions (kt CO <sub>2</sub> ) from industrial and commercial sources	104.8	123.9	
Number of registered businesses in energy (including renewables) growth sector	140	145	+10% per year
% of businesses (250+ employees or largest energy demand (+0.5MW) with a set target for reducing carbon emissions	17% (base 24)	7% (base 165)	100% by 2027
Number of businesses supported through PKC Green Recovery Capital Fund	3	16	c. 20 per year

- Strengthen engagement with 165 identified businesses via targeted activities (e.g. case studies, events) including incentives such as Green Recovery Capital Fund to support business carbon reduction plan.
- Skills/Jobs: use analysis from reports to identify strategic actions in partnership with Perth College UHI, Skills Development Scotland, Developing Young Workforce, Tay Cities Clean Growth Initiative and Tay Cities Skills Partnership.
- Circular economy: Development of Circular Economy route map working in partnership with Waste Theme.
- Supporting Business engagement around the development of strategic transport corridors.

### Looking ahead

Actions this year will primarily focus on:

- Perth Eco-Innovation Park: development of a fully funded strategy and start delivery in March 2024 for completion in March 2028.
- Energy Investment Programme: development of business cases to create a pipeline of projects to attract investment and assessing the benefits of developing a Strategic Energy Partnership working with Building and Energy group.



## Theme 4 – Waste and Circular Economy

Waste and Circular Economy work progressed this year action against all five key areas of action in the Climate Action Plan. These include to:

- Ensure alignment with the Scottish Government Climate Change Route map
- Promoting a rapid transition to a Circular Economy
- Developing and delivering thematic action plans for the high carbon emissions materials
- Improving our recycling services
- Maximise value from waste by reducing waste sent to landfill

### Highlights

- The Council has awarded a significant 10-year contract worth £50 million to treat residual waste and turn it into energy. The contract commenced on 1 August 2023. The Council has appointed Paprec Energies Binn Ltd and both will work in partnership to manage the waste through a thermal treatment, energy recovery and recycling solution.
- The Council secured funding of £2.72M from the Scottish Government Recycling Improvement Fund (RIF) to roll out two significant projects: -

Project 1 - Service Expansion – City Centre Recycling which was the first project affording the opportunity to expand recycling services to circa 1,000 properties in Perth City Centre that do not currently have access to kerbside collections for Food Waste or dry mixed recycling, this part of the project was completed in November 2022.

Project 2 – Service Development – Twin Stream Recycling - The second project is the modification of the existing kerbside dry mixed recycling collection into two distinct material streams. The blue bin will continue to be collected containing paper and cardboard, with the introduction of a grey bin to collect cans, cartons and plastics. The grey bin will also now allow for recycling of tin foil and soft plastics such as films and flexible packaging. The introduction of this new kerbside arrangement will also ensure PKC is brought into line with the national Household Waste & Recycling Charter. The new service commenced on 30 October 2023.

Table 8: Key Waste and Circular Economy Actions

W12	<p>Develop &amp; Maximise Recycling Services by</p> <p>1. Implementing in November 2022 expansion of recycling services (Food/DMR) in Perth City Centre.</p> <p>2. Implementing in November 2023, expanding PKC recycling services to include flexible plastic packaging and hard rigid plastics (as market conditions allow).</p>	G	<p>2. As per W3</p> <p>£2.72m in RIF funding awarded. Fourth bin deliveries on track for commencement of service change 1<sup>st</sup> November 2023. Expansion of materials accepted</p>
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## Progress of Top Priority Actions:

Table 9: Waste and Circular Economy top priority actions

Action Number	Action	RAG Status	Comments
W3	Food Waste: Gather data to create a baseline of knowledge, participation and barriers.	A	<p>Food Waste Survey completed April 2022.</p> <p>Food Waste Reduction and Recycling Campaign held from May 2022 to April 2023. City Centre Food Waste Hubs commenced November 2022. Approximately an additional 1000 households now having access.</p> <p>Trial – 11 Rural Food Waste Hubs in Crieff (5), Auchterarder (2), Blairgowrie (3), and Scone (1) commenced July 2023. Additional areas to be identified for roll out in 2024.</p> <p>In 2024, further action to explore the feasibility of kerbside caddy collection in a trial area (subject to operational capacity availability).</p> <p>Resource issues due to staff being deployed on service change with twin stream. Due to restart 2024 for creation of baseline.</p>
W5	Review how the Deposit Return Scheme (DRS) and Extended Producer Responsibility can be introduced effectively in Perth and Kinross & regionally	A	<p><b>DRS</b></p> <p>Meetings with Dundee City Council, Angus Council and Tayside Contracts were undertaken late in 2022 into 2023 to determine a collaborative approach. Perth &amp; Kinross Council and Zero Waste Scotland (ZWS) met in June 2023 to review the DRS model.</p> <p>Implementation date changed to October 2025 from August 2023. Meetings will be scheduled from 2024.</p> <p><b>EPR</b></p> <p>Delayed until October 2025.</p> <p>Draft Regulations published, consultation being conducted by DEFRA on behalf of the UK Government, closes 9<sup>th</sup> October 2023</p> <p>Waste Services attending regular DEFRA LA Engagement Sessions.</p>
W17	Asset Management Review of Waste and Recycling Infrastructure	G	<p>Work commenced on the asset management review of waste &amp; recycling infrastructure with building conditions surveys and suitability assessments undertaken. A consultant has been appointed to compile the information collated and present in a Strategic Outline Business Case report and this will be used to inform the Council's overall asset management approach going forward.</p>

## Delivery challenges and opportunities

Deadlines set by Scottish & UK Governments have proved challenging as projects have had time devoted with multiple internal and external parties, then dates have been significantly altered. This approach results in massive difficulties and uncertainties moving forward to accommodate appropriate levels of staffing, vehicles, financial information (costs, income, potential savings or additional expenditure, etc), relevant equipment (if applicable).

This also has meant a significant amount of time has been focused on areas such as DRS which would have been spent on other work and projects to progress them further.

## Positive outcomes as a result of Priority Actions:

The Residual Waste Contract will treat the non-recyclable waste stream, with a new Energy from Waste facility currently being developed at Binn Eco Park in Glenfarg. The facility is due to open in 2026. Once operational the facility will generate energy (heat & electric power). The heat from the facility will also supply heat-using processes at the Eco Park including advanced horticultural systems. In addition to adding capacity to the existing private renewable energy grid at the Binn Eco Park, it has the potential to power an extended private renewable energy grid into Perth.

Delivery of Action W12, expansion of kerbside recycling, has resulted in an increase in quantity of recyclable material captured which increases recycling rate, reduces waste

arising and contributes to the net zero agenda by reducing carbon emissions through capturing food and plastics.

Through extensive engagement work, there has been increased participation and positive behavioural change by residents evidenced through:

- Improvement in recycle material quality
- Alignment with Household Waste & Recycling Charter & national policies and legislative targets and the Perth and Kinross Council Waste Management Plan and Climate Change Strategy & Action Plan
- Consistent Kerbside Collection Service for residents in Perth & Kinross

## Progress against national targets and key KPIs

National Targets:

- I. Reduce tonnes of total waste arising to 15% against 2011 baseline by 2025: *on-track total waste generated has been decreasing since 2011 – 11.6% in 2022*
- II. Reduce the percentage of all waste sent to landfill to 5% by 2025: *off-track waste sent to landfill increased by 2.8% in 2022 from 2021*
- III. Recycle 70% of all waste by 2025: *off-track as currently recycling significant less than interim target values*
- IV. Reduce food waste by 33% from the 2013 baseline by 2025: *on-track, food waste collected decreased by 40% in 2022.*

## Performance

Table 10: 2023 KPI data

KPI	Previous Value	Current Value	Target
Area-wide territorial GHG emissions estimate - Waste (kt CO <sub>2</sub> e)	72.2	81.5	TBC
Total household waste generated (tonnes) and household waste generated per person (kg)	77340 tonnes; 510kg/per person	70604 tonnes; 459kg/person	By 2025, reduce tonnes of total waste arising to 15% against 2011 baseline (69,730 tonnes)
Total household waste recycled/composted as % of all household waste	50.1%	49.2%	Recycle 70% of all waste by 2025
Carbon impact of household waste per person (tonnes CO <sub>2</sub> e)	1.02 (2021)	1.1 (2022)	Reduce carbon impact to 0.7 tonnes CO <sub>2</sub> e per person by 2026
Whole Life Cycle Emissions for Perth & Kinross Council Collected Waste (kt CO <sub>2</sub> e)	154.4 (2021)	138.9 (2022)	
Quantity of food waste collected in residual waste (Kg/HH/week)	1.69	1.64	Reduce food waste by 33% from the 2013 baseline by 2025
Dry Mixed Recycling contamination rate (%)	21.2% (2021/22)	22.6% (2022/23)	Reduce to minimum of 20% by 2022/23 and 15% by 2023/24

## Looking ahead

Actions this year will primarily focus on:

- Developing the Food Waste Action Plan and actions therefrom.
- Single Use Policy and how Perth & Kinross Council can further address this area in relation to reducing the quantities of single items used and explore any additional measures that can be identified from Procurement stage.
- Developing an action plan for circular textiles.
- Developing re-use activities throughout Perth & Kinross, looking at areas where collaborative working is achievable and working with internal and external parties to introduce re-use opportunities, expand networking opportunities and explore additional funding sources.
- Recommencing DRS planning later in 2024 in anticipation of the rescheduled introduction due October 2025.
- Continue planning for EPR in anticipation of the introduction due October 2025.
- Asset Management – taking forward recommendations from the Strategic outline Business Case to future proof operational depots and HWRC's
- Continuation of working with Education – Waste Analysis of Schools to be undertaken Feb/March 2024.
- Digital Waste Tracking - SEPA and the Scottish Government have been working with UK partners to develop a digital waste tracking system that will be adopted by all four nations. This mandatory tracking will transform how waste and resources flow; tackle waste crime; and prioritise regulatory activities. From April 2025 legislation will come into force across the UK making use of the waste tracking service mandatory.
- Good Food Project Officer has been appointed to support development of a Good Plan including an action to support the Food Share Network model being developed by Giraffe. This looks to redirect food destined for landfill to community food organisations across Perth and Kinross and to produce meals for the community in the Giraffe Community Kitchen.
- Engagement with Scottish Government and LA and sector contacts in relation to the priority actions set out in the Circular Economy Bill and Circular Economy and Waste Route Map and input to ongoing national consultation.
- The management of Persistent Organic Pollutants (POPs) in bulky residual waste
- Increased communications on behaviour change by all on waste.

## Theme 5 – Land Use

Land Use work progressed this year action against all four key areas of action in the Climate Action Plan. These include:

- Strengthening Planning
- Rural Land Use and Carbon Sequestration
- Biodiversity
- Greenspace

## Highlights

There were several highlights this year associated with the land use theme.

- Receiving over £700k of Scottish Government Nature Restoration Funding from 2021 that has enabled more than 30 projects to be successfully delivered by PKC and community groups, with a further 18 on-going in 2023/24
- Building a successful partnership with the Scottish Invasive Species Initiative and local landowners to deliver a catchment scale approach to INNS control project on the River Almond.
- Successful roll out on 42 sites of trials for managed grassed areas for climate change and biodiversity.
- Significant expansion of “no mow” is being planned on most of the Council’s managed greenspaces for 2024/25
- Networking and relationship building ongoing by Council’s Good Food Nation Project Officer, working towards developing a Good Food Nation Strategy.
- ‘Upper Tay Catchment Communities - Almond Headwaters’ project bid was successful in receiving a ‘Riverwoods – Investment Readiness Pioneers Award and grant of £124,000.
- Successful designation of Scotland’s first Biodiversity Town at Blairgowrie and Rattray, and two Biodiversity Villages (St. Madoes and Guildtown).

## Delivery

Table 11: Review of progress of Top Priority Actions

Action Number	Action	RAG Status	Comments
L1	Develop a landscape scale pilot project in conjunction with partners (Perthshire Nature Connections Partnership (PNCP) to support private landowners to facilitate and encourage forestation and peatland restoration.	G	<ul style="list-style-type: none"> <li>• ‘Upper Tay Catchment Communities – Almond Headwaters’ project awarded £124,000 in grant funding.</li> <li>• Work now involves 3 neighbouring estates in landscape restoration.</li> <li>• Work progressing on Breadalbane Species Rich Grassland (SRG) Priority looking at opportunities and constraints to 3 farms management of SRG.</li> </ul>
L11	Review current planning policy framework to determine their strength in terms of delivering on climate change, biodiversity, and net zero commitments. Update, enhance and enforce more rigorously where required.	A	<ul style="list-style-type: none"> <li>• Relevant regulations and guidance have now been published.</li> <li>• LDP3 project plan timelines currently being further refined to ensure delivery within expected 5 year period.</li> <li>• NPF4 sets the national policy framework for planning decisions, LDP3 will include new local policies where it deemed appropriate and necessary.</li> </ul>
L14	Consider as part of the review any potential policy amendments to help the planning system better support the implementation of carbon reduction measures. Develop advice and guidance if appropriate.	A	<ul style="list-style-type: none"> <li>• As per above for L11</li> </ul>

## Delivery challenges

- Reduction in on street weed control – currently no financial resources available to trial other alternative methods to the use of herbicides.
- Lack of viable battery powered alternatives for industrial level activities.
- Community concerns regarding some of the grassland maintenance trials being rolled out under the agreed Managing Grassed Areas for Climate Change and Biodiversity Programme. Additional resources needed to help raise awareness within communities, and to share knowledge and information about the various associated benefits these grassland areas can bring. Additional cut and lift machinery needed to significantly expand the “no mow”.
- Lack of staffing resources in Community Greenspace Team has resulted in the review of the Council’s Sports Pitch Strategy being put on hold.
- The Planning (Scotland) Act 2019, its associated Regulations and Guidance, and National Planning Framework 4 have introduced a significant number of new additional asks of Planning Authorities in the preparation of their Local Development Plans. A large number of the asks are major projects in their own right, which require significant staff resources to deliver, and all at the same time, which is going to be a real challenge over the next 2–3 years.

## Delivery opportunities

- Potential funding awaiting confirmation of to expand the Biodiversity Towns and Villages Project and develop the Biodiversity Industrial Estates Project.

### Positive outcomes as a result of Priority Actions:

- Approval of additional staff resources to undertake Open Space Quality Audits, complete Local Nature Conservation Sites surveys, and the creation of a new Climate Change Landscape Restoration Officer post.
- Annual tree planting plans for the Council’s parks and open spaces are being developed and implemented based on the principal of ‘the right tree in the right place’ to provide a range of benefits, including carbon sequestration.
- Westbank Nursery currently growing native trees and shrubs from cuttings and seeds to support increased planting of native species.
- Significant reduction in the use of pesticides at Westbank Nursery, with the move to more pollinator plant production. Expected to continue to be minimised.
- Cessation in annual application of selective herbicide to all sports pitches. Only applied where required.
- Successful roll out on 42 sites of trials for managed grassed areas for climate change and biodiversity. Significant expansion of “no mow” is being planned on most of the Council’s managed greenspaces for 2024/25.



- Networking and relationship building ongoing by Council's Good Food Nation Project Officer, working towards developing a Good Food Nation Strategy.
- Further botanical survey work has been undertaken for three farms as part of the Perthshire Nature Connections Partnership Breadalbane Species Rich Grassland Priority Project. The results will help to further refine any future possibilities.

### Progress against statutory targets and key KPIs

The Scottish Government has set several targets related to land use. These are primarily at the national level rather than local authority level, though local authority action will be required to meet these targets.

These include:

- National target to increase forest and woodland cover to 21% of total area of Scotland by 2032 – Perth and Kinross is currently at 18% (a decrease from 2018).
- Peatland Restoration – 250,000 ha of degraded peatland by 2030. The Perth and Kinross area has approximately 10% of Scotland's peatland resource.
- National target for at least 80% of designated natural features to be in favourable condition by 2016 – Not met but improving: SSSI at 75% and Protected Nature Sites at 75.5%.

Table 12: 2023 KPI data

KPI	Previous Value	Current Value	Target
% of the total land area of Perth and Kinross covered by woodland	18.8% of the total	18.8% (no recent data updates)	National target to increase forest and woodland cover to 21% of total area of Scotland by 2032
Total LULUCF emissions (ktCO <sub>2</sub> e)	561.7	559.2	Target still to be set
Total LULUCF sequestration (ktCO <sub>2</sub> e)	-710.8	-704.7	Target still to be set
Species and Statutory Species Distribution % of all 1km grid squares in Perth and Kinross had recordings of protected species	51.4% (2020)	51.4% (no recent data updates)	National Target to protect at least 30% of Scotland's land for nature by 2030 National target for at least 80% of designated 'features' in favourable condition by 2016
% Of Protected Biological and Mixed SSSI Sites in Favourable Condition	75.3% (June 2022)	TBC	National target for at least 80% by 2016.
% Of Protected Nature Site Features in Favourable Condition	75.5% (2022)	TBC	National target for at least 80% by 2016
Number of trees planted on Council land and maintained open space	South Inch - 37 total planted	TBC	Net increase on carbon capture from tree planting, method of measure to be identified.
Number of community volunteering hours in biodiversity related projects	1420	1786.5	
Area grassland managed for biodiversity improvement objectives (ha)	-	21.72	
Vol. of Herbicide Used (L – undiluted quantity)	1117 (2021)	1216 (2022)	The commitments within the Edinburgh Declaration require a national reduction of 50% by 2030

## Looking ahead

Actions this year will primarily focus on continuing work on:

- Review and revise our Forestry and Woodland Strategy (FWS) as part of LDP3 process. Consider how the FWS can support and encourage private landowners to plant “the right tree, in the right place” to help tackle the climate and biodiversity crises.
- Identification of and awarding of successful bids to the current round of the Nature Restoration Fund.
- Undertake an Open Space Quality Audit as the evidence base to support the development of the Council’s Open Space Strategy.
- Identify the Strategic Green Networks either wholly or partially within Perth and Kinross and opportunities for their enhancement.
- Reviewing the existing planning policy framework within the context of National Planning Framework 4’s suite of

National Planning Policy and identify where a local policy response is appropriate and necessary.

- Exploring in collaboration with the Riverwoods Project Study, the development of a potential methodology for developer contributions/ offsetting via planning applications.
- Continuing Local Nature Conservation Sites survey work programme.
- Continuing progress on achieving the Sustainable Food Places Bronze Award and developing a Good Food Nation Strategy.
- Further roll out of the Biodiversity Villages, Neighbourhoods and Towns Initiative across Perth and Kinross.
- Increase dialogue and engagement with landowners and farmers

## Theme 6: Climate Resilience

Our climate resilience work this year progressed action against all five key areas of action in the Climate Action Plan. These include:

- Resilient organisations
- Resilient and empowered communities
- Resilient ecosystems
- Resilient infrastructure
- Flood risk management

## Highlights

### Delivery

The Action Plan identified 40 Resilience Actions, with progress made against almost all of them. Highlights this year include: Completion of Perth & Kinross’s first Climate Change Risk and Opportunity Assessment, which looked at risks and opportunities to both the Perth & Kinross Council Area and PKC services and operations; Approval of the Council’s Flood Risk Management Cycle 2 Projects in December 2022 and on-going progress delivering nine Cycle 1 and Cycle 2 Flooding Schemes.

- The Tayside Biodiversity Partnership’s Ponds for Puddock’s community SUDS project has successfully completed Year 2 and was shortlisted for the Nature of Scotland Awards

## Review of progress of Top Priority Actions:

As can be seen from Table 13, of the five Priority Actions identified for Resilience, one is complete, two are green and two are amber

## Delivery challenges and opportunities

- Resources – both the attraction and retention of suitable staff and the significant inflation in the construction sector has impacted on delivery progress, particularly for flooding with inflationary pressures of upwards of 50% on major planned schemes.
- While the awareness for and priority of resilience and adaptation measures is rising, this strand of action still has lower profile and focus than mitigation.
- There is a challenge to bring together the different key areas of resilience, land use, transport and planning.

## Outcomes

Positive outcomes as a result of progressing the Priority Actions:

There has been an increased awareness of the current and future climate impacts on Perth & Kinross to stakeholders and the wider public

The work progressing flooding and scour schemes is helping to protect infrastructure and communities from extreme weather events.

Table 13 Summary of Progress of Resilience Priority Actions

Action Number	Action	RAG Status	Comments
R6	Undertake a strategic climate change risk and opportunity assessment for Perth and Kinross Council Area	Complete	<a href="#">Published on the Climate Action Website</a>
R11	Develop updated roads development guide to resolve conflicts with adoption criteria for SUDS with roads maintenance requirements as well as providing wider resilience benefits (e.g. shading and biodiversity corridors and protection)	A	Initial discussions have taken place with Transportation officers who are scoping out some of the issues to be considered as part of the review, including extensive internal stakeholder liaison. It is likely given the scale of the work that the Council will procure consultancy support to take forward the work.
R12	Develop and implement scour bridge protection programme	G	Scour Assessment programme underway with climate change accounted for. Long term project. Results from Scour Assessments will be used to inform on backlog of high priority works and also Roads Asset Management Plan identifying capital pressures as required.
R24-R34	Continued delivery of Flood Risk Management Cycle 1 Projects and commence Cycle 2 projects.	A	Flood Risk Management 2 projects were approved by the Council in December 2022. Work has been continuing on a number of flooding schemes and design of further schemes, but cost inflation and staff pressures are impacting on overall delivery
R14	Explore the feasibility of a pilot natural flood management site in the Upper Leven Catchment.	G	Being progressed with the Forth Rivers Trust as part of the Loch Leven LENS group with an expected completion date of March 2024

### Progress against statutory targets and key KPIs

Under the Climate Change Act (2019), we have a duty to contribute to the delivery of the Scottish Climate Change Action Programme 2, which the actions in the action plan have been developed to align with. This plan does not pose specific targets applicable to local authorities.

Flooding is one of the main physical climate risks to Perth and Kinross. Under the Flood Risk Management Act (2009). We have a duty to deliver Flood Risk Management Plans and report our progress every three years. In December 2022, we assessed 85% of the PKC actions in the flood risk plan are completed or on track.

Table 14 2023 KPI data

KPI	Previous value	Current value	Target
Annual Scotland Adapts Capability Framework score	3.33/12	8.2/12	Mature organisation - 9/12 by 2026
Number of community groups engaged in proactive climate resilience work	27	27	53 (a minimum of one per Community Council Area)
Percentage of PKC's flood risk management plan actions classified on track or completed	85% (2019)	85% (2022)	Not set
Number of Bridge Scour Assessments Undertaken	N/A	N/A	Currently putting together a programme of scour assessments which will allow targets and baseline values to be set

### Looking ahead

Actions this year primarily focus on continuing work on the projects in the initial action plan. These include:

- Delivery of Cycle 1 & Cycle 2 Flooding Schemes;
- Progression with bridge scour assessments;
- Further development and promotion of Natural Flood Management in Perth & Kinross;
- Embedding the recommended actions from the Climate Change Risk and Opportunity Assessment into Council operations and contributing to the development of the Scottish Climate Change Adaptation Programme 3.

It is proposed that three actions are removed from the action plan in Year 3. R10, R13 and R31 due to overlap with other actions in the Resilience and Land Use Action Plans.

## Theme 7: Education and Engagement

### Highlights

#### Delivery

Significant progress made with staff Carbon Literacy training sessions and certification:

- 121 Council's Officers completing the days training
- 79 achieving full certification through pledge submission.

Ongoing work with Elected Members to have some level of climate training in place. Short Climate Emergency training delivered by KSB. PKC trainer is in talks to arrange full Carbon Literacy for Elected Members.

Ongoing work in schools through a sub-group and considering various themes (waste, active travel, energy reduction) including:

- Creation of monitoring forms to assist with energy efficiency practices, waste and recycling containers and active travel
- New Climate Action Plan template created and circulated to Head Teachers
- Presentations for self-delivery created and shared
- New Employee Resource and Information page launched with links to internal and external support
- Waste composition analysis to be tendered and completed Feb/Mar

The second annual Youth Climate Conference, held on 25 October, was a success. 80 pupils from 9 high schools were in attendance. Conference will return next year as a regular annual fixture.

In 2023, the Team participated in the Innovate UK Net Zero Living Project. Phase 1 of the project involved engagement with communities in Aberfeldy and Tulloch, Perth

Phase 2 project bid submitted for funding to demonstrate how the ideas in Phase 1 would work.

Internal awareness raising through the Staff Climate Cafes is ongoing and dynamic, with a mix of events, guest speakers and workshops.

#### Review of progress of High Priority Actions:

Action Number	Action	RAC Status	Comments
E6	Develop dedicated CC Hub	G	Launched
E8	Ensure CC is embedded in school curriculum	A	Some progress but requires further attention to ensure continuity across schools
E5	Develop staff and elected member training	G	Good progress with Staff Carbon Literary training sessions and certification; ongoing work with elected members
E19	Deliver Youth Climate Conference	G	Successful event in 2022 and to be repeated October 2023
E17	Input to Corporate campaigns on cost-of-living and energy saving	G	Frequent input via corporate Comms
E14	Maintain presence on social media platforms	G	Web-site running and being developed; regular outputs on FB and X (twitter)
E21	General public engagement via attendance at Market events, Winter Festival etc	G	Ongoing involvement via Events Team

Action Number	Action	RAC Status	Comments
E4	Deliver Climate Literacy training to staff and elected members	G	Successful and ongoing
E19	Youth Climate Conference	G	Second annual event took place on 25, October 2023
E9	Work with schools on carbon emissions and waste	G	Ongoing work between CC reps and ECS to deliver information and materials on the ground and in-person
E10	Public engagement	G	Successful delivery of IUK Phase 1 project in Aberfeldy and Tulloch, Perth; regular attendance at events (Winter Festival, Earth Day market)

Table:15 Progress of high priority actions

### Delivery challenges

- Resourcing for in-person events, generally evenings/weekends
- Looking for means to get behaviour change information and good practice through the body of other messaging

### Opportunities

- Use of Climate Cafes and Carbon Literacy Training as a means of building general staff awareness and activity
- Giving young people a voice at their own event(s)
- Sharing our good practice with other Local Authorities via expanding networks

### Positive outcomes as a result of Priority Actions:

- *Increasing number of Council staff with Carbon Literacy qualification and increased awareness*
- *Providing youngsters with a platform to speak, act and engage with CC staff*
- *Ability to assist during the cost-of-living crisis by providing public engagement events (such as Earth Day Market) and practical support*
- *The youth conference was well received by pupils and teachers that got involved. Attendees expressed their positive feedback on the Council taking action to combat climate change while valuing the views of young people.*

### Progress against statutory targets and key KPI's

KPI	Previous value	Current value	Target (April 2023)
Views on Climate Change Webpage	14000	22000	28000
Views on Social Media channels - Facebook	15700	39511	37680
Views on Social Media channels - Twitter	14400	16300	34560



Views on Social Media channels – Instagram	4695	11451	11268
Views on Social Media channels – TikTok	1779	n/a account closed	4269
Number of community groups active on climate change related projects	139	140	
Number of PKC owned schools with eco-school's green flag status	27	27	45 (April 2024)
Staff who have completed the climate change eLearning module	1233	1824	5834

*Table 16: 2023 KPI data*

Focus for upcoming year

- IUK Phase 2 – if successful will either receive £3.2m for full Demonstrators project or £150k for Pathfinders project.
- Further public engagements, through events and working with the wider communities team including Participatory Budgeting
- Youth conference - evolving the conference in line with the wants of the pupils to make it even more engaging.
- Increased communications focusing on behaviour changes

## Theme 8: Governance

Our Governance work this year progressed action against all four key areas of action in the Climate Action Plan. These include:

- Governance and accountability
- Business and performance management
- Objective and target setting
- Sustainable Procurement

### Highlights

The Action Plan identified 26 Governance Actions, with progress made against several of them, with some delays associated with the changes to the Council’s organisation structure and Procurement Transformation processes.

Highlights this year include:

- Development of the Impact and Value Assessment Tool for screening the Council’s Reports – helping to identify the full suite of potential opportunities as well as impacts for proposals being developed.
- Launch of the staff Climate Literacy Training Programme, which has of October 2023 seen 121 staff trained, with 79 receiving full certification.
- Development of a new Council Procurement Strategy that includes Climate Change and embedding Climate Change into the Council’s Procurement Transformation Programme.
- Regular meetings of Climate Change Board and working groups monitoring actions and facilitating cross-learning

## Delivery

There are three Top Priority Actions within the Governance Theme. Two are currently Green and one is Amber. More widely, of the overall 26 Governance Actions, 11 are status Green, 8 status Amber and 7 status red.

### Review of progress of Top Priority Actions:

Table 17: Governance top priority actions

Action Number	Action	RAG Status	Comments
G2	Mainstream climate change into committee procedures and council operations	G	Good progress made in 2023, following finalisation of the internal audit and the completion of the PKC leadership review, Governance procedures will need to reviewed
G7	Measure and develop action plan for our Scope 3 carbon footprint	G	Analysis undertaken of the Council’s 20/21, 21/22, and 22/23 procurement spend. Final consultant results due in November 2023.
G20	Build capacity of procurement and contract management staff around ensuring climate change is appropriately considered in procurement and delivery processes	A	Progressed as possible with limited resources

## Delivery challenges and opportunities

- The Council is currently undergoing a leadership transformation that is both a challenge and an opportunity. It has delayed the embedding of certain processes and procedures, but once it is completed including appointing a strategic climate change lead, the revised structure and clear definition of roles should allow for improved climate action accountability.
- The new Impact and Value Assessment Tool has the potential to be transformative in terms of capturing climate change opportunities and mitigating potentially negative impacts on climate change. This will require an operational change to use it has a proposal development tool rather than a post-development screening tool.
- Procurement national legislative framework is out of synch with climate change ambition; with more of a focus on cost saving than carbon saving targets.
- There is an opportunity for the Council to be more creative and confident in designing procurement processes that give greater weighting to sustainability – test the norms and demonstrate what a successful sustainable procurement project looks like via case study development and promote this to a wider audience to act as influence as was done for the new Residual Waste Tender or the Cross Tay Link Road.

## Outcomes

Positive outcomes as a result of Priority Actions:

- Increased staff training and capacity with respect to Climate Change;
- Increased ability to monitor the impact of climate change proposals;
- Improved organisational capacity around Climate Change

## Progress against statutory targets and key KPIs

There are no statutory targets related to the Governance theme, but there are statutory reporting duties through the Public Sector Reporting Duty related to Scope 3 emissions from procurement for which a mechanism to measure them is being finalised. An assessment tool has been developed to link climate change into budget and financial procedures.

Looking ahead

There are several priority actions for next year. These include:

- Continuing to mainstream climate change into committee procedures and council operations, with a particular focus on adapting measures post-Leadership review and embedding the Impact and Value and Assessment Tool.
- Using the results of the Scope 3 Purchased Goods & Services to help identify and develop priority areas for procurement changes.
- Using the Corporate Procurement Strategy refresh to build in more on sustainable assessment and build capacity within the Procurement team and also build this into job descriptions for procurement post
- Using the Climate Change Strategy to be a pilot strategy for early inclusion into the new corporate performance management system

<b>KPI</b>	<b>Previous Value</b>	<b>Current value</b>	<b>Target</b>
Scope 3 Emissions – Procured goods and services and capital works	Not yet measured	Not yet measured	To be set
% of Members and senior officers who have undertaken Climate Literacy training	Not yet measured	20%	100% by September 2023
% of staff who have undertaken climate change awareness training (in person or online)	21%	36%	80% by September 2023
% of staff who have climate change included in job description	1% (2022)	1% (2023)	No target set
Climate Change Assessment Tool (CCAT) Overall Score	51% (2022)	61% (2023)	85% by 2026

Delivery Theme	Action No	Sub-Goal	Strategic Action	Start Date	Timescale	Milestones/ Supporting actions	Lead Depa	Lead Nar	Additiona	Value of delivery resource	Prioriti sation 2023 (H, M, L)	Availabilit y of resources	Focus of action (PKC vs)	Progre ss (RAG)	Comments	Progress update for Annual Report
Buildings	B1	Domestic	Prepare a costed programme and seek funding to complete the Local Heat and Energy Efficiency Strategy (LHEES), as the basis for future planning and delivery of specific building level interventions and heat decarbonisation measures across zones (e.g. heat networks) in Perth & Kinross.	In Progress	Ongoing	1. Formal Statutory Proposals from SG. 2. Complete LHEES process. 3. Identify heat decarbonisation measures across P&K.	Planning and Development	Divindy Grant	Andrew Ballantine/Shellie McCann	Estimated £500k	T	Feasibility/design only	P&K	G	Once formal statutory pro	Awaiting raised guidance/methodology & resourcing commitments from Scottish Govt. Internal preparatory work is ongoing to develop workplan for PKC inc identifying likely resources required internally and potential use of consultancy funding to be issued by Scottish Govt. Work
Buildings	B1a	Domestic	Government awarded grant funding	Complete	late - by		Planning and Development	Divindy Grant	Andrew Ballantine/Shellie McCann	Govt grant	H	Available	P&K	Complete		LHEES pilot project has been completed. Energy team within Housing
Buildings	B2	Domestic	Develop and deliver a programme to ensure all existing Council houses are brought up to EPC B by 2032	Financial year 2	Long - between 2027-2045	1. Target Council housing with EPC Band D and below by 2026. 2. External consultants to be appointed to carry out a high level review of current	Housing	Elaine Ritchie	Nicola Leitch	Not yet identified	T	Feasibility/d	PKC	A	Phase 1 of consultancy project with ARUP has been commissioned alongside the appointment for the non-domestic workstream and is due to report on progress in November 2023. Next Phase of consultancy - quotation has been received from consultants and is under review; procurement strategy has been	Phase 1 of consultancy project with ARUP has been commissioned alongside the appointment for the non-domestic workstream and is due to report on progress in November 2023. Next Phase of consultancy - quotation has been received from consultants and is under review; procurement strategy has been
Buildings	B3	Domestic	Investigate the potential to deliver new build exemplar projects using	At master planning	Medium - by March	Review of Design Guide for	Planning and Development	Ben Wilson	Kevin Divin/Campbell	Estimated at £4m	M	Available	PKC (but with the	A	Master planning for full site is in progress; exemplar projects will be	revised Design Guide is in final stages of consideration and
Buildings	B4	Domestic	Develop a comprehensive suite of measures for inclusion in the review of the	Ongoing	late - by March	and issue of Energy Guide for	Planning and Development	Wilson/Michelle Dow	Kevin Divin/Hannah Kettles/T	Estimated	H	Available	(but with the potentia	A	Housing Tenant Energy Guide was reached. Revision of Local	Strategy has now received approval and is live; this contains
Buildings	B5	Domestic	Work with local Housing Associations to maximise the number of social rented homes achieving EPC B by 2032.	Ongoing	Long - between 2027-2045		Planning and Development	Ben Wilson	Kevin Divin/Campbell Hall/Aff Hsg Enabler	Not yet identified	H	Still to be id	P&K	A	Will be dependent upon the RSL's Asset Management Plans; requirements have been set out in the new Local Housing Strategy. Team will work with RSL's on their new developments to ensure these are as energy efficient as possible within funding available. Information sharing on retrofit programme likely to be	New Local Housing Strategy has now received approval and is live; regular meetings held with Strategic partners and climate change targets and the LHEES are on the agenda.
Buildings	B6	Domestic	Carry out a comprehensive awareness raising	Ongoing	Long - between		Joint between Housing	Elaine Ritchie/Sarah	Jennifer Kent/Lanclord	Not yet identified	M	Still to be id	P&K	R	Cross over with Local Housing Strategy as this covers all tenures;	not taken forward and still in early development due to
Buildings	B7	Domestic	1. Develop support for private landlords to work towards the	Financial year 2	Long - between		Joint between Housing	Elaine Ritchie/Sarah	Steven/Jennifer	Not yet identified	M	Still to be id	P&K	R	the missing shares scheme has just been set up but PKC would	not taken forward and still in early development due to
Buildings	B8	Domestic	introduces a scheme for home energy efficiency advice, co-designed with private	Ongoing	by March 2023		between Planning and	Grant/Nicola Lennon	Kourtesi/Stephanie	Not yet identified	H	Still to be id	P&K	A	Government initiatives; Energy Savings Trust could perhaps lead	held on Climate Change web page , with further meetings
Buildings	B9	Domestic	Commission research into fuel poverty and housing conditions in	Ongoing	short by March		Planning and Development	Ben Wilson	Kevin Divin/Hannah	£30k	H	Available	P&K	A	Cross over with Local Housing Strategy; part 1 by March 2022; part 2 by	Survey work has been completed on Council Housing stock but final

Buildings	B10	Domestic	Carry out an updated survey programme (similar to the one being carried out by Property Services) to refresh Develop options, costs and funding avenues for PKC Estate Portfolios to reduce greenhouse gas emissions. Options	Financial year 2022	Short - by March 2022	1. Comply with updated building standards. 2. Align with	Housing	Elaine Ritchie	Nicola Lennon	Not yet identified	H	Still to be identified	PKC	A		Finalised list of properties has been agreed with Estates. Energy efficiency
Buildings	B11	Non-domestic	Develop and invest in local district heat/electricity networks	Ongoing	Short - by March 2023	1. Identify additional resources: staffing and	Property/Housing	Stephen Crawford/Elaine Ritchie	Grant Key/Nicola Lennon	Not yet identified	T	Feasibility/design only	PKC	A	Second phase of consultants review	New staff member recruited and work on this action will be commenced in early Oct 22.
Buildings	B12	Non-domestic	All non - domestic buildings considered for refurbishment must have improved energy efficiency and	Financial year 2022	Ongoing	1. Identify additional resources: staffing and	Budget Holders incl. - Property	Greg Boland/Stephen Crawford	Scott Nicoll/John Beveridge	Improvements to PKC estate	T	Still to be identified	PKC	R	Phase 1 and 2 of consultancy project.	Property & Housing are inputting information into the Lot 3 of the LHEES
Buildings	B13	Non-Domestic	Re-evaluate all existing 'business as usual' programmes of work which are currently funded. Where possible	Financial Year 2022	Short - by March 2023	1. Identify additional financial and staffing	Communities/Housing/Property Services.	Serge Merone/Stephen Crawford	Shelley McCann/Andrew Ballantyne	Unknown at this time.	T	Still to be identified	P&K	A	Close cross Service working required and partnership with Community Planning	LHEES project ongoing & on track to meet Dec 2023 deadline. LHEES projects promised for 22/23 and some works will be undertaken. However due to other essential works and a
Buildings	B14	Non-domestic	Explore and secure alternative funding streams to assist the	Financial	On hold	To identify and secure funding as it targets for reduction in CO2	Property Services	Stephen Crawford	Scott Nicoll/John Beveridge	Should be fully identified but should	H	Available	P&K	R	Funding needs identified and secured to meet SG targets in all areas of the	1x Funding Officer recently in post and this is in early
Buildings	B15	Non-Domestic	Review the property portfolio and reduce emissions through a combination of	Financial	Ongoing	and improve partnership working to	Communities - exact Services/Communities/Estates	Serge Merone/Crofts/Stephen Crawford	Sharon Rice-Young/Ryan Graham	£120k	M	Still to be identified	Both	R	Next needs to be standardised as this should be considered across the wider work	One Public Estate working group established with consultants, delayed due to change in personnel.
Buildings	B16	Non-Domestic	Develop collaborative and partnership working with other Public sector bodies and community	Financial	Short - by March 2023	1. Decrease water consumption	Planning and	Serge Merone	Grant Key/Chris Anton	£100k	M	Feasibility/design	P&K	G	One off assessment - potentially a consultant to be appointed.	Action not taken forward as deemed as low priority and no
Buildings	B17	Non-Domestic	Area-wide assessment including the investigation for future local energy targets. To	Financial	Medium - by March 2027	Energy consumption	Property Services	Stephen Crawford	Grant Key/Chris Anton	£50k	H	Still to be identified	PKC	R	has been created for this. Funding of £20M requested over 10 year	recently allocated to this role and it is still in
Buildings	B18	Non-Domestic	Investigate water conservation measures to cost options for a	Financial	Medium - by March 2027	Energy consumption	Property Services	Stephen Crawford	Grant Key	£210	T	Still to be identified	PKC	R	has been created for this. Funding of £20M requested over 10 year	progressed using non-recurring budget of £2M made available in
Buildings	B19	Non-domestic	Review ECO school certification and status	Ongoing	Ongoing	Energy consumption	Children's	Greg Boland	Kim Ramsdell		H	Available	PKC	A		various working groups set up. SSEN Mobility Strategy stage 1 of 3 complete, approved by EI&ED Committee in March. Stage 2 is underway and on track for
Buildings	B20	Non-domestic	heating systems with non- direct emissions heat source, adopting a work with energy and utility suppliers to share ideas, discuss future	Financial year 2022	Ongoing	Energy consumption	Property Services	Stephen Crawford	Grant Key	None	H	Available	Both	A		The SCSP fund will be managed and monitored by our new Transportation Development Officer
Buildings	B21	Non-domestic	Develop comprehensive Mobility Strategy for Perth and Kinross	Financial year 2021/22	Ongoing	Extend the representation of the Mobility Board to ensure co-production of	Planning and	Alex Dear	Peter Marshall/Lachlan	Requires one off Consultancy support	T	Available	P&K	G	Preliminary work started	
Buildings	B22	Non-domestic	Develop comprehensive active travel network in association with mobility strategy	In Progress	Ongoing	Cross service working	Planning & Housing Strategy Manager	Lachlan N	Sarah Pe	Dependent	H	Feasibility/design	P&K	G	Recurring project	Regional Active Travel Network under development by TACTRAN (near completion) supported by PKC and to be aligned with the Mobility Strategy
Buildings	B23	Non-domestic	Develop comprehensive active travel network in association with mobility strategy	In Progress	Ongoing	Cross service working	Planning and	David Little	Alex Dear	Sustrans	H	Feasibility/design	P&K	A	Analysis underway on feasibility	

Transport	T4	Increase active transport across Perth and Kinross	Develop detailed design and construction of active travel route by 2025/26 as part of an integrated sustainable transport corridor along the Dunkeld Rd as agreed phase one of the Perth People Place for a city-wide network of enhanced sustainable transport and active travel improvements in and around Perth. In parallel, additional resources will be sought from Sustrans and other funding partners for accelerated design and development of 7 remaining identified primary corridors based on established engagement, procurement, and policy	In Progress	Ongoing	1. Dunkeld Road Corridor 2. Mapping active transport links 3. Reprioritise list of existing schemes 4. Cross service working	Planning and	Mark Butt	Brian Carr	CWSS F	H	Feasibility/d	P&K	A	Being developed and delivered through the Perth people Place programme There are 7 primary corridors and design and development is underway for the Dunkeld Road corridor with a programmed construction delivery by 2025-26. The remaining corridors can be accelerated with additional resource for staff to manage these multiple projects within the overall programme.	<b>Dunkled Road Corridor submitted to Sustrans Gateway Review - concept design stage due to be completed by Mid 2024.</b>
Transport	T5	Increase active transport across Perth and Kinross	Lobby Scottish Government to include sustainable transport and active travel in the school curriculum.	Not started	Short -	Cross service	Planning & Housing Strategy Manager	Peter Mar	Lachlan	N/A	M	Available	P&K	R	Check with Education Colleagues but will be out with our direct control. However, SRTS and 20mph zones ongoing	
Transport	T6	Increase active transport across Perth and Kinross	Explore measures to inc	Ongoing			Planning and	Alex Deans			H	Feasibility/design onl		A	Recurring CWSS Annual	<b>Recurring, programmed works agreed with EI &amp; ED Committee March 2023</b>
Transport	New	Increase active transport across Perth and Kinross	Expansion of cycle storage	Not started	Short -	Cross service	Planning & Housing Strategy Manager	Peter Mar	Lachlan	N/A	M	Still to be identified		G	Cycling Scotland are launching a fund for the provision of Residential Cycle Parking across Scotland. The fund is likely to in the order of £2m over the next two years. More details are to follow in the launch, likely to be August/September 2022.	
Transport		Accelerate the EV transition	Promotion of e-bikes	Not started							M			R	No resources at present	<b>Property looking for someone to change ownership of chargers/infrastructure</b> <b>Promotion the bigger challenge</b>

Transport	T7	Accelerate the EV transition	Develop a strategy for the expansion of EV charging infrastructure	Not started	Short -	Cross service	Planning & Housing Strategy Manager	Peter Mar	Alex Dear	No Fund	T	Available	P&K	Complete	New post now filled - work	EVIF Bid submitted (EV Strategy and Expansion Plan, as approved in May by the Climate Change and Sustainability Committee) - awaiting response to the bid by TS/SFT
Transport	T8	Accelerate the EV transition	Work with Taxi Operators to accelerate the transition to electric vehicles	Not started	Short -	Cross service	Planning & Housing Strategy Manager	Peter Mar	Alex Dear	No Fund	M	Available	P&K	R	Future requirement to engage with Perth Taxi association No resources at present to take this forward. Potential to restructure Transport Team to address this issue	No resources to progress this at the moment
Transport	T9	Accelerate the EV transition	Work with Transport Scotland to deliver the Electric A9 project	In Progress	Short -	Cross service	Planning & Housing Strategy Manager	Peter Mar	Mike Lee	N/A	H	Available	P&K	G	Completed	
Transport	New	Accelerate the EV transition	Explore embedding EV vehicles in Council Taxi procurement (Moray)	Not started							M	Still to be identified		R	Will require discussions with Licensing	
Transport	T10	Accelerate the EV transition	Develop and implement a strategy to transform the Council's fleet to electric and alternative fuel vehicles	Not started	Short -	Cross service	Fleet Manager	Nigel Tay	Mike Lee	N/A	T	Feasibility/d	P&K	A	Decarbonisation of Fleet	Finance stumbling block Working with TACTRAN about HGV fleet transition to hydrogen and total cost of ownership
Transport		Accelerate the EV transition	Develop an EV awareness and behaviour change campaign	Not started							M	Available		A	SCSP funding to be used for the promotion of EV, but Lachlan or Sarah would need to check with Smarter Choices, Smarter Places. Use of PKCA and wider Council comms channels to	Working with partners around regional EV As part of review of actions under regional EV strategy Remove smarter choices funding
Transport	T11	Accelerate the EV transition	Develop the low carbon and active travel hub's project	In Progress	Ongoing	cross service	Planning and Development	Peter Mar	Mike Fig	Estimate at £500k Potential SG funding for this	H	Feasibility/d	P&K	A	Broxden hub underway.	Broxden hub nearing completion and city centre sites being assessed for suitability. Working with CoMo UK to maximise impact and explore opportunities for community based
Transport		Reduce vehicles in town centres	Raise awareness of alternative approaches to attending meetings across Council employees; including tele/video conferencing and provide training on using ICT equipment to reduce transport emissions		Ongoing		Head of Corporate IT				N/A	Available	PKC	R		
Transport		Accelerate the EV transition	Publish and promote to Council employees the car lease scheme currently being developed for electric vehicles.	In Progress	Ongoing		Head of Finance/ Planning & Housing Strategy Manager				N/A	Available		G	Information on ERIC	



Transport	T14	Reduce vehicles in town centres	Develop a revised and expanded Corporate Travel Plan for Perth and Kinross that covers the full range of Council activities		Ongoing	Head of Environmental & Consumer Services					M	Available	PKC	R	CTP has been developed	Received £230k this year
Transport	T15	Remove vehicles from town centres	Review options for work place parking (including workplace parking levy), as a means to support more sustainable transport choices to disincentivise use of cars.		Consultation by SG	Planning and Development	Peter Mar	Alex Deans			M	Feasibility/design only		R	Regulations as part of Transport Act 2019 out to consultation, will be available for local authorities to implement should they so desire. Will be highly contentious issue and significant resource required	
Transport	T16	Improve public transport provision	Smarter Places (SCSP) funding to support discounted bus fare initiatives targeting young people.	As above		Parking, Public Transport and Civil Contingencies Manager	Hunter Hd	Margaret			H	Still to be identified		G		Wider scope of action Free bus days have been successful
Transport	T17	Improve public transport provision	Expand the potential demand for responsive transport and community transport schemes		Identified as part of Mobility Strategy	Parking, Public Transport and Civil Contingencies Manager	Hunter Hd	Margaret Roy, Mor			M	Still to be identified	P&K	A	PTU exploring options when available	
Transport	T18	Reduce vehicles in town centres	Investigate options and develop plans for future park + ride sites at Bertha Park, Walnut Grove and Bridge of Earn.	In Progress	Short -	Planning and Development	Peter Mar	Alex Dear			T	£70k design (have budget) £8M Capital On-going revenue £250k/yr. per line		A	Walnut Grove under discussion with Developers. Feasibility has commenced on Bertha Park	Bertha Park - Option paper (including high level costs) to be prepared, options will include delivering the Park and Ride with PTF Phase 3, or without  Walnut Grove - Development led scheme  BoE - waiting on TS for comments on local rail development project there  TACTRAN consider park and choose site along the Perth to Montrose corridor
Transport		Improve public transport provision	Explore the potential for EV bus chargers across the Council Area								H			A	No progress at this stage. Significant grant funding will be required. Partnerships with Bus operators? (Mike) Email John, Kirsty & Serge	Bus and coach operators are developing bids for infrastructure in Highland Perthshire and Perth City Centre via the ScotZEB Programme with Council support.

Transport	T19	Improve public transport provision	Identify options and costs to establish an annual "Sustainable Transport Week as an incentive to raise the profile of public transport by bus and promote public transport.		Immediate - by March 2022		Parking, Public Transport and Civil Contingencies Manager	Alex Dear	Margaret Roy		L	Still to be identified	P&K	R	No progress at this stage	
Transport	T20	Improve public transport provision	Explore operating registered school buses within Perth City for non entitled pupils attending their catchment secondary school to reduce school run journeys.		Short - by March 2023		Parking, Public Transport and Civil Contingencies Manager	Hunter Ho	Margaret Roy		L	Still to be identified	P&K	A	New national Under 22 scheme implemented	
Transport	T21	Improve public transport provision	Prepare Impact Analysis and costings to identify funding for improving bus stop infrastructure.		Immediate - by March 2022		Parking, Public Transport and Civil Contingencies Manager	Hunter Ho	Moray Fraser		H	Feasibility/developed	P&K	A	PTU exploring options with	Likely to use some of the community bus fund money to replace bus shelters (£50k)
Transport	T22	Improve public transport provision	Improve bus priority measure at junctions through reconfiguration and/or managed by traffic lights using new technology and providing new bus lanes on key corridors.		Medium - by March 2027		Traffic and Network Manager	Brian Carr	Network		N/A	Feasibility/developed	P&K	A	Bus Service Partnership appraisal work underway - looking at 7 corridors and city centre options	
Transport	T23	Improve public transport provision	Perth Bus/Rail Interchange	2021/22	Short - by March 2023		Planning and	David Little	Alex Dear	£15M	H	Available	P&K	R	Tay Cities Deal funding to augment upgrading of rail station by improved linkages to the city centre	Masterplan and operational requirements of Perth Station being progressed by Network Rail.
Transport		Improve public transport provision	Explore community transport priming - re-establish community transport forum								H			A	Development of wider CT and MAAS schemes to come out of wider Mobility Review	Progress is being made
Transport	T24	Reduce vehicles in town centres	Apply for Scottish Government funding for air quality projects in 2023/24 which include cross service projects to tackle air quality and climate change.	Ongoing	Short - by March 2023		Regulatory Services Manager	Robert Ly	Kirsty Steven		H	Available	P&K	G	PKC received £273,077 from the Scottish Government Air Quality Grant for 22/23 projects	Received £230k this year
Transport	T25	Reduce vehicles in town centres	Continue to monitor the need for and potential benefits for Perth City and Crieff AQMAs to identify if the creation of Low Emission Zones (LEZs) or alternative vehicle access restrictions could reduce emissions.	Ongoing	Short - by March 2023		Regulatory Services Manager	Robert Ly	Kirsty Steven		H	Available	P&K	G	2019 NLEF Assessment found that neither Perth nor Crieff required a LEZ to achieve National Air Quality Objectives. As of 2022 there has been no significant change in AQ from this initial 2019 assessment to justify reconsidering the need for an LEZ	Currently AQ above standard where LEZ is required
Transport	T26	Reduce vehicles in town centres	Investigate options for further air quality related regulatory measures which support climate change mitigation.	Ongoing	Short - by March 2023		Regulatory Services Manager	Robert Ly	Kirsty Steven		M	Available	P&K	R	No progress at this stage - evidence base to be developed as part of mobility strategy work	
Transport	T27	Resilient transport systems	Roads maintenance to adapt to climate change	Ongoing	Medium - by March 2027		Road Maintenance	Stuart D'Al	Major projects		M	Still to be identified	P&K	R	Will be included as part of wider Resilience work	

Transport	T28	Reduce vehicles in town centres	Revisit road use to maximise benefits of decreased vehicle traffic in Perth following the CTLR Opening	Ongoing	Short - by March 2023		Planning and	Peter Mar	Alex Dea	£10m +	N/A	Feasibility/d	P&K	A	Phase 4 Perth Transport Futures expected to start Autumn 2022. Link to PPP	
Transport	T29	Reduce vehicles in town centres	Explore supporting the e	2022			Planning and	Alex Deans			M	Feasibility/design onl		A	will be taken forward as part of wider Mobility Strategy and review of current Lift share scheme	
Transport	T30	Reduce vehicles in town centres	Review and update park	2023							M	Feasibility/design onl		A	Updates to Parking Policy will be carried out as part of the Mobility Strategy.	
Transport	T31	Reduce vehicles in town centres	SURFLOUGH Program	2022							M	Still to be identified		A	Working in partnership with Perth West and wider SURFLOUGH project	
Business	B1	Data & Strategic targeting	Collate key info and carbon targeted reduction plans from key employers and industry bodies	In progress	Short -	Information from employers with more than 250 employees and main energy users collated	Planning and	Serge Me	Chris Pollock, Kirsty Easton	Existing staff	H	Available	P&K	G	Expansion of action to include largest employers 250+ employees and large energy private users (>0.5MW) c.165 businesses. Personalised emails have been sent and good initial returns from businesses. First analysis of returns is being undertaken.	
Business	B6	Strategic Actions	Promote advice and support tools for SMEs to reduce carbon, access funding/green finance, ensure business continuity and measure progress.	In progress	Short -	Signposting to sectoral and representative bodies' online resources and advice in place	Planning and	Serge Me	Chris Pollock, Kirsty Easton	Existing staff	H	Available	P&K	G	Business signposting page has been developed on Climate Change Action website and signposting has been relayed in Business Bulletins and other media. There is a need to continue to raise awareness using information from large employers and large emitters.	
Business	B10	Strategic Actions	Develop joint strategic projects to decarbonise Transport (goods and people) with key employers in close liaison with the Transport Group	Complete	Immediate	Joint initiatives agreed	Planning and	John McC	Alex Deans	2FTE	H	Available	P&K	Complete	Joint initiatives have been identified: Mobility Strategy, Wider EV infrastructure, Active Travel & Public Transport Dunkeld Corridor	
Business	B11	Strategic Actions	Develop joint strategic projects to decarbonise fixed and mobile asset including energy efficiency with key employers in close liaison with the Building and Energy Group	Complete	Short -	Joint initiative	Planning and	Serge Me	Mike Figures, Grant Key	Existing staff	H	Available	P&K	Complete	Joint initiatives have been agreed Local Heat and Energy Efficiency Strategy, Smart Local Energy Systems (SLES) and Smart Local Energy Programme	

Business	B2	Engagement, Empowerment and Awareness	Identify and meet with key	Complete	Immediate	Meetings with SSE, Aviva, Stagecoach and Highland Spring organised	Planning and	Serge Me	Ciara Gray	Existing staff	N/A	Available	P&K	G	Inception meetings took place with SSE, Aviva, Stagecoach, Highland Spring, Binn Group
Business	B3	Strategic Actions	Agree with key employers/businesses for them to lead/champion the Race to Zero campaign at local level	Complete	Immediate	Agreement reached with SSE, Aviva, Stagecoach, Highland Spring	Planning and	Serge Me	Ciara Gray, Kirsty Eatson, Lynn Webster	Existing staff/private led	N/A	Available	P&K	Complete	SSE, Aviva, Stagecoach and Highland Spring have agreed to act as local champions to promote Race to Zero
Business	B4	Data & Strategic targeting	Agree with key employers/businesses the key activities, locations or sectors to target to reduce carbon emissions and achieve a just transition.	Complete	Immediate	Agreement on developing joint actions on Transport/travel, asset energy efficiency and skills/job opportunities	Planning and	Serge Me	Ciara Gray, Kirsty Eatson, Lynn Webster	Existing staff	H	Available	P&K	G	Key priority areas have been agreed: Transport, Energy, Waste, Skills and jobs
Business	B14	Strategic	Develop Perth West and Perth Eco-Innovation Park as a national net zero exemplar for decarbonisation of transport and energy	in progress	Medium	Business Case	Planning and	Serge Me	Graham F	Existing staff/private led	T	Available	P&K	A	Outline Business Case is being finalised for consideration by Council in February 2024. External Funding to be explored.  FBC to be developed and supported at Scottish and UK levels
Waste & Circular Economy	W1	Data & Strategic Targeting	Conduct a more detailed greenhouse gas assessment of the Waste projects and activities, to prioritise future climate change activities.	Complete	Ongoing	Metric Factors Summary Report and Scenario Modelling. Investigate national co-	Waste Serv	Sheila Be	Joe Mellon	Existing	H	Available	P&K	G	The figures will be reviewed on an ongoing basis (annual) Updated September 2023.  recording the greatest carbon impact and 1. Animal & Mixed Food Wastes, 2. Household & Similar Wastes (residual waste from RCS?), 3. Textiles , 4. Plastics, 5. Paper & Cardboard
Waste & Circular Economy	W2	Data & Strategic Targeting	Undertake a Perth & Kinross Circular Scan to establish a baseline for the Circular Economy Route map	In progress	Short - by March 2025	initial Material Flow Analysis (MFA) and industry sectoral study, a current state analysis will be	Planning and	Serge Me	Sheila Best	Consulta	H	Available	P&K	A	End date moved to 2023  Initial Material Flow Analysis has been carried out, but more detailed assessment is needed in close partnership with industry  <a href="#">fw survey results.docx</a>
									Annie Nettleton, Vivien						End date moved to September 2024.  Baseline will be complete by Dec 2022- Follow up mentoring after campaign  Householder FW survey completed April 2022  Householder FW survey completed April 2022

Waste & Circular Economy	W3	Data & Strategic Targeting	Food Waste: Gather data to create a baseline of knowledge, participation and barriers	In progress	Short - by March 2025	Food waste survey for householders, businesses and organisations on Commonplace.	Waste Serv	Sheila Bell	Milford (support from Climate Change Team), Ruairidh Hanna, Joe Mellon, Niamh Anderson, Ana De Miguel	Existing	H	Available	P&K	A		Nicola Simpson, Ana De Miguel & Joe Mellon added. Vivien Milford now supporting from Climate Change Team. Food Waste Hubs now in Perth Centre as of November 2022. Trial being undertaken in rural areas, with the intention to identify further areas in early 2024.
Waste & Circular Economy	W4	Data & Strategic Targeting	Textiles: Confirm a baseline for behavioural change	Jan-23	Short - by March 2023	Public Consultation. Action Plan Developed	Waste Serv	Sheila Bell	Nicola Simpson, Ana De Miguel	Existing	H	Available	P&K	A		Focus is currently on Food - textile campaign has been programmed for delivery in January Start Feb 2024- Moved Nicola Simpson added.
Waste & Circular Economy	W5	Climate Change Route map	Ensure alignment with the Scottish Government Climate Change Route map Review how the national Deposit Return Scheme (DRS) and Extended Producer Responsibility can be introduced effectively in Perth and Kinross & regionally.	In Progress	Short - by March 2025	Extended producer Responsibility Consultation Response Submitted Provide indicative cost & performance modelling (rural collections) data to inform research phase for EPR Watching brief on implementation dates	Waste Serv	Sheila Bell	Claire Leishman, Nicola Simpson, Annie Nettleton, Ruairidh Hanna & Ana de Miguel	To deliver Twin Stream Recycling - £2.36M capital, £255k revenue (Communications & staff resources) Applied to ZWS for the £2.615M capital	H	Still to be id	P&K	A		Delay to EPR announced - Government response to consultation published. Application to Recycling Improvement Fund deferred until June board - clarifications to be submitted before end of April. For DRS initial meetings with BIFFA and Circularity Scotland have been had. DRS still to start August 2023. For EPR •Payments to LAs will commence in 2024 for household packaging •Based on a payment calculator and for 'necessary costs' and based on effective and efficient collection systems. •Notification will be given of confirmed payment in October 2023 for 2024/25 financial year. DRS date now moved from August 2023 to October 2025. Added in Ruairidh Hannah, Waste Co-ordinator & Nicola Simpson, Waste Services Team Leader. DRS meetings held prior to delay with colleagues in late 2022/early 2023 with Dundee City Council, Angus Council and Tayside Contracts. Will resume in 2024 for
Waste & Circular Economy	W6	Climate	Ensure alignment with the Scottish Government Climate Watching brief on requirement to provide separate collections for garden waste and textiles by 2023 & 2025 (EU Commission)	Subject to Scottish Government Timetable	Short - by March 2023	national consultations Model service requirements	Waste Serv	Sheila Bell	Claire Leishman	TBC	H	Still to be id	PKC	A		In the Circular Economy Route map, Scottish Government have committed to consult on requirements to separately collect

Waste & Circular Economy	W7	Ensure alignment with Scottish Government Legislation and Climate Change Route map	Review implications of Circular Economy Bill which will encourage the reuse of products and reduce waste. The bill will tackle our reliance on single-use items and include measures to tackle textile pollution/fast fashion.	Subject to Scottish Government Timetable	Medium - by March 2027	Watching brief on national consultations Model service requirements if required	Waste Serv	Sheila Ben	Claire Leishma	TBC	H	Still to be id	PKC	G	Regulation came into force from June 2022 for some single use plastics	Ongoing
Waste & Circular Economy	W8	Ensure alignment with Scottish Government Legislation and Climate Change Route map	Carry out a further review of actions on completion of the Scottish Government Route map review in 2022. The Scottish Government review will consider whether the national targets and interventions align with net zero.	Subject to Scottish Government Timetable	Short - by March 2023	Attend Stakeholder engagement Sessions Watching Brief on national consultation (March 2022)	Waste Serv	Sheila Ben	Claire Leishma	TBC	H	Still to be id	PKC	A	Delivering Scotland's circular economy - route map to 2025 and beyond: consultation published in may 2022 and closed in August. Work ongoing to understand future requirements. Update will be prepared for the Waste Management Plan update in January 2023.	
Waste & Circular Economy	W9	Thematic Action Plan for High Carbon Materials	Develop a Food Waste Action Plan	Aug-21	Short - by March 2025	Public Consultation. Action Plan Developed.	Waste Serv	Sheila Ben	Nicola Simpson, Annie Nettleton, Niamh Anderson		H			G	Project Plan and timeline created for food waste comms . Food Waste Action plan has been drafted. Needs further work.	Moved predicted end Added in Nicola Simpson, Annie Nettleton and Ana De Miguel.
Waste & Circular Economy	W10	Thematic Action Plan for High Carbon Materials	Review interim Food Waste Action Plan in 2022 following the evaluation of the National Food Waste Reduction Plan	Subject to Scottish Government Timetable	Short - by March 2025	Watching brief on national consultations Model service requirements if required	Waste Serv	Sheila Ben	Nicola Simpson		H			G	Within the Circular Economy Route map the Scottish Government will publish a review of progress towards the food waste reduction target in 2022, alongside an updated Food Waste Reduction Action Plan that sets out our plans to accelerate progress on food waste.	Moved predicted end date to June 2024 Awaiting National Food Waste Plan.
Waste & Circular Economy	W11	Thematic Action Plan for High Carbon Materials	Ensure the effective collection of consumable surplus food from all stages in the supply chain, from farms to retail, and redistribute it to community food organisations while working to raise the nutritional standards of the food being offered.	TBC	Medium - by March 2027	Incorporate as part of the Good Food Strategy & Action plan	TBC	Sheila Ben	TBC	TBC	H	Still to be id	P&K	A	In progress- Officers involved still to be identified	In progress- Officers involved still to be identified
Waste & Circular Economy	W12	Thematic Action Plan for High Carbon Materials	Recycling Services by (1) Implementing in Nov 2023, expanding PKC recycling services to include flexible plastic packaging and hard rigid plastics (as market conditions allow) (2) Implementing Nov 2022	In progress	Immediate - by March 2024	for Twin Stream Recycling Service change including Contract Strategy development	Waste Serv	Sheila Ben	Ruairidh Hanna, Annie	Existing	T	Available	P&K	G	£2.7M RIF funding granted.	Twin Stream on track to commence 1 Roll out of City Centre Food Waste Hubs completed end of November 2022. Monitoring now ongoing.

Waste & Circular Economy	W13	Thematic Action Plan for High Carbon Materials	Maximise value from waste through reduction of greenhouse gas emissions via diversion of organic waste from landfill into recycling and energy production	Complete	Short - by March 2023	Secure a long-term residual waste treatment solution to meet the implementation	Waste Serv	Sheila Best	Annie Nettleton	Technical procurement panel funded by Scottish	H	Available	Municipal local authority waste only. Review currently	G	PIN issued to show intention to come out to market with tender by June 2022. Look to award contract by the	Will be awarded by Dec 2022	Residual Waste Contract awarded in May 2023, commenced 1st August 2023.
Waste & Circular Economy	W14	Promote a rapid transition to the Circular Economy	Develop a Circular Economy route map including an action plan for Circular Textiles & Sustainable Fashion	Jan-23	Short - by March 2025	Public Consultation. Route map developed.	Waste Serv	Sheila Ben	Nicola Simpson, Ana De Miguel, Niamh Anderson	Existing	H	Available	P&K	R	Work has not started on this action due to resourcing . Extended date until 01/01/2023		Added in Nicola Simpson. Action Plan will be developed in 2024 as conflicting priorities leading to resource issues.
Waste & Circular Economy	W15	Promote a rapid transition to the Circular Economy	Develop a Circular Economy Route map including actions to reduce consumption of products and materials and make better use of existing products including tackling single use items		Short - by March 2023	Embed Sustainable Procurement Duty and promote sustainable procurement tools. Investigate Circular Procurement opportunities .	Corporate F	Vanessa	Lynzi Stewart		T			A	After the transformation project is complete we will be able to allocate resource.		Enquired with Procurement they have stated after the transformation project is complete we will be able to allocate resource. Within the Scotland Excel Framework responses from catering suppliers included a commitment from recommended bidders
Waste & Circular Economy	W16	Leading by Example	Development of a Resource Management Plan for Education & Children's Services	Mar-22	Short - by March 2023	Plan Agreed	Waste Serv	Sheila Be	Claire Leishman, Ana De Miguel, Alan Fraser, Vivien Milford and Nicola Simpson	TBC	H	Still to be id	P&K	A	Template developed in partnership with education to enable internal waste audits to evaluate further actions required i.e. bins, signage,E&A  Look to consolidate information for schools alongside other action plans.  First meeting of working group is 13th Sep 2022		We are up to date and compliant with Single Use Plastic ban and will now investigate and reduce other types of single use plastics. Meetings with Education ongoing. Added Nicola Simpson
Waste & Circular Economy	W17	Leading by Example	Asset Management Review of Waste & Recycling Infrastructure	Apr-22	Ongoing	Building Condition & Suitability Surveys including Climate Change Action Audit, Options Appraisal	Waste Serv	Sheila Be	Alan Rigby, Ryan Graham, Claire Leishman, Nigel Taylor, Paul Garden, Donald Black	£60k - B	H	Still to be id	P&K	G	Project officer recruited and in post who will help collate info that will inform asset review		Asset review underway
						Reduction in Single Use products being purchased internally			Claire Leishman, Ana De Miguel, Annie Nettleton		H				Ban on single use plastic cutlery, plastic straws, balloon sticks, food & beverage containers and cups for beverages came into force from June 2022.		





Land use	L11 & L14	Reducing emissions to meet net zero targets.	<b>Review existing planning policy framework</b> and prepare a suite of enhanced policies for inclusion in LDP3. Consider as part of the review any potential policy amendments to help the planning	In Progress	Medium - by March 2027	1. Review of existing planning policies, powers and identification of enforcement case studies. Identify	Planning and Development	Planning & Housing Strategy Manager (Ben Wilson)	Development Plan Officers Development Management Officer(s) Develop		T	Still to be identified	PKC	A	Staff resources Required - Net Zero Note (RW) this needs to  AR comments August August 23 (RW) review Oct 23 (RW). Further guidance from SGov on implementation of NPF4 biodiversity policies	<b>To be undertaken as part of LDP review (including its SEA) during 2024/25. Note NPF4 has now been published, as too has The Town and Country Planning (Development Planning) (Scotland)</b>	
Land use	L13	Reducing emissions	<b>Development proposals (including Review and revise our Forestry and</b>	#####	Medium - by March	1. Develop advice note	Planning and Development	Brenda Murray	LDP Planning Development		M	Still to be identified	PKC	R	<b>Staff Resources Required - Net zero</b> February 2023 (JD); Feedback from annual	<b>Policies will be reviewed as part of Review of current PKC FWS against National</b>	
Land use	N/A - New	Enhance landscaping	<b>Undertake an Open Space Audit and produce an Open</b>	?	Medium - by March	1. Review existing	Planning and Development	Brenda Murray	Dante Sosa		M	Still to be identified	P&K	R		<b>The audit template, methodology and digital data collection</b>	
Land use	N/A - New	Improving	<b>Identify Strategic Green Networks wholly and partially within Perth and Kinross and opportunities for their enhancement.</b>	Apr-23	Medium - by March	1. An audit 2. Policies	Planning and Development	Brenda Murray	Dante Sosa		H	Available	PKC	A		<b>Required for LDP3 Evidence Report - currently programmed for submission late June/ early July 2024. Progress and delivery times dependent on timetabling and resourcing of other requirements for production of Evidence Report. Initiated conversations with NatureScot and Sustrans regarding the</b> Some work has already been underway towards funding may be available from	<b>Strategic Green Network map not started due to other workload requirements. It will be produced to incorporate within LDP3 Evidence Report.</b>
Land use	N/A - New	Halting biodiversity losses. Protecting and enhancing habitats and species. Peatland Restoration and enhancement.	<b>Identify and protect sensitive areas (including LNCS) from</b>	Jan-24	Medium - by March 2027	Identify Strategic Green Networks wholly and partially within Perth and Kinross and opportunities for their enhancement.	Planning and Development	Brenda Murray	Dante Sosa		H	Available	P&K	R			
Land use	L18	Halting biodiversity loss.	<b>Identify and protect sensitive areas (including LNCS) from</b>	In Progress	Medium - by March	1. Identify and protect 2. Identify which of	Planning and Development	Andrew Ballantine			H	Still to be identified	P&K	A		<b>Issues with securing resources needed to undertake LNCS</b>	
Land use	L3	Increase tree and	<b>Review existing policies on trees comprehensive Tree</b>	In Progress	Medium - by March	1. Develop a Tree a) Review b) Review c) Review d) Explore the creation of 'Climate Parks' to become carbon stores and more resilient to a changing climate. e) Redevelop part of the Westbank site to form a nursery to supply trees, shrubs and pollinators to Council and community projects.	Community Greenspace	Community	Joanna Dick	Approximately £105k	H	Available	PKC	A	a) larger site management plans b&c) annual tree d) Definition of Climate e) Westbank Nursery October 2023 (CGS): Clarification that funding wasn't only for native trees. Tree and Woodland and Policy Officer now in post - developing a more detailed timeline for this work. It relates to the Forest Plan, but not one and the same.	<b>Policy Officer and Tree and Woodland Officer now in place.</b>	
Land use	L4	Adapting our	<b>Develop a strategy to ensure sub-fleet</b>	Autumn 2021	Medium - by March	1. Audit of existing	Operations	Operations			H	Still to be identified	PKC	A	Progress ongoing. Continuing to trial	<b>Progress ongoing. Continuing to trial</b>	

		approach	machinery are net zero compatible and implement replacement programme for net zero		March 2027			Manager											No progress - for clarification this is not related to grassland management	battery powered machinery for general grounds maintenance activities. Currently
Land use	L5 & L19	Halting biodiversity	<b>Develop and trial a policy on use of pesticides and chemicals</b> , including a review of Pitch Strategy in respect of the use and potential reduction in chemical usage.	In Progress	Short - by March 2023	1. Review of existing	Operations	Operatio	Communit Greensp ace Senior Officers (Pitch Strategy element)		H	Still to be identified	PKC	A				1. Reviewed and updated to EIED Conventor and 2. Pesticide use at Westbank Nursery has reduced significantly with the move to tree and pollinator plant production and will continue to be minimised. GM Operations (Parks and Open Spaces) – 670 litres to 780 litres annually Invasive weed Works (Giant Hogweed and Knotweed) – 58 litres October 2023 Update (LUWG): No further progress since August. October 2023 - No	<b>Reviewed and update to EIED Conventor and Vice Conventor by LAC/AC, briefing to Council Leader on minimisation of herbicides through methods and machinery. Until there are viable alternatives, reduction of herbicide application will be the focus e.g., through the grassland management trials. Pitch Strategy element on hold (see point 3 AB column).</b>	
Land use	L6	Reducing emissions linked to maintenance. Protecting and enhancing habitats and species. Improving our open	<b>Review existing grounds maintenance policies and prepare a strategy for site upgrades</b> - to reduce emissions and enhance sustainability and biodiversity. Incorporate a review of grassland management policy to reduce wildflower meadows maintenance.	In Progress	Medium - by March 2027	1. Review of current policy landscape, including an audit of existing PKC policies and identification of gaps/ required updates.	Community Greenspac e	Communit Greensp ace Manager (Andy Clegg) Rachel Robson / Calum Bachell	Communit Greensp ace Senior Officers		H	Available	PKC	A				1. Managing Grassed Areas for Climate Change and Biodiversity Report to CC&S Committee approved on 31/05/23 The report followed successful trials on 42 sites during 21/22 and 22/23 and assessed the biodiversity benefits, community views and costs. This will now be rolled out to create a long-term plan for £160K bid to NRF for cut and lift machinery. 3. Report to October 2023 - No update	<b>Roll out of trials ongoing, but some are being met with public concern. Comm's plan being investigated with Corporate Communications Team to raise public awareness and understanding. Bid has been submitted to Nature Restoration Fund for cut and lift machinery to roll out further across P&amp;K.</b>	
Land use	L6	Reducing emissions linked to maintenance. Protecting and enhancing habitats and species. Improving our open	<b>Review existing grounds maintenance policies and prepare a strategy for site upgrades</b> - to reduce emissions and enhance sustainability and biodiversity. Incorporate a review of grassland management policy to reduce wildflower meadows maintenance.			2. Review grounds maintenance activities and operations undertaken.	Community Greenspac e	Lesley Ann Cassidy						A				October 2023 update: CGS Team to report back on Communications Plan re Grassland Management to Corporate Comms Team. Meeting arranged for late October.		
Land use	L6	Reducing emissions linked	<b>Review existing grounds maintenance policies and prepare a strategy for site upgrades</b> - to reduce			3. New standards approved by	Community Greenspac e	Grasslan d Manage Policy - CB						A				October 2023 update: CGS Team to report back on Communications Plan re Grassland Management		
Land use	L7 & L19	Adapting our approach. Protectin	<b>Phased programme of enhancement to all major Council parks and greenspace</b> – including exploring the	In Progress	Medium - by March 2027	1. Review of current sites when upgrades are	Community Greenspac e	Communit Greensp ace Senior			H - Phased enhancement program	Available for phased enhancement program	PKC	A				In terms of the Enhancement Programme, significant progress has been made with the grassland	<b>Enhancement Programme - New trees and wildflowers being incorporated into Auchterarder,</b>	

						undertaken. 2. Monitor	Officers LDP and CCP				e. Still to be identified			October 2023: Ongoing	<b>Wallace Park and Muirend Park. Play</b>	
Land use	L17	Increase tree and woodland cover. Protecting and enhancing habitats and species.	<b>Nature Restoration Fund - Develop a list of projects and secure funding</b> for delivery via the NRF.	Ongoing	Medium - by March 2027		Community Greenspace	Community Greenspace Manager (Andy Clegg)	Robert Willis Hannah Wilson Alice Yeung		H	Still to be identified	PKC	G	August 2023: The Council has been awarded £353,000 via the NRF for 2023-24. It is currently open for applications with a closing date of 04/09/23. The fund continues to focus on "catalysing action at scale to protect and restore Scotland's biodiversity on land and sea" but with a greater focus on the	<b>23/24 round complete</b>
Land use	L8		<b>Expand Council's Food Growing Strategy into a comprehensive "Good Food Nation" project.</b>	In Progress	Medium - by March 2027	1. Council Approval of Food Growing Strategy. 2. Develop a "Good Food Nation" project and implementation plan. 3. Deliver strategy and specific projects in conjunction with partners and communities	Community Greenspace Good Food Project Officer	Community Greenspace Manager (Andy Clegg) Rachel Robson / Calum Bachell	FTE officer required to manage strategy and support/advise communities as a single point of contact.		H	Available	P&K	G	Food Growing Strategy has been approved. Job evaluation process has been completed for Community Food Growing Officer within Community Greenspace and will be advertised soon.  Important to recognise that the Food Growing Strategy and associated projects is just one strand of the wider Council Good Food Nation work. A Good Food Nation Strategy will also be developed, led by RR. A draft national strategy is due out for consultation later in 2023 with a finalised version expected during Interviews undertaken for Community Food Growing Officer post. October 2023 update	<b>The Food Growing Officer post within Community Greenspace has been advertised externally and interviews undertaken.</b>  <b>Networking and relationship building ongoing by Council's Good Food Nation Project Officer, working towards developing a Good Food Nation Strategy.</b>
Land use	L1	Enhance landscape scale sequestration.	<b>Work with Perthshire Nature Connections Partnership to identify and develop landscape scale pilot projects with partners.</b>	In Progress	Short - by March 2023	1. Work with JHI to identify the carbon sequestration potential of 3 key areas across Perth and Kinross (peatlands, forestry and trees, and agricultural land). 2. Develop a Pilot Project in Highland Perthshire with partners (Perthshire Nature Connections	Planning and Development	Planning & Housing Strategy Manager (Ben Wilson)	Hannah Wilson Divindy Grant Joanna Dick David Tollick (PNCP)	JHI Contract £25k from Climate Change Transformation Fund Nature Connections pilot estimate at £500k	T	Feasibility/design only	P&K	A	Programme Report published in April 2022. Agreed to focus on 3 priorities: Breadalbane Species Rich Grassland; Upper Tay Catchment Communities (engaging locals in landscape restoration; Perthshire Bio-Booster (general nature connectivity, including pollinator corridors).  "Upper Tay Catchment Communities - Almond Headwaters" project bid was successful in receiving a 'Riverwoods – Investment Readiness Pioneers Award and grant of £124,000.	<b>JHI report delivered. PNCP - Programme Report published with a focus on 3 priorities. Riverwoods bid successfully awarded £124k. New Landscape Restoration Officer appointed in August 2023.</b>



Land use	L16		<b>Progress a "What's Going On?" mapping project</b>		Short - by March 2023	Planning and Development	Divindy Grant	Susie Norrie?		H		P&K	G	Staff time resource currently not available to develop.	<b>Complete</b>
Land use	L12	Halting biodiversity loss.	<b>Perth Biodiversity Capital of Scotland Project</b> - explore what role PKC and Tayside Biodiversity Partnership	?	Short - by March	1. Establish scope of project,	TBC	TBC	To be identified	H	Still to be identified	P&K	R	Project was initiated and led by the Perth Leadership Forum and	<b>Delays in taking the project forward owing to Nature Scot staff restructuring. No further updates</b>
Land use	L21	Improving	<b>Consider opportunities for Park</b>	In	Mediu	Assist with	Community	Commun		M	Still to be	PKC	R	Park Power will form part of the evidence	<b>Park Power will form part of evidence base</b>
Land use	L2	Involving young people in our climate response	<b>Work with Education &amp; Children's Service to develop and implement educational programmes for schools, to maximise the potential for carbon sequestration, and biodiversity protection and enhancement across our school estate, and to raise awareness.</b> For example: expanding the tree planting project at Perth Grammar to more school grounds;	In Progress	Immediate - by March 2022	1. Produce Climate Change Programme for Learning in conjunction with Schools and pupils including creation of a 'How To' sheet covering issues of where to plant, maintenance etc	Education & Children's Services	Alan Fraser	Joanna Dick	M	Feasibility/design only	P&K	G	The main LUWG Action was to help schools do this by creating a 'How To sheet' which has been completed and circulated to schools. Climate Change & Sustainability Officer (VM) is actively working with schools on energy efficiency and recycling issues.  August 2023 (JD): PKCT are rolling out their A Tree for Every Child project which complements this action.	<b>Complete</b>
Climate Resilience	R24b	Flood risk management	Implement the Comrie Flood	In Progress	Medium - by March 2022	Flooding	Peter Dick	Flooding	£26,400k	H	Available	P&K	G	Recent staffing shortage; vacant posts now backfilled. Detailed design on-going; advance works later this year; main construction works commence in early 2023.	<b>Designs complete and work has been tendered - cost inflation has left the project unable to be awarded until additional capital funding can be secured</b>
Climate Resilience	R24c	Flood risk management	Implement the Milnathort	In Progress	Medium - by March 2022	Flooding	Peter Dick	Flooding	£1,900k	H	Available	P&K	G	Currently in outline design; delays experienced due to Covid (incl staff redeployments), major flooding in Aug 2020 and staff vacancies.	<b>On-going progress</b>
Climate Resilience	R24d	Flood risk management	Implement the South Kin	In Progress	Medium - by March 2022	Flooding	Peter Dick	Flooding	£3,300k	H	Available	P&K	G	Currently in outline design; delays experienced due to Covid (incl staff redeployments), major flooding in Aug 2020 and staff vacancies.	<b>On-going progress</b>
Climate Resilience	R24e	Flood risk management	Implement the Scone (A	In Progress	Medium - by March 2022	Flooding	Peter Dick	Flooding	£800k	H	Available	P&K	A	Consultant to be appointed in 2023/24; outline design yet to commence. Delays experienced due to Covid (incl staff redeployments), major flooding in Aug 2020 and staff vacancies.	<b>Funding for delivery has currently been put on hold by the Scottish Government</b>
Climate Resilience	R24f	Flood risk management	Implement the Bridgend	In Progress	Medium - by March 2022	Flooding	Peter Dick	Flooding	£300k	H	Feasibility/d	P&K	A	Detailed design been completed. Delays experienced due to staff vacancies. No funding to progress currently	<b>Detailed design been completed. Delays experienced due to staff vacancies. No funding to progress currently</b>

Climate Resilience	R24g	Flood risk management	Complete On-going Flood Studies - FRM Cycle 1	In Progress	Immediate - by March 2022		Flooding Team	Peter Dickson	Flooding	£30k	H	Available	P&K	A	On-going; final study for Scone - yet to commence in 2023/24.	On-going; final study for Scone to commence later in 2023/24
Climate Resilience	R24h	Flood risk management	Undertake Surface Water Management Plans - FRM Cycle 1	2021	Medium - by March 2027		Flooding Team	Peter Dickson	Flooding	£500k	H	Available	P&K	A	On-going (Perth SWMP on-going; Blairgowrie SWMP on-going and Scone SWMP to commence in 2023/24)	On-going (Perth SWMP on-going; Blairgowrie SWMP on-going and Scone SWMP to commence in 2023/24)
Climate Resilience	R24i	Flood risk management	Undertake Flood Studies - FRM Cycle 2	2022-2027	Medium - by March 2027		Flooding Team	Peter Dickson	Flooding	£500k	H	Available	P&K	A	Cycle 2 Local FRM Plans were published in Dec 2022. Yet to commence for Cycle 2 due to staff pressures	Cycle 2 Local FRM Plans were published in Dec 2022. Yet to commence for Cycle 2 due to staff pressures
Climate Resilience	R24j	Flood risk management	Undertake Surface Water Management Plans - FRM Cycle 2	2022-2027	Medium - by March 2027		Flooding Team	Peter Dickson	Flooding	£500k	H	Available	P&K	A	Cycle 2 Local FRM Plans were published in Dec 2022. Yet to commence for Cycle 2 due to staff pressures	Cycle 2 Local FRM Plans were published in Dec 2022. Yet to commence for Cycle 2 due to staff pressures
Climate Resilience	R25	Flood risk management	Bodies of Water - Inspection, Assessment and Clearance & Repair Works	In Progress	Ongoing		Flooding Team	Peter Dickson	Flooding	Approx. £75k/ye	H	Still to be identified	P&K	G	Inspections currently carried out by temporary students; permanent, trained and experienced staff required.	Inspections currently carried out by temporary students; permanent, trained and experienced staff required.
Climate Resilience	R26	Flood risk management	Review climate change impacts on existing flood protection schemes	2028+	Long - between 2027-2045		Flooding Team	Peter Dickson	Flooding team		N/A	Still to be identified	P&K	G	FRM Cycle 3 (post 2028)	FRM Cycle 3 (post 2028)
Climate Resilience	R27	Flood risk management	Address reduced input of Scottish Government, SEPA and Scottish Water to the flood risk management planning process (due to Covid, SEPA cyber-attack, issues with funding, etc)	In Progress	Short - by March 2023		Flooding Team	Peter Dickson	SMT		M	Still to be identified	P&K	A	Raised an a future agenda item for the FRM Lead Authority Forum.	Been raised at FRM Lead Authority Forum and also at a Surface Water Management Group.
Climate Resilience	R28	Flood risk management	Surface water management - seek increased collaboration from Scottish Water; address separate funding mechanisms; seek improvements in legislation.	In Progress	Short - by March 2023		Flooding Team	Peter Dickson	SMT		H	Still to be identified	P&K	A	Repeatedly raised with the Scottish Government. Scottish Govt to initiate SAIFF PMG who will in turn set up a SAIFF T&F Group for surface water management. Also being discussed with Scottish Water as part of Perth Catchment Group . Also raised at SCOTS FRM Group. Ultimately the legislation and	Scottish Govt initiated Surface Water Management Group - on-going meeting. Raised at SNIFFER conference and report with recommendations is being prepared. Issue to remain on the agenda at this group. Ultimately legislation and funding arrangements will have to be amended to
Climate Resilience	R29	Flood risk management	Address funding gap for intermediate size flooding projects (greater than annual revenue budget but smaller than formal flood schemes)	2022-2028	Medium - by March 2027		Flooding Team	Peter Dickson	Finance/ SMT		H	Still to be identified	P&K	A	SMT paper will be required (but no staff resources at present)	No progress - SMT paper required (but no available staff resources to progress).

Climate Resilience	R30	Flood risk management	Increased incidences of flooding - support emergency response to flooding and recovery efforts; emergency works and additional projects (and address impact on delivery of Local FRM Plans)	In Progress	Immediate - by March 2022		Flooding Team	Peter Dickson				H	Still to be identified	P&K	A	No resources to progress	Ongoing. Chief Executive approved restructure of flooding team (June 2023) following the Structures & Flooding Manager's retiral in (June 2021) and additional resource requirement have been identified.
Climate Resilience	R34	Resilient and empowered communities	New - Support community action on climate resilience - e.g. rain gardens	On-going	Year 2 (2023/24)		Planning and Development	Catherine Lloyd	Greenspace Communities			M	Still to be identified		G	2022/23 - 2023/24 project successfully delivered - one of key projects in UKSPF projects for 2023	Proposed deletion due to overlap with action R20
Climate Resilience	R32	Resilient ecosystems	Deliver Nature Restoration Fund projects that support climate resilience		Year 1 (2022/23)		Planning and Development	Hannah Wilson	Greenspace Tayside Biodiversity Projects			H	Available	P&K	G	Year 2 Projects successfully delivered - call for Year 3 porje	Year 2 Projects successfully delivered and Year 3 projects have been appointed - several projects have strong resilience
Climate Resilience	R33	Resilient ecosystems	Develop and deliver proactive resilience programme to address ash dieback and storm damage		Medium - by March 2027	1. Finalise Ash Dieback Plan	Greenspaces	Andy Clegg	Magnus Morgan			M			G	On track	In the process of getting the Ash Dieback Action Plan approved - Magnus is arranging a Greenspace Team meeting soon to move onto the next stage.
Climate Resilience	R6	Resilient communities	Undertake a strategic climate change risk and opportunity assessment for Perth and Kinross Council Area	2. Financed	Short - by March 2023	CCROA Com	Planning and Development	Divindy G	Resilience	£50k		T	Feasibility/design only		Complete	Work Complete	Complete
Climate Resilience	R11	Resilient infrastructure	Develop updated roads development guide to resolve conflicts with adoption criteria for SUDS with roads maintenance requirements as well as providing wider resilience benefits (e.g. shading and biodiversity corridors and protection)		2022		Planning and Development	Ben Wilson	Katie Briggs	£60k		T	Still to be identified	P&K	A		Initial discussions have taken place with Transportation officers who are scoping out some of the issues to be considered as part of the review, including extensive internal stakeholder liaison. It is likely given the scale of the work that the Council will procure consultancy support to
Climate Resilience	R12	Resilient infrastructure	Develop and implement scour bridge protection programme		2022		Structures	Derek Davidson	Elwyn Thomas, Euan			T	Available		G		Scour Assessment programme underway, climate change accounted for. Long term project. Results from Scour Assessments will be used to inform on backlog of high priority works and also Roads Asset Management Plan identifying capital pressures as required.

Climate R	R14	Resilient	Continuing contribution and support to the delivery of Nature Rich Leven and other catchment management approaches	In Progress	Ongoing	Explore the fe	Planning an	Robert W	Russell StewartCh	T	Available	P&K	G		Feasibility study on Natural Flood Management in the Upper Leven Catchment was undertaken that showed feasible potential. Currently being progressed with the Forth Rivers Trust as part of the Loch Leven LENS gorup
Climate R	R24	Flood risk	Continued delivery of Flood Risk Management Cycle 1 Projects and commence Cycle 2 projects.				Flooding Te	Peter Dic	Flooding Team	T		P&K	A	Mixture of G&A	Management 2 projects were approved by the Council in December 2022. Work has been continuing on a number of flooding schemes and design of further schemes, but cost inflation and staff pressures are impacting on overall delivery
Governan	G1	Accountat	Produce annual progress report and action plan updates	Oct-22	Ongoing		Climate Ch	Divindy G	CC Team	H	Available	PKC	G	Under development	Complete for 2023
Governan	G2	Accountat	Mainstream climate change into committee procedures and council operations	Jan-22	Medium - by March 2027	Review remit of the Climate Change Board	Policy and	Lisa Simp	Scott Divindy Grant Angela Harris	T	Available	PKC	G	Included in Audit procedures, new Committee - still work to be done on embedding into work of existing	Good progress made in 2023, following finalisation of the internal audit and the completion of the PKC
Governan	G4	Accountat	Organise for the Chief Executive and Leader to do a PKTV focus on climate change	Autumn 2022	Immediate - by March 2023		Legal & Go	Lisa Simpson	Comms - Lisa Potter Climate Change Team	M			A	On the schedule for November 2023	Currently scheduled for November 2023
Governan	G5	Accountat	Establish the Climate Emergency as regular bi-monthly agenda item for the Extended Executive Leadership Team meetings	Autumn 2022	Immediate - by March 2023		Communitie	Barbara Renton	Lisa Simpson	H			A		To be reviewed following the leadership transition
Governan	G6	Business	Embed climate change into annual business planning process	Jan-22	Short - by March 2023		Performanc	Louisa Dott		H	Available	PKC	G	L Dott and L Davey working on embedding this in - debate about number of BMIPs,etc templates will be ready - will be structured around the Corporate Plan - Organisaed to deliver has BV-Sustainability - corporate APR structured around this	Was embedded into current system, on plans to be embedded into revised corporate performance system
Governan	G7	Business	Measure and develop action plan for our Scope 3 carbon footprint	Jun-22	Short - by March 2023		Climate Ch	Divindy G	CC Team	T	Available	PKC	G		Final consultant results due in November 2023
Governan	G8	Business	Ensure CC considerations are embedded at the outset of and during the life cycle of strategic planning process.	Apr-23	Short - by March 2024		Performanc	Louisa Dott	CC Team	H			G	Harder to embed in Service Level Strategies	Was embedded into current system, on plans to be embedded into revised corporate performance system



Governan	G9	Business	Integrate Climate Change Priority and KPIs in the Strategic Base Performance Module in line with Corporate Plan. Link CC data in performance module to Service Risk Register Module	Autumn 2022	Short - by March 2024		Performanc	Louisa Dott	CC Team		H			A	In user testing phase, putting in corporate plan data - PP&R colleagues, phase Spring time for climate change strategy indicators  May be delayed, but looking for temporary solution following departure of Paul. Lorna still leading - short staffed.	Delays in system rollout due to resourcing challenges, now scheduled to be completed by March 24
Governan	G10	Business	Develop tool for whole life carbon decision making	Ongoing	Short - by March 2024		Property	Scott Nicoll	Energy Team CC Team		H			R		Limited progress this year
Governan	G11	Decision	Redevelop and rebrand the IAT as a multi-purpose Value and Impact Report to replace Appendix in Committee Report, Contract Strategy, Budget screening	Ongoing	Immediate - by March 2023	Awareness raising with staff about the tool and ensuring compliance  Develop monitoring procedure	Legal & Gov	Lisa Simp	Committee Services  Procurement Finance		H			G		Tool completed and rolled out from Spring 2023, work now being undertaken to embed new tool into Service-level operational procedures
Governan	G12	Decision	Identifying a climate change champion in each Service or key Team	Winter 2023	Short - by March 2024		? Performanc	Lisa Simp	CC Team		H			A		Currently exploring potential of combining with sustainable procurement champions
Governan	G13	Finance	Develop Cumulative Climate Impact Assessment of Budget to be taken to CC&S	Autumn 2022	Immediate - by March		Finance Te	Scott Walker	Divindy Grant Angela Harris		H			A	Sept/Oct/Nov - Cumulative position by Jan/Feb	Screening tool developed for use for the 24/25 budget
Governan	G14	Finance	Reduce unnecessary end of year IT purchasing though December 31 spend ban	Autumn 2022	Immediate - by March 2023		Finance Te	Scott Walker	IT -Kate Barron		M			G		Ban put in December 2022 for 22/23 spend. To be revisited by P&G group in November 23 whether to reimplement in 23/24
Governan	G15	Finance	Develop detailed costed route map with targets to enable decision making and funding actions identified	Autumn 2022	Short - by March 2024		Climate Ch	Divindy Grant	CCWGs Scott Walker Sharon Rice-Jones		H			A		On-hold. Dependent on other costed strategies to be completed first
Governan	G16	People	Values and behaviour – embed Climate Change into HR job families and include Climate Change in leadership competencies	Autumn 2022	Short - by March 2024		HR	Pauline Johnstone	CC Team		H			G	Ongoing	To be embedded for all staff via on-going changes to the Council's job family. From Autumn 2023, embedded as a performance criteria in the council's staff review process.
Governan	G17	People	Share and make visible CC activities	Ongoing	Short - by		Climate Ch	Divindy Grant	CCWGs Scott Walker Sharon Rice-Jones		H			G		Internal staff climate training completed
Governan	G18	People	Roll out Carbon literacy across all staff	Ongoing	Short - by		Climate Ch	Divindy Grant	CCWGs Scott Walker Sharon Rice-Jones		H			G		In-house carbon literacy training being
Governan	G19	Sustainable	Engagement with existing suppliers on their climate ambitions	Apr-22	Short - by March 2023		Procurement Team				H	Still to be identified	PKC	R	Not progressed due to resource constraints	Suggest deleted - Superseded by G24

Governan	G20	Sustainab	Build capacity of procurement and contract management staff around ensuring climate change is appropriately considered in procurement and delivery processes	Summer 2022	Medium - by March 2027		Procurement Team			T	Still to be identified	PKC	A	Progressed as possible with limited resources	Progressed as possible with limited resources
Governan	G21	Sustainab	Undertake a review of Council procurement with respect to climate and environmental considerations	Autumn 2022	Medium - by March 2027		Procurement Team			H	Still to be identified	PKC	R	Not progressed due to resource constraints	Suggest deleted - Superseded by G26
Governan	G22	Sustainab	Develop category strategies for high emission categories that consider climate change	Summer 2024	Medium - by March 2027		Procurement	Lisa Simpson/ Vanessa /Lynzi	CC Team		H		R	Use Prioritisation Tool to assess identified categories. Category technical experts required to assist.  Some progress may be achievable on Digital category upon the appointment of Category Manager. Appointment of Category Managers for other areas would help progress further.	Use Prioritisation Tool to assess identified categories. Category technical experts required to assist.  Some progress may be achievable on Digital category upon the appointment of Category Manager. Appointment of Category Managers for other areas would help progress further.
Governan	G23	Sustainab	Develop standard specifications and tender questions for climate change	Summer 2024	Medium - by March 2027		Procurement	Vanessa /Lynzi	CC Team		H		R	Some progress may be achievable on this piece of work for Digital upon the appointment of Category Manager. Appointment of Category Managers for other areas would help progress further.  Technical experts from Services required to input. Consultancy may be required.	Some progress may be achievable on this piece of work for Digital upon the appointment of Category Manager. Appointment of Category Managers for other areas would help progress further.  Technical experts from Services required to input. Consultancy may be required.
Governan	G24	Sustainab	Undertake a supplier review to identify key Tier 1 suppliers and	Spring 2024	by December 2024		Procurement	Vanessa /Lynzi	Contract CC Team		M		R	Some progress may be achievable on Digital category upon the	Some progress may be achievable on Digital category upon the
Governan	G25	Sustainab	Investigate how we can consolidate spending to reduce number of deliveries	Spring 2024	by December 2025	Explore whether a PECOS hold can be put in	Procurement	Vanessa /Lynzi	Finance		M		A	Some of this work can be progressed with the appointment of a new data and demand officer. Resource required from all Services to work together.	Technical experts from Services required to input. Consultancy may be required.

Governan	G26	Sustainab	Develop new procurement strategy that includes climate change	Spring/Summer 2023	by February/March 2024		Procurement	Lisa Simpson	Vanessa /Lynzi		H			G	First draft produced. Consulted with Climate Change Team. Further consultation required. Need to complete Flexible Framework Assessment Tool to further inform Strategy. Aim to submit to F&R Committee first quarter 2024.	First draft produced. Consulted with Climate Change Team. Further consultation required. Need to complete Flexible Framework Assessment Tool to further inform Strategy. Aim to submit to F&R Committee first quarter 2024.
Engagement & Education	E1	General engagement	Develop and deliver annual climate change engagement plan	In progress	Ongoing		Engagement and education working group		P&K		H	Available		G		Generally progressing via regular E&E WG Meetings
Engagement & Education	E2	General engagement	Develop and launch comprehensive Climate Change website	Complete	We developed and launched the website on 16/02/22	Four months after the launch the key milestones are: 3000 users of the website - with over 10000 page views (43 news/blogs/community stories posted, 133 climate related events promoted)	Climate Change Team	SuN	P&K		H	Available		Complete		Web site launched effectively from end February 2022 and ongoing content being developed
Engagement & Education	E3	General engagement	Develop Perth and Kinross Climate Change Commission	In place	Ongoing from June 2022		Now runs autonomously but with support from Climate Team		P&K		H	Available		A		Commission now established and operating with formal meetings and themed workshops
Engagement & Education	E4	Council Elected Members and Staff	Refresh Member induction process to include Carbon Literacy	In progress	Immediate - by Autumn 2022		Member services		PKC		H	Available		G		New dates to be scheduled in November 2023
Engagement & Education	E5	Council Elected Members and Staff	Develop annual programme for staff training and engagement	Started	Ongoing	110 staff have been on CLT since May 23	Engagement and education working group		PKC		H	Available		G	Currently promoting the online e-module in place; numbers can be improved. developing suitable new training vehicle for staff training	Revamped CC module launched. Carbon Literacy Training delivered in-house to 110 members of staff, with EM training in the pipeline

Engagement & Education	E6	Council Elected Members and Staff	Develop internal climate change resources hub for staff	Complete	Short - by March 2023		Climate Change Team		PKC		H	Available		Complete	In process and in work plans for 2022; accessibility to be discussed	Completed in 2022
Engagement & Education	E7	Schools and young people	Develop engagement plan and platforms for young people	Jan-22	Immediate - by Autumn 2022		Engagement and education working group		P&K		H	Available		G		Ongoing - Annual Youth Conference in Autumn
Engagement & Education	E8	Schools and young people	Ensure climate change is embedded in school curriculums	In progress	Ongoing	All HT's issued with CC Briefing and Climate Action Plan Template as a tool to use in school in September 2023	Education & Children's Services		PKC		H	Available		G		All HT's issued with Climate Change Briefing setting out necessary school actions. A Climate Action Plan Template has been developed and circulated. New Eric page for schools created with links to various support sources
Engagement & Education	E9	Schools and young people	Review school operations and practices to ensure our schools lead by example	Apr-22	Medium - by March 2027		Climate change working groups		PKC		T	Available		G	ECS contracts team added to schools subgroup; Practices to be reviewed	Energy saving video created to showcase improvements at Madderty PS. Video scheduled to be launched October as example for all council estate
Engagement & Education	E10	Community groups and organisations	Establish regular update and engagement sessions for community groups	Started	Ongoing		Engagement and education working group		P&K		H	Available		A		Generally ongoing interaction with various Groups - through hub and web site
Engagement & Education	E11	Community groups and organisations	Mapping and sharing of community groups involved in climate action	Complete	Ongoing	2200 views of the community groups and projects map (286 groups and projects displayed)	Climate Change Team	SuN	P&K		H	Available		G		Map created and supporting public survey has been produced to allow new groups to provide details of their projects.
Engagement & Education	E12	Residents	Explore expansion of in-person climate change advice centres	Sep-22	Short - by March 2023		Climate Change Team		P&K		H	Available		G		Applied for Innovate UK funding to create Eco-hubs as part of the bid. Will find out in Nov 23 if we are successful Heat Project SLA Expansion and Extension till March 2023 complete and Scarf SLA Extension currently in development Scottish Government currently exploring funding hubs for community groups
Engagement & Education	E13	Residents	Implement thematic specific engagement as outlined in the Buildings, Transport, Land Use, Waste and Resilience Road Maps	Jan-22	Ongoing		Engagement and education working group		P&K		H	Available		G		Generally ongoing through social media, website and climate change newsletter

Engagement & Education	E14	General engagement	Create social media platforms	Complete	Apr-22	Communications plan and working group developed to create social media content	Climate Change Team	EK, HW, SuN			N/A							TikTok account closed due to the UK Government advising against Tik Tok due to security issues. PKC Corporate Communications Team suggested that the PKC corporate Tik Tok account would close due to this, hence the PKClimate Action Tik Tok account closure followed.
			Facebook			Views (after 4 months live)												
			Twitter			Facebook 15.7k												
			Instagram			Insta 4.6k												
			TikTok			Twitter 14.4k												
						TikTok 1.7k												
Engagement & Education	E15	General engagement	Create a dedicated landing page for climate change engagement activities and consultations	Complete	Launched Feb 2022	Consultation Hub survey published to ask all community groups how they would like to engage	Climate Change Team	SuN	n/a		N/A	Available						Complete
																		<a href="https://consult.pkc.gov.uk/climate/">https://consult.pkc.gov.uk/climate/</a>
Engagement & Education	E17	General engagement	Provide support on the corporate PKC cost-of-living campaign	Complete	Sept 22 - March 23	Cost of living support page published on PK Climate Action Website (links to corporate campaign added). This will be promoted on the CC/PKC	Climate Change Team	Stefan/SuN	Niamh			H	Still to be identified					Complete
																		<a href="https://www.pclimateaction.co.uk/cost-of-living">https://www.pclimateaction.co.uk/cost-of-living</a>
Engagement & Education	E19	Schools and young people	Youth Conference	In Progress	Date 4th Nov. Invites to be sent out September. All presentations /works hops		Climate Change Team	HW	SN/CCSD Team			H	Still to be identified					Planning on-going; Dewars booked; invites extended to end of Sep; guest speakers tbc early Oct
																		Complete for 2023 - October 25th
Engagement & Education	E20	General engagement	Send out monthly newsletter to subscribers	Complete	Ongoing (monthly)			EK	SuN/HW			N/A	Available					Ongoing - monthly newsletter is being sent out
Engagement & Education	E21	General engagement	Deliver information at public events (in person)	In progress	#####	Currently developing a plan to attend the Winter Festival in November 2022.	Climate Change Team	All	Michael Boyle, Stefan, Niamh Anderson			T	Still to be identified					Christmas Lights Switch on Event in November 2022, Perth first Earth Day Market took place in April 2023
																		Generally ongoing with plans for attendance in future events

Engagement & Education	E22	Schools and young people	Explore and enhance connections between culture and education. Coordinate with museums and RSGS.	In progress	2023		Climate Change Team	All			M	Still to be identified		A		On hold until VM backfill in place
Engagement & Education	E23	Council Staff	Produce a Sustainability Policy for the 2023 Winter Festival in collaboration with the PKC Events Team. This policy will be used as a template to form a policy document which will be used as a guide for PKC led events.	Not Started	2023		Climate Change Team	All		PKC Events Team	M	Still to be identified		A		Currently in progress

Timescale	Availability of resources	Delivery theme	Location	
Ongoing	Available	Transport	Perth and Kinross	R
Immediate - by March 2022	Feasibility/design	Buildings and Energy	PKC	A
Short - by March 2023	Still to be identified	Waste and recycling	Both	G
Medium - by March 2027		Business and Industry		
Long - between 2027-2045		Land use		
		Engagement		
		Climate Resilience		





## Proposed KPIs to be deleted

KPI	Theme	Reason for deletion
Number of tourism businesses registered with Green certification schemes	Business & Industry	It is an ad-hoc indicator relying on Visit Scotland and other providers info and we don't seem to be able to access the info on a regular basis
Percentage of employment by occupations supporting green growth	Business & Industry	Stats are not available and no other alternative has been identified yet
Skills and training KPI – To be developed	Business & Industry	No KPI has been identified yet – lack of data to identify a suitable KPI that can be measured accurately
Proportion of personal vehicles registered as EV	Transport	No data available to the Council; For car lease schemes registrations are recorded where the company is headquartered and not the driver is based.
Walk, Cycle, Scooter, Skate	Transport	These KPIs are already been reported under %journeys to school by active transport (walking, cycling, scooting or skating)
% Modal Share attributed to public transport	Transport	No data available at a local authority level
Number of passengers using Park and Ride services	Transport	No data available
% Of Local and Major planning consents that contain approvals for biodiversity net gain	Land use	No data available
Area of peatland restoration	Land use	Peatland ACTION only report the figures for feasibility studies completed and restoration footprints (Ha) for the most recent projects, which is not useful for year on year reporting. The site references don't always add up to help with tracking progress. Probably best to continue to report number of sites completed and total HA for those sites for consistency
Biodiversity Action Plan Species and Statutory Species Distribution	Land use	Amend wording to “Amount of land protected for nature within Perth and Kinross council Boundary” to align with the target and data availability
Views on Climate Change Webpage and Social Media channels - TikTok	Engagement	Account closed due to privacy and security issues as suggested by the UK Government



## PERTH AND KINROSS COUNCIL

6 December 2023

### TRANSFORMATION REVIEW OF ARMS LENGTH EXTERNAL ORGANISATIONS

#### Head of Culture & Communities Services (Report No. 23/347)

#### 1. PURPOSE

- 1.1 A Transformation Review of our three arms-length external organisations (ALEOs) has been carried out, as part of the Council's wider Transformation Programme approved by Council in June 2022. This report summarises the Review findings and recommends next steps to secure the longer-term financial sustainability of our culture and sport offer. The report also makes wider improvement recommendations to our ALEO oversight arrangements.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that Council:
- notes the Review findings set out in section 6
  - approves the recommendations set out in sections 6 and 7.
  - approves the proposed next steps set out in section 8 *and*
  - requests officers to bring a further progress update to Council in mid-2024.

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background/drivers for the Review
  - Section 5: Summary of Review scope/methodology
  - Section 6: Review findings
  - Section 7: Summary of recommendations
  - Section 8: Proposed next steps
  - Section 10: Conclusions

#### 4. BACKGROUND

- 4.1 The Office for the Scottish Charities Regulator (OSCR) defines an ALEO as a *body which is formally separate from a local authority, but subject to its control and influence*. This makes them different from charities in some key respects, but ALEOs are delivery models used by many Councils because they:
- have a public persona/'brand' distinct from the Council and are independently governed by Boards who bring a wider range of skills and experience to the table.
  - qualify for business rates relief on the properties they occupy up to a maximum total level for the local authority area. This has been a

significant rationale for the ALEO model as it helps councils mitigate cuts to front-line services and staff.

- can attract major philanthropic and corporate support for which councils are not eligible; and can also be eligible as lead/partner applicant for other public funding streams.

4.2 ALEO Board and Trustees have legal responsibilities regulated by OSCR. Councils also have statutory duties regarding ALEOs. They must:

- be able to show that an ALEO remains the best model for delivering services which contribute to the Council's wider priorities (Best Value)
- review the model regularly in light of external/internal change (Best Value)
- maintain clear oversight and accountability of ALEOs' financial and wider performance, in order to manage strategic risk to the Council (Following the Public Pound)

4.3 Our ALEOs are Live Active Leisure (est 1965), Perth Theatre and Concert Hall (PTCH) (est 2004) and Culture Perth and Kinross (est 2016). Our ALEO contracts have a total value of £8.7M (2023/24) and combined annual expenditure of over £18M, making them our biggest collective commissioning arrangement.

4.4 In summary our ALEOs deliver:

- all sports services (except school PE) including extra-curricular school sport and community sports development for local voluntary clubs.
- all library/archive/local studies and museum/gallery services, and related reader development and creative learning programmes
- all performing arts services and related creative learning programmes
- operational management of 35 venues owned by the Council/LAL.

4.5 **Appendix 1** is the independent report by Glasgow Audit to support this Review and includes detailed analysis of the services delivered by the 3 ALEOs and their current financial/wider resource base. There are currently no shared services between the ALEOs for delivering corporate support functions, or regular collaborative arrangements for customer-facing activities, such as family or learning programmes.

***Change drivers***

4.6 In 2024/25, the ALEOs face significant internal recurring revenue pressures plus provisionally approved Council recurring revenue savings. These total at least £2.5M. The most significant revenue pressure is pay, followed by rising energy and running costs of buildings. In addition, the capital spend requirements over the next 5 years for the 35 properties operated by ALEOs is estimated at around £20M.

- 4.7 There are changes to customer/audience needs and expectations for culture and sport. These present both opportunities and risks and include:
- changes in customer behaviour due to post-Covid lifestyle changes (home working etc) and reduced household incomes due to cost-of-living pressures
  - wider range of providers, for example budget gyms and free/low-cost subscription online culture and sport content
- 4.8 Our current governance and monitoring arrangements for ALEOS contain some single person dependencies which need to be addressed as the Council continues to go through significant organisational change. Alongside this, the new Charities (Regulation and Administration) Act 2023 increases OSCAR's regulatory powers to strengthen transparency and accountability in charities, including the individual accountability of Trustees and senior staff.

## 5. REVIEW SCOPE AND METHODOLOGY

- 5.1 The Review scope was approved by the Transformation Board in June 2023. The purpose is to *review our ALEOs for culture and leisure and recommend structural/wider changes required to maximise Council investment in these services.*
- 5.2 The Review Team comprised the three current ALEO Chief Executives, the Council's ALEO senior monitoring officer plus Glasgow Audit, and met from August-November 2023. Engagement with the ALEO Chairs and CEOs took place prior to and throughout the Review. The CEOs provided their own proposals for change and improvement which were considered within the Review.
- 5.3 Glasgow Audit were commissioned to provide supporting analytical advice focused on:
- what the ALEOs deliver in return for the contract fee
  - corporate support functions – current delivery and opportunities for efficiency savings
  - income streams and current/future sustainability
  - being a 'critical friend' in developing options for change
- 5.4 Burness Paul provided independent legal advice on pay and governance considerations to inform the Review. **There may be employment issues arising from the current sole trust model that will need to be re-considered and reviewed as part of any potential changes to the existing models for the three ALEOs. A full risk assessment to quantify these will require to be undertaken depending on the decision of Council.**

- 5.5 There are interdependencies between this Transformation Review and:
- the Strategic Commissioning and Procurement Review
  - the Leisure Assets Review, which will be submitted to Council in January 2024 alongside other corporate asset management matters
  - a review of Library Services completed in early 2023.

## 6. REVIEW FINDINGS

6.1 This section sets out key Review findings in respect of:

- the future service offer
- property related issues and risks
- wider improvement recommendations from Glasgow Audit
- external funding considerations including the suitability of the ALEO model for maximising external funding support.

### The future service offer

6.2 The key customers/audiences for services delivered by ALEOs are:

- local communities. The largest user group served by all 3 ALEOs is people living within 30 minutes travel distance of ALEO venues.
- the schools' population.
- the wider Tayside population including those who travel to work or study in Perth and Kinross
- Scottish, UK and international tourism visitors
- business tourism (conferences etc)

6.3 The Review Team agreed these key principles for where future Council funding should focus. It was recognised that wider activities are, or can potentially be, funded externally, and that Council funding should focus on provision which cannot be met from other funding sources or providers.

- **Provision for the local population.**
- **Protecting free universal services** in line with national/local policy, e.g., public library services, entrance to museum permanent collections, Active Schools and community sports development.
- **Targeted activities** which help address poverty and inequality, in line with our wider corporate priorities.
- **Capital spend** on compliance, energy efficiency of buildings and enhancing our leisure and business tourism offer.

## **Integrating the offer/enhancing the customer experience**

6.4 As stated, the ALEO CEOs were asked to develop proposals to integrate delivery, in ways which make our culture and sport offer as seamless as possible for customers/audiences to access. This identified:

- business tourism and Perth city centre destination marketing
- technical support for events and conferences
- some aspects of facilities management e.g. booking systems, ticketing, alarm callouts
- some public programmes e.g., summer holiday programmes and targeted initiatives such as Mental Health Awareness Week
- staff recruitment, training and development
- corporate policies e.g., H&S, HR
- data analysis and market research
- procurement

## **Property issues: business rates relief and capital spend**

6.5 The ALEOs currently operate 35 properties of which all but 3 (Perth Leisure Pool, Dewars Centre and Bell's Sports Centre, owned by LAL) are owned by the Council. After pay, energy costs are the next major cost pressure faced by the ALEOs. The Leisure Assets Review has considered the capital spend and energy efficiency of current ALEO buildings. Both it, and an earlier review of library services, have also examined usage, noting changes in customer demand and need including declining use of some buildings.

6.6 As evidenced in the Outline Business Case for the PH20 leisure project and elsewhere, there are challenges in relation to the future affordability of maintaining three major sports venues in Perth. The combined operating deficits of Perth Leisure Pool, Dewars Centre and Bell's is currently £1.6M pa, projected to rise in coming years. These properties are all over 30 years old and increasingly at risk of unplanned failures, including increased flood risk as at PLP and Bell's in 2020 and 2023.

6.7 In a 'do nothing' scenario, we would need to spend an estimated £20M capital over the next 5 years to maintain all 35 current properties, renew key infrastructure, such as technical equipment at Perth Concert Hall, and implement energy efficiency measures for buildings which account for significant carbon emissions including Perth Leisure Pool.

6.8 An important rationale for the ALEO model is business rates relief on properties as ALEOs do not pay rates on the buildings they occupy, whether they own them or not. Scottish Government sets a maximum threshold for councils on how much business rates relief ALEOs can generate: for PKC this is £1.747M in 2023/24.

6.9 Continuing to maximise rates relief from ALEO properties is key to the future financial sustainability of our culture and sport offer. However, taking the factors outlined above into account, the current ALEO property portfolio is unaffordable, based on current and likely future financial resources versus cost pressures and changing customer/audience needs. Ongoing work within the Council on streamlining and maximising use of our wider estate is demonstrating new ways to deliver services effectively with, and for, communities. This includes the Pitlochry Campus initiative which aims to co-locate library, sport, and other local services on the High School site; co-location of library services at the Strathearn Hub, and the Smarter Working initiative which is investigating shared storage facilities for CPK and potentially PTCH at Pullar House.

### **Wider improvement recommendations**

6.10 As stated, Glasgow Audit conducted independent financial analysis of the ALEOs' current financial positions and operating models for this Review. It also provided wider advice on Council governance and oversight of ALEOs in respect of what services the Council expects in return for its contract fee, and what corporate support services ALEOs get from the Council (the latter differs across the ALEOs as a whole). Glasgow Audit also facilitated work between the 3 ALEO CEOs for the Review, summarised in para 6.4.

6.11 Glasgow Audit identified some wider areas for improvement:

- a more consistent and cost-effective approach to corporate support functions across the ALEO model. For example, there are currently 3 different payroll arrangements in place when one ALEO could provide this as a shared service.
- regardless of future structures, streamlining and consolidating the Council's governance approach is recommended. This will enable a clearer overall picture of the outcomes/services delivered by the ALEOs in return for the contract fee plus overall risk across all services delivered by ALEOs as a 'family group'.
- as part of these streamlined governance arrangements, introducing a single internal control system which enables a clearer overall picture of relative financial risks across the services and enables financial management information reports to be generated more efficiently and transparently. This can be achieved by consolidating the finance function across the ALEOs.
- establishing an internal audit function which does not currently exist within the 3 ALEOs.
- ensuring procurement expertise is provided on key procurement matters; again this does not currently exist within the ALEOs.
- reducing key person dependency risks within the Council in relation to detailed contract monitoring/compliance. There is currently only one Council post responsible for this work.
- re-introducing quarterly Scrutiny focus on ALEO financial and wider performance in order to meet the Council's Best Value and Following the Public Pound duties.



## External funding

- 6.12 All three ALEOs raise external funding to deliver specific parts of the culture and leisure offer. For example, the Gannochy Trust funds parts of the PTCH programme and supports LAL/CPK to deliver targeted heritage and sports activities. PTCH receives multi-year funding from Creative Scotland and is currently re-applying for this to continue from 2025/26 onwards. Core funding from the Council is important assurance for other funders that the ALEO is financially stable.
- 6.13 The potential impact of this Review on PTCH's application for future multi-year funding (MYF) was discussed with Creative Scotland, which is implementing new MYF arrangements from 2025/26 onwards in light of various factors, including national budget pressures. Creative Scotland indicated it is content with the rationale for consolidating corporate functions across ALEOs on the basis this helps to protect frontline cultural programmes, whilst preserving the public-facing side of PTCH. Beyond this, PTCH's application will be assessed on merit and alignment with the wider criteria set for applicants. Stage 2 of the MYF application process will start in April 2024. This will enable PTCH to set out within its application how outcomes of this Review will be implemented and taken forward in partnership with the Council, as its primary public funder and owner of the buildings PTCH occupies.
- 6.14 The Review Team identified two further issues not in scope of the Review but where further work is recommended from 2024/25 onwards:
- consolidation of city centre destination marketing and events bidding/management functions which are currently dispersed across the Council, ALEOs and other partners, to maximise efficiencies and ensure events bidding and management are well tailored to market opportunity.
  - potential for future joint commissioning and wider shared service arrangements between the ALEOs and other relevant culture, heritage and sport partners funded by the Council.

### **Summary of key findings**

- 6.15 The key messages from the Review are as follows:

1.	The culture and sport 'offer' could be better integrated, so it is accessible and easy to navigate for customers/audiences
2.	The current ALEO property portfolio is unaffordable and parts of it are, or will be, not fit for purpose in the future.
3.	Business rates relief remains a major benefit of the ALEO model, but property rationalisation is also needed to maximise this benefit.
4.	The current Council governance and monitoring framework does not allow sufficient oversight of risk across the 'family group' of services delivered by ALEOs.
5.	There is wider potential to integrate ALEO and Council functions on Perth city events and destination marketing, and to extend shared service arrangements with wider funded partners.

## 7. SUMMARY OF RECOMMENDATIONS

7.1 The following 12 recommendations are aligned with key findings above:

	Issue	Recommendation
1.	<b>People: Corporate functions</b>	<b>Starting from 2024/25, corporate functions across the 3 current ALEOs should be consolidated, prioritising:</b> -Finance -Business conferencing -Facilities Management -HR (policy and transactional services e.g. payroll)
2.	<b>People: Senior leadership</b>	<b>Senior management structures should be reviewed</b> in light of the consolidation of corporate functions.
3.	<b>People: Employment</b>	<b>A review of Employment issues should be undertaken</b> to assess any potential risks
4.	<b>Property: Affordability</b>	<b>The current ALEO property portfolio should be rationalised to ensure it is affordable and sustainable.</b> This will also enable business rates relief, which helps protect front-line services, to be maximised.
5.	<b>Property: Sport</b>	<b>Consolidation of the Perth city sports offer onto one site should be considered.</b> This recommendation is based on evidence from the Leisure Assets Review about affordability of maintaining 3 major sites in the city centre, alongside rising cost pressures, operating deficits, and changing customers/markets.
6.	<b>Property: Libraries</b>	<b>Consolidate key library provision to Community Campuses and the AK Bell Library</b> <b>Trial the Open Library model at Scone</b> <b>Co-locate other rural library services where possible within the wider Council/public estate.</b> This recommendation is based on evidence and recommendations from a review of libraries carried out by CPK on behalf of the Council which identified changing usage and rising cost pressures.
7.	<b>Property: Storage</b>	<b>Consolidate CPK and potentially PTCH storage facilities as part of the Smarter Working programme.</b> This recommendation would enable storage for the CPK museum and archive collections plus storage of some PTCH resources at Pullar House, if Council takes a decision to retain the building next year.

8.	<b>Property: Community Halls</b>	<b>Expand support for the Community Asset Transfer (CAT) programme for Community Halls operated by LAL.</b> This recommendation is based on wider corporate asset management work to support CAT where feasible. The Leisure Assets Review recommends that additional support to communities is designated from 2024/25 onwards to enable this.
9.	<b>Property: Other</b>	<b>Consider disposal of the Fergusson Gallery and Willam Soutar House.</b> The Fergusson Collection is now displayed at Perth Art Gallery following investment in the latter and various attempts to operate the William Soutar House as an events space have not proved sustainable over the years. Disposal of these assets will create capital receipts for reinvesting in services.
10.	<b>Governance: Single internal control system</b>	<b>Establish a shared finance function for ALEOs based on the same financial system.</b> This will allow the Council more effective oversight of financial risks across the ALEO 'family group' of services, enable more complete management information reports to be generated and support wider efficiencies in financial management, reporting and monitoring.
11.	<b>Governance: Contract Monitoring</b>	<b>Move the ALEO contract monitoring/compliance post to the corporate Strategic Commissioning and Procurement Team.</b> This will address a key person dependency risk and enable ALEO contract monitoring to benefit from wider improvements underway to Council procurement practice; and align the ALEO contract monitoring closely with Legal teams involved in the preparation of ALEO contracts.
12.	<b>Governance: Scrutiny</b>	<b>Reinstate quarterly monitoring of ALEO by Scrutiny and Performance Committee.</b> This is in line with Glasgow Audit recommendations for the Council to ensure it is clear about what the ALEOs deliver in return for the contract fee (Best Value and Following the Public Pound). It is also important given the significant financial pressures and risks relating to ALEOs in the coming years.

## 8. NEXT STEPS

8.1 In order to manage the issues/risks identified by the Review, the following priority actions are required from January 2024 onwards:

- fully risk assess the Equal Pay issues identified by this Review and determine what further structural change, is required to appropriately manage this risk, including the case for a wider Pay and Grading Review
- prepare a Communications and Stakeholder Mgt Plan including ALEO Board, staff, TU and funder engagement
- prepare a costed Consolidation Plan for key corporate functions, starting with Finance, for implementation April 2024 onwards.
- develop options for a new operating model including a revised senior management structure dependent on the extent of consolidation/merger which is judged appropriate to deal with pay pressures and risks
- start to deliver the Property Rationalisation Plan

8.2 Implementing the Review findings constitute a major longer-term change programme across a large group of key services. A Project Initiation Document will be prepared with an outline implementation plan for April 2024 onwards.

## 9. CONCLUSION

9.1 A Transformation Review of ALEOs has been completed in light of significant current/future financial pressures and wider change drivers. The Review has identified significant issues and risks for the Council in relation to pay, affordability of property and other factors. The Review sets out 12 recommendations to address the findings with preparatory work required from January 2024, moving to full implementation from April 2024.

### Author

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### Approved

Name	Designation	Date
Thomas Glen	Chief Executive	28 November 2023

### APPENDICES

- Appendix 1: Report and recommendations from Glasgow Audit

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Local Outcomes Improvement Plan	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>None</b>
Strategic Environmental Assessment	<b>None</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>None</b>
Risk	<b>Yes</b>
<b>Consultation</b>	
Internal	<b>None</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Local Outcomes Improvement Plan

1.1 This Review impacts on the following aspects of the Local Outcomes Improvement Plan

- (i) Poverty and cost of living
- (ii) Mental and physical wellbeing
- (iii) Skills, learning and development

#### Corporate Plan

1.2 This Review impacts on the following priorities within the Council's Corporate Plan:

- Tackling poverty and inequality
- Developing responsible, educated citizens
- Enabling people to live healthy independent lives
- Promoting a prosperous, inclusive and sustainable economy.

## 2. Resource Implications

### Financial

- 2.1 There are financial implications to this report set out in the findings and recommendations.

### Workforce

- 2.2 There are workforce implications to this report set out in the findings and recommendations, and further staff and TU engagement/consultation will be factored into the implementation timeline from January 2024.

### Asset Management (land, property, IT)

- 2.3 There are asset management implications to this report arising from business rates relief attracted by ALEOs and other matters. These are set out in the findings and recommendations.

## 3. Assessments

- 3.1 The report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA.

### Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.3 The report has been considered under the Act and, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

### Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
  - in the way best calculated to deliver any statutory adaptation programmes; and

- in a way that it considers most sustainable.

3.5 The report does not contain any proposals that will impact on the Council's Principles for Sustainable Development.

#### Legal and Governance

3.6 There are legal and governance implications to this report set out in the findings and recommendations.

#### Risk

3.7 A risk profile for the change programme will be prepared as part of the Project Initiation Document.

### **4. Consultation**

#### Internal

4.1 Transformation Board, the Strategic Lead Economy and Place, Strategic Lead Governance and Legal Services, Senior Service Manager HR and Strategic Lead, Finance have been consulted in the preparation of this report.

#### External

4.2 The Boards of the ALEOs and officials from Creative Scotland have been consulted in the preparation of this report.

### **5. Communication**

5.1 A Communications Plan will be prepared to support implementation of the proposed change programme.

## **2. BACKGROUND PAPERS**

2.1 Appendices.





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# AUDIT GLASGOW

## PROVISION OF AUDIT SERVICES TO THE PUBLIC SECTOR

### Perth and Kinross Council

#### ALEO Transformation Review

The Terms of Reference for this review is provided at appendix 2.

#### 1. Background

1.1 Perth and Kinross Council (PKC) has three Arms Length External Organisations (ALEOs):

- Live Active Leisure (LAL),
- Culture Perth and Kinross (CPK), and
- Perth Theatre and Concert Hall (PTCH).

ALEO	Established	Structure	Key Purpose
LAL	1965	Wholly owned by PKC Registered charity	To provide health and fitness opportunities for the local community.
CPK	April 2016	Wholly owned by PKC Registered charity	To deliver museums, libraries, archives, family and local history and creative learning.
PTCH	2005	Wholly owned by PKC Registered charity	To operate both Perth Theatre and Concert Hall.

1.2 Each of the ALEOs has a Service Level Agreement (SLA) with PKC which details the core activities that the ALEO is expected to deliver along with key performance indicators against which the ALEO will be measured. The SLAs were last updated in 2023 and also include the level of service fee that the ALEOs will receive from PKC in that financial year.

1.3 Audit Scotland published its report *ALEOs: Are you Getting it Right?* in 2011 and a subsequent report on Council's Use of Arms Length Organisations in 2019. The key messages from the reports are:

- Oversight, accountability, and good management are essential.
- In managing ALEOs, Councils should continue to apply the principles in the Following the Public Pound Code. This includes overseeing the performance, financial position, and associated risks of ALEOs.
- There is a need to set clearer criteria for how councillors and officers are involved with ALEOs and demonstrate more clearly how ALEOs secure Best Value.

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- 1.4 What this means is that Councils must be clear on the reasons for the ALEO being in existence and the benefits that having the ALEOs bring including being able to demonstrate how the use of ALEOs improves outcomes for people.
- 1.5 As each ALEO is a registered charity, it is bound to comply with the requirements of the Office of the Scottish Charity Regulator (OSCR). The Charities (Regulation and Administration) Bill was passed by the Scottish Government in June 2023 and will increase the powers of OSCR and improve transparency and accountability of charities. The ALEOs will also be required to comply with this.
- 1.6 PKC commenced a review of its ALEOs in the summer of 2023, the purpose of which is to review the Council's arms-length delivery models for culture and leisure and recommend any structural/wider changes required to maximise Council investment in culture and sport services.
- 1.7 The purpose of our part of the review was to support the financial analysis and options for change element of the ALEO Transformation Review. In addition, a critical friend role will be undertaken using the experiences of undertaking similar reviews at Glasgow City Council's ALEOs over the last few years.
- 1.8 The future model of service provision needs to consider a number of factors when assessing any options and recommendations. Clearly financial savings will be a key driver, but the following should also be considered by the Council and the ALEOs when making their final determinations:
  - Greater resilience - ability to easily transfer resources across the Council Family;
  - Improved governance – consistent approaches to risk management, systems of internal control and governance will enhance assurance;
  - Direct and indirect costs, including support;
  - Strategic alignment – e.g., ICT systems and medium / longer term planning;
  - Local suitability and needs - potential requirement for adapting current working practices.

It may be that one part of the Council Family has to adopt a change that may be sub optimal for that organisation but has greater and wider benefits from a Council Family perspective. This would need to be carefully considered and mitigated where possible, but a Group-perspective is important when assessing potential options.

## 2. ALEO Governance

- 2.1 The ALEOs all came about for different reasons and at different times. The governance arrangements for the ALEOs have therefore evolved over time. All have an SLA with the Council, which details, amongst other things, the specification of services that each must deliver and the corresponding key performance indicators (KPIs).
- 2.2 Each of the three ALEOs currently reports into the PKC Scrutiny and Performance Committee. Reporting to the Committee is generally on an annual basis, however they can also be called to Committee on an ad-hoc basis. The most recent reports from the three ALEOs submitted to the Scrutiny and Performance Committee were in April 2023 and there was an inconsistency in the level and types of information contained within each report. We have observed that the reports do not focus on the services that the ALEOs are to deliver under the SLA.

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- 2.3 A robust ALEO governance framework includes how the Council’s Scrutiny Committee holds ALEOs to account for the services they are contracted to provide under the SLA, and how these contribute to the Council Plan. Specific financial monitoring should also be reported at a reasonable frequency by the Council for the purposes of monitoring the impact on the General Fund (*recommendation 1*).
- 2.4 All three ALEOs are dependent on Council funding for significant elements of their revenue. They are also deemed to be subsidiaries and therefore consolidated within the Council’s Group financial statements, as required by proper accounting practice. It is therefore important that all parties are clear that opportunities for savings (or other improvements) are considered in terms of benefit to the wider Council Group family. Our observation from our review is that this culture is not currently as evident as it could be (*recommendation 5*).
- 2.5 The Board of Directors and governance structure within each of the ALEOs differs. Each of the ALEOs has a Chief Executive and Senior Management Team, with the Chief Executive also being present on the Board. There are three Elected Members appointed to each Board by PKC.

ALEO	Size of Board	Meeting Frequency	Sub Committees
LAL	11*	Approximately 7 times per annum	Sub committees covering HR, Property & environment, Finance & governance, and Service delivery.
CPK	11	Quarterly	Sub committees covering Finance and Resources, Nominations, Strategy & Development and Audiences & Marketing.
PTCH	12	Quarterly	Sub committees covering Finance and Governance, People and Nominations

\* 2 vacancies on Board

- 2.6 The total Board resource is therefore significant across the three ALEOs and we are recommending a review to consider optimum Board size and composition. We were also advised that the Articles of Association for the ALEOs have not been recently updated (*recommendation 3*).
- 2.7 There is currently no Internal Audit service covering the ALEOs. This is not in keeping with best practice and is exposing the Council Group to risk. Internal Audit provides a vital role to those charged with governance by evaluating the effectiveness of governance, risk management and internal control arrangements and playing a key role in promoting good corporate governance. The Chartered Institute of Public Finance and Accountancy (CIPFA) published its Statement on the Role of the Head of Internal Audit in 2019 which is considered as best practice for all public sector organisations. We recognise the severe resourcing pressures faced by the Council and its ALEOs, but we are recommending budget is identified to provide a rolling framework of assurance covering key processes and controls. As noted at 1.8, if these processes and controls are more closely aligned, then it would be easier to provide a lean audit and assurance framework. Ideally this would be provided by the Council’s Internal Audit team (*recommendation 4*).

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### 3. ALEO financial arrangements

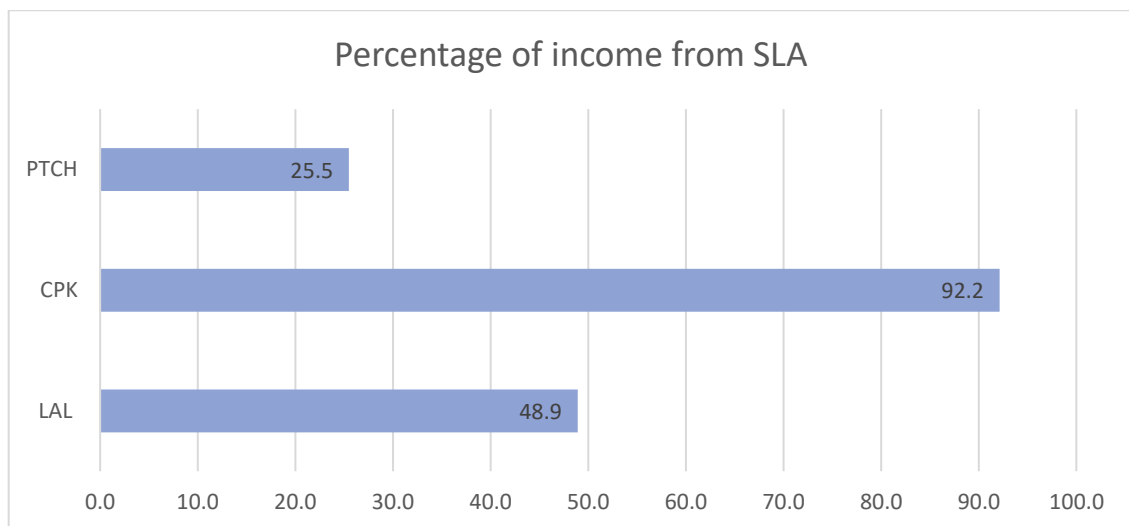
- 3.1 The three ALEOs operate their own standalone financial systems. CPK and PTCH both use *Xero* financial system and LAL uses *SAGE* financial system. It may be more beneficial for the 3 ALEOs to utilise the same system as the Council with a separate module. This may generate savings and also allow for staffing flexibility and resilience across the Council Group as there would be corporate familiarity with the system. It would also enable a consistent internal control framework to be deployed for common systems, which would enhance assurance for the Boards and management. It is noted that CPK currently has a vacancy in the finance team and is having to buy in assistance from its External Auditors, Azets (*recommendation 6*).

#### Income

- 3.2 As part of the SLA, PKC provide £8.717m funding to the ALEOs annually, split as follows for 2023/24:

ALEO	Service fee (£m)
LAL	4.263
CPK	3.392
PTCH	1.062
<b>Total</b>	<b>8.717</b>

The SLA income contributes to the overall revenue funding of each organisation and is more significant to CPK due to both LAL and PTCH having the ability to charge for the majority of services delivered. The following chart provides detail on the percentage of overall income that comes from the SLA service fee.



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- 3.3 Over the last 3 years, there has been no uplift to the service fee for the ALEOs to reflect inflation or pay awards. Whilst no additional savings have been applied to the ALEO service fees as yet, this has resulted in a pressure on the ALEO revenue budgets. We understand that it's likely that ALEOs will be subject to savings in future financial years. LAL have used reserves to fund the deficit, however this is unsustainable in the medium/long term. CPK received one off funding from PKC to ensure a balanced budget. This was following a library review which recommended the closure of some libraries, which the CPK Board supported but was rejected by the Elected Members of PKC. PTCH has used trust and foundation and ticket sales monies to contribute to core costs, whilst also reducing staff numbers.
- 3.4 Gross income budgets for 2023/24 are set out below:

Gross Income Budget (2023/24)	LAL (£m)	CPK (£m)	PTCH (£m)
P&K service fee	4.263	3.392	1.062
Fees and Charges	4.670	0.128	1.182
Grant income	0.570	-	0.734
Investment income	0.029	-	-
Rental income	-	-	0.300
Fundraising	-	0.032	0.087
Other income	0.236	0.128	0.787
<b>TOTAL</b>	<b>9.768</b>	<b>3.681</b>	<b>4.152</b>

- 3.5 Currently when submitting grant funding applications, each of the ALEOs does this independently. However, often the applications are going into the same body such as the Gannochy Trust, and the ALEOs are unaware of the applications being submitted by the other two. Whilst there is recognition that some funders will only deal with the specific ALEO, there may be opportunities to learn from each other and as a minimum through better communication and collaboration ensure that the ALEOs are not competing for the same funding from the same funder (*recommendation 13*).
- 3.6 Both LAL and PTCH have conference facilities that are hired out. There is currently no joined up working on this, therefore it may be that both are competing for the same business (*recommendation 14*).

### Expenditure

- 3.7 Due to all ALEOs having charitable status, they receive rates relief for the properties that they either own or are leased to them from the Council. This equates to approximately £1.7m per annum. They are also exempt/partially exempt from VAT. Both are key considerations for any proposed reform that could result in this charitable status being removed.
- 3.8 The total gross expenditure budget for the three organisations for 2023/24 is £18.2m, broken down under subjective headings is as follows:

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Gross Expenditure Budget (2023/24)	LAL (£m)	CPK (£m)	PTCH (£m)
Employee costs	6.787	2.920	2.290
Property costs	1.203	0.082	0.073
Supplies and Services	1.032	0.419	-
Utilities	1.304	-	0.400
Cost of Sales	0.071	-	0.792
Fleet	-	0.115	-
Miscellaneous	-	0.050	0.672
<b>TOTAL</b>	<b>10.397</b>	<b>3.586</b>	<b>4.227</b>

3.9 Employee costs are the most significant item of expenditure. The staffing establishment for each ALEO is:

ALEO	Employees (FTE)
LAL	195
CPK	71.1
PTCH	78.5
<b>Total</b>	<b>344.6</b>

3.10 In terms of procurement and non-employee expenditure, none of the ALEOs have a specialised procurement resource. As subsidiaries of the Council, there is a need to demonstrate compliance with public sector procurement regulations, and the absence of a formal procurement compliance framework gives rise to potential risk in this area. There may also be opportunities for joint procurement of certain commodities across the Council Group (*recommendation 12*).

### Support costs

3.11 Each ALEO has its own Chief Executive, Senior Management Team and back-office functions in addition to the front-line service delivery staff. Back-office services include finance, HR, marketing, ICT and admin.

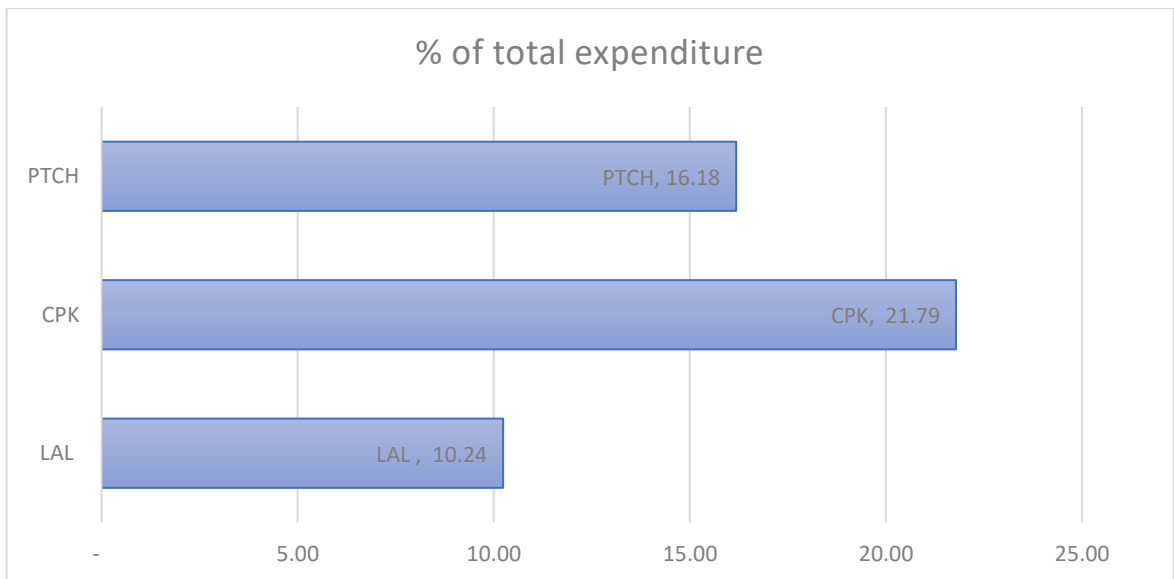
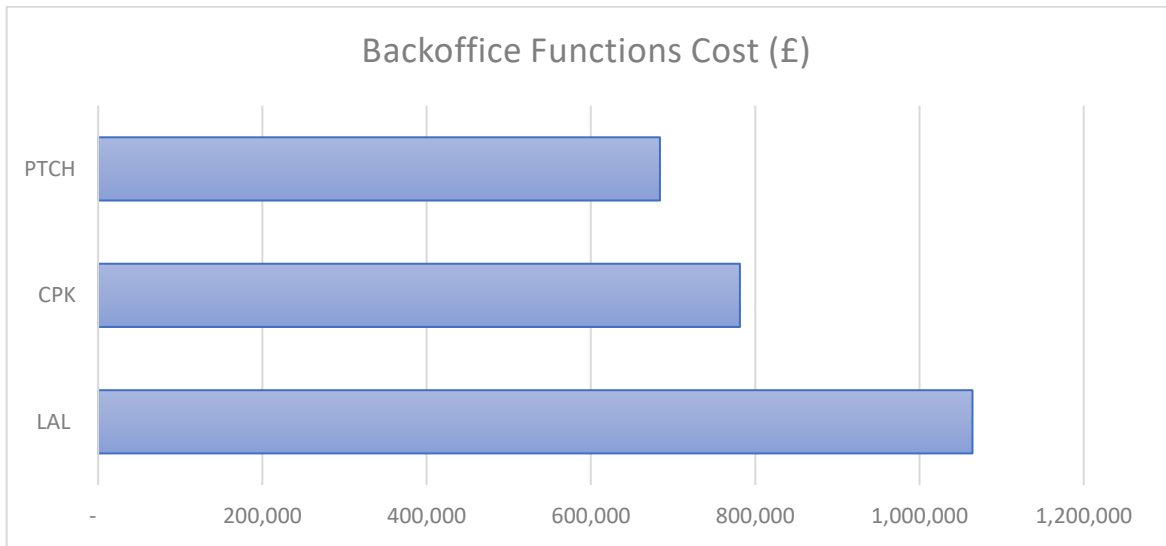
3.12 Salary structures and payroll arrangements are also unique to each organisation. It is noted that not all the ALEOs pay staff the real living wage, which should be considered by the Council as part of this review as a potential risk. The payroll arrangements for CPK have changed in the recent past and are now provided by an external provider and not PKC. This costs approximately £11k for delivery of this service from the external provider. LAL and PTCH both operate their own payroll (*recommendations 10 and 11*).

3.13 Within the back-office teams in each of the ALEOs there is potential duplication and opportunities for efficiencies. For example, management should explore whether LAL could provide payroll services to CPK, keeping the money within the Council group and making a net saving or other benefit (para 1.8). We are recommending that each support function is reviewed across the Council Group to identify any potential efficiencies or improvements through a shared service model (*recommendation 7*).

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The chart below provides detail of the current cost of back-office functions to each of the 3 organisations.



**Property**

3.14 The ALEOs deliver services from a variety of venues, including ones that are wholly owned by the individual ALEOs and ones that are owned by PKC. The table below provides some further detail in relation to the properties from which each of the ALEOs operates.

ALEO	Number of properties services delivered from	Ownership of properties	Other information
LAL	6 main venues plus 4 campuses and	In the main properties owned by LAL with exception of:	LAL responsible for repairs and maintenance and investment in the 6 main venues.

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<b>ALEO</b>	<b>Number of properties services delivered from</b>	<b>Ownership of properties</b>	<b>Other information</b>
	8 community halls	- campuses from which services delivered; and - community halls.	
<b>CPK</b>	17	All properties owned by PKC	All planned repairs and maintenance and compliance work undertaken and funded by PKC.
<b>PTCH</b>	2	PKC	PKC responsible for the fabric of the properties and PTCH responsible for the specific arts related fixtures and fittings.

3.15 The costs associated with the properties are most significant for LAL due to it being responsible for repairs and maintenance of the 6 main buildings that it operates from, including Perth Leisure Pool.

3.16 The usage figures for the properties from which each of the ALEOs delivers services are detailed in the table below:

<b>ALEO</b>	<b>Area</b>	<b>Usage (2022/23)</b>
<b>CPK</b>	Museums	44,045
	Libraries	7,132
<b>LAL</b>	Dry Sports	310,922
	Perth Leisure Pool	354,546
	Community Campuses	274,255
	Other venues	79,448
<b>PTCH</b>	Audiences	133,151
	Participants	18,613
	Delegates (conference and events)	13,654
	Other footfall	278,034

Further work is required to determine if best use is being made of the Council family assets, through trend analysis and benchmarking with other similar organisations (*recommendation 8*).

3.17 PKC currently provides some services to each of the ALEOs, to varying extents. It is unclear why these arrangements differ, and a review should be undertaken to ensure all parties are clear on baseline numbers and the rationale for services provided and associated recharges (*recommendation 2*).

<b>ALEO</b>	<b>Services provided by PKC</b>	<b>Total recharge (£m)</b>
LAL	- IT infrastructure/telephones	0.118
CPK	- Property maintenance and repairs - Buildings Insurance	Not yet provided

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ALEO	Services provided by PKC	Total recharge (£m)
	<ul style="list-style-type: none"><li>- IT support (network and hardware)</li><li>- Treasury</li><li>- Utilities</li><li>- Waste Management</li><li>- Fleet management</li></ul>	
PTCH	<ul style="list-style-type: none"><li>- Property maintenance and repairs</li></ul>	Not yet provided

3.18 Although PKC provides some ICT services to two of the ALEOs, each also arranges elements of their own ICT arrangements and one is solely responsible for all ICT arrangements. It is not clear how the Council group ICT risks are currently documented and mitigated due to the current fragmented arrangements. There is currently a real risk that should one of the ALEOs not follow Council ICT strategy that they could put at risk other parts of the ICT arrangements. It is important that the ICT Strategy, hardware and software, ICT security and network are understood by all parties and aligned to the Council's strategic ICT arrangements (recommendation 9).

#### 4. Recommendations

4.1 The Council and the three ALEOs should consider the content of this report and specifically the recommended actions outlined in Appendix 1 as part of the Council's review of the ALEO structures.

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### 5. Appendix 1

#### Recommendations for PKC to consider for action

Ref	Recommendation
01	<b>Scrutiny</b> A formal ALEO governance framework should include how the Council's Scrutiny Committee holds ALEOs to account for the services they are contracted to provide under the SLA, and how these contribute to the Council Plan. Specific financial monitoring should also be reported at a reasonable frequency for the purposes for monitoring the impact on the General Fund (suggested quarterly).
02	<b>Services from PKC</b> A review should be undertaken to ensure all parties are clear on the rationale for services provided by PKC and the associated recharges. Recharges should be based on proper accounting practice, and any changes in service / recharges may need to be reflected through corresponding SLA financing changes.
03	<b>Board Size</b> The Council should review of the current size of the Boards in conjunction with ALEO senior management to determine if they are appropriately sized. A skills needs assessment should also be considered.
04	<b>Internal Audit</b> Management should appoint an Internal Auditor for each ALEO. This could be provided by PKCs Internal Auditors.

#### Recommendations for PKC and ALEOs to consider for action

Ref	Recommendation
05	<b>Culture and Relationships</b> Clear messaging should be used going forward so that all parties are clear that they are part of the wider Council Group. This perspective is important when assessing options for changes to services and structures.
06	<b>Finance System</b> Consideration to be given to streamlining the finance arrangements by the utilisation of the one financial system for all ALEOs with separation between the 3 organisations using different company codes. Ideally this would align with the PKC system. This would reduce maintenance and support costs for the current three separate systems that are in operation and also provide some resilience with staff able to support the other organisations if required.

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Ref	Recommendation
07	<p><b>Support Services</b></p> <p>A full review of all back-office services provided by each of the ALEOs to be undertaken to seek opportunities for more joint working or creation of a hub of excellence that could deliver a specific function to all 3 ALEOs.</p> <p>As a minimum when one of the ALEOs recognises the need for a additional help with a support service, the first port of call should always be PKC and the other 2 ALEOs before going out to the market.</p>
08	<p><b>Property</b></p> <p>A full review of all properties from which the ALEOs currently deliver services from. The review should include the following:</p> <ul style="list-style-type: none"> <li>- condition and suitability of each property;</li> <li>- the annual repairs and maintenance costs for each property and whole life costing of the assets, including information on whole life costing; and</li> <li>- the usage of each property.</li> </ul> <p>This information should then be used to determine if best use is being made of the joint assets and inform decision making as part of any options appraisals for future transformation / service reform of all the property assets. This review should take account of the work currently ongoing in relation to properties including LAL/sports properties and the previous work in relation properties including the library property review. There are examples in other authorities of a variety of services being delivered from the same properties, e.g., libraries incorporating access to jobs, skills and benefits advice.</p>
09	<p><b>ICT</b></p> <p>A review of the ICT arrangements across the ALEOs should be undertaken to map out the current arrangements for:</p> <ul style="list-style-type: none"> <li>- Networks and server estate</li> <li>- ICT security</li> <li>- Applications &amp; currency</li> <li>- Service desk</li> <li>- End User Computing</li> </ul> <p>Thereafter work should be undertaken to ensure the ICT related risks are managed appropriately from a group perspective.</p>
10	<p><b>Payroll</b></p> <p>Management should review the arrangements for delivery of the payroll services at each of the ALEOs. As part of this the option for having a payroll hub which delivers the payroll services to all three of the ALEOs thereby keeping the money within the Council group and making a net saving should be explored. As a minimum the options for one of the other two ALEOs to provide the payroll services to CPK should be explored. The wider principles at para 1.8 should be applied in this assessment.</p>
11	<p><b>Salaries</b></p> <p>A review of the salary structures should be undertaken to determine if harmonisation of similar roles can be undertaken. Discussions should also be undertaken with regards the real living wage.</p>

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Ref	Recommendation
12	<b>Procurement</b> A review of the procurement arrangements across the ALEOs should be undertaken to determine the most effective procurement arrangements to be put in place to ensure compliance with the public sector procurement regulations and where joint procurement arrangements for particular commodities may bring financial savings to the Council group.

### Recommendations for the ALEOs to consider for action

Ref	Recommendation
13	<b>Grant Funding</b> A review of the arrangements for the ALEOs applying for grant funding should be undertaken to determine if there are any opportunities to undertake joint working/joint funding applications, particularly to those funders that all of the ALEOs receive funding from.
14	<b>Conference Facilities</b> LAL and PTCH to undertake a joint piece of work to determine where more joint working could be undertaken in relation to conference facilities. This could include aligning conferencing strategies; joint marketing of the conference facilities; signposting to the others' facilities where one ALEO is unable to meet the needs of the customer; joint team leading the marketing and promotion of conference facilities.

**Appendix 2: Terms of Reference**

The purpose of the review is to support the financial analysis and options for change element of the ALEO Transformation Review.

The scope of the audit will cover:

1. Financial Analysis – what does the Council currently pay each of the 3 organisations to deliver and what is delivered for this service fee; and what Council services does each ALEO use (back office).
2. Critical friend role – support management as the Transformation review progresses. This will include sharing methodologies and approaches used in Glasgow City Council where useful.
3. Options for change – ad hoc ongoing high-level support to Council project group on the options for change and the sustainability of these including attendance at working groups/meetings.



## Perth & Kinross Council

6 December 2023

### NON-DOMESTIC RATES RELIEF ON UNOCCUPIED LANDS AND HERITAGES

**Contact Officer: Kevin Fraser, Team Leader (Local Taxes) and  
Lynn Brady, Service Manager (Revenues & Benefits)**  
(Report No. 23/348)

#### 1. PURPOSE

- 1.1 This report provides information on the devolvement of Non-Domestic Rates Relief on empty lands and heritages to Local Authorities.
- 1.2 It provides a summary of the current numbers and value of such awards in the Perth & Kinross Council area.
- 1.3 It recommends a new Non-Domestic Rates Relief Scheme be introduced with effect from 1 April 2024.

#### 2. RECOMMENDATIONS

- 2.1 The Council is requested to:
  - Note the contents of the report;
  - Agree the level of Non-Domestic Rates Relief to be made available to ratepayers of unoccupied lands and heritages with effect from 1 April 2024.

#### 3. STRUCTURE

- 3.1 This report is structured over the following sections:
  - Section 4: Background
  - Section 5: Legislative Provisions
  - Section 6: Use of Existing Powers
  - Section 7: Allocation of Funding
  - Section 8: Current Position
  - Section 9: Recommended Non-Domestic Rates Relief for 2024/25
  - Section 10: Financial Risks
  - Section 11: Conclusions and Summary of Recommendations

## **4. BACKGROUND**

- 4.1 Non-Domestic Rates charges for unoccupied lands and heritages were, up to 31 March 2022, subject to statutory reductions. The eligible lands and heritages and rate of reductions are set out in **Appendix 1**.
- 4.2 While empty reductions were mandatory, they were fully funded by the Scottish Government through the Local Government Settlement.
- 4.3 As part of the agreement of the 2019-20 Draft Scottish Budget, the Scottish Government committed to the devolution of empty property relief before the next revaluation, delivering greater fiscal empowerment for Councils.
- 4.4 The devolution of this relief, from 1 April 2023, enabled councils to administer any support for unoccupied properties in a way that is tailored to local needs, with the intended aim of bringing empty property back into economic use.
- 4.5 Perth & Kinross Council agreed to replicate the previous statutory reductions as set out in **Appendix 1**, for the Financial Year 2023/24, with a commitment to review this policy for future financial years. This report now fulfils that commitment.

## **5. LEGISLATIVE PROVISIONS**

- 5.1 Section 19 to the Non-Domestic Rates Act 2020 repealed Section 24 of the Local Government (Scotland) Act 1966.
- 5.2 This legislation ceased all relief for empty lands and heritages with effect from 1 April 2023.
- 5.3 If the Council has no policy in place, it would be required to charge full Non-Domestic Rates on all unoccupied lands and heritages.
- 5.4 Perth & Kinross Council agreed a policy for Financial Year 2023/24 and is now required to have a new policy in place for 1 April 2024 onwards.

## **6. USE OF EXISTING POWERS**

- 6.1 Local authorities have existing powers contained in section 3A of the Local Government (Financial Provisions etc) (Scotland) Act 1962, as amended by the Community Empowerment (Scotland) Act 2015, to award discretionary local reliefs.
- 6.2 This gives Local Authorities power to create relief schemes for the following:
  - such categories of lands and heritages as may be specified in the scheme,
  - such areas as may be so specified,
  - such activities as may be so specified,
  - such other matters as may be so specified.



6.3 This allows Perth & Kinross Council to create its own relief scheme(s) to replace the current rates reductions awarded to those liable for rates of empty non-domestic properties.

## 7. ALLOCATION OF FUNDING

7.1 Empty Property Relief was previously fully funded by the Scottish Government.

7.2 From April 2023, Local Government Revenue Funding for 2023-24 will include monies to allow Local Authorities to consider such schemes.

7.3 The baseline quantum to fund devolved schemes provided by the Scottish Government reflects the Scottish Fiscal Commission Medium Term Financial Strategy (MTFS) forecasts published on 31 May 2022, which estimates the cost for 2023-24 across Scotland at £105m (£104m and £105m for 2024-25 and 2025-26 respectively). It should be noted that inflation is considered in these estimates.

7.4 This quantum establishes an allocation of £105m across Scotland, fixed until the next revaluation in 2026, which would be incorporated into the Revenue Support Grant to represent funding previously associated with national mandatory Empty Property Relief costs.

7.5 The distribution methodology for individual local authority allocations is based on the average share of total Empty Property Relief over the two-year period 2018/19 and 2019/20.

7.6 The total Empty Property Relief costs for both years have been used to calculate a share for each individual local authority. Equal weight has been applied to both years.

7.7 This means that the allocation for Perth & Kinross Council for 2023/24 is **£952,516**.

7.8 While the quantum of funding across Scotland is higher than current Empty Property Relief spend, there is a risk that individual allocations may not exceed or match current Empty Property Relief cost at a local level; particularly where the total number and/or rateable value of empty premises have risen recently. This is the case for Perth & Kinross Council.

7.9 Exceptional Circumstances: Scottish Government has recognised that some exceptional economic events may cause unexpected swings which could impact on the number of empty non-domestic properties in an area, and that these cannot be predicted.

7.10 Where an exceptional economic shock has a substantial, unmanageable impact on an area (or areas) in respect of a change in empty non-domestic properties having significant bearing on the settlement agreed, it is expected that local authorities and COSLA would raise this for discussion with the Scottish Government in the first instance.

7.11 An additional permanent member of staff within the Local Taxes team will be funded from these monies to assist with the additional workload associated with these proposals.

## 8. CURRENT POSITION

8.1 Our actual spend in Financial Year 2023/24 is projected to be **£1,017,084**.

8.2 The breakdown of our estimated 2023/24 spend by category is as shown in the table below. (Figures taken are at September 2023).

8.3 This exceeds our allocation by **£64,568**. However, this figure is subject to fluctuation depending on any changes to the occupied status of any lands and heritages during the remainder of the financial year.

8.4 A review of all premises currently receiving relief is underway to ensure the ongoing accuracy of our records.

Relief Type	Estimated Cost
50%/10% Empty Property Relief	£99,173.70
Industrial Exemption	£7,378.70
Entitled to possession as Trustee in Bankruptcy etc	Nil
Entitled to possession as executor for deceased estate	£37,110.34
Company in administration/wound up through insolvency	£55,567.17
Occupation Prohibited by law	£105,538.20
Listed building	£557,128.27
No buildings – shooting rights	£55,540.25
No buildings - others	£65,465.72
RV <£1700	£34,181.61
<b>Total</b>	<b>£1,017,083.96</b>

## **9. RECOMMENDED NON-DOMESTIC RATES RELIEF POLICY FOR 2024/25**

9.1 The Council is required to have a policy in place before 1 April 2024; if it does not, it would be required to charge full Non-Domestic Rates on all unoccupied lands and heritages.

9.2 For the purposes of relief being considered in this report, “unoccupied” is taken to mean vacant of all moveable items. This will allow any fixtures, fittings, plant, or machinery that is to be used in future occupation to remain in place.

9.3 This policy can be as open or selective as the Council chooses; with the caveat that any selective schemes may be viewed as de-minimus aid and be subject to subsidy control (previously State Aid) regulations and limits.

9.4 The recommended policy contained within this report is to apply to all lands and heritages in the Perth and Kinross area; therefore, if accepted, there will be no need to consider Subsidy Control implications.

9.5 Should the Council create a scheme that costs more than its allocation of funding, it will need to find the difference from other sources.

9.6 Should the Council create a scheme that costs less than its allocation of funding, it is free to spend the difference as it chooses, with the inference being that it should be used to support business growth.

9.7 The key elements to be considered in agreeing a policy are as follows:

- Supporting owners to bring property back into use;
- Penalising those that make no such efforts;
- Addressing the potential shortfall between funding and cost;
- Simplicity for taxpayers; and
- Ease of administration.

9.8 It is felt that a scheme that is more generous in the short term, but which removes any reduction for lands and heritages that lay unoccupied for a longer period, would meet all the above criteria.

9.9 While there is nothing to prevent the Council from removing full 100% rates relief in the following circumstances, it is recommended that no changes are considered here and that full relief from Non-Domestic Rates is continued:

- Owned by a trustee for sequestration, liquidation etc.
- Cannot be occupied by law.
- Under a compulsory purchase order.
- The owner is in administration (or subject to an administration order).
- The owner is a company or partnership being wound up under Insolvency Acts (this would exclude voluntary winding up processes)
- Shooting Rights not used for any commercial activity.

- 9.10 The first four categories above are where there are barriers to ongoing commercial activity. For Shooting Rights, these are cases where the right to shoot is used only for land management and there is no commercial gain to the holder of the right.
- 9.11 Changes are recommended for the remaining previously exempt categories:
- Industrial premises;
  - Listed buildings;
  - Where the rateable value is under £1,700;
  - Liability rests with the estate of a deceased person; and
  - Lands and heritages with no buildings (excluding shooting rights).
- 9.12 Changes are also recommended for all other unoccupied lands and heritages which currently pay a 50% rate for three months then a 90% charge thereafter.
- Industrial Premises**
- 9.13 Industrial premises currently receive a full exemption for six months then receive a 10% reduction.
- 9.14 It is proposed that the exemption is unchanged but the 10% reduction is removed and full Non-Domestic Rates are charged should the premises remain unoccupied for more than six months.

<b>Current Provision</b>	<b>Proposed Provision from 01 April 2024</b>
6 months exemption then 90% charge	6 months 100% relief then full charge

**Listed Buildings**

- 9.15 Exempting listed buildings without limit of time puts no onus on the owner to maintain them in a fit state or encourage them to bring the premises back into use.
- 9.16 There are fair and reasonable grounds to treat them in a comparable manner to other lands and heritages.
- 9.17 It is therefore recommended that the exemption is limited to six months and that no reduction is provided thereafter.

<b>Current Provision</b>	<b>Proposed Provision from 01 April 2024</b>
Unlimited exemption	6 months 100% relief then full charge

### Rateable Value is Under £1,700

- 9.18 There are fair and reasonable grounds to suggest that a low rateable value alone should not be a determining factor in deciding whether something should remain exempt without limit of time and believe this exemption should also be limited to six months only.

Current Provision	Proposed Provision from 01 April 2024
Unlimited exemption	6 months 100% relief then full charge

### Liability Rests With Executors

- 9.19 Cases where the executors become liable is a further category where officers believe that there are fair and reasonable grounds that a six-month exemption should be sufficient for the executors to deal with the premises and have them available for reoccupation.

Current Provision	Proposed Provision from 01 April 2024
Unlimited exemption	6 months 100% relief then full charge

### Where the Lands and Heritage Nave No Buildings

- 9.20 It is also felt that exemptions for lands and heritages with no buildings should be changed; and again, recommend an exemption for up to six months only.

Current Provision	Proposed Provision from 01 April 2024
Unlimited exemption	6 months exemption then full charge

- 9.21 The exception to this would be **Shooting Rights that are not used for commercial activity**, but for land management only, and are thereby deemed to be unoccupied.

- 9.22 It is recommended that a full exemption remains in place for such subjects.

Current Provision	Proposed Provision from 01 April 2024
Unlimited exemption	Unlimited exemption

### Non-Exempt Lands and Heritages

- 9.23 All lands and heritages that are not covered by an exempt category currently pay a 50% charge for three months followed by a 90% charge thereafter.

- 9.24 This means that the ratepayer must pay a significant Non-Domestic Rates charge while seeking out a new tenant and/or refurbishing the premises to facilitate a new tenancy.
- 9.25 This is where officers believe that there are fair and reasonable grounds to provide a more generous scheme that would support local businesses and recommend that these premises also receive a full exemption for six months then pay full Non-Domestic Rates.

Current Provision	Proposed Provision from 01 April 2024
50% charge for 3 months then a 90% charge thereafter	6 months at 100% relief then full charge thereafter

### **Application and Timing of Awards**

- 9.26 It is recommended that these changes apply from 1 April 2024 to 31 March 2026.
- 9.27 Scottish Government have only committed the funding for this period, therefore any ongoing provision of relief for unoccupied lands and heritages must consider the financial position effective from 1 April 2026.
- 9.28 In terms of transition from Financial Year 2023/24, officers feel that this should happen automatically.
- 9.29 Any previously fully exempt lands and heritages subject to the proposed changes, that has been empty for six months or more on 31 March 2024, will move to paying full Non-Domestic Rates immediately.
- 9.30 Lands and heritages that have been exempt for less than six months will have the remainder of that period awarded for Financial Year 2024/25.
- 9.31 Those currently paying on the 50%/90% charging structure will see the changes made to allow an exemption to continue up to the six-month anniversary of the land and heritage first becoming unoccupied.
- 9.32 In terms of entitlement to reductions for subsequent unoccupied periods, it is proposed that evidence must be provided to demonstrate that the lands and heritages have been occupied for a continual period in excess of six months before another award would be considered.

- 9.33 In addition, it is recommended that the policy should seek to minimise tax evasion through contrivance where premises are occupied to a limited extent for a recurring period, so that further reductions can be considered when they again become empty. In such instances, if the occupant was a previous tenant or has a direct relationship with the owner/landlord then no further exempt reduction would be awarded when they become unoccupied.
- 9.34 An application will be required from the ratepayer before any award will be considered.
- 9.35 Applications must be made during the initial 6-month period that the lands and heritages first become unoccupied in order that a visit may be carried out, if required.
- 9.36 Applications made after the premises have been unoccupied for more than 6 months will not be backdated and, if successful, relief will commence from the date of application.
- 9.37 Retrospective applications for lands and heritages now occupied will not be considered.
- 9.38 In all circumstances it should be noted that the award relates to the premises and not the ratepayer. A change in ratepayer of an empty property will not give rise to a new entitlement but the remainder of any 6-month award period may be considered.

### **Use of Discretion**

- 9.39 It is further recommended that limited discretion be made available to those making clear efforts to seek reoccupation of their premises but circumstances out with their control are preventing this from being achieved within a six-month period.
- 9.40 In such cases the relief may, if supported by Economic Development, be extended to 12 months. The use of such discretion will only be authorised in the same manner as is currently used for long term empty dwellings subject to Council Tax charges.

## **10. FINANCIAL RISKS**

- 10.1 As noted at section 7, the Council has been allocated set funding to deliver Non-Domestic Rates relief to unoccupied lands and heritages.
- 10.2 There is therefore a risk that, as policy will be applied to all lands and heritages that become unoccupied, the Council cannot directly control the cost of awarding future relief awards. If there is a growth in unoccupied lands and heritage or large premises becoming unoccupied this may create a financial pressure for the Council.
- 10.3 A further potential risk is the initial cost of replacing the current statutory based scheme with recommendations that are more generous. However, this risk

has been considered in making these recommendations and it is believed that this is unlikely to be a concern.

- 10.4 The figures in the table below provide an estimate of the cost of the recommended scheme had it been in place for this current financial year - i.e. **£354,280**. It is stressed that this is an estimate based on the current position and not a forecast for future years.
- 10.5 It should also be noted that diminishing awards of Transitional Relief over the next two financial years will also have an impact on the cost of providing Empty Property Relief.
- 10.6 Taken against the allocation of funding of **£952,516**, as outlined in paragraphs 7.7 and 7.8 and an allocation of **£38,000** to administer the scheme, this would mean that an estimated sum of **£560,236** would be available for the Council to use in achieving its priorities.
- 10.7 As stated in 7.11 it is requested that a portion of this excess is retained for the recruitment of an addition staff member in Local Taxes to assist with the increased administration that that these changes may bring.

<b>Current Award</b>	<b>Estimated Cost under current statutory-based Scheme</b>	<b>Recommended Award</b>	<b>Estimated Cost under Recommended Scheme</b>
50%/10% Empty Property Relief	£99,174	6m exemption	£90,218
Industrial Exemption	£7,379	6m exemption	£7,379
Entitled to possession as Trustee in bankruptcy etc	Nil	Full exemption	Nil
Entitled to possession as executor for deceased estate	£37,110	6m exemption	Nil
Company in administration/wound up	£55,567	Full exemption	£55,567
Occupation Prohibited by law	£105,538	Full Exemption	£105,538
Listed building	£557,128	6m Exemption	£35,817
No buildings – shooting rights	£55,540	Full Exemption	£55,540
No buildings - others	£65,466	6m Exemption	£938
RV <£1700	£34,182	6m Exemption	£3,283
<b>Total</b>	<b>£1,017,084</b>		<b>£354,280</b>



## 11. CONCLUSIONS AND RECOMMENDATIONS

- 11.1 As part of the changes to the Non-Domestic Rates system in Scotland, empty property reliefs and exemptions were devolved to local authorities from 1 April 2023, allowing councils to set their own policies in a way that is tailored to local needs.
- 11.2 For Financial Year 2023/24, the Council agreed a scheme that replicates existing measures while using this time to further consider an appropriate scheme for future financial years.
- 11.3 Perth & Kinross Council's aim is to bring empty properties back into use to help increase economic activity, attracting customers and businesses. Occupied premises will increase footfall which in turn supports local businesses.
- 11.4 The aim is to create a scheme that supports owners in seeking reoccupation of premises while removing ongoing historic reductions from those making no such effort.
- 11.5 For Financial Years 2024/25 and 2025/6, it is recommended that the Council implements the following scheme: -
- Full 100% relief should continue to be awarded on an unlimited basis to unoccupied lands and heritages where the following applies:
    - a trustee for sequestration, liquidation etc.
    - cannot be occupied by law.
    - under a compulsory purchase order.
    - the owner is in administration (or subject to an administration order).
    - the owner is a company or partnership being wound up.
    - a shooting right that is not used for commercial activity.
  - For all other unoccupied lands and heritages, it is recommended that 100% relief is awarded for a maximum six-month period with full Non-Domestic Rates being charged thereafter.
  - A minimum occupancy requirement of 6 months must apply before empty property relief will be considered.
  - Limited discretion to increase the time limit for a relief award to 12 months should be available where supported by Economic Development colleagues.
- 11.6 If approved this policy will result in billing and collection activity being required for ratepayers/premises that have not previously been required to pay Non-Domestic Rates. It is therefore requested that, in agreeing this or an amended policy, an additional permanent member of staff is employed within the Local Taxes team to assist with the additional workload.

**Author**

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**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Karen Donaldson	Chief Operating Officer	8 November 2023
Stewart Mackenzie	Head of Finance	8 November 2023

**APPENDIX****Appendix 1 – Empty Property Relief Eligibility and Rates of Relief**

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	None
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	None
<b>Assessments</b>	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
<b>Consultation</b>	
Internal	None
External	None
<b>Communication</b>	
Communications Plan	None

### 1. Strategic Implications

1.1 The Council's Corporate Plan 2022-2027 lays out seven outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- Tackling poverty.
- Tacking climate change and supporting sustainable places.
- Growing a sustainable and inclusive local economy.
- Enabling our children and young people to achieve their full potential.
- Protecting and caring for our most vulnerable people.
- Supporting and promoting physical and mental wellbeing.
- Placing communities at the heart of how we work.

1.2 This report relates to all these objectives.

### 2. Resource Implications

#### Financial

2.1 There are no direct financial implications arising from this report other than those reported within the report. The Head of Finance has been consulted and has indicated agreement with these proposals.

### Workforce

- 2.2 There are no direct workforce implications arising from this report other than those reported within the report. The Corporate Human Resource Manager has been consulted and has indicated agreement with these proposals.

### Asset Management (Land, Property, IT)

- 2.3 There are no asset management implications arising from this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
  - in the way best calculated to deliver any statutory adaptation programmes; and
  - in a way that it considers most sustainable.
- 3.5 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

## Legal and Governance

3.6 Not applicable.

## Risk

3.7 Not applicable.

## **4. Consultation**

### Internal

4.1 The Executive Leadership Team, Corporate and Democratic Services Senior Management Teams, Section 95 Officer and Human Resources were consulted during the preparation of this report.

### External

4.2 Not applicable.

## **5. Communication**

5.1 External communication will take place following approval of this report.

## **2. BACKGROUND PAPERS**

2.1 None.



**APPENDIX 1****EMPTY PROPERTY RELIEF ELIGIBILITY AND RATES OF RELIEF**

Unoccupied industrial property is eligible for 100% relief for the first six months since becoming unoccupied, and 10% thereafter.

Other (non-industrial) unoccupied property is eligible for 50% relief for the first three months since becoming unoccupied and 10% thereafter.

100% relief is provided indefinitely for unoccupied properties which meet any of the following:

- listed building.
- rateable value is under £1,700.
- owned by a trustee for sequestration, liquidation, or executors.
- cannot be occupied by law.
- under a compulsory purchase order.
- the property has no buildings.
- the owner is in administration (or subject to an administration order).
- the owner is a company or partnership being wound up under Insolvency Acts

From 1 April 2022, in the interests of tackling tax avoidance, before awarding empty property relief, local authorities are required to consider any properties let under a lease agreement, which have become unoccupied on or after 1 April 2022 and within 6 months from the date the property first became occupied under the lease agreement. Where this and one of three additional criteria are met, 100% indefinite rates relief for winding up or sequestration is not applicable although rates relief at the other levels for unoccupied premises will apply. The three additional criteria are:

- the rent charged for the lands and heritages is significantly below the level of the rent which could reasonably have been obtained at the time the lease was entered into, in all the circumstances;
- payment of the rent is optional in terms of the relevant lease;
- the purpose of the arrangement is identified in the lease as being for the purpose of mitigating rates liability.





**Perth & Kinross Council**

**6 December 2023**

**COUNCIL TAX CHARGES FOR SECOND HOMES**

**Contact Officer: Kevin Fraser, Team Leader (Local Taxes) and  
Lynn Brady, Service Manager (Revenues & Benefits)**  
(Report No. 23/349)

**1. PURPOSE**

- 1.1 This report provides information on the discretion available to Local Authorities to vary the amount of Council Tax levied on second homes from 01 April 2024.
- 1.2 It provides the current numbers and bandings of second homes to highlight the potential financial gains from implementing the available discretion.
- 1.3 It should be noted that this report assumes that the relevant legislation, currently in draft form, will be laid prior to the meeting of the Council on 06 December 2023. If not, it is proposed that a decision is made in principle, based on the draft legislation and on the assumption that there will be no material changes to it, and the policy introduced once the legislation is in place.

**2. RECOMMENDATIONS**

- 2.1 The Council is requested to:
  - Note the contents of the report;
  - Agree the level of charges to be applied to second homes from 1 April 2024.
  - Agree the use of existing protocols for the consideration of any discretion.

**3. STRUCTURE**

- 3.1 This report is structured over the following sections:
  - Section 4: Definitions
  - Section 5: Background
  - Section 6: Current Position
  - Section 7: Proposed charges
  - Section 8: Use of Discretionary Powers
  - Section 9: Conclusions and Summary of Recommendations

## 4. DEFINITIONS

4.1 For the purposes of this report the following definitions apply.

*A “second home” is a dwelling which is no one’s sole or main residence, but which is furnished and in respect of which, during any period of 12 months, the person who is liable to pay the council tax that is chargeable can provide evidence to establish that it is lived in other than as a sole or main residence for at least 25 days during that period.*

*An “unoccupied dwelling” is dwelling which is no one’s sole or main residence, but which is not a second home.*

## 5. BACKGROUND

- 5.1 Under the terms of The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Regulations 2013, Local Authorities were given discretion to reduce the level of the discount afforded to dwellings used as second homes.
- 5.2 The discretion made available in 2013 was to reduce the discount from the existing statutory amount of 50% to a minimum of 10%; Perth & Kinross Council agreed to award this minimum discount.
- 5.3 Further discretion was made available from 1 April 2017, under The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2016, to award no discount and again Perth & Kinross Council agreed to make use of this provision.
- 5.4 The 2013 regulations have now been further amended by The Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2023, which now give Local Authorities, from 1 April 2024, discretion to introduce a maximum increase of 100%; i.e. double the standard charge.
- 5.5 This would bring the Council Tax charges levied on second homes in line with that for long term unoccupied dwellings.
- 5.6 Ongoing protection through a mandatory 50% discount is to remain in place for second homes that meet the definitions of purpose-built holiday homes or job-related dwellings, as provided in the 2013 regulations.
- 5.7 Further protection is being introduced for property undergoing repairs or renovations which will allow a 50% discount to be retained where:
- It is undergoing repairs or renovations that contribute to the improvement of the property; and
  - It was purchased by the person who is liable to pay the Council Tax in respect of it less than 6 months ago or such longer period as may be agreed by the local authority.

5.8 It should also be noted that the powers conferred may be exercised to make different modifications for different cases or different classes of case, including for different areas.

## 6. CURRENT POSITION

6.1 Figures taken as at 21 September show that there were 1,160 second homes in the Council area; this excludes the protected categories of purpose-built holiday homes and job-related dwellings.

6.2 A breakdown of these dwellings by Ward and by Council Tax Band is provided as **Appendix 1**.

6.3 To give an indication of the potential yield that this may bring, the Council Tax charges for Financial Year 2023/24 are shown below.

Band	Upper limit (£)	Fraction of Band 'D'	Council tax charge
A	27,000	240/360	£935.79
B	35,000	280/360	£1,091.75
C	45,000	320/360	£1,247.72
D	58,000	360/360	£1,403.69
E	80,000	473/360	£1,844.29
F	106,000	585/360	£2,280.99
G	212,000	705/360	£2,748.89
H	Over 212,000	882/360	£3,439.04

6.4 The following table shows how this would apply to our current caseload of second homes.

6.5 However, it is important to recognise that use of the discretion will hopefully result in many second homes being used as someone's sole or main residence and this will affect the overall potential yield.

6.6 It is also important to note that not all will be collected, and an allowance for non-payment and write-off must be factored in.

Band	Number of Second Homes	Annual Charge	Potential Income
A	65	£935.79	£60,826
B	159	£1,091.75	£173,588
C	182	£1,247.72	£227,085
D	232	£1,403.69	£325,656
E	213	£1,844.29	£392,833
F	126	£2,280.99	£287,404
G	112	£2,748.89	£307,875
H	71	£3,439.04	£244,171
<b>Total</b>	1160		£2,019,438

## 7. PROPOSED CHARGES

- 7.1 Officers propose that the Council make use of the new powers and introduce a 100% increase (i.e. a 200% charge) for all second homes in the Local Authority area, excluding those categories given specific protection through the regulations.
- 7.2 Officers propose that such charges are implemented commencing on 1 April 2024
- 7.3 This would make the sum of approximately **£2 million**, subject to the conditions referred to in 6.5 and 6.6, available to the Council to deliver its priorities.
- 7.4 Officers propose that a portion of this additional income is used to fund additional staffing resources to address the increased work associated with administration and collection for this new policy.
- 7.5 As experienced with the previous introduction of increased charges for long term empty dwellings, there is an expected increased burden in terms of administration and collection. Officers believe that a modest amount, of approximately **£38,000**, from the potential new and recurring income of **£2 million** to administer the new scheme would allow the Council to make the most of this proposed policy.

## 8. USE OF DISCRETIONARY POWERS

- 8.1 As noted in 5.7, protection has been introduced for purchasers of dwellings that require repair or renovation works. This would prevent the imposition of any variation in the Council Tax charge from the statutory position.
- 8.2 Officers propose that the 6-month timescale is accepted as a standard rule with further discretion on a case-by-case basis made available for up to 18 months from the date of purchase.
- 8.3 Officers propose that such extended discretion would follow the model currently in place for long term empty dwellings.
- 8.4 Such arrangements currently involve a joint recommendation from Local Taxes and Vacant Property Development staff being made to the Chief Operating Officer for approval.
- 8.5 In the new leadership structure, it is suggested that the appropriate level for approval of such recommendations should sit with the Strategic Lead – Customer & Digital Services.

8.6 This would be considered where:

- The nature of the dwelling is such that it could not reasonably be brought up to a habitable standard within the timescales allowed under existing legislation governing the award of discounts, exemptions, and surcharges.
- There are any other exceptional circumstances out with the direct control of the owner.

In all cases, engagement with the Council's Vacant Property Development Team would be a condition of any flexibility or discretion being considered.

## **9. CONCLUSIONS AND RECOMMENDATIONS**

9.1 With effect from 1 April 2024, Local Authorities are being granted powers to further vary the level of Council Tax to be charged for second homes.

9.2 Second homes currently receive no discount.

9.3 The new powers allow an increase of up to 100%; i.e. a 200% charge, to be applied.

9.4 Officers recommend that Perth & Kinross Council make full use of these powers and introduce such an increase for all eligible dwellings used as second homes from 1 April 2024.

9.5 The availability of discretion, in applying such an increase, should be noted for purchasers of dwellings requiring repair or renovation works and, in this respect, officers recommend that the existing process to consider discretion for long term empty dwellings is used.

9.6 Officers further recommend that, given the increased administrative burden and anticipated collection difficulties, that some of the additional income to be raised is retained by Local Taxes to allow the recruitment of one additional staff member.

**Author**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Kevin Fraser	Team Leader – Local Taxes	<a href="mailto:KFraser@pkc.gov.uk">KFraser@pkc.gov.uk</a>
Lynn Brady	Service Manager – Revenues & Benefits	<a href="mailto:LBrady@pkc.gov.uk">LBrady@pkc.gov.uk</a>

**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Karen Donaldson	Chief Operating Officer	14 November 2023
Stewart Mackenzie	Head of Finance	14 November 2023

**APPENDIX****Appendix 1** – Breakdown of second homes by Ward and Council Tax Band

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	None
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	None
<b>Assessments</b>	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
<b>Consultation</b>	
Internal	None
External	None
<b>Communication</b>	
Communications Plan	None

### 1. Strategic Implications

1.1 The Council's Corporate Plan 2022-2027 lays out seven outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:

- Tackling poverty.
- Tacking climate change and supporting sustainable places.
- Growing a sustainable and inclusive local economy.
- Enabling our children and young people to achieve their full potential.
- Protecting and caring for our most vulnerable people.
- Supporting and promoting physical and mental wellbeing.
- Placing communities at the heart of how we work.

1.2 This report relates to all these objectives.

### 2. Resource Implications

#### Financial

2.1 There are no direct financial implications arising from this report other than those reported within the report. The Head of Finance has been consulted and has indicated agreement with these proposals.

### Workforce

- 2.2 There are no direct workforce implications arising from this report other than those reported within the report. The Corporate Human Resource Manager has been consulted and has indicated agreement with these proposals.

### Asset Management (Land, Property, IT)

- 2.3 There are no asset management implications arising from this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- (i) Assessed as **not relevant** for the purposes of EqIA

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- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
  - in the way best calculated to deliver any statutory adaptation programmes; and
  - in a way that it considers most sustainable.
- 3.5 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.



### Legal and Governance

3.6 Not applicable.

### Risk

3.7 Not applicable.

## **4. Consultation**

### Internal

4.1 The Executive Leadership Team, Corporate and Democratic Services Senior Management Teams, Section 95 Officer and Human Resources were consulted during the preparation of this report.

### External

4.2 Not applicable.

## **5. Communication**

5.1 External communication will take place following approval of this report.

## **2. BACKGROUND PAPERS**

2.1 None.



## APPENDIX 1

## Second Homes by Ward and Council Tax Band

Ward 1 – Carse of Gowrie								
A	B	C	D	E	F	G	H	Total
1	5	5	4	5	1	0	3	24

Ward 2 – Strathmore								
A	B	C	D	E	F	G	H	Total
4	7	5	9	9	2	4	1	41

Ward 3 – Blairgowrie and Glens								
A	B	C	D	E	F	G	H	Total
10	11	28	21	17	12	4	10	113

Ward 4 – Highland								
A	B	C	D	E	F	G	H	Total
12	50	75	114	101	61	50	25	488

Ward 5 – Strathtay								
A	B	C	D	E	F	G	H	Total
11	25	16	22	21	8	8	10	121

Ward 6 – Strathearn								
A	B	C	D	E	F	G	H	Total
12	20	18	23	22	12	10	6	123

Ward 7 – Strathallan								
A	B	C	D	E	F	G	H	Total
3	9	12	9	13	16	23	15	100

Ward 8 – Kinross-shire								
A	B	C	D	E	F	G	H	Total
1	6	6	3	4	3	4	0	27

Ward 9 – Almond and Earn								
A	B	C	D	E	F	G	H	Total
2	5	4	6	3	3	2	1	26

**Ward 10 – Perth City South**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>Total</b>
2	5	3	11	9	4	3	0	37

**Ward 11 – Perth City North**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>Total</b>
1	6	2	1	0	0	1	0	11

**Ward 12 – Perth City Centre**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>Total</b>
6	10	8	9	9	4	3	0	49

**All Wards**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>	<b>Total</b>
65	159	182	232	213	126	12	71	1160

### **Council Scheme of Administration**

*Elected Members will be aware that the Finance and Resources Committee agreed in June to approve a revised Executive and Strategic Leadership Structure for the Council as part of the leadership review carried out by the Chief Executive. Since then, appointments have been made to the Director posts and the majority of the Strategic Lead posts. The postholders for these roles will continue to work alongside the current senior management team until the end of March 2024 when the new Executive and Strategic Leadership structure will be fully implemented.*

*The Council's Scheme of Administration sets out levels of delegation in terms of decision-making to both Committees / Sub-Committees and also senior officers. The Scheme will now require to be revised to reflect officer delegation in line with the new structure.*

*Council is asked to note that;*

- the delegated authority to the Chief Executive remains unchanged at present.*

*Council is also asked to agree that:*

- the authority previously delegated to the Head of Legal & Governance including the role of Statutory Monitoring Officer now sits with the Strategic Lead for Legal and Governance ( subject to any minor changes as a result of change /transformation projects or the wider review of Scheme of Administration in the future)*
- The Strategic Lead for Legal and Governance will revise the Scheme of Administration to reflect the new senior leadership structure and submit this to Council on 6 March 2024 for approval.*
- In the interim the Chief Executive can authorise changes to officer delegations to support the smooth running of the operational business of the Council during this period of transition.*
- Political Group Leaders will be advised by the Chief Executive or Strategic Lead for Legal and Governance of any such changes as and when they are made.*

