

PERTH AND KINROSS COUNCIL

Minute of hybrid meeting of Perth and Kinross Council held in the Council Chamber, 2 High Street, Perth on Wednesday 6 December 2023 at 10:30am.

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

In Attendance: T Glen, Chief Executive; C Mailer, Director – Strategy, People and Resources; L Simpson, Strategic Lead - Legal and Governance; B Renton, Executive Director (Communities); S Devlin, Executive Director (Education and Children’s Services); K Donaldson, Chief Operating Officer; S MacKenzie, Head of Finance; S Walker, Strategic Lead – Finance & Business Support, D Littlejohn, Strategic Lead – Economy, Development and Planning, J Pepper, Director/Chief Officer – Health and Social Care Partnership/Chief Social Work Officer; K Smith (up to and including Item 5), S Panton (up to and including Item 5), F Robertson, A Seggie (for Item 8 only), L Haxton, D Stokoe, S Merone, C Grant (up to and including Item 7) (all Communities); G Fogg, P Johnstone, S Nicoll, S Hendry, A Brown and M Pasternak (all Corporate and Democratic Services).

Also Attending: D Black and J Campbell (both Glasgow City Council Audit Team).

Provost X McDade, Presiding.

The Depute Provost led discussion on Items 5, 6 and 7, and the Provost led discussion on all other items of business.

1. WELCOME AND APOLOGIES

Provost McDade welcomed all those present to the meeting.

Prior to the commencement of business, the Provost announced that he was delighted to inform all elected members about the signing of a letter of intent for Perth to twin with Nikopol, Ukraine. A report would be submitted to the Provost Sub-Committee in February 2024 to formally propose the twinning of the two cities.

2. DECLARATION OF INTEREST

In terms of Councillors Code of Conduct:

Councillor A Forbes declared a financial interest in Item 5.

Depute Provost A Parrott declared a non-financial interest in Item 8.

3. MINUTE OF MEETING OF PERTH AND KINROSS COUNCIL OF 4 OCTOBER 2023 FOR APPROVAL

The minute of meeting of Perth and Kinross Council of 4 October 2023 was submitted and approved as correct record.

4. BOYS NEED BINS MOTION

Motion by Councillors J Duff and C Shiers

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

Proposed Amendment by Councillor T McEwan

In accordance with the Motion but to insert the following additional resolution:

- To support Prostate Scotland's drive to ensure more men in Scotland are aware of prostate disease and know where/how to get help and treatment by promoting Prostate Scotland's Workplace Toolkit and

Toolbox Workshops delivered by Prostate Scotland staff and volunteers within the Council and wider across Perth & Kinross.

The Mover and Seconder of the Motion agreed to incorporate the proposed amendment into the Motion.

Resolved:

In accordance with the Revised Motion.

HAVING PREVIOUSLY DECLARED AN INTEREST IN THE FOLLOWING ITEM, COUNCILLOR A FORBES WITHDREW FROM THE CHAMBERS AT THIS POINT.

5. APPLICATION FOR PLANNING PERMISSION 21/01855/IPM

There was submitted a report by Strategic Lead – Economy, Development and Planning (23/342) providing an update in relation to National Planning Framework 4 (NPF4) on the 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.

Resolved:

The application, subject to the proposed amended conditions and conclusion of the Section 75 agreement as detailed in Report 23/342, be approved.

COUNCILLOR FORBES RETURNED TO THE MEETING AT THIS POINT.

6. REVIEW OF SCHEME OF ESTABLISHMENT FOR COMMUNITY COUNCILS

There was submitted a report by Head of Culture and Communities Service (23/343) (1) providing an update on the statutory review of the Scheme of Establishment of Community Councils in Perth and Kinross; and (2) seeking approval of an amended Scheme, to be implemented from 1 January 2024 and to run until 2028.

Resolved:

- (i) The Scheme of Establishment for Community Councils for Perth and Kinross, as set out in Appendix 1 to Report 23/343, be adopted.
- (ii) The implementation date of 1 January 2024 be approved.
- (iii) It be agreed that a review of the Scheme of Establishment be carried out in 2028.

7. REVIEW OF PARLIAMENTARY CONSTITUENCY POLLING DISTRICTS AND POLLING PLACES

There was submitted a report by Strategic Lead – Finance and Business Support (23/344) (1) seeking views on proposed changes to the parliamentary

polling districts and polling places within the area of Perth and Kinross following the recent statutory review; and (2) providing an update on the polling districts and polling places that will come into effect following the next dissolution of the UK Parliament.

Resolved:

- (i) The contents of Report 23/344 be noted.
- (ii) The proposals for the designation of polling districts and polling places as set out in Appendix 1 to Report 23/344, that come into immediate effect, be approved.
- (iii) The proposals for the designation of polling districts and polling places as set out in Appendix 2 to Report 23/344, that come into place following the next dissolution of the UK Parliament, be approved.

8. TAY CITIES REGION DEAL JOINT COMMITTEE PROPOSED CHANGES TO MEMBERSHIP

There was a report submitted by Strategic Lead – Economy, Development and Planning (23/345) seeking approval to a change to the membership of the Tay Cities Region Joint Committee.

A Seggie advised of an error in Paragraph 4.3 of the report where it states the current representatives from Perth and Kinross Council are Councillors Grant Laing, John Duff and Sheila McCole. She advised this should in fact read Councillors Grant Laing, John Duff and Eric Drysdale.

Resolved:

The change to the membership of the Tay Cities Region Joint Committee, to allocate the vacant voting membership position to the Tayside and Central Scotland Transport Partnership (Tactran), be approved.

THERE FOLLOWED A SHORT RECESS AND THE MEETING RECONVENED AT 11.40AM.

BAILIE AHERN AND COUNCILLOR BRAWN BOTH DECLARED A NON-FINANCIAL INTEREST IN ITEM 10 AT THIS POINT.

9. ANNUAL CLIMATE ACTION REPORT AND ACTION PLAN UPDATE

There was submitted a report by Executive Director (Communities) (23/346) (1) providing an update on Perth and Kinross Council's progress in delivering its Climate Change Strategy and Action Plan; (2) reviewing overall performance and progress and exploring the progress in each of the eight themes identified in the plan; and (3) proposing an annual update to the action plan for 2024/25 and the associated resources required to deliver them.

Resolved:

- (i) The Climate Change Annual Report, as detailed in Appendix A, along with the associated detailed Action Plan for 2024/25, as detailed in Appendix B to Report 23/346, be approved.

- (ii) It be noted that the resources required to take forward the priority actions will be considered as part of the Revenue and Capital budget process.
- (iii) Members and officers be requested 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.

HAVING PREVIOUSLY DECLARED AN INTEREST IN THE FOLLOWING ITEM, BAILIE AHERN AND COUNCILLOR BRAWN WITHDREW FROM THE CHAMBERS AT THIS POINT.

10. TRANSFORMATION REVIEW OF ARMS LENGTH EXTERNAL ORGANISATIONS

There was submitted a report by Head of Culture and Communities Service (23/347) (1) summarising the review findings and recommending next steps to secure the longer-term financial sustainability of culture and sport in Perth and Kinross; and (2) providing details of wider improvement recommendations to the Council's ALEO oversight arrangements.

Motion by Councillors G Laing and E Drysdale

- (i) The Review findings as set out in Section 6 of Report 23/347 be noted.
- (ii) The recommendations as set out in Sections 6 and 7 of Report 23/347 be approved.
- (iii) The proposed next steps as set out in Section 8 of Report 23/347 be approved.
- (iv) Officers be instructed to bring a further progress update to a future meeting of Council in Mid-2024.

THERE FOLLOWED A RECESS AND THE MEETING RECONVENED AT 2.30PM.

COUNCILLOR ILLINGWORTH DECLARED A NON-FINANCIAL INTEREST IN THIS ITEM OF BUSINESS AT THIS POINT AND WITHDREW FROM THE CHAMBERS.

Amendment by Councillors J Duff and K Allan

That recommendation 3 (A review of employment issues should be undertaken to assess any potential risks) be accepted and that the decisions on the remaining recommendations be deferred to a future meeting of Council so that an elected member briefing session on the Transformation Review of the ALEOs can be arranged.

Councillor C Stewart referred to Paragraph 7.1 – Summary of Recommendations of Report 23/247, specifically Recommendation 12, and queried whether the Mover and Seconder of the Motion would be willing to slightly amend the wording to read 'Review and consider the quarterly monitoring of ALEO's by Scrutiny and Performance Committee'. The Mover and Seconder of the Motion agreed to this request being incorporated into a Revised Motion.

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

26 Members voted for the Revised Motion as follows:

Provost X McDade, Depute Provost A Parrott, Bailies A Bailey, R Brock, K Harvey, C McLaren and M Williamson, Councillors L Barrett, P Barrett, S Carr, D Cuthbert, S Donaldson, E Drysdale, M Frampton, G Laing, B Leishman, I MacPherson, I Massie, S McCole, T McEwan, J Rebbeck, W Robertson, C Stewart, G Stewart, R Watters and J Welch.

11 Members voted for the Amendment, as follows:

Councillors K Allan, H Anderson, A Chan, J Duff, A Forbes, N Freshwater, I James, N Khogali, C Reid, C Shiers and Smith.

Resolved:

In accordance with the Revised Motion.

BAILIE AHERN AND COUNCILLOR BRAWN RETURNED TO THE MEETING AT THIS POINT

11. NON-DOMESTIC RATES RELIEF ON UNOCCUPIED LANDS AND HERITAGES

There was submitted a joint report by the Team Leader (Local Taxes) and Service Manager (Revenues & Benefits) (23/348) providing (1) information on the devolvement of Non-Domestic Rates Relief on empty lands and heritages to Local Authorities; (2) a summary of the current numbers and value of such awards in the Perth and Kinross Council area; and (3) recommending a new Non-Domestic Rates Relief Scheme be introduced with effect from 1 April 2024.

Motion by Councillors G Laing and E Drysdale

- (i) The contents of Report 23/348 be noted.
- (ii) The level of Non-Domestic Rates Relief to be made available to ratepayers of unoccupied lands and heritages with effect from 1 April 2024 be agreed.

THERE FOLLOWED A SHORT RECESS AND THE MEETING RECONVENED AT 3.37PM.

At this point Councillor P Barrett moved a procedural motion (seconded by Councillor W Robertson) in terms of Standing Order 17.1 that no further discussion take place and a decision be taken on the Motion as it had been submitted. A roll call vote was then taken.

18 Members voted for the procedural motion as follows:

Bailies C Ahern and C McLaren, Councillors K Allan, H Anderson, L Barrett, P Barrett, B Brawn, A Chan, J Duff, A Forbes, N Freshwater, D Illingworth, I James, N Khogali, C Reid, W Robertson, C Shiers and F Smith.

20 Members voted against the procedural motion as follows:

Bailies A Bailey, R Brock and M Williamson, Councillors S Carr, D Cuthbert, S Donaldson, E Drysdale, M Frampton, K Harvey, G Laing, B Leishman, I MacPherson, I Massie, S McCole, T McEwan, J Rebbeck, C Stewart, G Stewart, R Watters and J Welch.

2 Members abstained as follows:

Provost X McDade and Depute Provost A Parrott.

Resolved: To continue with the debate.

Amendment by Councillors J Duff and Bailie C Ahern

In accordance with the Motion but in addition to the recommendations listed at paragraphs 11.5 and 11.6 of the report, the following additional bullet point be included in paragraph 11.5:

- That all monies allocated to Perth and Kinross Council for Non-Domestic Rates Relief on Unoccupied Lands and Heritages which are not utilised in supporting the revised scheme, to be used to protect business growth and economic development activity in line with the priorities identified in the Council's Economic Wellbeing Plan.

THERE FOLLOWED A SHORT RECESS AND THE MEETING RECONVENED AT 4.07PM.

The mover and the seconder of the Motion agreed to accept the Amendment into the Revised Motion.

Resolved:

In accordance with the Revised Motion.

12. COUNCIL TAX CHARGES FOR SECOND HOMES

There was submitted a joint report by Team Leader (Local Taxes) and Service Manager (Revenues & Benefits) (23/349) (1) providing information on the discretion available to Local Authorities to vary the amount of Council Tax levied on second homes from 1 April 2024; and (2) the current numbers and bandings of second homes to highlight the potential financial gains from implementing the available discretion.

Resolved:

- (i) The contents of Report 23/349 be noted.
- (ii) The level of charges to be applied to second homes from 1 April 2024, as set out in Report 23/349, be approved. It be further agreed that 50% of the net amount raised in the 2025/26 and 2026/27 budget process be committed to deliver affordable and social housing in rural areas.
- (iii) Officers be instructed to increase the identification of sites for affordable housing across the whole of Perth and Kinross.
- (iv) The use of existing protocols for the consideration of any discretion be approved.

13. UPDATE TO SCHEME OF ADMINISTRATION

Resolved:

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

14. APPOINTMENT TO COMMITTEES/OUTSIDE BODIES

Resolved:

- (i) Council agreed that Depute Provost Andrew Parrott be replaced by Councillor Eric Drysdale on the Environment, Infrastructure and Economic Development Committee and as Convener (as a result of this change Depute Provost Parrott to now receive the lower senior Councillor allowance).
- (ii) Council agreed that Bailie Mike Williamson be replaced by Councillor Jack Welch as Vice-Convener of the Environment, Infrastructure and Economic Development Committee.
- (iii) Council agreed that Councillor Richard Watters be replaced by Councillor Grant Laing on the Environment, Infrastructure and Economic Development Committee.
- (iv) Council agreed that Councillor Jack Welch be replaced by Councillor Grant Stewart on the Learning and Families Committee.
- (v) Council agreed that Councillor Tom McEwan be replaced by Depute Provost Andrew Parrott on the Climate Change and Sustainability Committee.
- (vi) Council agreed that Councillor Eric Drysdale be replaced by Councillor Stewart Donaldson on the Property Sub-Committee.
- (vii) Council agreed that Councillor Eric Drysdale be replaced by Councillor Tom McEwan as Vice-Convener of the Property Sub-Committee.

15. 2024 COMMITTEE TIMETABLE

Resolved:

Council agreed that an additional meeting of Full Council be held on Monday 22 January 2024 at 1.00pm.

16. 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.

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