

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
22 JUNE 2016

COUNCIL MEETING

Minute of meeting of Perth and Kinross Council held in the Gannochy Suite, Dewar's Centre, Glover Street, Perth on Wednesday 22 June 2016 at 1.00pm.

Provost E Grant, Councillors H Anderson, K Baird, R Band, M Barnacle (up to and including Art. 515), P Barrett, R Brock, A Cowan, I Campbell, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacomazzi, C Gillies, A Grant (left during consideration of Art. 518), T Gray, K Howie, G Laing, J Kellas, M Lyle, E Maclachlan, A MacLellan, D Melloy, I Miller, A Parrott, D Pover, M Roberts, W Robertson, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan, G Walker, M Williamson, W Wilson, and A Younger.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform), J Valentine, Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development); B Atkinson, Director (Housing and Social Work); S Devlin, Director (Education and Children's Services); F Robertson, Head of Public Service Reform, Culture and Community Development; K McNamara, Head of Strategic Commissioning and Organisational Development; G Taylor, L Simpson, S Hendry, S Grant, L Potter, D Williams, A Brown, J Somerville, C Irons, L Brown, H Rheinallt, Y Oliver, J Symon, J Jennings, M Hassall, S Walker and K Donaldson (all Corporate and Democratic Services); D Littlejohn, S Crawford, C Haggart, W Young, S Merone, S Mackenzie and J McCrone (all The Environment Service); J Keenan and J Fyffe (both Education and Children's Services).

Apologies for Absence: Councillors A Livingstone and A Munro.

Provost E Grant, Presiding.

502. VALEDICTORY – RETIRAL OF MRS YVONNE OLIVER, COMMITTEE OFFICER

Provost Grant referred to the retiral of Mrs Yvonne Oliver, Committee Officer and paid tribute to the dedicated service she had given to Perth and Kinross Council during her years of service. Councillors wished Yvonne all the very best for the future and an enjoyable retirement.

503. WELCOME AND APOLOGIES

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

504. DECLARATIONS OF INTEREST

- (i) Councillor C Shiers declared a non-financial interest in Art. 509.
- (ii) Councillors R Band and I Campbell declared a non-financial interest in Art. 510.
- (iii) Councillor D Cuthbert declared a non-financial interest in Art. 511.

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505. MINUTE OF MEETING FOR APPROVAL AND SIGNATURE

The minute of the Perth and Kinross Council Meeting of 18 May 2016 (Arts. 371-385) was approved as correct and authorised for signature, it being noted that the date referred to under Article 378 should read December 2014 rather than 2016.

506. MINUTES OF COMMITTEES

Minutes of Committees from 26 April to 8 June 2016

The decisions recorded in Arts. 324-338 / 386-445, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary, with the following corrections noted:

In relation to Article 335, the members listed who voted for the Motion to read as Councillors B Ellis and D Pover.

In relation to Article 404, the following resolution to be added:

With reference to Page 11 of Appendix 1 of Report 16/225, the Director (Education and Children's Services) be remitted to investigate whether it be possible to include the wording "exceed virtual comparators and show continuing improvement" in the targets for years 2016 until 2023 inclusive.

507. MATTERS ARISING FROM PREVIOUS MEETING – 11 FEBRUARY 2016

At the Special Meeting of the Council on 11 February 2016, the Council approved the Revenue Budget 2016/17 to 2018/19 (Report No. 16/51 refers). For financial planning purposes the 2016/17 Final Revenue Budget assumed that a "living wage" of £8.25 per hour for social care workers in the adult care sector would be paid from 1 July 2016. This was in line with the Scottish Government's aspiration for the rate to be in place by no later than 1 October 2016. The agreed National Care Home Contract now assumes a 2 staged uplift in rates from 1 April 2016 and then a further uplift from 1 October 2016 which will see the £8.25 rate achieved in that sector. Local negotiations with non-residential care and housing support service providers are still underway. The Council and the Integration Joint Board are working towards ensuring that the living wage of £8.25 per hour for social care workers in the adult care sector will be in place for 1 October 2016. This is in accordance with the agreement between Perth and Kinross Council and the Scottish Government.

The Council agreed to this position.

508. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP

(i) Minute of meeting of the Perth and Kinross Community Planning Partnership Board of 19 February 2016

The minute of meeting of the Perth and Kinross Community Planning Partnership Board of 19 February 2016 was submitted and noted.

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(ii) Briefing Note by Executive Lead Officer

There was submitted and noted a report by the Senior Depute Chief Executive, ECS (Equality, Community Planning and Public Service Reform) (16/276) providing Council with an update on the work of the Community Planning Partnership Board since the last update to Council in May 2016.

509. COMPOSITE CAPITAL BUDGET 2016-2023

There was submitted a report by the Head of Finance (16/277), outlining the proposed budget for the Composite Capital Programme for the seven years 2016/2017 to 2022-2023. Also detailed in the report were the proposed Prudential Indicators for the seven year period and updated proposals for the Renewal and Repair fund in 2016/17.

Motion (Councillors I Miller and A Grant):

The Council agrees:

- (i) The estimated capital resources available for the years 2016/17 to 2022/23, as detailed in Section 2 of Report 16/277 and summarised at Appendix II, be approved.
- (ii) To approve the 2016/17 Gross Capital Budget of £69,384,000; the 2017/18 Gross Capital Budget of £96,254,000; the 2018/19 Gross Capital Budget of £63,237,000; the 2019/20 Gross Capital Budget of £90,132,000; the 2020/21 Gross Capital Budget of £91,099,000; the 2021/22 Gross Capital Budget of £75,966,000 and the 2022/23 Gross Capital Budget of £50,137,000 as set out at Appendix II and IV to report 16/277, subject to the following adjustments:
- (iii) To approve the re-phasing of the following schemes to earlier years:

	<u>2016/17</u> <u>(£'000)</u>	<u>2017/18</u> <u>(£'000)</u>	<u>2018/19</u> <u>(£'000)</u>	<u>2019/20</u> <u>(£'000)</u>	<u>2020/21</u> <u>(£'000)</u>	<u>2021/22</u> <u>(£'000)</u>	<u>2022/23</u> <u>(£'000)</u>	<u>Total</u> <u>(£'000)</u>
North Perth Primary School Replacement								
Remove Budget Proposal	0	0	0	0	0	(8,000)	(8,000)	(16,000)
Revised Proposal	0	0	200	12,000	3,800	0	0	16,000
Letham Wellbeing Hub								
Remove Budget Proposal	0	0	0	0	(2,850)	0	0	(2,850)
Revised Proposal	0	0	850	2,000	0	0	0	2,850
	0	0	1,050	14,000	950	(8,000)	(8,000)	0

- (iv) To approve the revision to / inclusion of the following schemes in the programme:

	<u>2016/17</u> <u>(£'000)</u>	<u>2017/18</u> <u>(£'000)</u>	<u>2018/19</u> <u>(£'000)</u>	<u>2019/20</u> <u>(£'000)</u>	<u>2020/21</u> <u>(£'000)</u>	<u>2021/22</u> <u>(£'000)</u>	<u>2022/23</u> <u>(£'000)</u>	<u>Total</u> <u>(£'000)</u>
Perth City Centre Place-making								
Reduce Budget Proposal	0	0	0	0	0	0	(1,100)	(1,100)
ICT Infrastructure & Replacement								

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& Upgrade Programme Reduce Budget Proposal	0	(100)	(500)	0	0	0	0	(600)
Traffic Signals - Upgrade & Renewal Programme	0	0	0	0	100	100	100	300
Community Greenspace Cemetery Extensions	0	100	100	100	100	100	0	500
Road Safety Initiatives	0	0	0	0	100	100	100	300
A977 Upgrades	0	100	500	0	0	0	0	600
	0	100	100	100	300	300	(900)	0

- (v) To widen the scope of Perth City Centre Place-making and Perth City Lighting Action Plan to cover the whole of the Perth & Kinross geographical area.
- (vi) Instruct the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) to bring forward a report and options on a programme of Land Purchase for Housing Supply.
- (vii) The proposed expenditure on the Renewal and Repair Fund for 2016/17, as detailed at section 5 of Report 16/277 at Appendix VI, be approved.
- (viii) The proposed Prudential Indicators outlined at Section 6 of Report 16/277 and detailed at Appendix VII, be approved.

THERE FOLLOWED A 5 MINUTE RECESS

Following a proposed amendment from Councillor A Cowan, the Mover and Seconded of the Motion agreed to incorporate the following wording into the Motion:

‘Instruct Officers that further strenuous efforts should be made to ensure that the Scottish Government pays their fair share of the £40,076,000 set out in Appendix IV to Report 16/277 in relation to the A9/A85 Road Junction Improvements, thus allowing funding to be in our schools programme, etc.’

Resolved:

In accordance with the revised Motion.

Note:

In terms of standing order 46, Councillors P Barrett, A Gaunt, W Robertson, L Simpson and W Wilson requested their dissent be recorded in relation to the decision to allocate £870,000 for the dredging of Perth Harbour as outlined in Appendix IV of Report 16/277.

In terms of standing order 46, Councillor L Simpson requested his dissent be recorded in relation to Section 2.10 of Report 16/277 and the fact that a decision had not been taken to confirm funding for the Cross Tay Link Road.

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**510. DEVELOPING THE CULTURAL OFFER IN PERTH AND KINROSS
UPDATE AND NEXT STEPS**

There was submitted a report by the Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform) (16/278), providing Council with an update on the outcome of an options appraisal to identify an appropriate site for a major new visual arts attraction and cultural space in Perth, as well as providing further details on capital costs of the development plus the proposed transformation of Perth Museum and Art Gallery, and setting out proposed next steps.

Motion (Councillors I Miller and B Band):

- (i) The City Hall be confirmed as the preferred location for the development of the new cultural attraction in Perth.**
- (ii) The anticipated capital development costs for this and Perth Museum and Art Gallery, and the proposed funding base for the capital costs, be noted.**
- (iii) The Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) be instructed to identify the best route to design and procure both cultural attractions.**
- (iv) The Senior Depute Chief Executive be instructed to explore funding options for the capital costs of both projects.**
- (v) The Senior Depute Chief Executive be instructed to develop outline public programme proposals and approach relevant bodies for support as appropriate.**
- (vi) The Senior Depute Chief Executive and Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be instructed to bring back update reports, including revenue budget implications, to the Council meeting in October 2016.**

Amendment (Councillors M Roberts and B Vaughan):

To defer consideration of this report until the meeting of the Council in October 2016 so that the proposals contained in this report can be referred to Culture Perth and Kinross for consultation and their views to be taken into account at that meeting.

THERE FOLLOWED A FIVE MINUTE RECESS.

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

29 members voted for the Motion as follows:

Councillors H Anderson, B Band, M Barnacle, P Barrett, R Brock, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacobazzi, C Gillies, A Grant, Provost E Grant, T Gray, K Howie, J Kellas, G Laing, E MacLachlan, A MacLellan, I Miller, A Parrot, D Pover, W Robertson, L Simpson, G Walker, M Williamson, W Wilson and A Younger.

10 Members voted for the Amendment as follows:

Councillors K Baird, I Campbell, A Cowan, M Lyle, D Melloy, M Roberts, C Shiers, A Stewart, H Stewart and B Vaughan.

Resolved:

In accordance with the Motion.

511. PERTH CITY HALL (Art. 206)

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/279), outlining the work undertaken since the Council's consideration of the potential lease agreement with Perth Market Place.

Resolved:

- (i) Negotiations with Perth Market Place in relation to a lease for Perth City Hall be terminated.
- (ii) Perth City Hall be developed as the home of the new visual arts attraction (Article 510 above and Report 16/278 refer).

THERE FOLLOWED A 20 MINUTE RECESS

512. COLLABORATIVE WORKING TO ENHANCE THE HISTORIC ENVIRONMENT

There was submitted a joint report by the Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform) and Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/280), setting out proposals for collaborative working on the historic environment of Perth and Kinross, in order to protect the historic environment and maximise its economic, social and other benefits. Approval was sought to develop strengthened collaboration proposals with Historic Environment Scotland (HES) as a key Community Planning Partner.

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Resolved:

- (i) The discussions to date with Historic Environment Scotland to identify potential areas for future collaboration be noted.
- (ii) The Senior Depute Chief Executive, ECS (Equality, Community Planning and Public Service Reform) and Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) be instructed to progress discussions as indicated in paragraph 2.3 of Report 16/280.
- (iii) The Senior Depute Chief Executive, ECS (Equality, Community Planning and Public Service Reform) and Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) be instructed to prepare a formal approach to the chair of HES for consideration of future loan arrangements relating to relevant objects in the care of HES.
- (iv) The Senior Depute Chief Executive, ECS (Equality, Community Planning and Public Service Reform) and Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) to bring a progress report to Council in October 2017.

513. TAY CITIES DEAL – PROGRESS REPORT

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/281) regarding the progress of the Tay Cities Deal with the neighbouring authorities of Angus, Dundee City and Fife, and seeking authority to advance joint working.

Resolved:

- (i) The Chief Executive and the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) be remitted to continue to work in partnership with the neighbouring authorities of Angus, Dundee City and Fife to prepare a bid for a Tay Cities Deal that will assist in bringing forward 'Fair Economic Growth' in the Tayside area.
- (ii) The Chief Executive and the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) be remitted to investigate the formation of a new joint committee structure with Angus, Dundee City and Fife Councils to provide suitable governance for a Tay Cities Deal.

514. SUPPORT FOR PERTH CITY ECONOMY

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/282) outlining the Council's short and longer term support for businesses and economic activity in Perth City in response to recent concerns and requests from the business community for assistance.

Resolved:

- (i) The activity, actions and performance in respect of the wider area and city economy, as detailed in Report 16/282, be noted.
- (ii) It be noted that further reports would be submitted in relation to the delivery of individual programmes and projects to the Council, and service

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committees as appropriate, including progress reports on economic performance with reference to Section 4.1 of Report 16/282.

COUNCILLOR BARNACLE LEFT THE MEETING AT THIS POINT.

515. PERTH AND KINROSS COUNCIL BUSINESS PLAN 2016-2019

There was submitted a report by the Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform) (16/283) setting out a Business Plan for the Council, to ensure the Council is fit for purpose to meet the significant challenges facing local government, and that the Council is organised to deliver the best outcomes for its communities.

Resolved:

- (i) The Perth and Kinross Council Business Plan 2016-19 as appended to Report 16/283, be agreed.
- (ii) The Business Plan be submitted to a future meeting of the Scrutiny Committee for its consideration.

516. RIVER TAY HEAT PUMP AND NETWORK PROJECT BUSINESS CASE

There was submitted a report by the Director (Environment) (16/284) outlining the business case for the River Tay Heat Pump and Network Project to be deployed at North Muirton, as part of the Tay Eco-Valley initiative.

Motion (Councillors I Miller and A Grant):

- (i) Option 2 be agreed as detailed in the outline business case for the development of the River Tay Heat Pump and Network project.
- (ii) It be noted that the offer of £2m from the Local Energy Challenge Funding is finalised.
- (iii) It be noted that £4.5m would be borrowed to finalise the financial package using prudential borrowing to be paid back through heat sales and income from renewable heat incentive. (Article 510 above and Report 16/277 refer).

THERE FOLLOWED A FIVE MINUTE RECESS

Amendment (Councillors I Campbell and M Roberts)

The Director (Environment) be instructed to bring a report back to Council in October 2016 on financial modelling for the project.

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

Resolved:

In accordance with the revised Motion.

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517. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – FIFTH STATUTORY REVIEW OF LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS IN SCOTLAND – FINAL RECOMMENDATION TO SCOTTISH MINISTERS FOR WARDS IN PERTH AND KINROSS COUNCIL AREA

There was submitted a report by the Head of Democratic Services (16/285), regarding the report of the Local Government Boundary Commission of 26 May 2016, and its final recommendations to Scottish Ministers for wards in the Perth and Kinross Council area, in relation to the Fifth Statutory Review of Electoral Arrangements.

Resolved:

The Council –

- i) Notes the final recommendations to Scottish Ministers by the Local Government Boundary Commission for Scotland (LGBCS) for wards for the Perth and Kinross Council area.
- ii) Notes that there are no proposed changes to Ward 1 (Carse of Gowrie), Ward 6 (Strathearn), Ward 7 (Strathallan) and Ward 8 (Kinross-shire).
- iii) Notes that there are no proposed changes to ward names.
- iv) Agrees to accept the proposed changes to ward boundaries by Aberfeldy, Bamff and Logierait as suggested by the Council.
- v) Agrees that the Council does not accept the proposals to reduce the number of councillors in Ward 11 (Perth City North) by 1 and agrees to maintain the Council's stated position that :
 - (a) given the GROS projected population increase for Perth and Kinross over the coming years, the Council feels that there is insufficient basis for a reduction in councillor numbers in Perth and Kinross; and
 - (b) the "status quo" of 41 elected members should be retained for Perth and Kinross Council.
- vi) Instructs the Head of Democratic Services to submit the Council's comments to Scottish Ministers by 7 July 2016.

COUNCILLOR A GRANT LEFT THE MEETING AT THIS POINT.

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518. PROPOSED TIMETABLE OF MEETINGS 2017

There was submitted a report by the Head of Democratic Services (16/286) seeking approval of the proposed timetable of meetings for 2017 up to the local government elections on 4 May 2017.

Resolved:

The proposed timetable of meetings, as set out in Appendix 1 to Report 16/286, be approved.

519. APPOINTMENTS TO COMMITTEES/OUTSIDE BODIES

The following appointments be agreed from 1 July 2016:

(i) Scrutiny Committee

Councillor K Baird be appointed to the Scrutiny Committee to replace Councillor A Stewart.
Councillor B Vaughan be appointed Convener of the Scrutiny Committee.
Councillor K Baird be appointed as Vice-Convener of the Scrutiny Committee.

(ii) Audit Committee

Councillor K Baird be appointed to the Audit Committee to replace Councillor A Stewart.
Councillor D Cuthbert be appointed Convener of the Audit Committee to replace Councillor B Vaughan.
Councillor B Vaughan be appointed Vice-Convener of the Audit Committee.

(iii) Lifelong Learning Committee

Councillor K Baird be appointed to the Lifelong Learning Committee to replace Councillor A Stewart.

(iv) Strategic Policy and Resources Committee

Councillor A Livingstone be appointed to the Strategic Policy and Resources Committee to replace Councillor A Stewart.

(v) Tayside Valuation Joint Board

Councillor C Shiers be appointed to the Tayside Valuation Joint Board to replace Councillor A Stewart.

(vi) Perth City Development Board

Councillor W Wilson be appointed to the Perth City Development Board to replace Councillor A Stewart.

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(vii) Perth and Kinross Sports Council

Councillor C Shiers be appointed to the Perth and Kinross Sports Council to replace Councillor A Stewart.

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