



Securing the future... • Improving services  
• Enhancing quality of life • Making the best use of  
public resources

---

**2018**

**Book 4**

---

**MINUTES OF MEETINGS FROM**  
**6 June 2018 – 12 September 2018**



# INDEX

Items marked thus \* in the Minutes of Committees are items for the approval of the Council. All other items are submitted for the information of the Council.

<b><u>COMMITTEE</u></b>	<b><u>DATE</u></b>	<b><u>PAGE NO</u></b>
Planning and Development Management Committee	6 June 2018	1-10
Strategic Policy and Resources Committee	13 June 2018	11-14
<i>Executive Sub-Committee (Appendix I)</i>	<i>24 April 2018</i>	<i>15-16</i>
<i>Chief Executive Appointment Sub-Committee (Appendix II)</i>	<i>14 March 2018</i>	<i>17</i>
<i>Chief Executive Appointment Sub-Committee (Appendix III)</i>	<i>26 March 2018</i>	<i>18</i>
<i>Chief Executive Appointment Sub-Committee (Appendix IV)</i>	<i>24 April 2018</i>	<i>19-20</i>
<i>Chief Executive Appointment Sub-Committee (Appendix V)</i>	<i>3 May 2018</i>	<i>21-22</i>
<i>Chief Executive Appointment Sub-Committee (Appendix VI)</i>	<i>22 May 2018</i>	<i>23</i>
<i>Property Sub-Committee (Appendix VII)</i>	<i>25 October 2017</i>	<i>24-25</i>
<i>Special Meeting of Property Sub-Committee (Appendix VIII)</i>	<i>15 December 2017</i>	<i>26-27</i>
<i>Provost's Sub-Committee (Appendix IX)</i>	<i>28 March 2018</i>	<i>28-29</i>
<i>Economy &amp; Lifelong Learning Outcome Delivery Group (Appendix X)</i>	<i>8 December 2017</i>	<i>30-33</i>
<i>Economy &amp; Lifelong Learning Outcome Delivery Group (Appendix XI)</i>	<i>23 February 2018</i>	<i>34-38</i>
<i>Tay Cities Region Joint Committee (Appendix XII)</i>	<i>8 December 2017</i>	<i>39-41</i>
Scrutiny Committee	13 June 2018	42-44
Perth Common Good Fund Committee	20 June 2018	45-48
Aberfeldy Common Good Fund Committee	20 June 2018	49-50
Alyth Common Good Fund Committee	20 June 2018	51-52
Auchterarder Common Good Fund Committee	20 June 2018	53-54
Blairgowrie Common Good Fund Committee	20 June 2018	55-56
Kinross Common Good Fund Committee	20 June 2018	57-58
Council	20 June 2018	59-72

Local Review Body	20 June 2018	73-77
Audit Committee	27 June 2018	78-82
Planning and Development Management Committee	4 July 2018	83-100
Licensing	12 July 2018	101-103
Local Review Body	24 July 2018	104-108
Planning and Development Management Committee	1 August 2018	109-118
Local Review Body	21 August 2018	119-127
Housing and Communities Committee	22 August 2018	128-133
Lifelong Learning Committee	22 August 2018	134-139
<i>Joint Negotiating Committee for Teaching Staff (Appendix I)</i>	<i>27 March 2018</i>	<i>140-144</i>
Licensing Committee	23 August 2018	145-146
Planning and Development Management Committee	29 August 2018	147-163
Special Meeting of Council	29 August 2018	164-171
Enterprise and Infrastructure Committee	5 September 2018	172-177
Strategic Policy and Resources Committee	12 September 2018	178-182
<i>Executive Sub-Committee (Appendix I)</i>	<i>20-08-18</i>	<i>183</i>
<i>Property Sub-Committee (Appendix II)</i>	<i>26-02-18</i>	<i>184-185</i>
<i>Property Sub-Committee (Appendix III)</i>	<i>14-03-18</i>	<i>186-187</i>
<i>Provost's Sub-Committee (Appendix IV)</i>	<i>27-06-18</i>	<i>188-189</i>
<i>Employees Joint Consultative Committee (Appendix V)</i>	<i>30-11-17</i>	<i>190-193</i>
<i>Corporate Health, Safety and Wellbeing Committee (Appendix VII)</i>	<i>12-03-18</i>	<i>194-199</i>
<i>Integration Joint Board (Appendix VII)</i>	<i>23-03-18</i>	<i>200-206</i>
<i>Tay Cities Region Joint Committee (Appendix VII)</i>	<i>18-05-18</i>	<i>207-210</i>
Scrutiny Committee	12 September 2018	211-214

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 6 June 2018 at 10.00am.

Present: Councillors R McCall, B Brawn, H Anderson, B Band, M Barnacle, H Coates, T Gray, I James, A Jarvis, W Robertson (substituting for L Simpson), R Watters and W Wilson.

In Attendance: A Belford, D Salman, L Reid, N Brian, A Condliffe, and J Scott (all Housing and Environment); L Aitchison, G Fogg and D Williams (Corporate and Democratic Services).

Apologies: Councillors E Drysdale and L Simpson.

Councillor R McCall, Convener, Presiding.

The Vice-Convener led discussion on all items.

### **316. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting, and apologies were noted as above.

### **317. DECLARATIONS OF INTEREST**

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

### **318. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 9 May 2018 (Arts. 249-253) was submitted, approved as a correct record and authorised for signature.

### **319. DEPUTATIONS**

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

**320. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 18/00430/FLM – PERTH – Erection of 62 dwellinghouses and associated works (change of house type to include sunrooms for plots 10001-10043, 10070-10071 and 10075-10091), land at Bertha Park, Perth – Springfield Priorities PLC**

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning permission.
2. No buildings shall be constructed on the identified economic mineral resource until detailed survey plans, including levels to Ordnance Datum, to show that the economic mineral resource associated with that working phase has been extracted is submitted to and approved in writing by the Planning Authority.
3. The foul drainage shall be drained to the mains sewerage system the details of which shall be submitted to and approved in writing by this Planning Authority prior to its installation and in consultation with Scottish Water, Scottish Environment Protection Agency and Scottish Natural Heritage. The agreed foul drainage shall thereafter be implemented to coincide with the occupation of the development.
4. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the construction works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented unless otherwise agreed in writing by the Planning Authority.
5. For the avoidance of any doubt the domestic and non-domestic buildings to be erected shall comply with Silver Active from 2016 and Gold Active from 2020 as per the 'Building Standards Technical Handbook Section 7 - Sustainability'. The sustainability label shall be provided for the written approval of the Planning Authority prior to the occupation of the domestic or non-domestic building.
6. No part of the approved development is permitted to be occupied until the A9/A85 Junction Improvement,

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

generally as proposed by Perth and Kinross Council as part of its 'Perth Transport Futures Project' transport strategy to support the Local Development Plan 2014, has been designed, approved and implemented to the satisfaction of the Planning Authority in consultation with Transport Scotland.

7. No development shall commence apart from the extraction of the economic mineral resource until appropriate mitigation measures have been agreed to address the impact of the development at the Broxden Roundabout on the A9 trunk road. The nature of the mitigation shall either be physical improvements to these junctions in the form of traffic signals and widening of approaches or a financial contribution in lieu of the said physical works. The details of the physical works or the level of financial contribution required shall be agreed in writing with the Planning Authority in consultation with Transport Scotland.
8. Prior to the completion of the development, all watercourses on the site as referred to in the Flood Risk Assessment (FRA) (dated 18 June 2015) shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water within the development and for 300m (or length otherwise agreed with the Planning Authority) upstream and downstream of the development phase; an inspection report along with details of works undertaken shall be submitted to the Planning Authority for written approval in consultation with the Roads Authority.
9. The Finished Floor Level of all properties shall be a minimum of 600mm above the 200 year flood level including 20% for Climate Change.
10. The overland flood routes of the dam breach analysis shall be maintained as open space to prevent any future development of the land. A minimum of a 5m Maintenance strip either side of the watercourse must be provided along all watercourses (as referred to in Flood Risk Assessment (FRA) dated 18 June 2015 in support of planning consent 15/01109/FLM) within any affected extents of the proposed development.
11. The development shall be fully undertaken in accordance with the agreed Construction Environment Management Plan (CEMP) associated with planning consent 15/01109/FLM.
12. The approved Ecological Clerk of Works (ECOW) associated with planning consent 15/01109/FLM shall oversee, on behalf of the Planning Authority, in consultation with Scottish Natural Heritage, the implementation of all ecology related planning conditions and how this relates to the development being

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

constructed. The ECOW shall undertake a watching brief throughout the construction of the development and shall have the authority to stop operations or to alter construction methods should there be any works occurring which are having an adverse impact on the natural heritage.

The ECOW shall have responsibility for the following:

- a) Monitoring compliance with the mitigation works related to the development as set out in the Construction Environment Management Plan.
- b) Advising the developer on adequate protection of nature conservation interest on the site, including altering construction practices if existing practices are having an adverse impact on the natural heritage of the site.
- c) If any protected species are found on site, the Ecological Clerk of Works will ensure that work is suspended at that location and that a protected species protection plan is implemented.

The ECOW is required to notify the Planning Authority:

- d) If there has been a requirement to stop or alter works in relation to this condition.
- e) They are required to submit a report on their inspection for the review of the Planning Authority in consultation with Scottish Environment Protection Agency and Scottish Natural Heritage during construction operations.
- f) They will have the power to amend the Construction Method Statement, where required, with any amendments and measures to mitigate submitted to the Planning Authority.

13. No development shall take place apart from the extraction of the economic mineral resource until details of checking surveys for protected species or the nests of any breeding birds on the site has been submitted to and approved in writing by the Planning Authority, in consultation with Scottish Natural Heritage (SNH). The surveys shall be undertaken by a qualified ecologist, in accordance with the approved specification, in the last 6 months preceding site preparation and construction work commencing. A programme of any mitigation measures required as a consequence of the survey results, and a timetable for any such mitigation measures shall have been submitted to and approved in writing by the Planning Authority prior to any works associated with the development taking place. The programme of mitigation work shall be implemented as approved under the supervision of a qualified ecologist all to the satisfaction of the Planning Authority.



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

14. The approved biodiversity monitoring strategy associated with planning consent 15/01109/FLM will, where it applies to this site area, be implemented in accordance with the approved details.
15. No development apart from the extraction of the economic mineral resource shall take place until the trees to be retained as identified in the submitted surveys associated with planning consent 15/01109/FLM have been protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction).
16. The approved structural landscaping works associated with planning consent 15/01109/FLM covered within this site area shall be installed in accordance with the agreed timescales and thereafter maintained to the satisfaction of the Planning Authority.
17. No works in connection with the development hereby approved apart from the extraction of the economic mineral resource shall take place until such time as a mechanism has been agreed and concluded to the satisfaction of the Planning Authority to ensure that the structural landscaping works between Phase 1 and 2 and Phase 1 and 3 as identified in planning consent 15/01109/FLM have been completed in full.
18. The approved noise mitigation strategy associated with condition 39 of planning consent 15/011009/FLM shall be fully implemented where applicable to this site.
19. Prior to the completion or bringing into use any part of the development any agreed measures to decontaminate the site shall be fully implemented as approved by the Council as Planning Authority. Validation that the scheme has been fully implemented must also be submitted to the Council as Planning Authority before the development is brought into use or occupied.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**Informatives**

1. 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).
2. 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

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.

3. 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.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development.
  - Readily visible to the public.
  - Printed on durable material.
5. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
6. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
7. The applicant is advised that the granting of planning consent 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
8. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk).

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

9. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
10. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning consent 15/01112/IPM. This consent continues to be tied by this legal agreement and the associated requirements will continue to apply.
11. The applicant is reminded that in association with planning consent 15/01109/FLM; no more than 750 residential units are permitted to be occupied until the Cross Tay Link Road Improvement including the Tay Crossing, generally as proposed by Perth and Kinross Council as part of its 'Perth Transport Futures Project' transport strategy to support the Local Development Plan 2014, have been designed, approved and contract let.

**(2) Local Applications**

**(i) 18/00228/FLL – CROOK OF DEVON – Erection of 2 dwellinghouses, land south of Crook of Devon House, Main Street, Crook of Devon – Manse Developments**

Although there were no deputation requests for this item, Mr S Strachan, agent for the applicant, was in attendance and answered questions from members.

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the commencement of development, an updated ecological survey shall be undertaken as described in the PEA recommendations in relation to bat roost potential and additionally red squirrels shall be added to the survey. The updated survey shall be submitted to the Council as Planning Authority for further written agreement and shall be fully adhered to, respected and undertaken as part of the construction phase of development.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

3. All trees on site, other than those marked for felling on the approved plans, shall be retained to the satisfaction of the Council as Planning Authority.
4. Prior to the commencement of any works on site, all trees on site (other than those marked for felling on the approved plans) and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.
5. The detailed landscaping and planting scheme which is hereby approved shall be implemented as part of the site development programme and thereafter maintained to the satisfaction of the Council as Planning Authority.
6. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar size, species and number.
7. The stoves shall be installed, operated and maintained in full accordance with the manufacturer's instructions and shall not be used to burn fuel other than that approved for use by the manufacturer of the appliance as detailed in the information supporting this permission.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Informatives**

1. 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).
2. 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.
3. 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.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

4. No work shall be commenced until an application for building warrant has been submitted and approved.
5. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from [www.pkc.gov.uk](http://www.pkc.gov.uk) and should be returned to [snn@pkc.gov.uk](mailto:snn@pkc.gov.uk).
6. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
7. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

**(ii) 18/00533/FLL – BRIDGE OF EARN – Installation of a flue (in retrospect), former David Sands shop, Main Street, Bridge of Earn – Mr S Fenwick**

**Motion (Councillors I James and R McCall) –  
Grant, subject to the following terms, conditions and  
informatives:**

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. Prior to the commencement of the extraction fan operation, the acoustic barrier enclosure shall be constructed and maintained in line with specifications and plans agreed hereby approved, all to the satisfaction of the Council as Planning Authority.
3. Prior to the commencement of the extraction fan operation, the flue and fence shall be coloured in a brown colour. Details of the colour must be agreed in writing by the Planning Authority prior to its application. Thereafter, the flue and fence must be maintained in this colour for the life of the development, all to the satisfaction of the Council as Planning Authority.
4. The sound insulation and sound transmission properties of the acoustic barrier enclosure structure

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
6 JUNE 2018

**and finishes shall be such that any airborne noise from the operations of the fan does not constitute a statutory noise nuisance as determined by the Local Planning Authority.**

**Justification**

**The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.**

**Informatives**

**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.**

Amendment (Councillors H Anderson and H Coates) – Refuse the application, as it is contrary to Perth and Kinross Local Development Plan 2014 Policy PM1A, due to the adverse visual amenity of neighbouring properties and risk of odour from the flue.

In accordance with Standing Order 55, a roll call vote was taken.

9 members voted for the Motion as follows:

Councillors B Band, B Brawn, T Gray, I James, A Jarvis, R McCall, W Robertson, R Watters and W Wilson.

3 members voted for the Amendment as follows:

Councillors H Anderson, M Barnacle and H Coates.

**Resolved:**

In accordance with the Motion.

~~~~~

## **STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of meeting of the Strategic Policy and Resources Committee held in the Council Chamber, Council Building, 2 High Street, Perth on Wednesday 13 June 2018 at 10.00am.

Present: Councillors M Lyle, P Barrett, C Stewart, A Bailey, B Band, S Donaldson, D Doogan, A Forbes, G Laing, R McCall, S McCole, Provost D Melloy, Councillors A Parrott, C Purves, C Shiers and L Simpson.

In Attendance: B Malone, Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; K Donaldson, C Mackie, F Robertson, L Simpson, G Taylor, S Walker and C Irons (all Corporate and Democratic Services); S Devlin (Education and Children's Services); B Renton, L Cameron, F Crofts, F Kerr, C Mailer, K McNamara and M Mitchell (all Housing and Environment).

Councillor M Lyle, Convener, Presiding.

### **321. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. There were no apologies.

### **322. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillors A Forbes, A Parrott and C Shiers declared a non-financial interest in Art. 325 – Cultural Trusts Transformation Project: Outline Business Case and Next Steps.

### **323. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Strategic Policy and Resources Committee**

The minute of meeting of the Strategic Policy and Resources Committee of 18 April 2018 (Arts. 192 - 200) was submitted, approved as a correct record and authorised for signature.

#### **(ii) Executive Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Executive Sub-Committee of 24 April 2018 was submitted and noted. (**Appendix I**)

#### **(iii) Chief Executive Appointments Sub-Committee of the Strategic Policy and Resources Committee**

The minutes of meetings of the Chief Executive Appointments Sub-Committee of 14 March, 26 March, 24 April, 3 May and 22 May 2018 were submitted and noted. (**Appendices II, III, IV, V, VI**)

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
13 JUNE 2018

**(iv) Property Sub-Committee of the Strategic Policy and Resources Committee**

The minutes of the meeting of the Property Sub-Committee of 25 October 2017 and the Special meeting of the Property Sub-Committee of 15 December 2017, were submitted and noted. **(Appendices VII and VIII)**

**(v) Provost's Sub-Committee of the Strategic Policy and Resources Committee**

The minute of the meeting of the Provost's Sub-Committee of 28 March 2018 was submitted and noted. **(Appendix IX)**

**(vi) Economy and Lifelong Learning Outcome Delivery Group**

The minutes of meetings of the Economy and Lifelong Learning Outcome Delivery Group of 8 December 2017 and 23 February 2018 were submitted and noted. **(Appendices X and XI)**

**(vii) Tay Cities Region Joint Committee**

The minute of meeting of the Tay Cities Region Joint Committee of 8 December 2017 was submitted and noted. **(Appendix XII)**

**324. AUTHORITY TO WRITE OFF DEBTS AND OBSOLETE STOCK**

There was submitted a report by the Head of Finance (18/193), seeking (1) approval to write off identified debts in respect of Sales Ledger; Council Tax (including Water and Waste Charges); Non-Domestic Rates; Irrecoverable Rents; Housing Benefit Overpayments and Car Park Trading Account Income and (2) approval to write off obsolete stock and write on outstanding credit balances.

**Resolved:**

- (i) That all amounts as detailed in Section 2 of and in Appendices 1 to 5 to Report 18/193 were written off or on for accounting purposes, be approved.
- (ii) That files would not be closed and every effort would be made to collect the outstanding debt, be noted.

**325. CULTURAL TRUSTS TRANSFORMATION PROJECT: OUTLINE BUSINESS CASE AND NEXT STEPS**

There was submitted a report by the Depute Chief Executive and Chief Operating officer (18/194) on the scope for reviewing current delivery models for culture services commissioned by the Council, as part of the wider 2018/19 Transformation Programme.

**Resolved:**

- (i) The background to selecting the area for review of the Cultural Trusts, be noted.



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
13 JUNE 2018

- (ii) The outline business case for the Transformation Project, as detailed in Report 18/194, be approved.
- (iii) The timescale for delivery of the Project, as set out in paragraph 2.7 of Report 18/194, be noted.

**326. DEVELOPMENT OF THE CREATIVE EXCHANGE IN THE FORMER ST JOHN'S PRIMARY SCHOOL**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/195) on the development of the Creative Exchange in the former St John's primary school to include the Famous Grouse Ideas Centre.

**Resolved:**

- (i) The progress made in launching the Famous Grouse Ideas Centre, delivering the business support programmes for creative businesses and the staging of the successful final showcase event for the first accelerator cohort on 9 May 2018, be noted.
- (ii) The proposal to progress the project to convert the former St John's primary school to a creative exchange hub, be approved.
- (iii) The funding envelope as detailed in Report 18/195, be approved with authority delegated to the Depute Chief Executive and Chief Operating Officer to allocate funding to the project following announcement of the Tay Cities Deal.
- (iv) The disposal of the former St John's primary school by way of a long lease to Workshop and Artists' Studios Provision Scotland (WASPS) on the terms referred to in Report 18/195, be approved.
- (v) Authority be delegated to the Executive Director (Housing and Environment) in consultation with the Head of Legal and Governance, to finalise the Service Level Agreement with WASPS.
- (vi) A sub-lease from WASPS in favour of the Council, be approved in respect of two of the completed units to provide accommodation for the proposed Famous Grouse Ideas Centre, on terms detailed in Report 18/195 or otherwise on terms to be agreed by the Executive Director (Housing and Environment) and the Head of Legal and Governance.

**327. COMMUNITY INVESTMENT FUND**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/196) on (1) the distribution of the new Community Investment Fund and (2) the role of the Local Action Partnerships in assessing and making recommendations to this Committee on how the Community Investment Fund be spent.

**Resolved:**

- (i) The background to establishing the Community Investment Fund, be noted.
- (ii) The rationale for recommending Local Action Partnerships as the managing bodies for the Fund, as set out in Report 18/196, be noted.
- (iii) The proposed role of the Local Action Partnerships, advised by Grant Assessment Panels at ward level, in making recommendations to this Committee on the distribution of the Fund, be approved.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
13 JUNE 2018

- (iv) The evaluation arrangements for the Fund, as detailed in Report 18/196, be approved.
- (v) The Depute Chief Executive and Chief Operating Officer be instructed to submit an evaluation report and any improvement recommendations to this Committee by March 2019.

**328. TRANSFORMATION PROGRAMME 2015-2020**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/197), providing (1) an update on the Transformation Programme approved by Council on 1 July 2015; (2) feedback on the Can Do Challenge Bid and (3) an update on Collaborative Working with Dundee City and Angus Councils.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 18/197, be noted.
- (ii) The confirmation of funding for the Can Do Challenge Fund bid for Perth Smart Energy Network, be noted.
- (iii) The Tayside Collaborative Working update, be noted.

**329. PROCUREMENT UPDATE 2017/18**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/198) on the progress made by Perth and Kinross Council during 2017/18 in delivering the Procurement Strategy, published in 2015.

**Resolved:**

- (i) Progress made with the 2016/17 Procurement Action Plan, be noted.
- (ii) The Procurement Annual report for 2017/18, attached as Appendix 1 to Report 18/198, be approved.

~~~~~

## **EXECUTIVE SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of Meeting of the Executive Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Tuesday 24 April 2018 at 2.30pm.

Present: Councillors M Lyle, P Barrett, C Stewart, D Doogan and G Laing.

In Attendance: L Brady, Revenues and Benefits Service Manager and K Fraser, Assistant Revenues Manager, Perth and Kinross Council; M Griffiths and P Hood, Horsecross Arts Limited; J Valentine, Depute Chief Executive and Chief Operating Officer; G Fogg, C Irons, S Mackenzie, G Taylor and S Walker (all Corporate and Democratic Services).

Councillor M Lyle, Convener, Presiding.

### **1. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting. There were no apologies.

### **2. DECLARATIONS OF INTEREST**

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

### **3. PROCEDURE**

#### **Resolved:**

The procedure to be used for a non-domestic rates relief appeal be adopted.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973**

### **4. APPEAL AGAINST REFUSAL OF APPLICATION FOR RELIEF OF NON-DOMESTIC RATES**

The Executive Sub-Committee was convened to consider an appeal against refusal by the Rating Authority of an application for relief of Non-Domestic Rates under the terms of the Local Government (Scotland) Act 1947.

The Executive Sub-Committee considered documentation lodged and heard evidence from both parties. Thereafter the parties summed up their cases and withdrew.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (*Art. 323(ii)*) (*Appendix I*)  
13 JUNE 2018

The Executive Sub-Committee then considered the case.

**Resolved:**

The decision by the Rating Authority to refuse the application for discretionary relief of Non-Domestic Rates be upheld.

~~~~~

## **CHIEF EXECUTIVE APPOINTMENT SUB-COMMITTEE**

Minutes of Meeting of the Chief Executive Appointment Sub-Committee held in Room 410, Council Building, 2 High Street, Perth on Wednesday 14 March 2018 at 2.00pm.

Present: Councillors P Barrett, D Doogan, G Laing, M Lyle and R McCall (substituting for C Shiers).

In attendance: G Taylor, Head of Democratic Services; K Donaldson, Corporate Human Resources Manager and C Irons, Committee Officer (all Corporate and Democratic Services).

### **1. REMIT OF SUB-COMMITTEE**

The Sub-Committee noted that the remit was to approve the recruitment and selection arrangements for the appointment of a new Chief Executive, to undertake interviews and to make an appointment.

### **2. APPOINTMENT OF CONVENER**

Councillor D Doogan, seconded by Councillor P Barrett, nominated Councillor M Lyle as Convener of the Sub-Committee.

Councillor M Lyle was unanimously elected as Convener and took the Chair.

**IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

### **3. APPOINTMENT OF INDEPENDENT EXTERNAL PROFESSIONAL ADVISOR**

The Corporate Human Resources Manager reported on the appointment of an independent external professional advisor to assist in the process for the recruitment and selection of a new Chief Executive.

#### **Resolved:**

Mr David Martin, Chief Executive of Dundee City Council, be invited to act as the independent external professional advisor to the Sub-Committee.

~~~~~

## CHIEF EXECUTIVE APPOINTMENTS SUB-COMMITTEE

Minute of Meeting of the Chief Executive Appointments Sub-Committee held in Room 410, Council Building, 2 High Street, Perth on Monday 26 March 2018 at 11.30am.

Present: Councillors P Barrett, D Doogan, G Laing, M Lyle and C Shiers.

In attendance: Mr D Martin, Independent Professional Adviser to the Sub-Committee; K Donaldson, Corporate Human Resources Manager and C Irons, Committee Officer.

Councillor M Lyle, Convener

### 1. MINUTE

The minute of meeting of the Sub-Committee of 12 March 2018 was submitted and approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

### 2. APPOINTMENT OF CHIEF EXECUTIVE

There was submitted a report by the Corporate Human Resources Manager (18/116) on the appointment process for a new Chief Executive. The following appendices were discussed:- Job Profile and Specification; Recruitment Information Pack; Terms and Conditions; Advert. It was agreed that amended versions of the Job Profile and Advert be circulated to members of the Sub-Committee.

**Resolved:**

- (i) The recruitment process, as detailed in Report 18/116, be approved with the option of a one-stage or two-stage interview process.
- (ii) The vacancy be advertised on MyJobScotland and the S1 jobsite.
- (iii) The vacancy be promoted using a range of social media channels.
- (iv) A procurement process be undertaken for the appointment of a company to run an assessment centre for candidates.
- (v) References be obtained for short listed candidates.
- (vi) Members of the Appointments Sub-Committee attend a fair selection and unconscious bias briefing session.

~~~~~

## **CHIEF EXECUTIVE APPOINTMENTS SUB-COMMITTEE**

Minute of Meeting of the Chief Executive Appointments Sub-Committee held in Room 415, Council Building, 2 High Street, Perth on Tuesday 24 April 2018 at 9.00am.

Present: Councillors P Barrett, D Doogan, G Laing, M Lyle and C Shiers.

In attendance: K Donaldson, Corporate Human Resources Manager.

Also in Attendance: J Robertson, Dundee University and E Dougherty, Solace in Business.

Councillor M Lyle, Convener

### **1. MINUTE**

The minute of meeting of the Sub-Committee of 26 March 2018 was submitted and approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

### **2. UNCONSCIOUS BIAS AND FAIR SELECTION TRAINING**

Joan Robertson, Equality & Diversity Officer, University of Dundee gave a presentation to members on unconscious bias in the context of recruitment and selection.

The Convener thanked J Robertson for her attendance and contribution to the appointment process.

### **3. ASSESSMENT CENTRE**

Evelyn Dougherty, Solace in Business provided details to members on the proposed assessment centre for candidates and feedback to members ahead of the final interviews.

There followed discussion and agreement on the main competencies which would be evaluated during the Assessment Centre.

The Convener thanked E Dougherty for her attendance and contribution to the appointment process.

**4. ISSUE OF APPLICATIONS PACK**

K Donaldson, Corporate Human Resources Manager, issued an applications pack to each member for consideration at the next meeting. K Donaldson outlined the process to be followed in assessing job applicants against the Job Requirements and reiterated the need for fairness and transparency in the selection decision making process and for confidentiality.



## **CHIEF EXECUTIVE APPOINTMENTS SUB-COMMITTEE**

Minute of meeting of the Chief Executive's Appointments Sub-Committee held in Room 415, Fourth Floor, 2 High Street, Perth on Thursday 3 May 2018 at 12.00pm.

Present: Councillors M Lyle, P Barrett, D Doogan, G Laing and C Shiers.

In Attendance: K Donaldson, Corporate Human Resources Manager, D Martin (Professional Adviser) and G Taylor, Head of Democratic Services.

Councillor Lyle in the Chair

### **1. DECLARATIONS OF INTEREST**

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

### **2. MINUTE OF MEETING OF THE APPOINTMENTS SUB-COMMITTEE OF 24 APRIL 2018**

The minute of meeting of the Chief Executive's Appointment Sub-Committee of 24 April 2018 was submitted and approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973**

### **3. APPOINTMENT OF CHIEF EXECUTIVE – COMPLETED APPLICATION FORMS**

The Sub-Committee reviewed each of the completed application forms received for the post of Chief Executive and assessed them against the requirements for the post.

The Sub-Committee agreed on a short list of candidates to take part in the next stages of the process which will be the Assessment Centre on 11 May 2018 and final interview on 22 May 2018.

#### **Resolved:**

- (i) The sub-committee agreed to invite six candidates to proceed to Assessment Centre and Final Interview.
- (ii) The Corporate Human Resources Manager be instructed to correspond with candidates on this basis.

**4. DATE OF NEXT MEETING**

**Resolved:**

It was noted the next meeting would be held on 22 May 2018 at 9.00am in the Civic Lounge, 2 High Street, Perth.

~~~~~

## **CHIEF EXECUTIVE APPOINTMENTS SUB-COMMITTEE**

Minute of meeting of the Chief Executive Appointments Sub-Committee held in Room 215, Second Floor, 2 High Street, Perth on Tuesday 22 May 2018 at 8.45am.

Present: Councillors M Lyle, P Barrett, C Shiers, D Doogan and G Laing.

In Attendance: D Martin, Dundee City Council (Professional Adviser) and K Donaldson, Corporate Human Resources Manager.

Councillor M Lyle, Convener, Presiding.

### **1. DECLARATIONS OF INTEREST**

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

### **2. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Chief Executive Appointments Sub-Committee of 3 May 2018 was submitted and approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH WAS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT, 1973**

### **3. POST OF CHIEF EXECUTIVE**

There was submitted an interview pack containing details relating to the candidates selected for interview, together with interview questions.

It was noted that six candidates had been invited for interview and as one had withdrawn, five were to be interviewed.

The Sub-Committee having received information from K Donaldson, Corporate Human Resources Manager on the Assessment Centre feedback, interviewed the five candidates and asked detailed questions of the candidates. The Sub-Committee thereafter considered the matter.

#### **Resolved:**

The Sub-Committee unanimously agreed that an offer of appointment be made to Karen Reid, currently Chief Executive of the Care Inspectorate in respect of the post of Chief Executive, on the advertised terms and conditions, with the start date to be agreed.

~~~~~

## **PROPERTY SUB-COMMITTEE**

Minute of meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 25 October 2017 at 10.00am.

Present: Councillors B Band, P Barrett, I Campbell, D Doogan, G Laing, M Lyle and C Purves (substituting for R McCall)

In Attendance: B Renton, S Crawford and J Janes (all The Environment Service); G Boland (Education and Children's Services); G Taylor, G Fogg, C Irons, K Molley, A Thomson and M Willis (all Corporate and Democratic Services).

### **1. APPOINTMENT OF CONVENER**

Councillor Barrett seconded by Councillor Purves, nominated Councillor Campbell for the position of Convener of the Sub-Committee.

Councillor I Campbell was unanimously elected as Convener of the Sub-Committee.

Councillor I Campbell took the chair.

### **2. WELCOME AND APOLOGIES/SUBSTITUTES**

The Convener welcomed all those present to the meeting. An apology and substitution were noted as above.

### **3. DECLARATIONS OF INTEREST**

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

### **4. MINUTES**

- (i) The minute of meeting of the Property Sub-Committee of 1 March 2017 was submitted and approved as a correct record.
- (ii) The minute of meeting of the School Estate Sub-Committee of the Lifelong Learning Committee of 2 March 2017 was submitted and noted.

### **5. SCHOOL ESTATE PROGRAMME PROGRESS REPORT**

There was submitted a report by the Executive Director (Education and Children's Services) (17/347) (1) updating the Committee on the progress and proposals for delivering the current school projects within the Education and Children's Services School Estate Programme, (2) detailing key milestones which had been achieved since the last update to the School Estate Sub-Committee on 2 March 2017; and (3) detailing future projects.

**Resolved:**

- (i) The significant milestones achieved since the report to the School Estate Sub-Committee on 2 March 2017, as detailed in paragraphs 3.1 to 3.5 of Report 17/347, be noted.
- (ii) The forward planning, as detailed in paragraphs 4.1 to 4.4 of Report 17/347, be noted.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

*COUNCILLOR LYLE ENTERED THE MEETING DURING THE FOLLOWING ITEM*

**P1. THE PROPOSED SALE AT AUCTION OF VARIOUS PROPERTIES**

There was submitted a report by the Director (Environment) (17/348) seeking approval for the sale at auction of various properties within Perth and Kinross.

**Resolved:**

- (i) The properties, as detailed in Report 17/348, be sold in compliance with the Disposal of Land by Local Authorities (Scotland) Regulations and the relevant property's market value, and otherwise on terms to the satisfaction of the Director (Environment) and the Head of Legal and Governance Services.
- (ii) If any property fails to sell at auction, it be remarketed for sale through the traditional manner or at auction in compliance with the Disposal of Land by Local Authorities (Scotland) Regulations and the relevant property's market value, and otherwise on terms to the satisfaction of the Director (Environment) and the Head of Legal and Governance Services.

~~~~~

## PROPERTY SUB-COMMITTEE

Minute of special meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Friday 15 December 2017 at 14.30.

Present: Councillors B Band, I Campbell, R McCall and A Parrott (substituting for D Doogan).

In Attendance: T Flanagan, K Leer and J Janes (all The Environment Service); G Taylor, G Fogg and C Flynn (all Corporate and Democratic Services).

Apologies: Councillors P Barrett, D Doogan, G Laing and M Lyle.

Councillor I Campbell, Presiding.

### 1. WELCOME AND APOLOGIES/SUBSTITUTES

The Convener welcomed all those present to the meeting. Apologies and substitutions were noted as above.

### 2. DECLARATIONS OF INTEREST

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

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

#### P1. PROPOSED SALE OF ACORN BUSINESS CENTRE, PERTH

There was submitted a report by the Interim Executive Director (Environment) (17/410) seeking approval for the sale of Acorn Business Centre, Arran Road, Perth to Northern Trust Company Ltd or their nominees.

**Resolved:**

- (i) Acorn Business Centre, Perth be sold to Northern Trust Company Ltd or its Nominee on the basis of the terms contained in Report 17/410 and otherwise on terms and conditions to the satisfaction of the Interim Executive Director (Environment) and the Head of Legal and Governance.
- (ii) In the event that the offer from Northern Trust Company Ltd fails to deliver a concluded bargain, the competing offers that meet the asking price of £1.2 million be pursued in descending order as outlined in paragraphs 2.2 to 2.4 of Report 17/410, all to the satisfaction of the Interim Executive Director (Environment) and the Head of Legal and Governance.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (*Art. 323(iv)*) (*Appendix VIII*)  
13 JUNE 2018

- (iii) If any of the acceptable offers fail to reach a concluded bargain, the property be remarketed as soon as possible in the traditional manner, all to the satisfaction of the Interim Executive Director (Environment) and the Head of Legal and Governance.

~~~~~

## **PROVOST'S SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of meeting of the Provost's Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chamber, Ground Floor, 2 High Street, Perth on Wednesday 28 March 2018 at 3.30pm.

Present: Provost D Melloy and Councillors S Donaldson, M Lyle, R McCall and A Parrott.

In Attendance: G Taylor and C Irons (both Corporate and Democratic Services).

Provost D Melloy, Presiding.

### **1. WELCOME AND APOLOGIES**

The Provost welcomed everyone to the meeting.

### **2. DECLARATIONS OF INTEREST**

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

### **3. MINUTES OF THE PREVIOUS MEETING**

The minute of meeting of the Provost's Sub-Committee of 20 April 2016 was submitted and noted.

### **4. PROPOSED TWINNING VISIT TO ASCHAFFENBURG, GERMANY – JUNE 2018**

There was submitted a report by the Head of Democratic Services (18/117) advising of an invitation extended by the Oberbürgermeister of Aschaffenburg to the Provost and a Council delegation to visit Aschaffenburg, Germany from 28 June to 2 July 2018, to participate in the opening ceremony of the 31<sup>st</sup> Aschaffenburg Culture Festival.

It was noted a trio of young musicians would accompany the Provost and Chief Executive.

#### **Resolved:**

- (i) The invitation to visit Aschaffenburg, Germany from 28 June to 2 July 2018, be accepted.
- (ii) The Council be represented by the Provost and Chief Executive, supported by the Council Officer.
- (iii) The costs, estimated to be £732 covering flights for the Provost and Council Officer, airport transfers and civic gifts, be met from the 2018/19 twinning budget.



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (*Art. 323(v)*) (*Appendix IX*)  
13 JUNE 2018

**NOTE:** Subsequent to the meeting, further correspondence was received from the Oberbürgermeister's office inviting the Council's representative from the Friends of Aschaffenburg, Councillor B Pover, to accompany the Provost on this trip and offering to pay for accommodation costs. The members of the Sub-Committee subsequently agreed to accept the invitation for the Council's representative from the Friends of Aschaffenburg, to also visit Aschaffenburg from 28 June to 2 July 2018 at a cost of £330 to be met from the 2018/19 twinning budget.

~~~~~

**ECONOMY AND LIFELONG LEARNING GROUP  
COUNCIL CHAMBERS, COUNCIL BUILDING, 2 HIGH STREET, PERTH  
FRIDAY 8 DECEMBER 2017**

Minute of meeting of the Community Planning Economy and Lifelong Learning Group held in the Council Chamber, 2 High Street, Perth on Friday 8 December 2017 at 2.00pm.

**Present:** Councillors C Purves; A Jarvis (substituting for Councillor C Shiers) and F Sarwar; L Baillie, Perth and Kinross Health and Social Care Partnership; L Cairns, Perth College UHI (substituting for D Gourlay); N Moran, TACTRAN; K MacPherson, PKAVS (Third Sector Interface); C Mella, Federation of Small Businesses; and O Robertson, Perth and Kinross Social Enterprise Network.

**In Attendance:** J Alexander, Department of Work and Pensions; N Christison, VisitScotland; S Cumiskey, L McIntyre, K Molley, E Paul, D Stokoe and D Williams; all Perth & Kinross Council.

**Apology:** Councillor C Shiers; A Burnett, VisitScotland; J Dernie, NHS Tayside; D Gourlay, Perth College UHI; E Guthrie, TACTRAN; J Hunter, Skills Development Scotland; and V Unite, Perthshire Chamber of Commerce.

Councillor C Purves, Chair, Presiding.

**1. WELCOME AND APOLOGIES**

Councillor Purves welcomed all those present to the meeting and an apology was noted as above.

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made in terms of the relevant codes of Conduct.

**3. MINUTE OF PREVIOUS MEETING**

The Minute of the Meeting of the Economy and Lifelong Learning Group on 22 September 2017 was submitted and approved as a correct record.

**4. MATTERS ARISING**

There were no matters arising from the previous minute.

## **5. ANNUAL UPDATE**

N Christison, VisitScotland, and S Cumiskey, Perth & Kinross Council, delivered a slide based presentation on tourism in Perth and Kinross.

During the presentation, specific reference was made to the following;

- The visitor economy;
- Tourism and employment in Perth and Perthshire;
- Stakeholders in the public sector and tourism associations, and also business engagement;
- Infrastructural investment and people development;
- Plans going forward.

N Christison added that there was a changing information strategy with VisitScotland, with the closure of a number of information centres and the restructuring to 26 regional hubs, in order to adapt to the needs of the visitor. N Christison further highlighted the importance of staff knowledge, and highlighted both a global campaign and more local-level investment. He added that Perth and Kinross was in a strong tourism position compared to other areas, but there was still work improvement work to be done.

C Mella, Federation of Small Businesses, raised the possibility of using QR Codes as a means towards generating further traffic through to the VisitScotland website and mobile application on mobile devices. C Mella added that there were issues with 'double-booking' of accommodation occurring in rural areas due to connectivity issues, to which N Christison responded that VisitScotland were actively working towards a solution. L Cairns commented that recognition of a target audience is vital and making tourism more accessible through technology could have a positive impact in terms of the number of people visiting Perth and Kinross. N Christison emphasised the potential of tourism as a catalyst for economic development.

Councillor Sarwar highlighted issues regarding living wage and zero-hour contracts in the tourism industry. L McIntyre, Perth and Kinross Council, there was active encouragement for those in the tourism industry, in particular with regards to meeting the living wage, and that market forces would naturally drive an increase in wages. L McIntyre added that whilst this would not be a short-term process, progress was being made. S Cumiskey and N Christison highlighted SSE Pitlochry Dam and Blair Castle as examples of good practice and initiatives having a positive effect in this regard.

## **6. SCOTLAND'S YEAR OF YOUNG PEOPLE 2018**

C HOLGATE ENTERED THE MEETING DURING THIS ITEM

L McIntyre, Perth and Kinross Council, delivered a verbal update with accompanying slide based presentation on Scotland's Year of Young People 2018.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 323(vi)) (Appendix X)  
13 JUNE 2018

During the accompanying presentation, specific reference was made to the following;

- A background to Scotland's Year of the Young People 2018;
- Details on 'Communcat18', a group of 35 young people from across Scotland offering support and advice to partners on involving young people in their Year of Young People activity. There are two Communicat18 representatives from Perth and Kinross;
- Year of Young People signature event, Diverse CiTay Festival, which will take place on 23 June 2018, involving Perth and Kinross Council, Horsecross Arts Ltd., Culture Perth and Kinross and Perth College UHI, and featuring a number of events in Perth and Kinross;
- Progress made so far and access to further details on Scotland's Year of Young People 2018.

L McIntyre informed members that Scotland is the first country in the world to have a dedicated year of young people, and that there were now 500 young people ambassadors across Scotland. Councillor Purves expressed his happiness that Scotland's Year of Young People 2018 and related events were being designed in collaboration with young people.

In response to a query from Councillor Jarvis on the role of young people, L McIntyre informed members that the approach was less about inviting young people into existing forums, and more about allowing young people to create their own forums.

In response to a question from E Paul, Perth and Kinross Council, regarding any work done within schools in Perth and Kinross regarding Scotland's Year of Young People, L McIntyre informed members that work was being undertaken regarding this with Education and Children's Services and the Council's Communications team, with other partners also involved. S Cumiskey added that there was relevance from a tourism perspective, with there being promotion of Perth and Kinross as a family-friendly destination.

## **7. SOCIAL ENTERPRISE**

There was submitted a Report by K Macpherson, PKAVS (Third Sector Interface), and O Robertson, Perth and Kinross Social Enterprise Network (G/17/215), providing an update on the development and increase of Social Enterprise in Perth and Kinross since the last update in December 2015. The report also highlights PKAVS (Third Sector Interface) and Perth and Kinross Social Enterprise Network's local contribution to the Scottish Government's Social Enterprise Strategy and Action Plans, and an inclusive local economy. Slides displaying photographs were displayed to accompany the report.

O Robertson highlighted the growth in social enterprise and the positive economic impact emanating from this growth. D Stokoe noted the increase in start-up organisations outlined in Paragraph 4.4 of the Report, but highlighted the continuing challenge in this regard in rural areas.

**Resolved:**

Members agreed to;

- (i) The content of Report G/17/214, be noted.
- (ii) Continue to work with PKAVS and Perth and Kinross Social Enterprise Network to relise market opportunities for Social Enterprise.

**8. ECONOMY & LIFELONG LEARNING GROUP – ACTION PARTNERSHIP PROFILES**

There was a Report submitted (G/17/214) by D Stokoe, on action partnership profiles around Perth & Kinross. C Holgate, Perth and Kinross Council, introduced these profiles and gave an update on the current statistics of employment throughout different areas across Perth & Kinross and explained what these figures represent.

C Holgate informed members that there were differences within localities themselves and not just between the different localities. C Holgate added that although Perth and Kinross was below the Scottish average in terms of deprivation, there was apparent deprivation in the area. C Holgate further added that there was a difference in prominent employment in different areas within Perth and Kinross.

J Alexander, Department of Work and Pensions, raised a query as to why only those claiming Universal Credit and JSA had been included in the claimant count. C Holgate responded that these had been the only factors, as these were employment related benefits, to which J Alexander suggested that it could possibly be beneficial to include those in ESA categories.

In response to a query from Councillor Purves, C Holgate explained that the median as opposed to the mean had been used in the statistics as it was considered to be more representative.

**Resolved:**

The content of Report G/17/214, be noted.

**9. ANY COMPETENT BUSINESS**

No other competent business.

**10. DATE OF NEXT MEETING**

The date of the next meeting of the Economy and Lifelong Learning Group to be arranged, and members will be notified in due course.

~~~~~

**ECONOMY AND LIFELONG LEARNING GROUP  
COUNCIL CHAMBERS, COUNCIL BUILDING, 2 HIGH STREET, PERTH  
FRIDAY 23 FEBRUARY 2018**

Minute of meeting of the Community Planning Economy and Lifelong Learning Group held in Room 410, 2 High Street, Perth on Friday 23 February 2018 at 2.00pm.

**Present:** Councillors C Purves, H Anderson (substituting for Councillor F Sarwar) and A Jarvis (substituting for Councillor C Shiers); A Burnett, Elevator; A Carrington, Skills Development Scotland; J Clarkson, VisitScotland; E Dear, Federation of Small Businesses; D Gourley, Perth College UHI; J Padmore (substituting for E Guthrie), TACTRAN; O Robertson, PKSEN.

**In Attendance:** F Kerr, G Glover, A Graham, R Hill, L McIntyre, and D Williams, all Perth and Kinross Council.

**Apologies:** Councillors F Sarwar and C Shiers; E Guthrie, TACTRAN; V Unite, Perthshire Chamber of Commerce.

Councillor C Purves, Chair, Presiding.

**1. WELCOME AND APOLOGIES**

Councillor Purves welcomed all those present to the meeting and apologies were noted as above.

It was noted that E Dear would be replacing C Mella as the representative of the Federation of Small Businesses.

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made in terms of the relevant codes of Conduct.

**3. MINUTE OF PREVIOUS MEETING**

The Minute of the Meeting of the Economy and Lifelong Learning Group on 22 September 2017 was submitted and approved as a correct record.

**4. MATTERS ARISING**

Councillor Jarvis raised the issue of exploring a deeper involvement of Young People in the organisation of Scotland's Year of Young People in Perth and Kinross. L McIntyre informed Councillor Jarvis that there would be an opportunity for young people to be further involved through an event on 23 June 2018, and that Perthshire Youth Voice had since been established and was becoming active.

**5. ANNUAL UPDATE – BUSINESS SUPPORT – FOOD & DRINK**

G Glover, Perth and Kinross Council, delivered an annual update on business support for the Perthshire Food & Drink sector, with an accompanying slide based presentation.

During the presentation, specific reference was made to the following;

- Food and Drinks place in the top business sectors in Perth and Kinross;
- Scottish Food and Drink award winners from Perth and Kinross in 2017;
- PKC Food & Drink Action Plan 2017/18;
- The future of the sector in Perth and Kinross.

G Glover highlighted the importance of the food & drink sector to both the local economy in Perth and Kinross and the Scottish economy, adding that the food & drink sector was attractive to those looking to move into small business.

In response to a query from Councillor Jarvis, G Glover highlighted that there was a sense of pride within the sector of using the Perthshire banner. A Burnett added that there was a good opportunity to utilise the returning Business Month in May 2018, highlighting a workshop taking place in the AK Bell Library, Perth.

**6. UPDATE ON REGIONAL TOURISM CAMPAIGN – TAY COUNTRY**

A Graham, Perth and Kinross Council, delivered an update on the Regional Tourism Campaign – Tay Country, with an accompanying slide based presentation.

During the presentation, specific reference was made to the following;

- Regional tourism performance;
- Regional tourism approach;
- Marketing activities;
- Consumer marketing;
- Digital focus.

A Graham informed members that the tourism focus which had previously been on the East of Scotland was now focused on the 'Tay Country' of Perth & Kinross, Dundee, Angus and Fife. A Graham added that although there was lower productivity in the region than the Scottish tourism average, there was a strong asset base to build on, highlighting the soon to be open V&A Museum in Dundee and the regional linking asset of the River Tay.

In response to a query from Councillor Anderson regarding the types of accommodation there was a demand for, A Graham informed members that there would be demand for numerous types of accommodation, depending upon the preference of the individual visitor. A Graham added that there was a lack of a branded hotel in Perth and, in response to a query from Councillor Anderson on the potential for this, informed members that it was important to have a driver for this, highlighting the increased hotel development in Dundee with the V&A Museum.

## **7. UPDATE ON THE FAMOUS GROUSE IDEAS CENTRE**

F Kerr, Perth and Kinross Council, delivered an update on the Famous Grouse Ideas Centre, with an accompanying slide based presentation.

During the presentation, specific reference was made to the following;

- The creative pipeline;
- Creative incubator;
- Creative accelerator.

F Kerr informed members that development was presently being undertaken at the former St. John's Primary School, and the building will operate under the name 'Creative Exchange'. F Kerr added that the lower ground would consist of 26 artists' studios, and that the operator, WASPS, already had 30 notes of interest for the spaces.

F Kerr informed members that it was intended that the Council would own the building, with WASPS having a long-term lease, and that there would be £500,000 investment from The Famous Grouse.

## **8. REGIONAL SKILLS ASSESSMENT FOR PERTH AND KINROSS**

A Carrington, Skills Development Scotland, delivered a slide based presentation on the Regional Skills Assessment for Perth and Kinross.

During the presentation, specific reference was made to the following;

- Population projections: change by age band 2014 – 2039;
- School Leavers' Destinations 2009/10 and 2015/16;
- Total employment projections;
- Proportion of occupations forecast;
- Proportion of requirement forecast;
- Resident and workplace based earnings 2016;
- Tayside Local Authorities' out-commuting.

A Carrington informed members that although there was forecasted growth in employment in Perth and Kinross over the next few years, contrary to the



predicted fall across Tayside, she exercised caution that much of this was replacement demand as opposed to expansion areas.

A Carrington highlighted Health and Social Care as a key employment sector in Perth and Kinross, also highlighting a large number of jobs in professional occupations. A Carrington emphasised that the majority of jobs becoming available were at a lower level and that many higher level jobs saw people commuting out of Perth and Kinross, adding that employers focused more upon qualifications than skills.

## **9. MIGRATION IN PERTH AND KINROSS**

L McIntyre, Perth and Kinross Council, delivered a slide based presentation on Migration in Perth and Kinross.

During the presentation, specific reference was made to the following;

- Changing migration since vote to leave the European Union;
- Citizenship applications since 2016;
- Migration to Perth and Kinross 2004-2017.

L McIntyre informed members that net migration in Perth and Kinross was falling, primarily due to Britain's forthcoming exit from the European Union. She added that the number of European Union citizens coming to look for employment had halved, but highlighted that there had been a rise in citizenship applications in Perth and Kinross since 2016.

In response to a query from Councillor Jarvis regarding the performance of Perth and Kinross in a national context, L McIntyre informed members that there was a high dependency upon the agricultural and food and drink sectors in Perth and Kinross. J Clarkson, VisitScotland, highlighted the pressing time issue in filling the employment gap left by the reduced number of European Union citizens, and stated the need to build on anecdotal evidence.

Councillor H Anderson highlighted the importance of removing stigma around certain employment sectors, and the need for salaries to reflect the removal of stigma.

## **10. CLOSING THE ATTAINMENT GAP**

R Hill, Perth and Kinross Council, delivered a slide based presentation on Raising Attainment Strategy and an update on Tay Learning and Attainment.

During the presentation, specific reference was made to the following;

- National Improvement Framework priorities;
- S4/S5/S6 Attainment;
- School leavers' literacy and numeracy;

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 323(vi)) (Appendix XI)  
13 JUNE 2018

- Attainment versus deprivation;
- Vocational qualifications;
- Positive leavers' destinations and participation;
- Tayside regional collaborative priorities;
- Tay Learning and Attainment Group;
- Areas of progress;
- Areas for continued focus.

R Hill informed members that there had been a slight drop in literacy and numeracy attainment, but informed members that the latest figures were not available. R Hill later highlighted the Tayside Children's Plan and particularly the importance of numeracy.

R Hill informed members that Perth and Kinross was above the national average in terms of positive destinations. He added that many Perth and Kinross students undertook gap years, and work was being undertaken with the government to look beyond the figures in this regard.

R Hill informed members of the importance of leadership development for schools, and added that Perth and Kinross was a high performing authority in national qualifications.

In response to a query from Councillor Jarvis regarding discrepancies in deprived areas, R Hill stated the importance of changing culture and development over time.

In response to a query from Councillor Anderson regarding the Pupil Equity Fund, R Hill informed members that £1200 was issued per student with a free school meal entitlement.

## **11. ANY COMPETENT BUSINESS**

Councillor Purves paid tribute to Laura McIntyre, as this was her final meeting of the Economy and Lifelong Learning Outcome Delivery Group before leaving the Council. On behalf of members, Councillor Purves thanked Laura for all her hard work and wished her all the very best for the future.

## **12. DATE OF NEXT MEETING**

The next meeting of the Economy and Lifelong Learning Outcome Delivery Group will take place Friday 23 April 2018 at 2.00pm.

~~~~~

At a MEETING of the **TAY CITIES REGION JOINT COMMITTEE** held at Dundee on Friday, 8th December, 2017.

Present:-

Angus Council

Councillor Bill DUFF

Councillor Bob MYLES

Councillor Angus MacMillan DOUGLAS

Dundee City Council

Councillor John ALEXANDER

Councillor Lynne SHORT

Councillor Richard McCREADY

Fife Council

Councillor Tim BRETT

Councillor Karen MARJORAM

Perth & Kinross Council

Councillor Ian CAMPBELL

Councillor Dave DOOGAN

Councillor Colin STEWART

Non-Elected Members

Gordon McGUINNESS, Skills Development Scotland

Tim ALLAN, Tay Cities Enterprise Forum

Professor Sir Pete DOWNES, Principal, University of Dundee Regional HE/FE Forum

Also Present

Jim REID, Scottish Enterprise

Steve GRIMMOND, Fife Council

David MARTIN, Dundee City Council

Mike GALLOWAY, Dundee City Council

Eric KNOX, Third Sector

Alan McKEOWN, Angus Council

Jim VALENTINE, Perth & Kinross Council

Apologies

Apologies were intimated from Councillor David Ross, Linda Hanna, Ellis Watson and Julie Farr.

**I MEMBERSHIP**

Reference was made to Clause Three of the Minute of Agreement between Angus Council, Dundee City Council, Perth and Kinross Council and Fife Council establishing the Joint Committee. The Joint Committee noted the following appointments:-

Angus Council

Councillor Bob Myles

Councillor Angus MacMillan Douglas

Councillor Bill Duff

Dundee City Council

Councillor John Alexander

Councillor Lynne Short

Councillor Richard McCready

#### Fife Council

Councillor David Ross  
Councillor Karen Marjoram  
Councillor Tim Brett

#### Perth and Kinross Council

Councillor Ian Campbell  
Councillor Colin Stewart  
Councillor David Doogan

#### Non-Elected Members

Gordon McGuinness, Skills Development Scotland  
Linda Hanna, Scottish Enterprise  
Ellis Watson, Chair, Tay Cities Enterprise Forum  
Tim Allan, Tay Cities Enterprise Forum  
Professor Sir Pete Downes, Principal, University of Dundee Region HE/FE Forum  
Julie Farr, Dundee Social Enterprise Network, Third Sector

## **II DECLARATION OF INTEREST**

Elected members were reminded that, in terms of The Councillors Code, it was their responsibility to make decisions about whether to declare an interest in any item on the agenda and whether to take part in any discussions or voting.

This included all interests, whether or not entered on their Register of Interests, which would reasonably be regarded as so significant that they would be likely to prejudice your discussion or decision-making.

No declarations of interests were made.

## **II CONVENER AND VICE-CONVENER**

In terms of Clause Twelve of the Minute of Agreement, the Joint Committee agreed to appoint a Convener and Vice-Convener as follows:-

<u>Year</u>	<u>Convener</u>	<u>Vice-Convener</u>
2017/2018	Angus Council	Perth & Kinross Council
2018/2019	Perth & Kinross Council	Fife Council
2019/2020	Fife Council	Dundee City Council
2020/2021	Dundee City Council	Angus Council

Accordingly Councillor Bob Myles was appointed as Convener and took the Chair.

## **IV GOVERNANCE ARRANGEMENTS**

The Joint Committee remitted to the Clerk to submit proposed governance arrangements to the next meeting of the Joint Committee.

## **V PRESENTATION**

A presentation was given to the Joint Committee by Jim Reid of Scottish Enterprise highlighting factors of economic importance when relevant to the bid process for the Tay Cities, which would also reflect the four priorities of the Scottish Government's Economic Strategy.

Members noted the three key elements of the bid:-

- Inclusive Tay – delivering of a smarter, fairer economy over the next 20 years which would in turn provide better economic outcomes for citizens

- Innovative, International Tay – support to businesses for innovation of growth, and also creation of new skilled jobs within the region.
- Connected Tay – improved digital connectivity to enhance the development of knowledge intensive business across the Tay Cities Region.

Members agreed that it was imperative to build upon existing strengths within the region and that this was an important time to be ambitious about attracting new talent and opportunities for the area.

Jim Reid was thanked for his interesting and informative presentation.

## **VI PROGRESS REPORT**

There was submitted Report TCRJC 1-2017 by David Littlejohn, Head of Tay Cities Deal provided Committee Members with an update on progress since the submission of the Tay Cities Deal in March 2017 and the anticipated timescale for its inclusion.

The Committee agreed to:-

- (i) note the content of this report; and
- (ii) request a further report on the progress of negotiating the Tay Cities Deal at its next meeting.

## **VII PROPOSED TIMETABLE 2018**

<u>Date</u>	<u>Time</u>
16th February	10 am
18th May	10 am
24th August	10 am
9th November	10 am

All meetings to be held in Committee Room 1, 14 City Square, Dundee.

The Joint Committee agreed the timetable as detailed.

Bob MYLES, Convener

## SCRUTINY COMMITTEE

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 13 June 2018 at 2.00pm.

Present: Councillors G Laing, S McCole, H Anderson, H Coates (from Art. 334 onwards), S Donaldson (substituting for Councillor H Anderson), J Duff (substituting for Councillor C Ahern), D Illingworth, A Parrott, C Purves, C Stewart and M Williamson (substituting for Councillor D Doogan).

In Attendance: B Renton, Executive Director (Housing and Environment); S Devlin, Executive Director (Education and Children's Services); C Mailer and K Sharpe (both Housing and Environment); C Flynn, F Robertson, L Simpson, D Williams and L Aitchison (all Corporate and Democratic Services).

Apologies: Councillors C Ahern, H Anderson and D Doogan.

Councillor G Laing, Convener, Presiding.

### **330. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting and apologies were noted as above.

### **331. DECLARATIONS OF INTEREST**

Councillor H Coates declared a non-financial interest in Art. 333(i).

### **332. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 18 APRIL 2018**

The minute of meeting of the Scrutiny Committee of 18 April 2018 (Arts.201-208) was submitted, approved as a correct record and authorised for signature.

### **333. UPDATE BY ARMS' LENGTH EXTERNAL ORGANISATION**

#### **(i) Horsecross Arts Ltd.**

J Elles, Vice-Chair; M Griffiths, Chief Executive; and K McKenzie, Finance Director, Horsecross Arts Ltd., provided a verbal update on progress with the budgeting process; programming and expected income from programming; artistic achievements; and answered members' questions.

Members sought assurance on matters such as: funding for artistic activities; progress post-theatre refurbishment; governance of the board; widening the appeal of artistic programmes.

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
13 JUNE 2018

The Convener thanked the representatives of Horsecross Arts Ltd. for their attendance and they left the meeting at this point.

F ROBERTSON LEFT THE MEETING AT THIS POINT.

COUNCILLOR H COATES ENTERED THE MEETING AT THIS POINT.

**334. FOI PERFORMANCE REPORT 2017-18**

There was submitted a report by the Head of Legal and Governance Services (18/191) providing an overview of the Council's performance in relation to requests for information under the Freedom of Information (Scotland) Act 2002 for the year 2017-18. The report also provided an overview of some of the Council's other information-related activities.

In response to a question from Councillor Donaldson regarding the Council's preparedness for Subject Access Requests under the General Data Protection Regulation, L Simpson, Head of Legal and Governance Services, informed members that the Council had been dealing with Subject Access Requests for a long period of time. L Simpson further advised that, to date, the Council had received no Subject Access Requests since the implementation of the General Data Protection Regulation in May 2018.

In response to a query from Councillor Purves regarding the availability of information prior to any Freedom of Information requests, L Simpson assured members that Council Services are encouraged to make as much information as possible publically available.

**Resolved:**

- (i) The Council's performance in respect of processing requests under Freedom of Information (Scotland) Act 2002 continues to be good although slightly below target for 2017-18, be noted.
- (ii) It be noted that the Freedom of Information (Scotland) Act 2002 helps to provide assurance of openness and transparency to the public in their dealings with the Council and it is essential that this service continues to operate to a high standard.
- (iii) The Council's performance in respect of processing subject access requests under the Data Protection Act 1998 and the challenge that the breadth and complexity of these requests presents in achieving compliance with the statutory timescales, be noted.
- (iv) The Council's policy on directed surveillance and interception of communications, be noted.

**335. HOUSING AND ADULT SOCIAL CARE COMPLAINTS AND CUSTOMER FEEDBACK**

There was submitted a report by the Executive Director (Housing and Environment) (18/163) providing details of complaints received between 1 April 2017 and 31 March 2018 across Housing and Adult Social Care. Information on the

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
13 JUNE 2018

number of Stage 1 and Stage 2 complaints received was also detailed, with examples of feedback from customer satisfaction surveys. The report also provided an overview of actions taken to improve services as a result of customer feedback.

In response to a query from Councillor Laing regarding the impact of transformation, C Mailer informed members that 'how-to videos had been made available online along with online repairs reporting, and there was a large amount of interaction with Council tenants regarding repairs, adding that there had been good feedback from a survey of tenants. In response to a query from Councillor Coates regarding feedback on 'how-to' repairs, C Mailer informed members that there had been a satisfaction level in excess of 90% on these videos amongst tenants.

Councillor Illingworth commented that complaints should be welcomed as a means of first-hand evidence, and that a slight rise in complaints shouldn't be seen as a negative. Councillor McCole later echoed the sentiments of Councillor Illingworth's comments, also expressing the importance of one to one contact in Social Work.

**Resolved:**

The contents of Report 18/163, be noted.

C MAILER AND K SHARPE LEFT THE MEETING AT THIS POINT

**336. ANNUAL GOVERNANCE STATEMENT 2017/18**

There was submitted a report by the Head of Legal and Governance Services (18/192) seeking the approval of the Annual Governance Statement for the financial year 2017/18, which provides assurance as to the effectiveness of the Council's governance framework and in particular the system of internal control.

In response to a query from Councillor Stewart, L Simpson informed members that the purpose of the Annual Governance Statement was to provide assurance to elected members, and followed the CIPFA framework.

**Resolved:**

The contents of Report 18/192, be noted.

~~~~~



## **PERTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Perth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 June 2018 at 11.00am.

Present: Councillors B Band, C Ahern, P Barrett, A Coates, H Coates, D Doogan, E Drysdale, M Lyle, S McCole, A Parrott, J Rebbeck and W Wilson.

In Attendance: D Coyne, C Flynn, J Salisbury, R Huczynska, K Molley (all Corporate and Democratic Services); W Young (Housing and Environment).

Councillor B Band, Convener, Presiding.

### **337. WELCOME AND APOLOGIES**

Councillor B Band welcomed all present to the meeting.

### **338. DECLARATIONS OF INTEREST**

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

### **339. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth Common Good Fund Committee of 25 April 2018 (Arts. ) was submitted, approved as a correct record and authorised for signature.

### **340. MATTERS ARISING**

#### **(i) Tay Railway Viaduct Steps – Replacement**

A meeting had taken place between the Convener, Councillor Doogan and the 4 local ward members with officers to gain further clarity on the replacement of the Tay Railway Viaduct steps.

#### **Resolved:**

It was agreed to continue with the original contract, to replace the Tay Railway Viaduct steps (Art. 546/17 refers).

#### **(ii) Training of Carilloners**

In response to a query on an update of training of Carilloners from Councillor W Wilson, C Flynn advised that people had shown interest in training however this had never been followed up. On a positive note, there have been a few Carilloners playing recently with more recitals taking place in Perth.

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
20 June 2018

**+Resolved:**

St John's Kirk be encouraged to make contact with Perth UHI music department and senior music students in Perth Secondary Schools to support future training on the carillon.

**341. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/141 Revised) asking the Perth Common Good Fund Committee to consider 12 applications for financial assistance.

**Resolved:**

**(1) Agricultural and Rural Affairs Study (1)**

Individual be awarded a grant of £100 towards the cost of a study tour.

**(2) Agricultural and Rural Affairs Study (2)**

Individual be awarded a grant of £100 towards the cost of a study tour.

**(3) Great Perthshire Picnic**

Giraffe Trading Community Interest Company be awarded a grant of up to £3,600 towards the costs of the Great Perthshire Picnic.

**(4) Perth Festival of the Arts Limited**

Perth Festival of the Arts Limited be awarded a grant of £1,574 towards the costs of new banners.

**(5) Lingo Flamingo**

Lingo Flamingo be awarded a grant of £1,000 towards the costs of setting up language classes in care homes. The Committee requested a report back on the activity to a future meeting.

**(6) Perth and District Pipeband**

Perth and District Pipeband be awarded a grant of £2,500 towards the cost of pipeband uniforms.

**Resolved:**

It was agreed that the Committee would approve a grant of £2,500 towards the cost of pipeband uniforms. A further report should be brought back to a future committee providing information on further funding resources available to the Perth and District Band.

**(7) Perthshire Pride**

Perthshire Pride be awarded a grant of up to £3,840 towards the costs of the Perthshire Pride festival.

**(8) Police Scotland Youth Volunteers**

Police Scotland Youth Volunteers be awarded a grant of £600 towards the costs of an outdoor activity weekend.

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
20 June 2018

**(9) Royal Scottish Country Dance Society**

Royal Scottish Country Dance Society be awarded a grant of £680 towards the costs of the ceilidh, public performances and a workshop.

**(10) St John's RC Academy**

**Motion (Councillors E Drysdale and A Parrott)**

**St John's RC Academy Romania Mercy Project be awarded a grant of £800 towards the costs of ten S6 pupils volunteering at a hospital for children in Bucharest.**

Amendment (Councillors Barrett and Ahern)

St John's RC Academy Romania Mercy Project be awarded a grant of £600 towards the costs of ten S6 pupils volunteering at a hospital for children in Bucharest.

In accordance with Standing Order 58, a roll call vote was taken.

8 members voted for the motion as follows:

Councillors A Coates, H Coates, D Doogan, E Drysdale, M Lyle, S McCole, A Parrot and J Rebbeck.

4 members voted for the amendment as follows:

Councillors C Ahern, B Band, P Barret and W Wilson.

**Resolved:**

In accordance with the motion.

**(11) St John's RC Academy Parent Council**

St John's RC Academy Parent Council be awarded a grant of £780 towards the cost of a pupil award ceremony.

**(12) Wednesday Tea Dance**

Wednesday Tea Dance be awarded a grant of £168 towards the costs of their annual trip.

**Resolved:**

- (i) The letter of thanks from the Trustees of the Perth Musical Festival Association, be noted.
- (ii) It be agreed that all organisations receiving an award be advised to provide feedback to the Committee on the outcomes of the award.
- (iii) A meeting be arranged between elected members and officers to review the criteria for awarding financial assistance and report back to the next committee.

PERTH AND KINROSS COUNCIL  
PERTH COMMON GOOD FUND  
20 June 2018

**342. 2017/18 AND 2018/19 AND 2018/19 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (18/200) providing an update on 2017/28 unaudited Income and Expenditure, and details the Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for the Perth Common Good Fund.

**Resolved:**

- (i) The Perth Common Good Fund unaudited Income and Expenditure to 31 March 2018 as set out in Appendix 1 to the report, be noted.
- (ii) The Perth Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

**343. ANY OTHER COMPETENT BUSINESS**

- (i) It was agreed that future meetings of the Perth Common Good Fund should start earlier at 10.00am.
- (ii) The Convener paid tribute to former Perth and Kinross Common Good Fund Committee Convener Councillor Alastair Munro who had died earlier in the week following a long illness.

~~~~~

## **ABERFELDY COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Aberfeldy Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 June 2018 at 11.35am.

Present: Councillors M Williamson, P Barrett, J Duff, X McDade and M Lyle.

In Attendance: D Coyne, C Flynn, R Huczynska, K Molley and J Salisbury (all Corporate and Democratic Services) S Merone and W Young (Housing and Environment).

Councillor M Williamson, Convener, Presiding.

### **344. WELCOME AND APOLOGIES**

Councillor Williamson welcomed all present to the meeting.

### **345. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of Code of Conduct.

### **346. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Aberfeldy Common Good Fund Committee of 25 April 2018 (Arts. 216-221) was submitted, approved as a correct record and authorised for signature.

### **347. MATTERS ARISING**

There were no matters arising.

### **348. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/201) asking Aberfeldy Common Good Fund Committee to consider an application for financial assistance.

#### **Resolved:**

#### **(1) Loch Tay Skiff Club**

Loch Tay Skiff Club be awarded a grant of £300 towards the costs of building and rowing a wooden open water skiff.

### **349. 2017/18 BUDGET & 2018/19 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (18/202) (1) providing an update on 2017/18 unaudited Income and Expenditure; (2) details of the Income and Expenditure to 25 May 2018 and; (3) the projected outturn to 31 March 2019 for the Aberfeldy Common Good Fund.

PERTH AND KINROSS COUNCIL  
ABERFELDY COMMON GOOD FUND  
20 June 2018

**Resolved:**

- (i) The Aberfeldy Common Good Fund unaudited Income and Expenditure to 31 March 2018 as set out in Appendix 1 to the report, be noted.
- (ii) The Aberfeldy Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

~~~~~

## **ALYTH COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Alyth Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 25 April 2018 at 11.40am.

Present: Councillors C Stewart, P Barrett, M Lyle, Provost Melloy, F Sarwar and L Simpson.

In Attendance: D Coyne, C Flynn, R Huczynska, K Molley and J Salisbury (all Corporate and Democratic Services) S Merone and W Young (Housing and Environment); P Fairgreave (Alyth Community Council)

Councillor C Stewart, Convener, Presiding

### **350. APPOINTMENT OF CONVENER**

The Committee unanimously agreed to appoint Councillor C Stewart as Convener of the Alyth Common Good Fund Committee.

### **351. WELCOME AND APOLOGIES**

Councillor Stewart welcomed all present to the meeting.

### **352. DECLARATIONS OF INTEREST**

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

### **353. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Alyth Common Good Fund Committee of 22 June 2016 (Arts 483 -489/16) was submitted, approved as a correct record and authorised for signature.

### **354. MATTERS ARISING**

There were no matters arising.

### **355. ADVISORY NON-VOTING MEMBER**

As its meeting on 20 December 2017, the Council agreed that Common Good Fund Committees have the ability, if they so wish, to invite a member of the local community council(s) to join the Committee as an advisory non-voting member. The Committee was asked to determine how it wishes to implement the decision.

PERTH AND KINROSS COUNCIL  
ALYTH COMMON GOOD FUND  
20 June 2018

**Resolved:**

- (i) The community council be invited to send a representative to join the Committee as an advisory, non-voting member.
- (ii) The advisory non-voting membership of the Committee be reviewed after a year.
- (iii) A substitute representative from Alyth Community Council may attend if the permanent representative is unavailable.
- (iv) The advisory non-voting member of Alyth Community Council took up the position with immediate effect. Peter Fairgreave from Alyth Community Council was welcomed to the meeting.

**356. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/203) asking Alyth Common Good Fund Committee to consider an application for financial assistance.

**Resolved:**

**(1) Alyth & District Agricultural Show Society**

Alyth & District Agricultural Show Society be awarded a grant, in arrears of up to £660, to underwrite any deficit of running the annual agricultural show.

**357. 2016/17, 2017/18 & 2018/19 FINANCIAL STATEMENTS**

There was submitted a report by the Head of Finance (18/204) (1) providing an update on audited 2016/17 & unaudited 2017/18 Income and Expenditure; (2) details the Income and Expenditure to 25 May 2018 and; (3) the projected outturn to 31 March 2019 for the Alyth Common Good Fund.

**Resolved:**

- (i) The Audited Income and Expenditure to 31 March 2017 for the Alyth Common Good Fund for Financial Year 2016/17 as set out in Appendix 1 to the report, be noted.
- (ii) The unaudited Revenue Account Balance to 31 March 2018 for the Alyth Common Good Fund for Financial Year 2017/18, be noted.
- (iii) The Alyth Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

~~~~~



## **AUCHTERARDER COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Auchterarder Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 June 2018 at 12.00pm.

Present: Councillors T Gray, P Barrett, M Lyle and C Reid.

In Attendance: D Coyne, C Flynn, R Huczynska, K Molley and J Salisbury (all Corporate and Democratic Services); W Young (Environment Service); S Merone (Housing and Environment); M Scobie (Auchterarder Community Council).

Councillor T Gray, Convener, Presiding

### **358. WELCOME AND APOLOGIES**

Councillor Gray welcomed all present to the meeting.

### **359. DECLARATIONS OF INTEREST**

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

### **360. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Auchterarder Common Good Fund Committee 25 April 2018 (Arts. 222-227) was submitted, approved as a correct record and authorised for signature.

### **361. MATTERS ARISING**

It was previously agreed by the Committee at the last Common Good Fund meeting to appoint a non-advisory voting member to attend committee meetings. Councillor Gray gave a special welcome to Malcolm Scobie from Auchterarder Community Council.

The Committee agreed that the non-advisory voting member does not necessarily need to be the same person, as long as the representative is a member of Auchterarder Community Council.

### **362. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/205) asking Auchterarder Common Good Fund Committee two applications for financial existence.

PERTH AND KINROSS COUNCIL  
AUCHTERARDER COMMON GOOD FUND  
20 June 2018

**Resolved:**

- (1) Auchterarder Bloom Association**  
Auchterarder Bloom Association be awarded a grant of £1,000 towards the cost of watering and feeding the floral displays.
- (2) Neurocentral**  
Neurocentral be awarded a grant of £1,264.80 towards the costs of purchasing equipment and conducting surveys of people using the service.

**363. 2018/19 BUDGET & 2017/18 FINANCIAL STATEMENT**

There was submitted a report by the Head of Finance (18/206) (1) providing an update on 2017/18 unaudited Income and Expenditure; (2) details the Income and Expenditure to 25 May 2018; and (3) the projected outturn to 31 March 2019 for the Auchterarder Common Good Fund.

**Resolved:**

- (i) The Auchterarder Common Good Fund unaudited Income and Expenditure to 31 March 2018 as set out in Appendix 1 to the report, be noted.
- (ii) The Auchterarder Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

~~~~~

## **BLAIRGOWRIE COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Blairgowrie Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 25 April 2018 at 12.10pm.

Present: Councillors T McEwan, P Barrett, B Brawn, M Lyle, and C Shiers.

In Attendance: D Coyne, C Flynn, R Huczynska, K Molley and J Salisbury (all Corporate and Democratic Services); S Merone and W Young (Housing and Environment Service).

Councillor T McEwan, Convener, Presiding.

### **364. WELCOME AND APOLOGIES**

Councillor McEwan welcomed all present to the meeting.

### **365. DECLARATIONS OF INTEREST**

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

### **366. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Blairgowrie Common Good Fund Committee of 4 October 2017 (Arts. 561-567/17) was submitted, approved as a correct record and authorised for signature.

### **367. MATTERS ARISING**

#### **BMX Track (Item 566 refers)**

Councillor C Shiers commented that the work is still ongoing at the BMX Track and they hope to have an official opening in due course.

### **368. ADVISORY NON-VOTING MEMBER**

As its meeting on 20 December 2017, the Council agreed that Common Good Fund Committees have the ability, if they so wish, to invite a member of the local community council(s) to join the Committee as an advisory non-voting member. The Committee was asked to determine how it wishes to implement the decision.

In response to a query from Councillor C Shiers regarding the requirements of the non-advisory voting member, T McEwan reported that the advisory non-voting representative needs to be a member of the Blairgowrie and Rattray Community Council but does not necessarily need to live in Blairgowrie. He confirmed that this would be clarified for the next committee meeting.

PERTH AND KINROSS COUNCIL  
BLAIRGOWRIE COMMON GOOD FUND  
20 JUNE 2018

**Resolved:**

- (i) The community council be invited to send a representative to join the Committee as an advisory, non-voting members.
- (ii) The advisory non-voting membership of the Committee be reviewed after a year.

**369. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/207) asking Blairgowrie Common Good Fund to consider an application for financial assistance.

**Resolved:**

**(1) stART: Hamish Matters**

Strathmore Arts Festival (stART) be awarded a grant of £750 towards the costs of providing affordable, high-quality arts activities celebrating the life of Blairgowrie soldier, poet and song collector Hamish Henderson.

**370. 2017/18 & 2018/19 FINANCIAL STATEMENTS**

There was submitted a report by the Head of Finance (18/208) (1) providing and update on 2017/18 unaudited Income and Expenditure; (2) detailing the Income and Expenditure to 25 May 2018; and (3) the projected outturn to 31 March 2019 for the Blairgowrie Common Good Fund.

**Resolved:**

- (i) The Blairgowrie Common Good Fund unaudited Income and Expenditure to 31 March 2018 as set out in Appendix 1 to the report, be noted.
- (ii) The Blairgowrie Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

~~~~~

## **KINROSS COMMON GOOD FUND COMMITTEE**

Minute of meeting of the Kinross Common Good Fund Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 June 2018 at 12.25pm

Present: Councillors M Barnacle, P Barrett, M Lyle, C Purves, W Robertson and R Watters.

In Attendance: D Coyne, C Flynn, R Huczynska, K Molley and J Salisbury (all Corporate and Democratic Services); S Merone and W Young (Housing and Environment Service).

Councillor M Barnacle, Convener, presiding

### **371. WELCOME AND APOLOGIES**

Councillor M Barnacle welcomed all present to the meeting.

### **372. DECLARATIONS OF INTEREST**

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

### **373. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Kinross Common Good Fund Committee of 20 December 2017 (Arts. 721-726/17) was submitted, approved as a correct record and authorised for signature.

### **374. MATTERS ARISING**

There were no matters arising.

### **375. ADVISORY NON-VOTING MEMBER**

As its meeting on 20 December 2017, the Council agreed that Common Good Fund Committees have the ability, if they so wish, to invite a member of the local community council(s) to join the Committee as an advisory non-voting member. The Committee was asked to determine how it wishes to implement the decision.

#### **Resolved:**

- (i) The community council be invited to send a representative to join the Committee as an advisory, non-voting member.
- (ii) A substitute representative from the Kinross Community Council may attend if the permanent representative is unavailable.
- (iii) It be noted that Kinross Community Council had nominated Eileen Thomas as the non-advisory voting member.

### **376. APPLICATIONS FOR FINANCIAL ASSISTANCE**

There was submitted a report by the Depute Chief Executive (18/209) asking Kinross Common Good Fund Committee to consider an application for financial assistance.

**Resolved:**

**(1) The Rotary Club of Kinross and District**

The Rotary Club of Kinross and District are seeking a grant of £5,000 towards the 'Mary Queen of Scots – The Great Escape' boat race event.

The application for financial assistance was rejected and officers were asked to contact the Rotary Club and assist them to find alternative sources of funding for the 'Mary Queen of Scots – The Great Escape' boat race event.

### **377. 2017/18 & 2018/19 FINANCIAL STATEMENTS**

There was submitted a report by the Head of Finance (18/210) (1) providing an update of 2017/18 unaudited Income and Expenditure; (2) details the Income and Expenditure to 25 May 2018 and; (3) the projected outturn to 31 March 2019 for the Kinross Common Good Fund.

**Resolved:**

- (i) The Kinross Common Good Fund unaudited Income and Expenditure to 31 March 2018 as set out in Appendix 1 to the report, be noted.
- (ii) The Kinross Common Good Fund Income and Expenditure to 25 May 2018 and the projected outturn to 31 March 2019 for Financial Year 2018/19 as set out in Appendix 2 to the report, be noted.

~~~~~

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 20 June 2018 at 2.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, E Drysdale, J Duff, A Forbes, T Gray, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, CPurves, J Rebbeck, C Reid, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: B Malone, Chief Executive; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Housing and Environment); K McNamara, Depute Director (Housing and Environment); J Pepper, Depute Director (Education and Children's Services); C Mailer, Head of Housing; G Taylor, S Hendry, L Simpson, S Walker, L Potter, C Flynn, K Molley, R Fry, L Cameron and D Stokoe (all Corporate and Democratic Services); R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership; F Robertson, Head of Cultural and Community Services; N Brian, S Crawford and F Crofts (all Housing and Environment); G Boland, S Johnston and L Richards (all Education and Children's Services).

Apology for Absence: Councillor D Illingworth.

Provost D Melloy, Presiding.

### **378. TRIBUTE TO THE LATE ALASTAIR MUNRO**

Provost Melloy paid tribute to former Perth and Kinross Councillor Alastair Munro who had died earlier in the week following a long illness. He had first been elected to the Council in 2012 and represented the Perth City South ward until 2017.

Provost Melloy led Councillors in a minute's silence.

### **379. PRE-DETERMINATION COMMITTEE**

Provost Melloy advised elected members that with reference to Art. 385, this application was for modification of a national planning application for which, under Paragraph 27.1(a) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, a pre-determination hearing may be required to be held prior to the application being presented to the Council for determination. As there had been no requests for deputations to be heard there had been no requirement to hold a meeting of the Pre-Determination Committee.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

**380. WELCOME AND APOLOGIES**

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

**381. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillors G Laing, W Robertson, A Forbes, J Rebbeck and T McEwan all declared a non-financial interest in Art. (Item 8) on the agenda.

**382. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39**

- (i) In terms of Standing Order 39, the Council considered the following Motion:

Motion (Councillors R Watters and M Barnacle)

Council notes the ongoing Brexit negotiation process and specifically the developments which indicate that EU nationals, who have made Perth and Kinross their home, will lose their eligibility to participate in our democratic processes. Notes that while the Scottish Government are currently looking at the option of extending the franchise for local elections to all those legally resident in Scotland, participation in Community Councils is determined by each Council through the Scheme of Establishment for Community Councils.

Instructs Officers to extend the remit of the 'Review of the Scheme of Establishment for Community Councils in Perth and Kinross' as approved at full Council on 7 March 2018, to include a review of eligibility for Community Council Elections to ensure in so far as legally possible EU nationals can continue to participate in this important element of our democratic process.

**Resolved:**

In accordance with the Motion.

- (ii) In terms of Standing Order 39, the Council considered the following Motion:

Motion (Councillors X McDade and M Williamson)

Motion on A827 Road Closure

That the Council notes the significant economic impact road closures have on rural communities and in particular on the rural economy.

The Council also notes that the proposed full road closure of the A827 between Grandtully & Aberfeldy for seven weeks from late August to mid-October to carry out significant retaining works, which whilst necessary, will have a major impact on the economy of Aberfeldy and West Highland Perthshire, an area which relies heavily on tourism. Furthermore this community has already experienced a high level of disruption in the first five months of 2018 with both other A roads leading into



PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

Aberfeldy having experienced partial road closures at peak tourist times such as February half term and Easter to undertake various works.

Further notes that there is very strong opposition from the West Highland Perthshire community towards the potential full closure of the A827, with a high number of businesses raising concerns about their future should this main arterial route to Aberfeldy be closed.

The Council resolves to use all endeavours to find a technical solution, which is financially viable, to allow the A827 to be kept open during the planned works and that the Council will seek to fund this solution as a priority.

**Resolved:**

In accordance with the Motion.

**383. MINUTE OF PREVIOUS MEETING**

The minute of the meeting of Perth and Kinross Council of 25 April 2018 (Arts. 234-244) was submitted, approved as a correct record and authorised for signature.

**384. MINUTES OF MEETINGS OF COMMITTEES FROM 11 APRIL 2018 to 29 MAY 2018**

The decisions recorded in Arts.176-233 and 245-315, copies of which had been circulated to all members of the Council, were submitted and noted.

**385. PLANNING REFERENCE 18/00200/FLN - SECTION 42 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 TO MODIFY CONDITION 3 (LANDSCAPING) OF PLANNING PERMISSION 12/00948/FLM (ERECTION OF AN ELECTRICITY SUBSTATION, FORMATION OF LANDSCAPING, ACCESS TRACKS AND ASSOCIATED WORKS) AT LAND 450 METRES NORTH WEST OF HAUGHEND FARM, MEIGLE**

There was submitted a report by the Executive Director (Housing and Environment) (18/216) principally recommending the approval of an application to modify condition 3 (landscaping) of National Planning Consent 12/00948/FLM (Erection of an electricity substation, formation of landscaping, access tracks and associated works) at land north west of Haughend Farm, Meigle. The report also sought agreement to extend planning consent timescales to five years.

**Resolved:**

- (i) The contents of Report 18/216 be noted;
- (ii) The amended wording to condition 3, as set out in section 5 of Report 18/216 be approved;
- (iii) The departure from the standard three year timescale to extend the permission for five years, consistent with the current project timescales, and as set out in Report 18/216, be approved.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

**386. ANNUAL TREASURY REPORT 2017/18**

There was submitted a report by the Head of Finance (18/211) summarising the Council's treasury activities for the 2017/18 financial year and comparing actual performance with the approved Treasury and Investment Strategy for 2017/18.

**Resolved:**

The content of Report 18/211, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

**387. COMPOSITE CAPITAL BUDGET 2018-2025**

There was submitted a report by the Head of Finance (18/212) seeking approval for the Provisional Composite Capital Budget for years 2018/19 to 2027/28. Approval was also sought for the Capital Strategy and Prudential Indicators for years 2018/19 to 2027/28.

**Motion (Councillors M Lyle and P Barrett):**

**The Council agrees to:**

- (i) Approve the setting of a ten year Capital Budget for financial years 2018/19 to 2027/28.**
- (ii) Approve the level of Capital resources for 2018/19 to 2027/28 set out in Section 2 above and Appendices I and II with the exception of the item at (x) below.**
- (iii) Funding for a replacement of Perth High School as set out in paragraphs 3.6 to 3.18.**
- (iv) Approve the additional expenditure proposals set out in paragraphs 3.21 to 3.27 with the exception of the item listed at (x) below.**
- (v) Approve the Annual Rolling Programmes set out in paragraphs 3.29 and 3.30 and Appendix III.**
- (vi) Approve the Prudential Borrowing projects set out in paragraph 3.32 and Appendix IV.**
- (vii) Approve the Capital expenditure proposals as set out in Section 3 and Appendix IV of this report with the addition of the projects listed at (x) below.**
- (viii) Approve the Prudential and Treasury Management Indicators for 2018/19 to 2027/28 as set out in Section 4 and Appendix V of this report.**
- (ix) Approve the Capital Strategy set out at Appendix VII to this report.**
- (x) Additional investment of £24,015,000 in the following areas (over the next ten years) –**

| <b>Additional Expenditure</b> | <b>£'000</b>  |
|-------------------------------|---------------|
| <b>Structural Maintenance</b> | <b>20,000</b> |
| <b>Playparks</b>              | <b>1,500</b>  |
| <b>Road Safety</b>            | <b>1,350</b>  |

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

|                                                                                  |               |
|----------------------------------------------------------------------------------|---------------|
| <b>3G Pitch, Blairgowrie</b><br><i>(subject to a business case)</i>              | <b>500</b>    |
| <b>Additional Investment in Local Footpaths</b>                                  | <b>200</b>    |
| <b>Investment in Pitlochry Carpark</b><br><i>(subject to a business case)</i>    | <b>150</b>    |
| <b>Air Quality Improvement Initiatives</b><br><i>(subject to business cases)</i> | <b>100</b>    |
| <b>Strathmore Cycle Network</b>                                                  | <b>100</b>    |
| <b>Additional Funding towards Brioch Road, Crieff</b>                            | <b>65</b>     |
| <b>Investment in Pedestrian Gritters</b><br><i>(subject to business cases)</i>   | <b>50</b>     |
| <b>TOTAL ADDITIONAL EXPENDITURE</b>                                              | <b>24,015</b> |

The additional expenditure will be funded as follows:

|                                                                                                                                                                                                                                                                                                                                                                                                         |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>Funding</b>                                                                                                                                                                                                                                                                                                                                                                                          | <b>£'000</b>  |
| <b>Additional borrowing</b> <ul style="list-style-type: none"> <li>• <i>The borrowing costs of this proposal range between £74,000 and £91,000 each year with total additional borrowing costs of £771,000 required.</i></li> <li>• The additional borrowing costs will be funded by an additional increase in the Council Tax Base (approximately 62 band D equivalent properties per year.</li> </ul> | <b>23,350</b> |
| <b>Audio Visual Programme in schools</b>                                                                                                                                                                                                                                                                                                                                                                | <b>665</b>    |
| <b>TOTAL ADDITIONAL RESOURCES</b>                                                                                                                                                                                                                                                                                                                                                                       | <b>24,015</b> |

First Amendment (Councillors D Doogan and A Parrott):

The Council agrees to:

- I. Approve the setting of a ten year Capital Budget for financial years 2018/19 to 2027/28.
- II. Approve the level of Capital resources for 2018/19 to 2027/28 set out in Section 2 above and Appendices I and II with the exception of the item at (x) below.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

- III. Funding for a replacement of Perth High School as set out in paragraphs 3.6 to 3.18 with the exception of the item at (x) below.
- IV. Approve the additional expenditure proposals set out in paragraphs 3.21 to 3.27.
- V. Approve the Annual Rolling Programmes set out in paragraphs 3.29 and 3.30 and Appendix III.
- VI. Approve the Prudential Borrowing projects set out in paragraph 3.32 and Appendix IV.
- VII. Approve the Capital expenditure proposals as set out in Section 3 and Appendix IV of this report with the exception of the items at (x) below.
- VIII. Approve the Prudential and Treasury Management Indicators for 2018/19 to 2027/28 as set out in Section 4 and Appendix V of this report.
- IX. Approve the Capital Strategy set out at Appendix VII to this report.
- X. Additional investment of **£30,250,000** in the following areas –

| <b>Additional Expenditure</b>                              | <b>£'000</b>  |
|------------------------------------------------------------|---------------|
| Balhousie Primary School                                   | <b>6,000</b>  |
| PH20                                                       | <b>4,725</b>  |
| Funding Boost to Commercial Property Improvement Portfolio | <b>4,100</b>  |
| Local Roads                                                | <b>3,375</b>  |
| Blairgowrie Recreation Centre                              | <b>3,000</b>  |
| School Estate Equity Fund                                  | <b>2,500</b>  |
| A9 Dualling – Link Road Improvements                       | <b>1,600</b>  |
| Letham Wellbeing Hub                                       | <b>1,200</b>  |
| Dunbarney Nursery<br>(subject to a business case)          | <b>1,100</b>  |
| Bridge Parapets                                            | <b>1,000</b>  |
| Car Parks                                                  | <b>1,000</b>  |
| A9 Access Blackford                                        | <b>350</b>    |
| Pullar Terrace Access                                      | <b>300</b>    |
| <b>TOTAL ADDITIONAL EXPENDITURE</b>                        | <b>30,250</b> |

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

The additional expenditure will be funded as follows:

| <b>Funding</b>                                                                  | <b>£'000</b>  |
|---------------------------------------------------------------------------------|---------------|
| Removal of North / West primary school                                          | <b>14,400</b> |
| Rescoping of planned works at Perth Academy (school and sports hall)            | <b>10,550</b> |
| Rescoping of planned works at North Muirton Primary School                      | <b>2,800</b>  |
| Additional borrowing<br>(funded by adjusting the vehicle replacement programme) | <b>2,500</b>  |
| <b>TOTAL ADDITIONAL RESOURCES</b>                                               | <b>30,250</b> |

Second Amendment (Councillors X McDade and R Brock):

The Council agrees to:

- I. Approve the setting of a ten year Capital Budget for financial years 2018/19 to 2027/28.
- II. Approve the level of Capital resources for 2018/19 to 2027/28 set out in Section 2 above and Appendices I and II with the exception of the item at (x) below.
- III. Reallocate the funding for a replacement of Perth High School as set out in paragraphs 3.6 to 3.18 to contribute to the projects listed at (x) below.
- IV. Approve the additional expenditure proposals set out in paragraphs 3.21 to 3.27 with the exception of the items at (x) below.
- V. Approve the Annual Rolling Programmes set out in paragraphs 3.29 and 3.30 and Appendix III.
- VI. Approve the Prudential Borrowing projects set out in paragraph 3.32 and Appendix IV.
- VII. Approve the Capital expenditure proposals as set out in Section 3 and Appendix IV of this report with the exception of the item at (x) below.
- VIII. Approve the Prudential and Treasury Management Indicators for 2018/19 to 2027/28 as set out in Section 4 and Appendix V of this report.
- IX. Approve the Capital Strategy set out at Appendix VII to this report.
- X. Additional investment of **£145,250,000** in the following areas –

| <b>Additional Expenditure</b>                                                                                                                                                                                                                          | <b>£'000</b>  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Investment in Perth South<br>( <i>subject to development of a business cases</i> ) <ul style="list-style-type: none"> <li>• Secondary School Replacement - £49m</li> <li>• Office Accommodation - £20m</li> <li>• Leisure Facilities - £10m</li> </ul> | <b>79,000</b> |

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

|                                                                                                                                       |                |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Scone Secondary School and Community Campus<br><i>(subject to development of a business case including funding for revenue costs)</i> | <b>42,000</b>  |
| Pitlochry Primary School                                                                                                              | <b>13,800</b>  |
| Contribution to Pitlochry Community Campus<br><i>(subject to development of a business case)</i>                                      | <b>6,500</b>   |
| Expansion of Early Learning & Childcare<br><i>(subject to development of a business case)</i>                                         | <b>3,000</b>   |
| Additional Investment in Local Footpaths                                                                                              | <b>350</b>     |
| Garden Waste from 2021/22<br><i>(subject to development of a business case including funding for revenue costs)</i>                   | <b>250</b>     |
| Letham Wellbeing Hub<br><i>(additional contribution in excess of £1.25m included in Provisional Capital Budget)</i>                   | <b>200</b>     |
| Investment in Pitlochry Car Park<br><i>(subject to development of a business case)</i>                                                | <b>150</b>     |
| <b>TOTAL ADDITIONAL EXPENDITURE</b>                                                                                                   | <b>145,250</b> |

The additional expenditure will be funded as follows:

|                                                                                                           |               |
|-----------------------------------------------------------------------------------------------------------|---------------|
| <b>Funding</b>                                                                                            | <b>£'000</b>  |
| Additional Borrowing<br><i>(funded by Pullar House budget from 2025 at end of term of existing lease)</i> | <b>73,450</b> |
| Perth High School<br><i>(Reallocation of funding for like for like replacement)</i>                       | <b>50,000</b> |
| Perth Academy Refurbishment                                                                               | <b>8,630</b>  |
| Investment in Learning Estate                                                                             | <b>4,960</b>  |
| Reduction in Placemaking                                                                                  | <b>3,450</b>  |
| Reduction in Lighting Strategy                                                                            | <b>2,100</b>  |
| Perth Academy Sports Facilities                                                                           | <b>1,560</b>  |

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

|                                                                                    |                |
|------------------------------------------------------------------------------------|----------------|
| Audio Visual Equipment in schools<br>(£110,000 reduction per annum over ten years) | <b>1,100</b>   |
| <b>TOTAL ADDITIONAL RESOURCES</b>                                                  | <b>145,250</b> |

THEREAFTER, THE MEETING WAS ADJOURNED FOR 25 MINUTES,  
RECOMMENCING AT 4.10PM

In accordance with Standing Order 58, a roll call vote was taken.

4 members voted for the Second Amendment as follows:  
Councillors A Bailey, M Barnacle, R Brock and X McDade.

15 members voted for the First Amendment as follows:  
Councillors H Anderson, B Band, S Donaldson, D Doogan, E Drysdale,  
T Gray, G Laing, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck,  
F Sarwar, R Watters and M Williamson.

20 members abstained as follows:  
Provost D Melloy, Councillors C Ahern, K Baird, P Barrett, B Brawn,  
A Coates, H Coates, J Duff, A Forbes, I James, A Jarvis, M Lyle, R McCall,  
C Purves, C Reid, W Robertson, C Shiers, L Simpson, C Stewart and  
W Wilson.

The First Amendment became the substantive Amendment, and was put  
against the Motion.

15 members voted for the Amendment as follows:  
Councillors H Anderson, B Band, S Donaldson, D Doogan, E Drysdale,  
T Gray, G Laing, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck,  
F Sarwar, R Watters and M Williamson.

20 members voted for the Motion as follows:  
Provost D Melloy, Councillors C Ahern, K Baird, P Barrett, B Brawn,  
A Coates, H Coates, J Duff, A Forbes, I James, A Jarvis, M Lyle, R McCall,  
C Purves, C Reid, W Robertson, C Shiers, L Simpson, C Stewart and  
W Wilson.

4 members abstained as follows:  
Councillors A Bailey, M Barnacle, R Brock and X McDade.

**Resolved:**

In accordance with the Motion.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

**388. SERVICE ANNUAL PERFORMANCE REPORTS 2017-18**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/213) presenting the Annual Performance Reports 2017-18 for Council services.

**Resolved:**

The Service Annual Performance Reports 2017-18, as appended to Report 18/213, be approved.

**389. SUPPORT TO UNACCOMPANIED ASYLUM SEEKING CHILDREN**

There was submitted a joint report by the Executive Director (Education and Children's Services) and Executive Director (Housing and Environment) (18/215) outlining the current circumstances in relation to the provision of support to Unaccompanied Asylum Seeking Children (UASC) by Scottish local authorities and the implications for Perth and Kinross Council.

**Resolved:**

- (i) The Council agrees to commit to participate in the National Transfer Scheme under the Immigration Act 2016 to support the resettlement of 20 Unaccompanied Asylum Seeking Children (UASC) (initially aged 16 – 18) on a phased basis.
- (ii) The Council agrees to commit existing staff resources and spaces within Education and Children's Services' housing support service to the scheme.
- (iii) The Council recognises the growing expertise within services already working with UASC; and
- (iv) The Council acknowledges that there is currently no mechanism for local authorities to use public funds to support UASC beyond the age of 26.

**390. REVIEW OF LOCAL ACTION PARTNERSHIPS**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/214) presenting the findings of the study by What Works Scotland into local decision making, commissioned by the Perth and Kinross Community Planning Partnership.

**Motion (Councillors M Lyle and P Barrett):**

- (i) **The content of the report from What Works Scotland, appended to Report 18/214, be noted.**
- (ii) **The Council to respond to the Community Planning Partnership in respect of the development of an action plan as set out in Report 18/214.**



PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

Following a suggestion by Councillor X McDade, the Mover and Seconder agreed to include the following addition to the Motion:

- (iii) The Council recommends to the Community Planning Partnership to formally consider dividing the larger Local Action Partnerships into smaller areas if they wish to do so.

**Resolved:**

In accordance with the revised Motion.

**391. APPOINTMENTS TO COMMITTEES/SUB-COMMITTEES**

**Resolved:**

- (i) At the Council meeting on 17 May 2017, the Council agreed to appoint members to Committees in accordance with the political balance of members following the local government elections - this was in line with Standing Order 62. Following the withdrawal from the Administration Partnership by the independent members and Councillor Bailey and the forming of the Independent and Scottish Labour Group, Council noted the updated political balance on committees and agreed the revised list of appointments to Committees and Sub-Committees (Report 18/217).
- (ii) Councillor D Illingworth be appointed Vice-Convener of the Licensing Committee.
- (iii) Councillor A Jarvis replace Councillor C Purves on the Environment and Infrastructure Committee.

**392. APPOINTMENTS TO OUTSIDE BODIES / WORKING GROUPS**

**Resolved:**

- (i) Perth and Kinross Integration Joint Board  
Following the principles of the updated political balance of the Council as detailed in Article (Item 12):
  - Councillor C Ahern be removed as a member of the Perth and Kinross Integration Joint Board.
  - Councillor X McDade be appointed as a member of the Perth and Kinross Integration Joint Board.
  - Councillor A Bailey be appointed as a proxy member for the Perth and Kinross Integration Joint Board.
  - Councillor C Ahern replace Councillor P Barrett as a proxy member for the Perth and Kinross Integration Joint Board.
  - Councillor C Purves replace Councillor A Jarvis as a member of the Perth and Kinross Integration Joint Board.
  - Councillor A Jarvis be appointed as a proxy member for the Perth and Kinross Integration Joint Board.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

- (ii) Perth and Kinross Licensing Board  
Councillor J Duff replace Councillor R McCall on the Perth and Kinross Licensing Board with effect from 1 August 2018.
- (iii) COSLA Convention  
Following the principles of the updated political balance of the Council as detailed in Article (Item 12):
  - Councillor C Stewart be removed as a member of the COSLA Convention.
  - Councillor X McDade be appointed as a member of the COSLA Convention.
- (iv) COSLA Environment and Economy Group  
Councillor A Forbes replace Councillor A Bailey on the COSLA Environment and Economy Group.
- (v) Live Active Leisure Limited  
Councillor B Brawn replace Councillor A Forbes on Live Active Leisure Limited.
- (vi) Tayside and Central Scotland Transport Partnership (TACTRAN)  
Councillor D Illingworth replace Councillor B Brawn on the Tayside and Central Scotland Transport Partnership (TACTRAN).
- (vii) Modernising Governance Member/Officer Working Group  
The Executive Director (Education and Children's Services) and the Executive Director (Housing and Environment) be appointed to the Modernising Governance Member/Officer Working Group.

**393. TAY CITIES DEAL**

**Motion (Councillors M Lyle and P Barrett)**

**Council is asked to agree that in the event that an announcement is made by the UK and Scottish Governments on the Tay Cities Deal, due to the anticipated short timescales involved, the Leader of the Council, in consultation with the Depute Chief Executive, will attempt to arrange a meeting of the Executive Sub-Committee of the Strategic Policy and Resources Committee to agree the Heads of Terms. If the timescales do not permit this, then the Leader of the Council, in consultation with the Depute Chief Executive, be authorised to agree the Heads of Terms on behalf of the Council and communicate relevant information to the members of the Executive Sub-Committee of the Strategic Policy and Resources Committee at the earliest opportunity.**

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

Amendment (Councillors X McDade and A Bailey)

In accordance with the Motion, however the Leader of the Council to also communicate relevant information on the Heads of Terms to a representative of the Independent and Scottish Labour Group.

In accordance with Standing Order 58, a roll call vote was taken:

23 members voted for the Motion as follows:

Provost D Melloy, Councillors C Ahern, K Baird, P Barrett, B Brawn, A Coates, H Coates, D Doogan, J Duff, A Forbes, T Gray, I James, A Jarvis, G Laing, M Lyle, R McCall, C Purves, C Reid, W Robertson, C Shiers, L Simpson, C Stewart and W Wilson.

4 members voted for the Amendment as follows:

Councillors A Bailey, M Barnacle, R Brock and X McDade.

12 members abstained as follows:

Councillors H Anderson, B Band, S Donaldson, E Drysdale, S McCole, T McEwan, A Parrott, B Pover, J Rebbeck, F Sarwar, R Watters and M Williamson.

**Resolved:**

In accordance with the Motion.

**394. RETURNING OFFICER FOR ELECTIONS AND REFERENDA**

Following the decision of the Appointments Sub-Committee on 22 May 2018, the new Chief Executive, Karen Reid, will take up her appointment on 1 September 2018. In terms of the Council's Scheme of Administration, the Deputy Chief Executive has authority to do anything delegated to the Chief Executive other than acting as Returning Officer for all elections and referenda.

It be agreed that the Deputy Chief Executive be appointed as Returning Officer for the period from 1 July 2018 to 31 August 2018. In the absence of the Deputy Chief Executive, the Head of Democratic Services be appointed as Returning Officer for this period.

**395. TIMETABLE OF MEETINGS 2018**

The meetings of the Council and Common Good Fund Committees, originally scheduled to take place on Wednesday 12 December 2018, to now take place at the same times on Wednesday 19 December 2018.

The meeting of the Planning and Development Management Committee, originally scheduled to take place on Wednesday 19 December 2018 at 10.00am, to now take place on Tuesday 18 December 2018 at 10.00am.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
20 JUNE 2018

**396. VALEDICTORY – BERNADETTE MALONE, CHIEF EXECUTIVE**

Provost Melloy referred to the retirement of Bernadette Malone, Chief Executive at the end of June 2018.

Bernadette joined Perth and Kinross Council in 1996 as a Corporate Strategy Officer. In 1998 she became Strategic Planning Manager, and in 2001 took up the position of Head of Performance, Planning and Management. In 2003 she was appointed Chief Executive.

Provost Melloy and members of the Council thanked Bernadette for her commitment, drive and strategic leadership in her time as Chief Executive of the Council and passed on their wishes for a long and happy retirement.

~~~~~

## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 26 June 2018 at 10.30am.

Present: Councillors L Simpson, B Brawn and R Watters.

In Attendance: D Harrison (Planning Adviser), G Fogg (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: C Brien (the Environment Service); S Richards (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### 397. DECLARATIONS OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

### 398. MINUTE

The minute of meeting of the Local Review Body of 29 May 2018 was submitted and noted.

### 399. APPLICATIONS FOR REVIEW

- (i) **TCP/11/16(528) - Planning Application – 17/02015/FLL – Siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone – Barnhill Estates**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
26 JUNE 2018

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the siting of a static caravan for use as staff accommodation for a temporary period (in retrospect) on land 10 metres north of Lambhill, Blairingone, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in this location.
  - 2. The proposal is contrary to the Council's Housing in the Countryside Guide (SPG) 2014 as it does not comply with any of the categories of the policy guidance or criterion where a dwellinghouse or dwellinghouses would be acceptable in the location.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (ii) **TCP/11/16(530) - Planning Application – 17/02003/FLL – Change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth – Mr M Paton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out;
- (iii) following the site visit, the application be brought back to the Local Review Body.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
26 JUNE 2018

**(iii) TCP/11/16(532) - Planning Application – 18/00205/FLL – Erection of a hut for recreational use, Drumbuich Wood, Methven – A Crow & F Welstead**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a hut for recreational use, Drumbuich Wood, Methven.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a hut for recreational use, Drumbuich Wood, Methven, be refused for the following reasons:
  - 1. The proposal is contrary to Policy ED4C (c) of the Perth and Kinross Local Development Plan 2014, Caravan Sites, Chalets and Timeshare Developments, as the development does not meet a specific need by virtue of its quality or location in relation to existing tourism facilities.
  - 2. The proposal is contrary to Policy ED3 of the Perth and Kinross Local Development Plan 2014, Rural Business and Diversification, as it will not contribute to the local economy through the provision of permanent employment, or visitor accommodation, or additional tourism or recreational facilities, or involves the re-use of existing buildings. Furthermore there is a conflict with criterion (b) which looks for development to be satisfactorily accommodated within the landscape capacity of the location.
  - 3. The proposal is contrary to Policy PM1A of the Perth and Kinross Local Development Plan 2014, Placemaking, as the development will not contribute positively to the quality of the surrounding natural environment.
  - 4. The proposal is contrary to Policy PM1B (b) and (c) of the Perth and Kinross Local Development Plan 2014, Placemaking, as the new development does not respect the topography and landscape character of the surrounding area, features an inappropriate design and poor choice of materials which are uncomplimentary and insensitive to their location. Approval would therefore

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
26 JUNE 2018

result in a development that is visually intrusive and out of keeping with the character and appearance of the rural environment.

5. The proposal is contrary to Reforesting Scotland's Thousand Huts guidance note, which confirms the acceptability of a single hut development will depend on its impact on the environment. In this case there are identified visual and landscape impacts which mean the development cannot be supported.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**(iv) TCP/11/16(534) - Planning Application – 18/00495/IPL – Residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles – Mrs L Bradfield**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for residential development (in principle) on land 80 metres south west of Ardtigh, Caledonian Crescent, Gleneagles, be granted subject to:
  1. The imposition of relevant conditions and informatives including a tree removal plan, an updated bat survey in relation to any building demolition or tree works, and relevant education and road infrastructure contributions.

**Justification**

The proposed development, with the imposition of relevant conditions and informatives, was not assessed as being contrary to the Local Development Plan and was assessed as being a feasible proposal in principle.



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
26 JUNE 2018

**Note:** Councillor Watters dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and that permission for residential development (in principle) should be refused. In his view, the proposal would be contrary to Local Development Plan Policies NE2A, NE2B, PM1A and PM1B.

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 JUNE 2018

## AUDIT COMMITTEE

Minute of meeting of the Audit Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 27 June 2018 at 10.00am.

Present: Councillors E Drysdale, B Band, A Coates, S Donaldson, D Illingworth and X McDade.

In Attendance: J Clark, C Flynn, C Irons, S Mackenzie, M Morrison, A O'Brien and S Walker (all Corporate and Democratic Services); J Cockburn (Education and Children's Services); J Dixon, F Low, J McColl and A Taylor (Housing and Environment)

Also in Attendance: C Windeatt, KPMG

Apologies: Councillor W Wilson

Councillor Drysdale, Convener, Presiding.

### 400. WELCOME AND APOLOGIES/SUBSTITUTIONS

The Convener welcomed everyone to the meeting. It was noted that Councillor W Wilson had replaced Councillor K Baird on the Committee.

### 401. DECLARATIONS OF INTEREST

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

### 402. MINUTE

The minute of meeting of the Audit Committee of 23 May 2018 (Arts.296 - 303) was submitted and approved as a correct record and authorised for signature.

It was noted that there had been no recording of the Committee on 23 May due to a technical difficulty but today's meeting was being recorded.

### 403. INTERNAL AUDIT FOLLOW UP

There was submitted a report by the Chief Internal Auditor (18/218) presenting a current summary of Internal Audit's follow up work.

In response to a question from Councillor X McDade, J Clark advised she would circulate information to the Committee on the three outstanding high level actions: two for Education and Children's Services and one for Housing and Environment, referred to in table 1.

#### **Resolved:**

- (i) The current position in respect of the agreed actions arising from internal and external work, be noted.

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 JUNE 2018

- (ii) The action plans be progressed, taking into account the recorded audit opinions.

#### **404. INTERNAL AUDIT UPDATE**

There was submitted a report by the Chief Internal Auditor (18/219) presenting a summary of Internal Audit's work against the 2017/18 Annual Plan.

The Chief Internal Auditor of South Ayrshire Council who undertook an external validation of the self-assessment of Internal Audit's compliance with the Public Sector Internal Audit Standards will attend a future Committee.

**Resolved:**

- (i) The completion of work against the audit plan for 2017/18, be noted.
- (ii) The progress of work against the 2018/19 Audit Plan, be noted.

The Committee considered the following final reports:-

**(i) Corporate and Democratic Services**

**(a) Update on the Implementation of Agreed Actions Arising from the internal report on Financial Assessment and Charging**

There was submitted a report by the Chief Internal Auditor (18/220) (1) presenting a summary of Corporate and Democratic Services response to the outcomes of Internal Audit's report on Financial Assessment and Charging and (2) providing an update on the implementation of the agreed action plan.

J Clark provided a summary of the actions taken since a complaint was received in 2015 and referred to a Charging Governance Board which had been established to provide scrutiny and assurance to enable the Council to achieve its outcomes.

A Taylor and F Low advised members of progress made and responded to members' queries.

**Resolved:**

- (i) Progress made in implementing and sustaining the actions agreed in the 16-07 Financial Assessment and Charging report, be noted.
- (ii) It be noted that the Service appears to be committed to delivering the changes required to improve service provision and internal control.
- (iii) A further update report be submitted to this Committee on the sustainability of agreed actions following the completion of the work agreed within the Internal Audit Plan for 2018/19.

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 JUNE 2018

(ii) **Housing and Environment**

(a) **17-27 – Housing Repairs and Improvement Service - Financial Control**

There was submitted a report by the Chief Internal Auditor (18/222) on an audit to confirm that (1) appropriate regulations, policies and procedures were in place for the requisition, purchase, receipt and payment of goods and services and (2) adequate system controls were in place to ensure the integrity of the system.

J Clark and J McColl provided background information to the audit and the Housing Repairs and Improvement Service.

Councillor S Donaldson expressed concern that of the twenty-one invoices tested, nine were incorrectly authorised and he asked if this area would be examined by KPMG. S Mackenzie advised that as this matter was an internal control it would be addressed by officers.

Councillor X McDade requested that the levels of risk referred to in reports be classified for better understanding by members and the public.

**Resolved:**

Internal Audit's findings, as detailed in Report 18/222, be noted.

**405. INTERNAL AUDIT STRATEGY AND PLAN, 2018/19**

There was submitted a report by the Chief Internal Auditor (18/221) presenting the strategy for the delivery of Internal Audit and the proposed Internal Audit Plan for July 2018 to March 2019.

J Clark advised that the Council was required by the Public Sector Internal Audit Standards to prepare a risk-based Internal Audit Plan taking account of the Council's objectives, risk and performance management arrangements. The Plan compiled was based on the assumption that a new member of staff would be appointed to the Internal Audit Team in September 2018.

Councillor X McDade asked if the School Estate Strategy audit was to be undertaken in quarter 2 to coincide with a full School Estate review. J Clark advised this audit was in quarter 2 as it had a high priority rating but would discuss the timing with the Service and provide an update to a future committee.

Councillor X McDade asked if the LEADER audit was to be undertaken in quarter 3 to coincide with the end of the funding, however, J Clark advised that it was not as an additional year's funding was to be provided but that an annual audit was required.

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 JUNE 2018

Councillor S Donaldson referred to only twenty days being allowed for the Local Action Partnership audit and whether that allowed sufficient time to review all six Partnerships. J Clark advised that the detail and scope of the audit still had to be agreed with the service and all six Partnerships may not be included.

**Resolved:**

The Internal Audit Plan for the period July 2018 to March 2019, be approved.

**406. UNAUDITED ANNUAL ACCOUNTS 2017/18**

There was submitted a report by the Head of Finance (18/223) on the Council's Unaudited Annual Accounts for the financial year 2017/18 in accordance with the Local Authority Accounts (Scotland) Regulations 2014.

S Mackenzie advised members that the annual accounts had been prepared in accordance with the regulations. The requirement to carry out an annual review of the effectiveness of a local authority's system of internal control by elected members had been met with the approval of the Annual Governance Statement by the Scrutiny Committee on 13 June 2018. The unaudited annual accounts were being submitted to this Audit Committee prior to their submission to the external auditor, KPMG, and being made available for public inspection. The audited accounts would be submitted to the Audit Committee on 26 September prior to consideration by the Council on 3 October 2018.

Councillor S Donaldson thanked S Mackenzie and his team for compiling the accounts and asked why there was a decline in the pension liability. S Mackenzie advised that the figures had been altered following an assessment by an independent firm of actuaries giving a reduction in life expectancy. Councillor S Donaldson referred to the impact on other aspects of the Council of a reduction in life expectancy but S Mackenzie advised it would be unlikely to have much impact as highlighted in the sensitivity analysis referred to in Report 18/223.

Councillor S Donaldson queried the implications on Council funding with the improvement in markets and the rise in interest rates. S Mackenzie advised that there would be no immediate uplift to the fund but reminded members that there was a different pension scheme for teachers which were more than half of the overall staff numbers.

Councillor E Drysdale highlighted the increased provision for doubtful debt for Council Tax payments from 2016/17 to 2017/18 and questioned why it was not the same for rent payments.

S Walker advised that there was a high collection level for Council Tax but an increase in gross charges due to bandings and there were still amounts to be collected and it was anticipated that universal credit may have an impact on rent payments and he would provide the relevant figures to the Convener.

Councillor E Drysdale referred to the reduced staffing levels across the Council and the cost of non-compulsory departures of members of staff over the last

PERTH AND KINROSS COUNCIL  
AUDIT COMMITTEE  
27 JUNE 2018

2 years and questioned the overall financial impact and the challenges of these departures.

S Mackenzie acknowledged Councillors had concerns over the capacity of staff, however, provision had been made for Voluntary Severance Schemes in this Authority as well as other Authorities as staff costs remained the most significant element of the Council budget.

S Mackenzie confirmed the Council was in a relatively strong financial position but the budget was not without challenges, particularly in the revenue budget but budget flexibility allowed continued investment in infrastructure. Councillor E Drysdale thanked S Mackenzie and his team.

**Resolved:**

- (i) The Head of Finance be authorised to sign the Unaudited Annual Accounts.
- (ii) That the unsigned Audited Annual Accounts be submitted to this Committee on 26 September 2018 for approval, be noted.

~~~~~

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 4 July 2018 at 10.00am.

Present: Councillors R McCall, B Brawn, C Ahern (substituting for W Wilson), H Anderson, B Band, M Barnacle, H Coates, E Drysdale, T Gray, I James, W Robertson (substituting for L Simpson) and R Watters.

In Attendance: N Brian, D Niven, L Reid, A Rennie D Salman, J Scott and R Stewart (all Housing and Environment); L Brown, C Elliott and S Richards (Corporate and Democratic Services).

Apologies: Councillors A Jarvis, L Simpson and W Wilson.

Councillor R McCall, Convener, Presiding.

### **407. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting, and apologies and substitutions were noted as above.

### **408. WITHDRAWAL OF APPLICATION**

The Committee noted application 17/00961/AMM, erection of 117 dwellinghouses, garages and associated works (approval of matters specified in conditions (AMSC) 10/01360/IPM) on land off Maple Place, Blairgowrie had been withdrawn from the agenda.

### **409. DECLARATIONS OF INTEREST**

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

### **410. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 6 June 2018 (Arts. 316-320) was submitted, approved as a correct record and authorised for signature.

### **411. DEPUTATIONS**

In terms of Standing Order 72, the Committee agreed to hear a deputation in relation to the following planning application:

**Planning Application No.**  
18/00540FLL

**Art. No.**  
412(2)(i)

**412. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 17/01371/MWM - ESSENDY - Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without complying with Condition 1 of planning permission PK920831 (extraction of sand and gravel), Marlee Quarry, Essendy, Blairgowrie – Report 18/227 – Laird Aggregates Ltd**

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.
2. All sand and gravel extraction within the site shall be completed within seven years of the date of this Decision Notice. All plant and machinery shall be removed from the site and the land entirely reinstated to the satisfaction of the Council as Planning Authority at the termination of operations or the expiry of the term of approval, whichever is the earlier. Termination of operations shall be assumed on the cessation of operations for a period of 6 consecutive months.
3. The extraction of sand and gravel shall commence and proceed only in accordance with the submitted details of phasing, direction and depth of working, as shown on the plans herewith approved. No deviations from the phasing plan shall be permitted. No more than one phase shall be worked at any one time. Restoration of the land to the agreed 'after use' shall take place concurrently with extraction to the entire satisfaction of the Council as Planning Authority.
4. The rate of extraction of material from the site shall not exceed 250,000 tonnes per annum.
5. A record of the quantity, type and principal destinations of material leaving the plant shall be submitted to the Council as Planning Authority on an annual basis.
6. The vehicular access shall be maintained in accordance with Perth and Kinross Council's Road Development Guide specification Type E access detail and in line with Roads Standards for Vehicular Accesses to the satisfaction of the Council as Planning Authority.
7. The gradient of the access shall not exceed 3% for the first 10 metres measured back from the edge of the carriageway



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

- and the access shall be constructed so that no surface water is discharged to the public highway.
8. Turning facilities shall be maintained within the site to enable all vehicles to enter and leave in a forward gear to the satisfaction of the Planning Authority.
  9. Full visibility splays of 4.5m x 90m shall be provided to the left and right of the access measured between points 1.05m above the road level insofar as the land is in the control of the applicant within 2 months of the date of this consent and thereafter maintained for the duration of the permission to the satisfaction of the Council as Planning Authority.
  10. An updated wheel cleaning strategy shall be submitted for the approval of the Planning Authority in consultation with the Transport Planning Section within 14 days of this decision notice. Thereafter the approved wheel cleaning strategy shall be provided and maintained throughout the operation of the proposed extraction so that no mud, debris or other deleterious material is carried by vehicles on to the public roads.
  11. No working or operations shall take place outwith the hours of 7.00am – 7.00pm Monday to Saturday inclusive other than water pumping, servicing, maintenance and testing of plant. Emergency work required to maintain safe working shall be notified to the Planning Authority in writing as soon as practicable.
  12. Noise from any plant and machinery associated with this development shall be so controlled that it does not exceed 10 decibels (dBA) above ambient background (L90) noise levels, at any adjacent dwellinghouse, when measurements and assessments are carried out in accordance with British standard BS4142:1990 to the satisfaction of the Council as Planning Authority.
  13. A stock pile strategy for the site shall be submitted to the Planning Authority for approval within 14 days of this decision notice, this shall detail the area for stock-piling of extracted material and also the maximum height of the stockpiles. Thereafter the approved strategy shall be implemented in full throughout the duration of the development.
  14. The Dust Management Strategy shall implemented in full throughout the duration of the development to the satisfaction of the Council as Planning Authority.
  15. 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.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

16. There shall be no workings nor the use of vehicles nor the dumping of spoil or other materials within 10 metres of the Mill Lade and within 30 metres of the Lunan Burn. There will be no discharge of sand, gravel, silt or other particulate matter into the Lunan Burn.
17. The operation of the silt ponds and settling beds required shall be on a closed circuit system to ensure no discharge to the water environment to the satisfaction of the Planning Authority.
18. The conclusions and recommended action points within the supporting biodiversity survey submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.
19. The structural tree/landscape planting delineated as green blocks on the approved plans shall be retained and maintained.
20. A weed control plan to deal with all injurious weeds and invasive species on the whole application site shall be submitted to the Planning Authority for approval within 14 days of this decision notice. Thereafter the weed control plan shall be implemented in full throughout the duration of the development.
21. Topsoil shall be retained on the site and none shall be sold off or removed from the site. The working area shall be stripped of available topsoil. To minimise damage to soil structure, topsoil stripping shall only be permitted when the soil is reasonably dry and friable (usually May to September) and shall not take place during or immediately after periods of heavy rain. Wherever possible, stripped topsoil shall immediately be evenly spread over a suitably prepared similarly sized area on which extraction has ceased.
22. Where not used for progressive restoration, stripped topsoil shall be carefully stored on site and prevented from mixing with any other material. Topsoil dumps shall not exceed 6 metres in height to avoid excessive compaction. The topsoil dumps shall be evenly graded and seeded with grass to prevent wind and water erosion; they shall not be planted with trees. Weed control measures shall be taken as necessary to prevent weed infestation of topsoil stacks and weed contamination of adjoining agricultural land.
23. Topsoil shall be replaced at the next consecutive restoration cycle and shall be rooted and cross rooted to its full depth and stones exceeding 150mm in any one dimension will be removed.
24. After extraction is complete and before soil is restored restoration areas shall be rooted to a minimum depth of 350mm. Boulders and stones exceeding 200mm in any one dimension shall be removed.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

25. Final grading shall be carried out to ensure a true specified level and slope and to avoid dishing or other depressions where water may collect. The land shall be restored so as to equate with surrounding land levels as agreed with the Planning Authority.
26. Provision shall be made at all times to ensure the site is adequately drained so as to prevent flooding or water seepage on to adjoining agricultural land. Furthermore, the applicant shall reinstate or lay ditches and field drains as required by the Planning Authority for the continued use of the field for agriculture. Such obligation shall extend for a 5 year period after the laying of the topsoil is complete.
27. Restoration shall be undertaken in a progressive manner in accordance with the restoration commitments detailed in 8.4 to 8.4.5 of the Dalgleish Associates Ltd Environmental Impact Assessment Report dated August 2017 and the indicative restoration plan Figure 3.3.
28. Within six months of final cessation of quarrying a scheme for final landform restoration and aftercare, shall be submitted for the prior approval of the Planning Authority and shall be based on the restoration and aftercare commitments detailed in 8.4 to 8.5 of the Dalgleish Associates Ltd Environmental Impact Assessment Report dated August 2017. Thereafter final landform restoration operations and aftercare scheme shall be implemented in accordance with the approved details.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Procedural Notes**

Consent shall not to be issued until a Section 75 Agreement to secure the terms of the bond or financial instrument associated with required site decommissioning, restoration and aftercare over the lifetime of the development and beyond has been completed and signed. 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 may result in the planning application being re-assessed through failing to comply with the Minerals and Other Extractive Activities Policy ER4B and will be ultimately recommended for refusal under delegated powers.

**Informatives**

1. Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

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.

2. 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.
3. This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.
4. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
5. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

**(ii) 18/00338/IPM - MILNATHORT - Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to develop land without complying with Conditions 1 and 2 of Planning Permission 15/00240/IPM (modification of 07/00442/OUT), land at Pitdownies Farm, Manse Road, Milnathort – Report 18/228 – The General Trustee of The Church of Scotland**

Mr Niven advised that should the Committee be minded to grant the application, recommended condition 4 be revised to:

Prior to the commencement of development full details of all matters regarding access, car parking, road layout, design and

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

specification, including the disposal of surface water, shall be submitted for the approval of the Council as Planning Authority. Thereafter the development shall be completed in accordance with the approved details to the satisfaction of the Council as Planning Authority.

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. No works in connection with the development hereby approved shall take place until full details of the siting, design, external appearance and landscaping of the development and the means of access serving the development (hereinafter referred to as the 'Matters Specified in Condition') have been submitted to and approved in writing by the Planning Authority. The specified matters include:
  - (i) a detailed phasing plan;
  - (ii) a detailed levels survey (existing and proposed) and cross sections showing proposed finished ground and floor levels of all buildings forming part of the development phase, relative to existing ground levels and a fixed datum point;
  - (iii) the siting, design, height and external materials of all buildings or structures;
  - (iv) the details of all roads, footpaths, cycleways, core path connections throughout the development;
  - (v) details of any screen walls/fencing to be provided (including any acoustic barriers);
  - (vi) measures to maximise environmental sustainability through design, orientation and planting or any other means;
  - (vi) details of all landscaping, structure planting and screening associated with the development of the site;
  - (vii) the lighting of all streets and footpaths;
  - (viii) the layout of any open space or play areas and the equipment to be installed;
  - (ix) Flood Risk Assessment
  - (x) full details of the proposed means of disposal of foul and surface water from the development;
  - (xi) Full details of the disposal of surface water from the development by means of a Sustainable Urban Drainage System for during construction and for the completed development.
  - (xii) details of car charging points to be provided within the development;
  - (xiii) details of bin storage locations.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

- (xiii) A detailed Construction Management Plan which includes monitoring and mitigation measures for the control of noise, dust and vibration and;
- (xv) Transport Assessment.
- 2. No development shall take place unless and until a scheme for protecting the new housing development from M90 road traffic noise has been submitted to and approved in writing by the Planning Authority. All such works that form the approved scheme shall be completed before the dwellings are brought into use to ensure that the development is adequately soundproofed against externally generated noise in the interests of the amenity of future occupiers of the development.
- 3. Development should not begin until a scheme to deal with the contamination on the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with the contamination to include:
  - I. the nature, extent and type(s) of contamination on the site
  - II. measures to treat/remove contamination to ensure the site is fit for the use proposed
  - III. measures to deal with contamination during construction works
  - IV. condition of the site on completion of decontamination measuresBefore any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the planning authority.
- 4. Prior to the commencement of development full details of all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be submitted for the approval of the Council as Planning Authority. Thereafter the development shall be completed in accordance with the approved details to the satisfaction of the Council as Planning Authority.
- 5. Prior to the commencement of development a scheme shall be submitted for the approval of the Council as Roads Authority detailing improvement measures of the junction between Manse Road and North Street. The agreed detail shall thereafter be implemented prior to the completion of development.
- 6. In pursuance of Condition 1vi), schemes of hard and soft landscaping works shall be submitted as part of the matters specified by condition application for the development. Details of the scheme shall include:-
  - a) Existing and proposed finished ground levels relative to a fixed datum point.
  - b) Existing landscape features and vegetation to be retained.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

- c) Existing and proposed services including cables, pipelines, substations.
- d) The location of existing and new boundary woodland, trees, shrubs, hedges, grassed areas and water features.
- e) A schedule of plants to comprise species, plant sizes and proposed numbers and density.
- f) The location, design and materials of all hard landscaping works including walls, fences, gates, any other means of enclosure, street furniture and play equipment.
- g) An indication of existing trees, shrubs and hedges to be removed and retained.
- h) A programme for the completion and subsequent maintenance of the proposed landscaping.
- i) Proposed woodland screen planting and core path along the western edge of site.
- j) a woodland management plan.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development on that part of the site or such other date as may be agreed in writing with the Planning Authority.

Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

- 7. Further to Condition 1x) , an updated Flood Risk Assessment (FRA) shall be submitted as part of the specified matters requiring to be the subject of a further formal planning application for the approval of the Council as Planning Authority. The FRA shall consider flood risk from all sources and shall be developed in accordance with the relevant technical guidance published by the Scottish Environment Protection Agency (e.g. Technical Flood Risk Guidance for Stakeholders) and the Council's Flood Risk and Flood Risk Assessment Developer Guidance.
- 8. In pursuance of condition 1x), and prior to the commencement of any works, full details of the finalised foul drainage scheme shall be submitted for the written approval of the Planning Authority, in consultation with SEPA and Scottish Water. All work must be capable of connection with the main drainage system and shall be carried out in accordance with the approved scheme.
- 9. In pursuance of condition 1x) and prior to the commencement of any works, full details of the finalised

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

SUDS scheme for both during construction operations and for the completed development shall be submitted for the written approval of the Planning Authority, in consultation with SEPA. All work shall be carried out in accordance with the approved scheme.

10. 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 RD4: Affordable Housing of the Perth & Kinross Local Development Plan 2014 or such replacement Guidance and Policy which may replace these.
11. 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 PM3: Infrastructure Contributions of the Perth & Kinross Local Development Plan 2014 with particular regard to primary education infrastructure or such replacement Guidance and Policy which may replace these.
12. Any detailed application shall be accompanied by a tree survey 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.
13. Further to Condition 1xv) , a Transport Assessment (TA) shall be submitted as part of the specified matters requiring to be the subject of a further formal planning application for the approval of the Council as Planning Authority.

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 and this assessment will allow consideration of road safety, to ensure the impacts of additional traffic on the road arising from the development can be assessed.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the development plan.

**Informatives**

1. Application for the approval of matters specified in conditions shall be made before the expiration of 3 years



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

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.

The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.

2. The applicant is advised that to enable some of the negative suspensive conditions to be fulfilled works which are operational development may have to be undertaken outwith the application site. These works themselves may require the submission of a planning application.
3. The applicant is advised that in terms of Section 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
4. The applicant is advised that in terms of Section 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environment Protection Agency.
5. The applicants are advised that they must apply to the Roads Authority for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, Pullar House, Perth.
6. The applicant is advised that the granting of planning consent 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
7. The applicant is advised that the works may need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

- practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk)
8. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage and recycling requirements for the development.
  9. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
  10. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non-compliance.
  11. The applicant is advised that any structures & all walls/embankments that act singly or together to support a carriageway or footpath & retain over 1.5m fill will require Technical Approval.
  12. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.

**(iii) 18/00412/AMM – EAST HUNTINGTOWER – Erection of 43 dwellinghouses, formation of SUDS pond, landscaping and associated works (Matters Specified in Conditions 16/01348/IPM (Phase 1)), land 100 metres west of Glover Arms, East Huntingtower, Perth – Report 18/229 – Barratt North Scotland**

Mr Scott advised that should the Committee be minded to grant the application recommended condition 9 be revised to:

Prior to the commencement of development full details of all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be submitted for the approval of the Council as Planning Authority. Thereafter the development shall be completed in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Mr Scott also advised that should the committee be minded to grant the application recommended informative 4 be altered to refer to the Development Management Procedure (Scotland) Regulations 2013, not the 2008 regulations as stated.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
2. Prior to the commencement of development a Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Construction Traffic Management Plan (CTMP), a Site Waste Management Plan (SWMP), a Site Access Management Plan, a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of the felling, construction and operation programmes will be submitted to and be approved in writing by the Planning Authority, in consultation with Scottish Environment Protection Agency.  
The CTMP shall identify measures to control the use of any direct access onto the A85 trunk road. Thereafter, all construction traffic associated with the development shall conform to the requirements of the agreed plan.  
The CEMP shall be submitted not less than two months prior to the commencement of development and shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the CEMP.
3. Development shall not commence until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted and approved in writing by the Council. The GTP will have particular regard to provision for walking, cycling and public transport access to and within the various elements of the development and will identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan.
4. No development shall commence until the agreed level of financial contribution with Transport Scotland to address the impact of the development at the Broxden Roundabout on the A9 trunk road has been paid to Transport Scotland.
5. Development shall not commence until the developer has secured 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

Planning Authority, in consultation with Perth and Kinross Heritage Trust. 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.

6. Prior to the commencement of development a scheme, including a layout plan and cross-sections, that identifies the location and confirms adequate space within the below ground service zone is available to allow for possible future provision of district heating pipes shall be submitted for the further written agreement of the Council as Planning Authority. The scheme must include timescales and any phasing for provision of the service zone within the site. The agreed scheme shall thereafter be implemented in accordance with the agreed details and timescales.
7. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented unless otherwise agreed in writing by the Council as Planning Authority.
8. No part of the development shall be occupied until a MOVA (or equivalent) traffic signal control system is installed and operational at the A85 / Huntingtower Park access signalised junction. This should be linked to an equivalent system at the A85 signalised junction with the A9 northbound on /off slip roads. The details of this shall be agreed in writing with the Planning Authority, in consultation with Transport Scotland.
9. Prior to the commencement of development full details of all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be submitted for the approval of the Council as Planning Authority. Thereafter the development shall be completed in accordance with the approved details to the satisfaction of the Council as Planning Authority.
10. The conclusions and recommended action points within the supporting updated Ecological Appraisal submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phase of development.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

11. All external lighting to be installed shall be sufficiently screened and aligned so as to ensure that there is no direct illumination of neighbouring land including the A85 and that light spillage beyond the boundaries of the site is minimised to the satisfaction of the Planning Authority.
12. All existing trees and hedgerows shown to be retained shall be protected by suitable fencing in accordance with BS5837 2012 (Trees in Relation to Construction). No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the Planning Authority.
13. Any planting which, within a period of 5 years from the completion of the approved phase of development, in the opinion of the Planning Authority is dying, has been severely damaged or is becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.
14. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.
15. Mitigation measures as detailed in Section 5.1.1 of the Updated Noise Assessment (dated 23 March 2018) associated with this application shall be put in place prior to the occupation of any dwelling.

**Justification**

The proposal is contrary to the Development Plan but there are material considerations to justify a departure there from.

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. 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.
3. 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

- (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
    - Displayed in a prominent place at or in the vicinity of the site of the development
    - Readily visible to the public
    - Printed on durable material.
  5. The developer is advised to contact Mr David Strachan, Archaeologist to discuss terms of reference for work required Tel 01738 477080.
  6. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
  7. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
  8. The applicant is advised they must consult with Transport Scotland, Trunk Road and Bus Operations through its Management Organisation (Transerv, Broxden House, Broxden Business Park, Lamberkine Drive, Perth PH1 1RA) on the terms and conditions, under Roads legislation, that require to be agreed to enable works within the trunk road boundary to be approved.
  9. There is evidence of Hogweed present on the overall site. This is an invasive species which may require a licence from SEPA for its disposal. Advice should be sought.

**(2) Local Applications**

- (i) 18/00540/FLL – BALADO – Formation of access road, turning head, soakaway, installation of LPG tanks and associated works, land 110 metres south east of Beufield, Balado – Report 18/230 – Mr S Farish**

Mr J Blair, agent on behalf of the applicant, addressed the Committee, and, following his representation returned to the public benches.

THE MEETING WAS ADJOURNED FOR 30 MINUTES TO ALLOW CONSIDERATION OF A MOTION FROM COUNCILLORS M BARNACLE AND W ROBERTSON.

**Motion (Councillors M Barnacle and W Robertson)**

**Refuse for the following reason:**

**The application is premature in terms of the proposed Perth and Kinross Local Development Plan 2 (LDP2) on the grounds that the LDP2 proposes:**

- (1) The removal of the application site from the Balado settlement boundary; and**
- (2) A strategy that there should be mains connection for foul drainage for new development.**

Amendment (Councillors R McCall and B Band)

Grant, subject to the terms, conditions and informatives contained in Report 18/230 as amended

In accordance with Standing Order 58 a roll call vote was taken.

8 members voted for the Motion as follows:

Councillors C Ahern, H Anderson, M Barnacle, B Brawn, H Coates, I James, W Robertson and R Watters.

4 members voted for the Amendment as follows:

Councillors B Band, E Drysdale, T Gray and R McCall.

**Resolved:**

In accordance with the Motion.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
4 JULY 2018

**(3) Proposal of Application Notice (PAN)**

- (i) 18/00003/PAN - DUNNING - Residential development, landscaping, suds pond associated works, land north east of Dunning Bowling Green, Station Road, Dunning – Report 18/231 –**

Members noted the issues identified by the Interim Head of Planning's report with the addition of Policy RD3 and associated Housing in the Countryside guide.

**413. VALEDICTORY**

The Convener reflected on the career of Nick Brian, Interim Head of Planning, who was soon to retire from the Council. On behalf of the Committee she thanked him for the many years of committed service to local government, and Perth and Kinross Council in particular, and for the guidance and support he had given to her as Committee Convener. She wished him a long and happy retirement and presented him with a civic gift on behalf of the Provost and the Council.

Nick Brian thanked the Committee for the gift and responded in appropriate terms.



PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
12 JULY 2018

## **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 12 July 2018 at 10.00am.

Present: Councillors C Ahern (Convener), D Illingworth (Vice-Convener), B Brawn, F Sarwar and R Watters.

In Attendance: PC L Gregge and PC C Forbes (both Police Scotland); M McLaren, S McQueen, D Merchant, E Archibald, S Michie and A Taylor (all Corporate and Democratic Services).

Apologies for Absence: Councillors K Baird, R Brock, A Coates, I James, A Jarvis, A Parrott, J Rebbeck and M Williamson.

Councillor C Ahern (Convener), Presiding.

### **414. WELCOME AND APOLOGIES**

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

### **415. DECLARATIONS OF INTEREST**

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

### **416. MINUTES**

The Minute of Meeting of the Licensing Committee of 24 May 2018 was submitted and approved as a correct record.

### **417. LICENSING OF PUBLIC ENTERTAINMENT**

There was submitted a report by the Head of Legal and Governance Services (18/237) proposing to date the Resolution in respect of activities licensable in regard to Public Entertainment.

**Resolved:**

- (i) It be agreed that no licence be required for public entertainment where there is no payment of money or monies worth to gain entry to the entertainment.
- (ii) The terms of the proposed resolution for the licensing of places of public entertainment as detailed in Appendix 2 of Report 18/237, be approved.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
12 JULY 2018

**418. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARE REVIEW**

There was submitted a report by the Head of Legal and Governance Services (18/238) outlining the findings of the most recent review of the scale of fares for taxis in Perth and Kinross, which took place in May 2018. The Council is required to carry out a review of the scale of fares for taxis in Perth and Kinross at intervals of not more than 18 months.

**Resolved:**

- (i) It be agreed that the existing scale of fares and tariffs for taxis in Perth and Kinross remains unchanged, as outlined in Appendix 1 to Report 18/238, provided that no responses are received after it has been advertised in the local press.
- (ii) It be agreed that a further review of the scale of fares and tariffs for taxis in Perth and Kinross be carried out in Summer 2019.

**419. GRANT OF A LATE HOURS CATERING LICENCE NO. LH0133**

There was submitted a report by the Head of Legal and Governance Services (18/232) regarding Grant of a Late Hours Catering Licence LH0133.

Mr S Geddes, representing the applicant, was in attendance, addressed the Committee and answered members' questions.

**Resolved:**

Late Hours Catering Licence LH0133 be granted for a period of 3 years with effect from 12 July 2018.

**420. GRANT OF A SECOND HAND MOTOR VEHICLE DEALERS LICENCE NO. MD254**

There was submitted a report by the Head of Legal and Governance Services (18/236), together with an e-mail of objection dated 7 June 2018, regarding Grant of Second Hand Motor Dealers Licence No. MD254.

The applicant was in attendance, addressed the Committee and answered members' questions.

**Resolved:**

Second Hand Motor Vehicle Dealer's Licence MD254 be granted for a period of 1 year with effect from 12 July 2018.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
12 JULY 2018

**421. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO TD1234**

There was submitted a report by the Head of Legal and Governance Services (18/235) together with a letter of objection from Police Scotland dated 29 May 2018 in terms of Schedule 1, Paragraph 11(2)(a) of the Civic Government (Scotland) Act 1982 regarding suspension of Taxi/Private Hire Car Driver's Licence (TD1234).

The representative from Police Scotland advised the Committee that they had now withdrawn their request for suspension. Thereafter, Art. 421 was withdrawn from the agenda.

**422. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE TD1749**

There was submitted a report by the Head of Legal and Governance Services (18/233) together with a letter of representation dated 18 April 2018 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence No. TD1749.

The applicant failed to attend.

The representative from Police Scotland addressed the Committee and answered Members' questions.

FOLLOWING AN ADJOURNMENT THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1749 be granted for a period of 1 year with effect from 12 July 2018.

**423. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE TD1759**

There was submitted a report by the Head of Legal and Governance Services (18/234) together with a letter of representation dated 6 June 2018 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence No. TD1759.

The Committee noted that this item had been withdrawn from the agenda at the request of the applicant.

~~~~~

## **PERTH AND KINROSS LOCAL REVIEW BODY**

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 24 July 2018 at 10.30am.

Present: Councillors L Simpson, B Brawn and I James.

In Attendance: D Harrison (Planning Adviser), G Fogg (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: L Fleming and S Richards (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### **424. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

### **425. MINUTE**

The minute of meeting of the Local Review Body of 26 June 2018 was submitted and noted.

### **426. APPLICATIONS FOR REVIEW**

- (i) **TCP/11/16(531) - Planning Application – 18/00126/FLL – Installation of CCTV camera (in retrospect) at Flat 4, 9 St Leonard's Bank, Perth, PH2 8EB – Mrs V Ward**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the installation of CCTV camera (in retrospect) at Flat 4, 9 St Leonard's Bank, Perth, PH2 8EB.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
24 JULY 2018

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the installation of CCTV camera (in retrospect) at Flat 4, 9 St Leonard's Bank, Perth, PH2 8EB, be refused for the following reason:
  - 1. The scope, range and field of vision of the CCTV camera and associated microphone is such that it monitors and records extensive areas of communal amenity space, resulting in an infringement of privacy which significantly adversely impacts residential amenity. Approval would therefore be contrary to policies PM1A and RD1 of the Perth and Kinross Local Development Plan 2014, which seek to ensure that the siting of development respects the amenity of the place in order to protect and, where possible, improve existing residential amenity.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (ii) **TCP/11/16(533) - Planning Application – 17/01743/IPL – Erection of a dwellinghouse (in principle) on land 40 Metres south east of The Cottage, Golf Course Road, Blairgowrie – Mr & Mrs Smith**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 40 Metres south east of The Cottage, Golf Course Road, Blairgowrie.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;
  - (ii) an unaccompanied site visit be carried out;
  - (iii) following the site visit, the application be brought back to the Local Review Body.
- (iii) **TCP/11/16(535) - Planning Application – 18/00243/FLL – Change of use of agricultural buildings to industrial (class 5) and storage/distribution units (class 6) and the formation of parking at South Inchmichael Farm, Errol, Perth, PH2 7SP – Morris Leslie Ltd**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse a change of use of agricultural buildings to industrial (class 5) and storage/distribution

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
24 JULY 2018

units (class 6) and the formation of parking at South Inchmichael Farm, Errol, Perth, PH2 7SP.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for a change of use of agricultural buildings to industrial (class 5) and storage/distribution units (class 6) and the formation of parking at South Inchmichael Farm, Errol, Perth, PH2 7SP, be granted subject to:
  - 1. The imposition of relevant conditions, developer contribution and informatives.

**Justification**

The proposed development, with the imposition of relevant conditions, developer contribution and informatives, was not assessed as being contrary to the Local Development Plan and was compatible with Policies RD3 (a), (c) and (e), of the Perth and Kinross Local Development Plan 2014.

**Note:** Councillor Simpson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld, as the proposal was contrary to Local Development Plan Policies RD3 (a), (c) and (e), and that permission for change of use should be refused.

**(iv) TCP/11/16(537) - Planning Application – 18/00012/FLL – Erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth – Mr J Scuse**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
24 JULY 2018

was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse on land 250 metres north west of Grimmstane, Forneth, be refused for the following reasons:
  - 1. The proposal is contrary to Policy RD3 – Housing in the Countryside, of the Perth and Kinross Local Development Plan 2014, in addition to the Council's Housing in the Countryside Guide 2014, as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location. This application site falls within the Lunan Valley Catchment Area and as such the application of Policy RD3 within the Catchment Area is limited to economic need, conversions or replacement buildings, neither of which applies for this proposal.
  - 2. The proposal is contrary to Policy ER6 – Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Areas Landscapes, of the Perth and Kinross Local Development Plan 2014, as the siting of the proposed development on the banks of the lochan is intrusive to the existing landscape framework and does not conserve or enhance the surrounding landscape as required by the Policy.
  - 3. The proposal is contrary to Policy EP6 (a) – Lunan Valley Catchment Area, of the Perth and Kinross Local Development Plan 2014, as a lack of information in relation to foul drainage and phosphorous levels have been submitted to adequately assess the proposals.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (v) **TCP/11/16(538) - Planning Application – 18/002147/FLL – Extension to dwellinghouse, 43 Garry Place, Bankfoot – Mrs K Boath**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse an extension to dwellinghouse, 43 Garry Place, Bankfoot.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
24 JULY 2018

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for an extension to dwellinghouse, 43 Garry Place, Bankfoot, be granted subject to:
  - 1. The imposition of relevant conditions requiring the submission of revised details to replace the proposed exposed supporting steelwork with brick pillars or a wall, rendered to match the remainder of the proposed extension.

**Justification**

The proposed development, whilst not compliant with the Perth and Kinross Local Development Plan 2014, was assessed on balance as being acceptable, in taking account of the exceptional family circumstances of the applicant.

- (vi) **TCP/11/16(539) - Planning Application – 17/02295/FLL – Erection of a retail unit on land 20 metres west of South Inch Filling Station, 4 Edinburgh Road, Perth – Mr M Jahangir**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a retail unit on land 20 metres west of South Inch Filling Station, 4 Edinburgh Road, Perth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;
- (ii) an unaccompanied site visit be carried out;
- (iv) following the site visit, the application be brought back to the Local Review Body.

~~~~~



## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 1 August 2018 at 10.00am.

Present: Councillors R McCall, B Brawn, B Band, H Coates, T Gray, I James, W Robertson (substituting for W Wilson) and L Simpson.

In Attendance: A Condliffe, D Niven, L Reid, D Salman, C Stewart and R Stewart (all Housing and Environment); G Fogg, D Williams and S Richards (all Corporate and Democratic Services).

Apologies: Councillors H Anderson, M Barnacle, E Drysdale, A Jarvis, R Watters and W Wilson.

Councillor R McCall, Convener, Presiding.

### **427. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting, and apologies and substitutions were noted as above.

### **428. DECLARATIONS OF INTEREST**

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

### **429. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 4 July 2018 (Arts. 407-413) was submitted, approved as a correct record and authorised for signature.

### **430. DEPUTATIONS**

In terms of Standing Order 72, the Committee agreed to hear a deputation in relation to the following planning application:

Planning Application No.  
18/00719/FLL

Art. No.  
431(2)(i)

**431. APPLICATIONS FOR DETERMINATION**

**(1) Major Applications**

- (i) 18/00395/MWM - BANKFOOT - Formation of a borrow pit, vehicular access and track, storage yard and car parking, siting of ancillary processing equipment, 2 portable buildings for office and canteen use and associated works for a temporary period, land south of Loak Farm, near Bankfoot – Report 18/239 – Breedon Northern Limited**

Prior to consideration of the item, A Condliffe, Interim Development Quality Manager, informed members that if they were minded to approve the application, Condition 29 of Report 18/239 would be replaced with the Legal Agreement and relevant Procedural Note listed below.

**Resolved:**

Grant, subject to the following terms, conditions and informatives:

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason - To ensure the development is carried out in accordance with the approved drawings and documents.
2. All sand and gravel extraction within the site shall be completed within 3 years of the commencement of development (as indicated on the 'Notice of Initiation of Development').  
Reason - In accordance with the terms of the application and in order for the Planning Authority to maintain control of the period of application in the interests of visual and residential amenity.
3. The total volume of sand and gravel extracted from the mine shall not exceed 400,000 tonnes. On request, the Council as Planning Authority shall be provided with full details of the annual extraction volumes (through weighbridge records) from the date of commencement of development.  
Reason - To ensure that all associated mine operations do not exceed maximum volumes of extraction assessed and ensuring a satisfactory standard of local environmental quality is maintained.
4. The extraction of sand and gravel shall commence and proceed only in accordance with the submitted details of area and depth of working, as shown on the plans herewith approved. No deviations shall be permitted.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

Reason - In the interests of visual and residential amenity.

5. Two months prior to the commencement of development a Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Site Waste Management Plan (SWMP), a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of construction and operation programmes will be submitted to and be approved in writing by the Planning Authority, in consultation with Scottish Natural Heritage. Such details shall incorporate detailed pollution avoidance and mitigation measures for all construction elements. Thereafter the development shall be fully undertaken in accordance with the agreed CEMP.

Reason: In the interest of protecting environmental quality and of bio-diversity

6. Restoration shall be fully implemented within twelve months of the completion of extraction and shall be in accordance with the submitted restoration scheme to be approved under Condition 7 below and shall thereafter be maintained to the satisfaction of the Planning Authority.

Reason - In the interests of visual amenity, landscape quality and ecological interest and diversity.

7. With 6 months of the date of this consent, an updated restoration scheme shall be submitted to and be approved in writing by the Planning Authority. Thereafter the approved restoration scheme shall be implemented in full.

Reason - In the interests of visual amenity, landscape quality and ecological interest and diversity.

8. Prior to the commencement of restoration of the site a detailed scheme with final contours and an aftercare management plan for the site shall be submitted to and approved by the Planning Authority. Thereafter the approved scheme shall be implemented in full.

Reason - To ensure that final contours, an updated restoration plan and an updated aftercare plan for the site are adopted prior to the site ceasing operation thereby ensuring the site is capable of beneficial after use and to minimise adverse impacts on the landscape, nature conservation and amenity of the surrounding area (due to the intervening time period).

9. Mineral extraction and processing and the movement of vehicles shall only be carried out at the site between the hours of 0700-1900 Mondays to Fridays and 0700-1300 hours on Saturdays. No operations permitted on Sundays.

Reason - In the interests of residential amenity.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

10. All vehicles, plant and machinery shall operate only during the permitted hours of operation, and shall at all times be silenced in accordance with the manufacturer's recommendations and so operated as to minimise noisy emissions. The Planning Authority reserves the right to insist on any reasonable additional measures to further minimise noise emissions, should it prove expedient to do so.  
Reason - In the interests of residential amenity.
11. Only the plant machinery and equipment specified in the noise assessment submitted with this application (or similar plant which generates no greater sound power levels) shall be used.  
Reason - In the interests of residential amenity.
12. If any aspects of the operation results in justified complaints the applicant shall, if required by the Planning Authority, have recognised consultants carry out monitoring for noise or dust and provide reports to the satisfaction of the Planning Authority. The applicant shall be required to take any reasonable remedial measures recommended in such reports, unless otherwise agreed in writing with the Planning Authority.  
Reason - In the interests of residential amenity.
13. Noise levels measured at 3.5m from the façade of noise sensitive properties shall not exceed the following limits (except during temporary operations as stipulated in condition below)
- |                              |                                              |
|------------------------------|----------------------------------------------|
| Loak Farm                    | L <sub>Aeq</sub> , 1 Hour 45 dB (free field) |
| Jackstone Steadings and Farm | L <sub>Aeq</sub> , 1 Hour 45 dB (free field) |
| Watermill Cottage            | L <sub>Aeq</sub> , 1 Hour 45 dB (free field) |
| House of Nairne              | L <sub>Aeq</sub> , 1 Hour 45 dB (free field) |
| Kilburn                      | L <sub>Aeq</sub> , 1 Hour 45 dB (free field) |
| Barn House, East Mains       | L <sub>Aeq</sub> , 1 Hour 55 dB (free field) |
| Holm Cottage, East Mains     | L <sub>Aeq</sub> , 1 Hour 55 dB (free field) |
| Anvil Cottage, East Mains    | L <sub>Aeq</sub> , 1 Hour 55 dB (free field) |
| Westwood Farm                | L <sub>Aeq</sub> , 1 Hour 55 dB (free field) |
- \* Where there is more than one property at the above sites noise limits apply to all properties at that location  
Reason - In the interests of residential amenity.
14. To allow for temporary operations such as soil stripping, removing soil heaps, creating earth bunds, crushing operations and restoration, noise levels measured at 3.5m from the façade of any noise sensitive dwelling shall not exceed 70dB L<sub>Aeq</sub>, 1 hour (free field) for more than 8 weeks in any one year, unless otherwise agreed in writing by the Planning Authority. Perth and Kinross Council (Environmental Health) and all neighbouring noise sensitive dwellings shall be advised in advance of the aforementioned activities detailing the timings, actual

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

activities to be undertaken and any additional noise mitigation measures.

Reason - In the interests of residential amenity.

15. 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.

Reason - In the interests of residential amenity.

16. Wheel cleaning facilities shall be provided at the exits from the site for the entire duration of operations and restoration. All vehicles leaving the site will be required to use these facilities.

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

17. Audible vehicle reversing alarms shall be operated on the method that they only emit the warning if necessary, e.g. on an infrared signal which detects persons to the rear of the vehicle.

Reason - In the interests of residential amenity.

18. No blasting shall take place on the site.

Reason - In the interests of residential amenity.

19. Prior to the development commencing a Traffic Management Plan (TMP) shall be submitted and approved by the Planning Authority, in consultation with Transport Scotland and the successful contractor for the A9 Luncarty to Pass of Birnam dualling scheme. The TMP will subsequently become part of the works documentation for the A9 Luncarty to Pass of Birnam dualling scheme.

Reason – To minimise interference with the safety and free flow of the traffic on the trunk road; To maintain safety for both the trunk road traffic and the traffic moving to and from the borrow pit to the A9 Luncarty to Pass of Birnam dualling scheme.

20. No part of the access road from the borrow pit shall extend beyond the parallel road to the west of the existing A9 until this is demonstrated to be necessary to allow the movement of material from the borrow pit to the works for the A9 Luncarty to Pass of Birnam dualling scheme.

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

21. Prior to the development commencing detailed drawings of any link road, permitted as part of the Traffic Management Plan, between the parallel road to the west of the A9 and the existing A9 carriageway shall be submitted and approved by the Planning Authority, in consultation with Transport Scotland and the successful

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

contractor for the A9 Luncarty to Pass of Birnam dualling scheme.

Reason – To minimise interference with the safety and free flow of the traffic on the trunk road; To maintain safety for both the trunk road traffic and the traffic moving to and from the borrow pit to the A9 Luncarty to Pass of Birnam dualling scheme; To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

22. The detailed drawings shall show the construction and alignment of the link road and the connection to the existing A9. Any permitted junction shall be designed to prevent right turns to and from the link road to the existing A9.

Reason – To minimise interference with the safety and free flow of the traffic on the trunk road; To maintain safety for both the trunk road traffic and the traffic moving to and from the borrow pit to the A9 Luncarty to Pass of Birnam dualling scheme.

23. Prior to the development commencing the timing of any works necessary to allow the movement of material from the borrow pit to the dualling works for the Luncarty to Pass of Birnam dualling scheme, shall be agreed with the successful contractor.

Reason – To minimise interference with the safety and free flow of the traffic on the trunk road; To maintain safety for both the trunk road traffic and the traffic moving to and from the borrow pit to the A9 Luncarty to Pass of Birnam dualling scheme.

24. No works necessary to allow the movement of material from the borrow pit to the dualling works for the A9 Luncarty to Pass of Birnam dualling scheme, shall be undertaken without the approval of the successful contractor.

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

25. The use of the borrow pit shall cease on the completion of the A9 Luncarty to Pass of Birnam dualling Scheme.

Reason - To restrict the use of the borrow pit to the duration of the contraction for the A 9 Luncarty to Pass of Birnam dualling scheme.

26. The development should not adversely impact public access particularly on core path AGVN/115 which must remain safely available for public access throughout construction and on completion. Any damage to the core path must be reinstated prior to completion.

Reason - To protect an existing core path.

27. Development shall not commence until the developer has secured the implementation of a programme of

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

archaeological work in accordance with a written scheme of archaeological investigation which has been submitted by the applicant, and agreed in writing by the Planning Authority, in consultation with Perth and Kinross Heritage Trust. 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 – To protect known and potential archaeology in area.

28. Prior to the commencement of the development hereby approved, protective fencing shall be erected around MPK 2337 and along southern red line boundary at SM1562 and SM1524, and in a manner to be agreed in advance with the Council as Planning Authority in consultation with Perth and Kinross Heritage Trust. No works shall take place within the area inside that fencing without prior written agreement of the Planning Authority in consultation with Perth and Kinross Heritage Trust.

Reason – To protect known archaeology and Scheduled Monuments in area.

It is anticipated that a Section 75 agreement will be required in order to adequately secure the terms of the bond or financial instrument associated with required site decommissioning, restoration and aftercare over the lifetime of the development and beyond.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Informatives**

1. 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).
2. 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

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

3. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. In accordance with Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material.
4. 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.
5. The operation of this site will need to be licenced under SEPAs Pollution Prevention and Control (PPC) Certification as activities involve road stone coating and crushing and the cement batching.

**PROCEDURAL NOTES**

Consent shall not be issued until a Section 75 Agreement is in place to enable a financial guarantee to secure delivery of site restoration over the associated lifetime of the development. The legal agreement should be concluded and registered within 4 months of any Committee approval. Failure to conclude a legal agreement within 4 months may result in the planning application being re-assessed.

This agreement shall include

- i) the maximum sum required;
- ii) details of the financial guarantee which can either be by way of an ESCROW facility, restoration bond or bank guarantee.

**(2) Major Applications**

- (i) **18/00719/FLL – BIRNAM – Installation of underground tank and replacement of forecourt lighting (in retrospect), Youngs Garage, Perth Road, Birnam – Report 18/240 – Breedon Northern Limited**

Mr N Douglas and Mr N Turner, objectors to the application, Councillor G Laing, Local Member speaking in objection, followed by Mr S Reilly and Mr B Worrall, representing the



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

applicant, addressed the Committee, and, following their respective representations, withdrew to the public benches.

Motion (Councillors L Simpson and I James) – Grant subject to the terms, conditions and informatives outlined in Report 18/240, but with Condition 1 amended to read;

1. The hours of operation of the external lighting (apart from lighting on the pay terminal) shall be restricted to between 07:00 and 22:00 hours.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

**Amendment (Councillors H Coates and T Gray) – Grant, subject to the following terms, conditions and informatives:**

**Conditions**

1. The hours of operation of the external lighting (apart from lighting on the pay terminal) shall be restricted to between 07:00 and 23:00 hours.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

2. 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 conforms to requirements to meet the Obtrusive Light Limitations for exterior Lighting Installations for Environmental Zone –E2 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011.

Reason - In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.

**Justification**

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

In accordance with Standing Order 58 a roll call vote was taken.

4 members voted for the Motion as follows:

Councillors B Band, B Brawn, I James and L Simpson.

4 members voted for the Amendment as follows:

Councillors H Coates, T Gray, R McCall and W Robertson.

In accordance with Standing Order 56 the Convener exercised a casting vote in accordance with the Amendment.

**Resolved:**

In accordance with the Amendment.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
1 AUGUST 2018

**(3) Proposal of Application Notice (PAN)**

**(i) 18/00005/PAN - SCONE - Residential development, Wheel Inn, 37 Angus Road, Scone – Report 18/241**

Councillor L Simpson requested that it be recognised that the site is a community facility, with the car park used for numerous reasons.

Members noted the issues identified by the Interim Head of Planning's report.

~~~~~

## PERTH AND KINROSS LOCAL REVIEW BODY

Minute of meeting of the Perth and Kinross Local Review Body held in the Council Chamber, 2 High Street, Perth on Tuesday 21 August 2018 at 10.30am.

Present: Councillors L Simpson, H Anderson (up to and including Art. 434(i)), B Brawn and W Wilson (excluding Art. 434(i)).

In Attendance: D Harrison (Planning Adviser), C Elliott (Legal Adviser) and D Williams (Committee Officer) (all Corporate and Democratic Services).

Also Attending: C Brien (Housing and Environment); S Richards (Corporate and Democratic Services); members of the public, including agents and applicants.

Councillor L Simpson, Convener, Presiding.

### 432. DECLARATIONS OF INTEREST

Councillor W Wilson declared a non-financial interest in Art. 434(i).

### 433. MINUTE

The minute of meeting of the Local Review Body of 24 July 2018 was submitted and noted.

### 434. APPLICATIONS FOR REVIEW

HAVING DECLARED A NON-FINANCIAL INTEREST, COUNCILLOR W WILSON WITHDREW FROM THE MEETING DURING CONSIDERATION OF ART. 434(i).

- (i) **TCP/11/16(536) - Planning Application – 18/00238/IPL – Erection of a dwellinghouse (in principle) on land 30 metres south east of Dorus Mor, Western Road, Auchterarder – Mrs and Mrs S Bonney**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 30 metres south east of Dorus Mor, Western Road, Auchterarder.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

#### **Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle) on land 30 metres south east of Dorus Mor, Western Road, Auchterarder, be refused for the following reasons:
  - 1. The proposal is contrary to Policies PM1A and PM1B(d): Placemaking of the Perth and Kinross Local Development Plan 2014, which requires that all development must contribute positively to the quality of the surrounding built and natural environment and that the design and siting of development should respect the character and amenity of the place. The proposed development, by virtue of the backland nature of the site, would result in over development that would not contribute positively to the area and would not respect the character, density or amenity of the place.
  - 2. The proposal is contrary to Policy RD1: Residential Areas of the Perth and Kinross Local Development Plan 2014, which seeks to ensure that development is compatible with the character and amenity of the area and that areas of the amenity value are retained. The development of this backland site for a dwellinghouse would be detrimental to the character and amenity of the area and would set an unwelcome precedent for further backland development in the immediate locality.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

COUNCILLOR H ANDERSON LEFT THE MEETING AT THIS POINT.

COUNCILLOR W WILSON RETURNED TO THE MEETING AT THIS POINT.

- (ii) **TCP/11/16(540) - Planning Application – 18/00215/IPL – Residential development (in principle), land 40 metres north east of 4 Newbigging Grange, Wolfhill – Mr S Mercer Nairne**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse residential development (in principle), land 40 metres north east of 4 Newbigging Grange, Wolfhill.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for residential development (in principle), land 40 metres north east of 4 Newbigging Grange, Wolfhill, be refused for the following reasons:
1. The proposal is contrary to Policy RD3 of the Perth and Kinross Local Development Plan 2014 and the Council's Housing in the Countryside Guide 2012 as it does not comply with any of the categories of the policy guidance where a dwellinghouse or dwellinghouses would be acceptable in principle at this location.
  2. The proposal is contrary to Policy PM1B, criterion (a), of the Perth and Kinross Local Development Plan 2014, as the proposal fails to create a sense of identity and erodes the character of the countryside due to this exposed piece of land.
  3. The proposal is contrary to Policy PM1B, criterion (b), of the Perth and Kinross Local Development Plan 2014, as the siting of a residential development on this exposed piece of land would erode and dilute the area's landscape character.
  4. The proposal is contrary to Policy ER6 of the Perth and Kinross Local Development Plan 2014 as it erodes local distinctiveness, diversity and quality of Perth and Kinross's landscape character. This includes eroding the visual and scenic qualities of the landscape and the quality of landscape experience through the siting of the residential development on this exposed piece of land with a lack of established boundary treatments.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**Note:** Councillor Wilson dissented from the majority decision. He considered that the proposal was in accordance with the Development Plan and the Appointed Officer's decision should be overturned. He considered that the site is an infill site for an existing building group and is sufficiently defined in terms of its boundaries, and that permission for residential development (in principle) should be granted.

- (iii) **TCP/11/16(542) - Planning Application – 18/00261/FLL – Alteration and extension to dwellinghouse, Riverbank, Inchyra, Perth – Mr G Parker**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse alteration and extension to dwellinghouse, Riverbank, Inchyra, Perth.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body and the comments from the Planning Adviser, sufficient information was before the Local Review Body to determine the matter without further procedure.

Thereafter, resolved by majority decision that:

- (ii) the Review application for alteration and extension to dwellinghouse, Riverbank, Inchyra, Perth, be granted subject to:
  - 1. The imposition of relevant conditions, including those regarding the revision of the external wall material to match the existing house and the submission of details concerning the use of flood resistant materials and methods.
  - 2. The imposition of relevant terms and informatives

**Justification**

The proposed development, with the imposition of relevant conditions, terms, and informatives, was assessed as being in accordance with the Development Plan including being compatible with the Perth and Kinross Local Development Plan 2014.

**Note:** Councillor Wilson dissented from the majority decision. He considered that the Appointed Officer's decision should be upheld and the application refused, due to the scale and massing of the proposed alteration and extension relative to the existing bungalow.

**(iv) TCP/11/16(543) - Planning Application – 18/00489/IPL – Erection of a dwellinghouse (in principle) on land 100 metres north east of Logiebrae, Craigie, Clunie – Ms K Walker**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 100 metres north east of Logiebrae, Craigie, Clunie.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, insufficient information was before the Local Review Body to determine the matter without further procedure;

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

- (ii) the Development Quality Manager submit a copy of the appeal decision letter regarding planning application 08/01216/FUL;
- (iii) the Development Quality Manager supply copies of relevant Eastern Area Development Plan policies as referred to in appeal decision regarding planning application reference 08/01216/FUL;
- (iv) the Development Quality Manager submit plans and decision notice for the erection of agricultural shed reference 09/00170/FUL;
- (v) the Applicant be requested to submit any available documentation which illustrates and establishes the history and nature of the former use(s) of the ruinous building within the application site;
- (vi) the Development Quality Manager comment on the relevance of Local Development Plan Policy EP6(a), notably in relation to replacement buildings;
- (vii) an unaccompanied site visit be carried out;
- (viii) following the receipt of all requested further information, and the undertaking of the site visit, the application be brought back to the Local Review Body.

**435. DEFERRED APPLICATIONS FOR REVIEW**

**(i) TCP/11/16(527) - Planning Application – 18/00015/FLL – Erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie – Mr & Mrs Clark**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 29 May 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without; (i) clarification from the Development Quality Manager on terms of grant of other developments in the vicinity of the proposed development identified by the applicant, and the planning context of those sites including whether they are within the designated open space, and subsequently comment in response from the applicant, and; (ii) an unaccompanied site visit. With all further information having been received, and the unaccompanied site visit having taken place on 16 August 2018, the Local Review Body reconvened.

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, with all requested further information having been received and having carried out a site visit on 16 August 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse on land north east of Firgrove Park, Golf Course Road, Blairgowrie, be refused for the following reason:
  - 1. The proposal is contrary to the Perth and Kinross Development Plan 2014, Policy CF1A, Open Space Retention and Provision due to its position in this policy area. No wider community benefit is associated with this proposal which is also unrelated to any recreational land use. As such, it could also be cited as a precedent for the further erosion of small areas of the wider open space zoning in Rosemount which would be detrimental to the wider character of the area.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

- (ii) **TCP/11/16(530) - Planning Application – 17/02003/FLL – Change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth – Mr M Paton**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 26 June 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With the unaccompanied site visit having taken place on 16 August 2018, the Local Review Body reconvened.



PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 16 August 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by majority decision that:

- (ii) the Review application for change of use of river bank to garden ground, erection of a shed, fence, gate, access steps and associated works (in retrospect) at 26 Almond Grove, Huntingtowerfield, Perth, be granted subject to:
  - 1. The imposition of relevant conditions, including those regarding fencing and gates, and informatives, including regarding Core Path legislation.

**Justification**

The proposed development, whilst contrary to the Local Development Plan, was seen as improving local amenity whilst also not being adjudged as likely to set a precedent for similar proposals in this locality.

**(iii) TCP/11/16(533) - Planning Application – 17/01743/IPL – Erection of a dwellinghouse (in principle) on land 40 Metres south east of The Cottage, Golf Course Road, Blairgowrie – Mr & Mrs Smith**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a dwellinghouse (in principle) on land 40 Metres south east of The Cottage, Golf Course Road, Blairgowrie.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 24 July 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With the unaccompanied site visit having taken place on 16 August 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 16 August 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a dwellinghouse (in principle) on land 40 metres south east of The Cottage, Golf Course Road, Blairgowrie, be refused for the following reasons:

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

1. The proposal is contrary to the Perth and Kinross Development Plan 2014, Policy CF1A, Open Space Retention and Provision due to its position in this policy area. No wider community benefit is associated with this proposal which is also unrelated to any recreational land use. As such, it could also be cited as a precedent for the further erosion of small areas of the wider open space zoning in Rosemount which would be detrimental to the wider character of the area.
2. The proposal is contrary to the Perth and Kinross Development Plan 2014, Policy PM1A, Placemaking, and Policy RD1, Residential Areas, as the proposed site would not reflect the overriding character of development in the area of large detached dwellings in large detached plots.

**Justification**

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

**(iv) TCP/11/16(539) - Planning Application – 17/02295/FLL – Erection of a retail unit on land 20 metres west of South Inch Filling Station, 4 Edinburgh Road, Perth – Mr M Jahangir**

Members considered a Notice of Review seeking a review of the decision by the Appointed Officer to refuse the erection of a retail unit on land 20 metres west of South Inch Filling Station, 4 Edinburgh Road, Perth.

The Planning Adviser displayed photographs of the site and described the proposal, and thereafter summarised the Appointed Officer's Report of Handling and the grounds set out in the Notice of Review.

It was noted that, at its meeting of 18 July 2018, the Local Review Body resolved that insufficient information was before the Local Review Body to determine the application without an unaccompanied site visit. With the unaccompanied site visit having taken place on 16 August 2018, the Local Review Body reconvened.

**Decision:**

Resolved by unanimous decision that:

- (i) having regard to the material before the Local Review Body, and having carried out a site visit on 16 August 2018, sufficient information was before the Local Review Body to determine the matter without further procedure;

Thereafter, resolved by unanimous decision that:

- (ii) the Review application for the erection of a retail unit on land 20 metres west of South Inch Filling Station, 4 Edinburgh Road, Perth, be granted subject to:

PERTH AND KINROSS COUNCIL  
LOCAL REVIEW BODY  
21 AUGUST 2018

1. The imposition of relevant conditions, including those regarding opening time being consistent with the existing business, details of any proposed external lighting, ventilation, air conditioning and refrigeration units, the control of any associated noise, external finishing materials; and informatives including regarding signage; and subject to a suitable legal agreement for payment of a transport contribution.

**Justification**

The proposed development was considered as being in accordance with the Local Development Plan, and therefore the appointed officer's decision should be overturned with the imposition of relevant conditions, informatives and terms.

~~~~~

## **HOUSING AND COMMUNITIES COMMITTEE**

Meeting of the Minute of the Housing and Communities Committee held in the Council Chambers, 2 High Street, Perth on Wednesday 22 August 2018 at 10.00am.

Present: Councillors P Barrett, B Brawn, K Baird (substituting for Councillor C Shiers), C Ahern, A Bailey, E Drysdale, T Gray, D Illingworth, S McCole, T McEwan, R Watters and W Wilson (substituting for Councillor H Coates).

In Attendance: B Renton, Executive Director (Housing and Environment Service); C Mailer, J McCall, G Conway, N Robson, N Rogerson, C Hendry, E Ritchie, M Dow, D McPhee and P Turner (all Housing and Community Safety); C Flynn, S Richards, and A Taylor (all Corporate and Democratic Services).

Also in Attendance: Chief Superintendent G Murdoch and Inspector K Chase (both Police Scotland); Area Manager G Pryde (Scottish Fire and Rescue Service); C Stewart and T Bremner (both Tenants' Representatives).

Apologies: Councillor H Coates, C Shiers and C Reid.

Councillor Barrett, Convener, Presiding.

Prior to the commencement of business:

**(i) Liz Dewar**

The Convener paid tribute to former Tenants' and Residents' Representative Liz Dewar, who sadly passed away last month.

### **436. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. Apologies for absence and substitutes were noted as above.

### **437. DECLARATIONS OF INTEREST**

There were no declarations of interest made in terms of the Councillors Code of Conduct.

### **438. MINUTE OF THE MEETING OF THE HOUSING AND COMMUNITIES COMMITTEE OF 16 MAY 2018 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of the Housing and Communities Committee of 16 May 2018 (Art. 257-266) was submitted and approved as a correct record and authorised for signature.

IN TERMS OF STANDING ORDER 34 THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS TO CONSIDER ITEMS P1 & P2 AT THIS POINT AND TO

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
22 AUGUST 2018

RECOMMENCE THE PUBLIC SESSION WITH POLICE AND FIRE: LOCAL SCRUTINY AND ENGAGEMENT FOLLOWED BY THE COMMUNITY PLANNING PARTNERSHIP UPDATE.

**IT WAS RECOMMENDED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULED 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

**439. SCOTTISH FIRE AND RESCUE SERVICE – OPERATIONAL UPDATE FOR PERTH AND KINROSS**

The Committee received and noted a verbal report from Area Manager G Pryde of the Scottish Fire and Rescue Service (SFRS) on information which was not to be made publically available.

**440. POLICE SCOTLAND – OPERATIONAL UPDATE FROM PERTH AND KINROSS**

Police Scotland had no operational update to report.

**THE PUBLIC AND PRESS WERE RE-ADMITTED TO THE MEETING AT THIS POINT**

**441. POLICE AND FIRE REFORM: LOCAL SCRUTINY AND ENGAGEMENT**

**(i) Fire and Rescue Quarterly Performance Report – 1 April to 30 June 2018**

There was submitted a report by Area Manager G Pryde, Scottish Fire and Rescue Service (18/251) on the performance of the SFRS against the priorities, performance indicators and targets detailed within the Local Fire and Rescue Plan for Perth and Kinross 2017-20, for the first quarter, 1 April to 30 June 2018.

Councillor Drysdale made reference to the issue of road traffic collision casualties, fatal and non-fatal, and that targets are set by SFRS without any clear way of directly influencing the number of casualties, he queried to what extent this was an appropriate measure of the effectiveness of the service, Area Manager Pryde advised that this was a key risk within Perth and Kinross, SFRS as part of a multi agency group were focussing activity on providing support through educational work with schools and through the Road Safety Group to try and continue to drive the figures down further.

Councillor Drysdale further stated that although he noted the number of casualties had improved he further queried to what extent were the injuries/casualties to drivers and passengers of vehicles and what extent were to pedestrians/cyclists. In response, Area Manager Pryde

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
22 AUGUST 2018

advised that any road traffic collision they attend will come in via the Ambulance Service or Police Scotland. He advised that they only respond to incidents where people require to be extricated from a vehicle, if the incident involved a pedestrian or a cyclist then the Fire Service would not normally attend.

Councillor Wilson made reference to the number of fire safety visits that were being carried out and queried whether there was a targeting strategy for these visits. In response Area Manager Pryde advised that SFRS have a risk rating profile for every premise which is completed prior to carrying out the fire safety visit and reviewed after the visit and will record any significant improvements made.

Councillor McCole made reference to unwanted fire alarm systems and the fact that a significant number of the accidental fire alarms set off were due to equipment failure, she queried whether there were any statistics which would help identify any make or model of fire alarm systems or repeat offenders or locations where the fire alarms go off persistently. In response Area Manager Pryde confirmed that every time SFRS attend an unwanted fire alarm call operational crews implement the unwanted fire alarm signal policy. The crew will record information from engagement with, the owner/occupier of the premises and will offer support and advice to identify the cause and put in place any remedial actions identified in order to prevent repeat calls. Area Manager Pryde further advised that SFRS have the figures for the whole Tayside area and if any specific issues arise these will be targeted, however there is the ability to feed the local information into the National Fire and Rescue Service to identify any national trends.

Councillor Brawn queried our readiness to deal with the potential threat caused by wildfires in rural areas, Area Manager Pryde advised that there is a national lead for wildfires, and there is a wildfire strategy for Scotland, he assured members that SFRS have the correct resources to deal with wildfires in this area.

**Resolved:**

The performance of the Scottish Fire and Rescue Service in Perth and Kinross area for the first quarter, 1 April to 30 June 2018, as detailed in Report 18/251, be noted.

**(ii) Perth and Kinross Local Policing Area Performance Results –  
1 January to 31 March 2018**

There was submitted a report by Chief Superintendent P Anderson, Police Scotland 'D' Division (Tayside) (18/252) on the performance of Police Scotland against the local policing priorities for the Perth and Kinross area as set out in the Local Policing Plan for the first quarter, 1 April to 30 June 2018 and also detailing the year-end performance figures for April 2017 to March 2018 previously subject to an embargo.

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
22 AUGUST 2018

Councillor Drysdale made reference to the detection rate indicators detailed in the report and noted that these had fallen during the quarter, he queried whether these were down due to the major incidents that have occurred and also the number of high profile events that have taken place over the summer, Chief Superintendent Murdoch advised that there will be a clearer picture of this at the end of Quarter 2.

Councillor McEwen made reference to the statistics on theft by shoplifting and queried whether this data could be broken down further as there may be social cases where people are shoplifting food and not for personal gain, Inspector Chase assured members that during operational meetings they do look at offenders, their backgrounds and other vulnerability factors involved but stressed that it would be extremely difficult for them to collate separate statistics.

Councillor Drysdale asked if statistics could be made available comparing the performance of Perth and Kinross with the national picture, Chief Superintendent Murdoch advised that Police Scotland would be making management information available within the next few weeks. This information would include performance against all crime groups broken down by local authority area and would allow for comparisons.

Councillor Wilson made reference to the recent change to the minimum pricing of alcohol and queried whether this was perhaps attributable to the reduction of incidents, Inspector Chase advised that it was too early to comment.

**Resolved:**

The performance of Police Scotland against the local policing priorities for the Perth and Kinross area as detailed in Report 18/252 be noted.

CHIEF SUPERINTENDENT G MURDOCH, INSPECTOR K CHASE AND AREA MANAGER G PRYDE, GROUP MANAGER ALL LEFT THE MEETING AT THIS POINT.

**442. COMMUNITY PLANNING PARTNERSHIP UPDATE**

There was submitted a report by the Executive Director (Housing and Environment) (18/250) providing an update on the activities of the Community Planning Partnership (CPP).

**Resolved:**

The progress made in relation to Community Planning be noted.

PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
22 AUGUST 2018

**443. HOUSING AND ENVIRONMENT BUSINESS MANAGEMENT & IMPROVEMENT PLAN 2018-19**

There was submitted a report by the Executive Director (Housing and Environment) (18/253) presenting the first Housing and Environment Business Management Improvement Plan for the period 2018-19.

**Resolved:**

- (i) The Housing and Environment Business Management and Improvement Plan 2018-19, for the Housing and Communities Committees areas of responsibility as detailed in Appendix 1 to Report 18/253 be approved.
- (ii) It be noted that Report 18/253 would also be submitted to the Environment and Infrastructure Committee for consideration and approval for their specific area of interest on 5 September 2018.
- (iii) It be noted that Report 18/253 would be submitted to the Scrutiny Committee on 12 September for scrutiny and comment as appropriate.

**444. EDUCATION AND CHILDREN'S SERVICES IMPROVEMENT PLAN 2018-19 (CRIMINAL JUSTICE SERVICES)**

There was submitted a report by the Executive Director (Education and Children's Services) (18/254) presenting the key priority actions for 2018-19 for Criminal Justice Services.

**Resolved:**

- (i) The priority actions for Criminal Justice Services, as detailed in Appendix 1 to Report 18/254, be approved.
- (ii) It be noted that the Education and Children's Services Improvement Plan 2018-19 would be considered by the Lifelong Learning Committee later that day and would also be submitted to the Scrutiny Committee on 12 September 2018 for scrutiny and comment as appropriate.

**445. ANNUAL UPDATE ON PERTH AND KINROSS LOCAL HOUSING STRATEGY 2016-2021**

There was submitted a report by the Executive Director (Housing and Environment) (18/255) (1) noting the progress in implementing the Local Housing Strategy for Perth and Kinross which was approved at Housing and Health Committee in May 2016; and (2) the approval of a revised action plan for 2018-2019.

**Resolved:**

- (i) The progress in implementing the actions set out in the Local Housing Strategy, attached as Appendix 1 to Report 18/255, be noted.
- (ii) The revised action plan, as outlined in Appendix 2 to Report 18/255, be approved.



PERTH AND KINROSS COUNCIL  
HOUSING AND COMMUNITIES COMMITTEE  
22 AUGUST 2018

**446. COMMUNITY PAYBACK ORDER ANNUAL REPORT**

There was submitted a report by the Executive Director (Education and Children's Services) (18/256) providing an update for the period 2016/17 on the operation of Community Payback Orders in Perth and Kinross.

**Resolved:**

- (i) The work undertaken by the Public Protection and Unpaid Work Teams in respect of Community Payback Orders in Perth and Kinross, be noted.
- (ii) The Executive Director (Education and Children's Services) be instructed to bring forward a report on the activity and performance of Community Payback Orders for 2017/18 within 12 months.

**447. MAKE A STAND – DOMESTIC ABUSE PLEDGE**

There was submitted a report by the Executive Director (Housing and Environment) (18/257) seeking approval to sign up to the 'Make a Stand' pledge and to promote the Council's commitment and participation via the Perth and Kinross Council website, various social media channels and other appropriate platforms.

**Resolved:**

- (i) It be approved that Perth and Kinross Council sign up to the 'Make a Stand' Pledge.
- (ii) The work currently underway to support people experiencing domestic abuse be noted.
- (iii) Further enhancements to our approach to addressing and responding to domestic abuse as detailed in section 2.5 of Report 18/257 be supported

COUNCILLOR BAILEY LEFT THE MEETING AT THIS POINT.

**448. GYPSY/TRAVELLER STRATEGY 2018-21**

There was submitted a report by the Executive Director (Housing and Environment) (18/258) seeking approval for a revised Gypsy/Traveller Strategy 2018-21.

**Resolved:**

- (i) The contents of Report 18/258 be approved.
- (ii) The revised Gypsy/Traveller Strategy 2018-21 as detailed in Appendix 1 to Report 18/258, be noted.
- (iii) It be agreed that the report be shared with the Community Planning Partnership for their approval.
- (iv) The Executive Director (Housing and Environment) be instructed to bring back an annual update on the Strategy's progress to Committee in August 2019.

~~~~~

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

## **LIFELONG LEARNING COMMITTEE**

Minute of meeting of the Lifelong Learning Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 22 August 2018 at 2.00pm.

Present: Councillors C Shiers, W Wilson, C Purves, H Anderson, K Baird, B Brawn (substituting for A Forbes), A Coates, X McDade, T McEwan, A Parrott (substituting for F Sarwar), B Pover, J Rebbeck, C Reid and Mrs M McFarlane, R McCall and F Macdonald.

In attendance: S Devlin, Executive Director (Education and Children's Services); J Pepper, R Hill, S Johnston, G Boland, J Chiles, S Farrer, G Findlay, L Richards, H Robertson, K Robertson and C Taylor (all Education and Children's Services); J Beveridge and P Marshall (Housing and Environment); L Aitchison, A O'Brien, S Rodger; C Flynn and C Irons (all Corporate and Democratic Services)

Apologies for absence: Councillors A Forbes and F Sarwar and P Giles.

Councillor C Shiers, Convener, Presiding.

### **449. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. Apologies for absence were noted as above.

### **450. DECLARATIONS OF INTEREST**

There were no declarations of interest in terms of the Councillors' Code of Conduct.

### **451. DEPUTATION**

In terms of Standing Order 72, the Committee agreed to hear a deputation from Mr G McGoldrick, Abernethy Primary School Parent Council Chair in relation to Art. 455.

The Committee agreed to vary the order of business to hear the deputation from Mr McGoldrick and circulate information received from him immediately before Art. 455.

### **452. MINUTES**

#### **(i) Lifelong Learning Committee**

The minute of meeting of the Lifelong Learning Committee of 16 May 2018 (Arts. 267-275) was submitted, approved as a correct record and authorised for signature subject to the point of order raised by

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

Councillor John Rebbeck at the Committee on 16 May 2018 being included, namely:

Councillor J Rebbeck raised a point of order regarding the political imbalance on the Committee which was inconsistent in terms of the political make-up of the Council. With there being a disproportionate number of Administration members relative to the number of Opposition, Councillor J Rebbeck requested assurance that decisions made by the Committee could not be subject to challenge.

C Flynn advised that at the Council meeting on 25 April 2018, it was agreed that Councillor J Duff replace Councillor X McDade on the Lifelong Learning Committee and this reflected the political balance between the Administration and the Opposition at that time. The withdrawal of Councillor McDade from the Administration in January did not affect the balance between the Administration and the Opposition.

On 27 April 2018, the remaining independent members and Councillor A Bailey withdrew from the Administration Partnership and formed the Independent and Scottish Labour Group. This has resulted in a change in the political balance of members across a number of committees and this will be addressed at the Council meeting on 20 June 2018.

**(ii) Joint Negotiating Committee for Teaching Staff**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 27 March 2018 was submitted and noted. (*Appendix I*)

**453. COMMUNITY PLANNING PARTNERSHIP – CHILDREN, YOUNG PEOPLE AND FAMILIES PARTNERSHIP**

The minute of meeting of the Children, Young People and Families Partnership of 8 December 2017 was submitted and noted.

**454. EDUCATION AND CHILDREN'S SERVICES IMPROVEMENT PLAN 2018-19**

There was submitted a report by the Executive Director (Education and Children's Services) (18/246) providing a summary of the key priorities for Education and Children's Services for 2018/19.

**Resolved:**

- (i) The Committee approve the Education and Children's Services Improvement Plan 2018/19 for its specific areas of interest.
- (ii) Section 1.5 of Report 18/246 relating to Criminal Justice Services to be submitted to the Housing and Communities Committee for approval, be noted.

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

- (iii) It be noted that the report would be submitted to the Scrutiny Committee on 12 September 2018 for scrutiny and comment.

**455. OPTIONS APPRAISAL – ABERNYTE PRIMARY SCHOOL**

There was submitted a report by the Executive Director (Education and Children's Services) (18/243) seeking agreement to commence statutory consultation on a proposal to close Abernyte Primary School.

The additional Information submitted by Mr McGoldrick was circulated to members and the meeting was adjourned for 5 minutes and reconvened at 2.17pm.

In terms of Standing Order 72, Mr G McGoldrick addressed the Committee. Following questions from the Committee, he withdrew to the public benches.

The Convener thanked Mr McGoldrick for his contribution.

**Motion (Councillors C Shiers and C Purves)**

- (i) **The recommendation of the options appraisal, attached as Appendix A to Report 18/243, that a statutory consultation in relation to the closure of Abernyte Primary School should take place, be approved.**
- (ii) **The Executive Director (Education and Children's Services) be instructed to prepare and publish a proposal paper to close Abernyte Primary School, transfer pupils to Inchtute Primary School and extend the delineated area of Inchtute Primary School to subsume the whole catchment area of Abernyte Primary School.**
- (iii) **The Executive Director (Education and Children's Services) be instructed to formally consult the appropriate bodies and persons on the terms of the proposal paper, all in accordance with the Schools (Consultation) (Scotland) Act 2010.**
- (iv) **The Executive Director (Education and Children's Services) be delegated authority to investigate and manage any alleged omissions or inaccuracies during the consultation process and to take appropriate action in accordance with The Schools (Consultation) (Scotland) Act 2010.**
- (v) **The Executive Director (Education and Children's Services) be instructed to prepare a report on the results of the consultation and report back on the outcome of the consultation to a future meeting of the Lifelong Learning Committee.**

**Amendment (Councillors B Pover and X McDade)**

- (i) Delete option 4 of Report 18/243 and adopt option 3 to keep Abernyte Primary School open, changing the catchment area to increase the school roll and ensure future sustainability.
- (ii) Requests that the Executive Director (Education and Children's Services) explore the possibility of establishing a nursery class within Abernyte Primary School, to help sustain the future school roll.

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

In terms of Standing Order 58, a roll call vote was taken.

7 Members voted for the Motion as follows:

Councillors K Baird, B Brawn, A Coates, C Purves, C Reid, C Shiers and W Wilson.

7 Members voted for the Amendment as follows:

Councillor H Anderson, X McDade, T McEwan, A Parrott, B Pover, J Rebbeck and Mrs McFarlane.

In terms of Standing Order 56, the Convener exercised her casting vote for the Motion.

**Resolved:**

In accordance with the Motion.

MR G MCGOLDRICK, COUNCILLOR B POVER, MRS M MCFARLANE, J BEVERIDGE, J CHILES, G FINDLAY, P MARSHALL, S RODGER AND C TAYLOR LEFT THE MEETING AT THIS POINT.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 3.39PM.

**456. UPDATE REPORT ON REACH (REVIEW AND REMODELLING OF RESIDENTIAL CARE FOR CHILDREN AND YOUNG PEOPLE)**

There was submitted a report by the Executive Director (Education and Children's Services) (18/245) on the progress of the transformation project to remodel residential care for young people following approval by this Committee on 1 November 2017 of a detailed implementation plan to deliver a new and more innovative approach for young people who were 'on the edge of care'.

**Resolved:**

- (i) The progress of the remodelling of the residential care model for young people against the implementation programme, be noted.
- (ii) The Executive Director (Education and Children's Services) be instructed to submit to this Committee, an annual progress report in relation to REACH for the duration of the Transformation Project.

**457. UPDATE REPORT ON EDUCATION AND CHILDREN'S SERVICES STRATEGIC COMMISSIONING REVIEW**

There was submitted a report by the Executive Director (Education and Children's Services) (18/249) providing an update on the implementation of the Education and Children's Services Commissioning Strategy 2017-2020 and progress to date.

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

**Resolved:**

- (i) The progress of the implementation of the Education and Children's Services Commissioning Strategy, be noted.
- (ii) The Depute Director (Education and Children's Services) be instructed to provide a report to this Committee on completion of the Strategy in 2020.

**458. TRANSFORMATION PROGRAMME – INTEGRATED FACILITIES  
MANAGEMENT UPDATE**

There was submitted a report by the Executive Director (Education and Children's Services) (18/247) to update the Committee on the transfer of Education and Children's Services Facilities Management Service (Janitor and School Patroller Services) to Tayside Contracts.

**Resolved:**

The successful transfer of the Facilities Management Service to Tayside Contracts be noted.

**459. KINSHIP CARE UPDATE (Art. 66/17)**

There was submitted a report by the Executive Director (Education and Children's Services) (18/242) on the developments in Kinship Care from January 2017 to June 2018.

**Resolved:**

- (i) The continued positive growth in the numbers of Kinship Carers and the children and young people they care for, be noted.
- (ii) The positive impact of the support and allowances provided to Kinship Carers and the contribution this was making to the improved life chances of children and young people, be noted.
- (iii) The Executive Director (Education and Children's Services) be instructed to arrange a development day for Councillors on Kinship Care.

A O'BRIEN LEFT THE MEETING AT THIS POINT.

**460. REVISED SCHOOL CAPACITIES FOR ALYTH, KINROSS AND TULLOCH  
PRIMARY SCHOOLS**

There was submitted a report by the Executive Director (Education and Children's Services) (18/244) seeking approval to revise the capacities of Alyth, Kinross and Tulloch Primary Schools following the completion of new build capital projects.

**Resolved:**

The revised capacities of Alyth, Kinross and Tulloch Primary Schools as a result of the completion of the recent capital projects and detailed in Report 18/244, be approved.

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE  
22 AUGUST 2018

**461. SCHOOL TERMS AND HOLIDAYS 2019-2020 AND 2020-2021**

There was submitted a report by the Executive Director (Education and Children's Services) (18/248) seeking approval of a scheme of dates for School Terms and holiday dates for sessions 2019/2020 and 2020/21.

**Resolved:**

- (i) The draft schemes attached as Appendices 1 and 2 to Report 18/248 as the dates for school terms and holidays for sessions 2019/2020 and 2020/2021, be approved.
- (ii) School closure days for In-Service and Occasional Holidays, as detailed in Appendices 1 and 2 of Report 18/248, be approved.
- (iii) Proposals for additional closure days, where necessary, as detailed in report 18/248 be approved.
- (vi) Holiday dates for Highland and Aberdeenshire Councils be included in future comparator information provided in Appendices 3 and 4 to Report 18/248 for members information.

~~~~~

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE (Art. 452(ii)) (Appendix I)  
22 AUGUST 2018

**JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF**

Minute of meeting of the Joint Negotiating Committee for Teaching Staff (JNCT) held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Tuesday 27 March 2018 at 2.30pm.

**Present:**

**Representing Perth and Kinross Council**

Councillor J Rebbeck, Councillor C Shiers;  
G Doogan (substituting for D MacLeod), R Hill,  
S Johnston, T Pupillo and B Scott (substituting for  
A Thomson) (all Education and Children's Services)  
(ECS); P Steel (Corporate and Democratic Services).

**Representing Teachers' Associations**

B Berhane, E Campbell, J Cook, M Laurie (substituting for  
C McDonald), C Rose and C Weston (all EIS); A Johnston  
and M Mackie(SSTA); and S Topen-Cooper (NASUWT).

**In Attendance:**

A McAuley (Joint Secretary for Teachers' Side); C Flynn  
and L Brown (for Joint Secretary, Management Side).

**Apologies:**

E Connon (EIS), C McDonald (VOICE); S Devlin,  
D MacLeod and A Thomson (all ECS).

E Campbell, Convener, Presiding.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted and noted as above.

**2. DECLARATIONS OF INTEREST (ELECTED MEMBERS ONLY)**

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Joint Negotiating Committee for Teaching Staff of 16 January 2018 was submitted and approved as a correct record.

**4. MATTERS ARISING**

**(i) On-line Resources – (Item 6 refers)**

R Hill referred to the proposal to introduce an on-line incident reporting form. He advised that a number of schools had been selected to participate in a pilot for the new method of reporting and had received a demonstration of the new process. At the conclusion of the pilot participants views will be collated and analysed and if successful the



PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE (Art. 452(ii)) (Appendix I)  
22 AUGUST 2018

new method of reporting will be rolled out to all schools. R Hill further advised that the Change and Improvement Team are currently looking at the how the information within the quarterly reports will be submitted to the Joint Negotiating Committee once the new incident reporting system is in place. He indicated that setting a percentage reduction target might be more useful when looking at incidents.

The Committee noted the position.

**(ii) Tay Regional Collaborative – (Item 7 refers)**

R Hill reported that the draft TRIC Plan had been submitted to Scottish Government at the end of January 2018 and that a final draft will be submitted to Scottish Government by September 2018. The plan will focus on the themes of Learning and Teaching; Nursery; School Improvement and Leadership and Development.

The Committee noted the position.

**(iii) New Routes into Teaching – (Item 9 refers)**

It was agreed that any further feedback from the University would be brought back to the next meeting.

**5. REPORTS OF VIOLENCE AND AGGRESSION AGAINST STAFF IN SCHOOLS – TERM 2 (23 OCTOBER 2017 – 22 DECEMBER 2017) – ACADEMIC SESSION 2017-2018**

There was submitted a statistical report by the Executive Director (Education and Children's Services) (G/18/54) detailing the number of reported incidents of violence and aggression against staff in schools during the period 23 October to 22 December 2017; Term 2 of Academic Session 2017-18.

The Committee:

- (i) Noted the content of Report G/18/54.
- (ii) Requested that the reporting of pupil trends in future reports include a breakdown by category between the Primary and Secondary sectors.
- (iii) Requested the inclusion of an additional table on exclusions in future reports.

**6. BUDGET UPDATE**

The Committee received and noted a verbal update from R Hill on the ECS budget approved at the Special Meeting of Perth and Kinross Council on 22 February 2018.

**7. REVISED HEADTEACHER/DEPUTE HEADTEACHER APPOINTMENT PROCEDURE**

There was submitted a joint report by the Executive Director (Education & Children's Services) and the Corporate Human Resource Manager (G/18/55) seeking agreement to the introduction of a revised Appointment Procedure for Headteacher and Depute Headteacher posts.

P Steel advised that the Teachers' side had been consulted on the revised procedures. Comments received had been taken on board and incorporated in to the revised Appointment Procedures.

The Teachers' side noted that there was mention of pupil voice in the process and suggested that perhaps there should be a staff voice too. It was agreed that this could be looked at in the future.

The Committee approved the revised Headteacher/Depute Headteacher Appointment Procedure, attached at Appendix 1 to Report G/18/55, as a local agreement which would supersede any previous agreement.

**8. WORKING TIME AGREEMENT**

There was a report by the Executive Director (Education & Children's Services) (G/18/56) seeking agreement to amendments made to Perth and Kinross Schools Guidance for Teachers Agreement for the 21<sup>st</sup> Century.

S Johnston advised the Agreement had been update to reflect national changes. Some information which is no longer relevant had been removed and some information had been amended in support of Perth and Kinross Council practice.

The Committee agreed to approve the updating of the Teaching Agreement for the 21<sup>st</sup> Century Schools guidance as set out in Report G/18/56 and Appendix 1 thereto.

**9. REPORTING PUPIL PROGRESS**

There was submitted a report G/18/57 detailing changes to the reporting of pupil progress across Perth and Kinross.

From 2018 onward all schools will begin to review approaches including the use of digital technologies. Consultation should take place within the school and across the Local Management Groups (LMG), including parents before any move to a new reporting mechanism. If a school is ready to move forward then any associated work related to the change should be included in the School Improvement Plan and the Working Time Agreement. The expectation is that one written summary is the minimum. If this was broken down further there would need to be school agreement. In Primary schools the expectation is that one report would be uploaded to Seemis. There are

PERTH AND KINROSS COUNCIL  
LIFELONG LEARNING COMMITTEE (Art. 452(ii)) (Appendix I)  
22 AUGUST 2018

CLPL opportunities for schools and an encouragement to quality assure through the LMG. Eleven pilot schools have completed a case study and these will be available on GLOW. There will also be a Perth and Kinross template available for schools but it is not obligatory.

The Committee noted the recommendations for written reporting to parents and the draft framework for Planning, Assessment, Moderation and Reporting as detailed in Report G/18/57 and Appendix 1 thereto.

**10. GUIDANCE FOR SCHOOLS ON PARENTAL COMMUNICATION**

There was submitted for information a guidance paper for schools on parental communication (G/18/58). S Johnston advised that the guidance had been developed following comments made during discussion which had taken place at a previous meeting of the Committee on the quarterly statistical report of incidents of violence and aggression in schools.

The guidance as presented outlined a range of supports and strategies which schools can deploy to foster and maintain good communications with parents and carers.

C Weston welcomed the guidance as a positive step forward.

The Committee noted the Guidance for Schools on Parental Communication.

**11. UPDATE – MODERNISING MIDDLE MANAGEMENT IN SECONDARY SCHOOL**

There was submitted for information a report by the Head of Education – Secondary and Inclusion (G/18/60) providing an update on progress made in regard to modernising middle management in secondary schools since the Committee was last asked to note the position paper in April 2011. The report also outlined the position with regard to the development and management of Faculties moving forward.

The Teachers' side expressed concern regarding the lack of an educational rationale, how frequently reorganisation could occur and the potential to demote staff.

R Hill stated that whilst schools should have the flexibility to address needs, any change to middle management in a school must be with the agreement of the Head of Education. Furthermore any change would need to be within the budget, proportionate, and not be to the detriment of any member of staff. A surplus cannot be created.

At the request of the Teachers' side it was agreed that job matching could be available to a promoted post holder unsuccessful in securing a Head of Faculty post created in a school.

**12. ANY OTHER COMPETENT BUSINESS**

**(i) Trade Union Act 2017**

P Steel advised that under the terms of the Trade Union Act 2017 the Council is now required to include a complete list of all paid time undertaking Trade Union activity in its annual accounts. In future trade unions must provide a more detailed and accurate list of all representatives and a record of time spent on trade union duties. She advised that Human Resources would be writing out to all Trade Unions asking that they complete and return a full list of their representatives for this year's return.

The Committee noted the position.

**13. DATE OF NEXT MEETING**

19 June 2018 at 2.30pm.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
23 AUGUST 2018

## **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 23 August 2018 at 10.00am.

Present: Councillors C Ahern (Convener), D Illingworth (Vice-Convener), K Baird, B Brawn, R Brock, A Coates, J Rebbeck and A Jarvis.

In Attendance: PC D Black (Police Scotland); S McQueen, D Merchant, S Michie and A Taylor (all Corporate and Democratic Services).

Apologies for Absence: Councillors I James, F Sarwar, A Parrott, R Watters and M Williamson.

Councillor C Ahern (Convener), Presiding.

### **462. WELCOME AND APOLOGIES**

The Convener welcomed all present to the meeting. Apologies for absence were noted as above.

### **463. DECLARATIONS OF INTEREST**

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

### **464. MINUTES**

The Minute of Meeting of the Licensing Committee of 12 July 2018 was submitted and approved as a correct record.

### **465. LICENSING OF PUBLIC ENTERTAINMENT**

There was submitted a report by the Head of Legal and Governance Services (18/237) (1) advising of the outcome of the statutory consultation process in respect of the proposed resolution to the list of activities licensable in regard to Public Entertainment; and (2) seeking approval of the new resolution.

#### **Resolved:**

The resolution set out in Appendix 1 to Report 18/259 be approved.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973.**

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
23 AUGUST 2018

THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS

**466. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO. TD1781 (3 YEARS)**

There was submitted a report by the Head of Legal and Governance Services (18/261) together with a letter of representation dated 26 July 2018 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence No. TD1781.

The applicant was in attendance.

**Resolved:**

At the request of the applicant, consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1781 be deferred to the meeting of the Licensing Committee scheduled to take place on Thursday 4 October 2018.

**467. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO. TD1775 (1 YEAR)**

There was submitted a report by the Head of Legal and Governance Services (18/260) together with a letter of representation dated 17 July 2018 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence No. TD1775.

The applicant failed to attend.

**Resolved:**

Consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1775 be deferred to the meeting of the Licensing Committee scheduled to take place on Thursday 4 October 2018.

~~~~~

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

Minute of meeting of the Planning and Development Management Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 29 August 2018 at 10.00am.

Present: Councillors R McCall, M Barnacle, B Brawn, H Anderson, B Band, H Coates, E Drysdale, T Gray, I James, A Jarvis, L Simpson, R Watters and W Wilson.

In Attendance: M Barr, A Condliffe, D Littlejohn, L Reid, D Salman, J Scott, R Stewart (all Housing and Environment); C Elliott, D Williams and M Willis (Corporate and Democratic Services).

Councillor R McCall, Convener, Presiding.

### **468. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting.

### **469. DECLARATIONS OF INTEREST**

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

### **470. MINUTES**

The minute of meeting of the Planning and Development Management Committee of 1 August 2018 (Arts. 427-431) was submitted, approved as a correct record and authorised for signature.

### **471. DEPUTATIONS**

There were no requests for deputations on any items of business.

### **472. APPLICATIONS FOR DETERMINATION**

#### **(1) Major Applications**

- (i) 17/00961/AMM – BLAIRGOWRIE – Erection of 117 dwellinghouses, garages and associated works (approval of matters specified in conditions 10/01360/IPM) land SW of entrance of Maple Place, Blairgowrie – Report 18/264 – Stewart Milne Group**

Prior to consideration of the item, J Scott, Team Leader (Major Applications), informed members that a further representation had been received from a neighbouring developer and summarised that representation.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason: To ensure the development is carried out in accordance with the approved drawings and documents.

2. Prior to the commencement of development a detailed Construction Phasing Plan and Access Strategy for the site shall be submitted for further written agreement by the Council as Planning Authority. Notwithstanding the Site Plan approved (ref: 17/00961/97), the Phasing Plan shall identify:
  - a) an early commitment of the delivery of the link road, extending Elm Drive towards Hazelwood Road, up to the western site boundary, no later than 3 years from the commencement of development (from the date on the NID) and;
  - b) a scheme for the delivery, including timescales, for a road that links from the site up to its southwestern boundary that allows a connection with the remainder of Site H64, as allocated within the Perth and Kinross Local Development Plan 2014, to be made.

The associated Access Strategy shall set out practical means and measures of maintaining constant public access to recreational facilities on land beyond Piggy Lane at all times. The approved phasing plan and access strategy shall thereafter be fully implemented to the satisfaction of the Council as Planning Authority.

Reason: In the interests of ensuring the link road is delivered and adopted up to the site boundary at the earliest opportunity and to ensure public access across the site is reasonably achieved at all times.

3. In association with Condition 2, no development shall commence until a Detailed Delivery Plan confirming the phased delivery of landscaping (public open spaces and tree lines) and construction works (incorporating routes and construction phasing for dwellings and location of any site/construction compounds) within the site has been submitted for written agreement by the Council as Planning Authority. Once approved, the development shall be implemented in accordance with the delivery plan to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity: to ensure a satisfactory standard of local environmental quality.



PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

4. The conclusions and recommended action points within the supporting Ecological Appraisal submitted and hereby approved shall be fully adhered to, respected and undertaken as part of the construction phases of development.  
Reason - In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).
5. No removal of vegetation, including trees and shrubs will be permitted between 1<sup>st</sup> March and 31 August inclusive, unless a competent ecologist has undertaken a careful and detailed check of vegetation for active birds' nests immediately before the vegetation is to be cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation must be submitted to the planning authority for approval prior to commencement of works.  
Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).
6. All road gullies within 500m of a waterbody or Sustainable Urban Drainage (SUDS) basin shall have 'wildlife kerbs' installed adjacent to the gully. The details, including timing, shall be submitted to the Council as Planning Authority for approval and installed thereafter in accordance with the approved detail.  
Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).
7. The developer shall incorporate swift bricks and bat roost bricks at eaves height in a minimum of 50% of all 2 storey properties prior to occupation to the satisfaction of the Council as Planning Authority.  
Reason: In the interests of employing best practice ecology and enhancing biodiversity opportunities.
8. No works which include the creation of trenches, culverts or the presence of pipes will commence until measures to protect animals from becoming trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the planning authority. The measures could include, but are not restricted to, creation of sloping escape ramps from trenches and excavations and securely sealing open pipework at the end of each working day.  
Reason: In order to prevent animals from being trapped within any open excavations.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

9. Prior to the development hereby approved being completed or brought into use, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.  
Reason: In the interests of road safety and environmental quality; to ensure that a satisfactory standard of road and footpath is provided timeously in the interest of the amenity of the residents.
10. Construction work shall be limited to Monday to Friday 07:00 to 19:00 and Saturday 08:00 to 13:00 with no noisy works out with these times or at any time on Sundays or Bank Holidays.  
Reason: In the interests of residential amenity; to ensure a satisfactory standard of local environmental quality.
11. 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: In the interests of public health and to prevent noise pollution.
12. The detailed landscaping and planting proposal specification as approved (Plan reference 17/00961/101 and 17/00961/103) shall be undertaken and delivered commensurate with the residential development elements, in accordance with the approved phasing delivery plan (associated with condition 3) and thereafter maintained to the satisfaction of the Council as Planning Authority. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.  
Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.
13. Prior to the commencement of any works on site, all trees identified for retention on site and those which have Root Protection Areas which fall within the site shall be retained and protected. Protection methods shall be strictly in accordance with BS 5837 2012: Trees in Relation to Design, Demolition and Construction. Protection measures, once in place, shall remain in place for the duration of construction.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

Reason: To ensure a satisfactory standard of development and environmental quality and to reserve the rights of the Planning Authority.

14. Prior to the commencement of development a Construction Environment Management Plan (CEMP), incorporating a Construction Method Statement (CMS), a Construction Traffic Management Plan (CTMP), a Site Waste Management Plan (SWMP), a Site Access Management Plan, a Drainage Management Plan (DMP) and Environmental Management Plan (EMP) detailing pollution prevention and control measures for all phases of the, construction and operation programmes will be submitted to and be approved in writing by the Planning Authority, in consultation with Scottish Environment Protection Agency. Thereafter the development shall be fully undertaken in accordance with the CEMP.

Reason: In the interest of protecting environmental quality and of bio-diversity.

15. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

Reason: In the interests of best practice surface water management: to avoid undue risks to public safety and flood risk during the construction phases.

#### **Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure from the relevant policies.

#### **Procedural Notes**

Consent shall not to be issued until a Section 75 Agreement relating to developer contributions set out in report 18/264 has been completed. 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 may result in the planning application being re-assessed through failing to comply with the associated policy requirements and will be ultimately recommended for refusal under delegated powers.

#### **Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

date of planning permission in principle, whichever is the later.

2. 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.
3. 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.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:
  - Displayed in a prominent place at or in the vicinity of the site of the development.
  - Readily visible to the public.
  - Printed on durable material.
5. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 he/she/they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
6. The applicant is advised that the detailed design of all SUDS shall conform to 'PKC Flooding and Flood Risk Guidance Document (June 2014)', or any subsequent update.
7. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD for a new postal address. The form is downloadable from [www.pkc.gov.uk](http://www.pkc.gov.uk) and should be returned to [snn@pkc.gov.uk](mailto:snn@pkc.gov.uk).
8. The applicant is advised that the granting of planning consent 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 permission to connect to the public

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

wastewater system and/or water network and all their requirements must be fully adhered to.

9. No work shall be commenced until an application for building warrant has been submitted and approved.
10. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
11. The applicant is recommended to incorporate a mini glass recycling points in an appropriate location within the approved development to compliment the kerbside recycling services that will be provided. In order to comply with the 'Household Charter', each household should have access to 10 litres of recycling capacity per week, which would roughly equate to 3 mini glass points over the development. Further details of the requirements can be sought in discussion with the Council Waste Services Team. Further, The Environment Service Operations may request communal bins for the flatted properties; it is recommended that the developer make contact with the Community Waste Team to discuss this further.

- (ii) **18/00856/FLM – RATTRAY – Erection of 138 dwellinghouses and associated works ( change of houses type to include sunrooms for plots 59-60, 63-65, 67-68, 71-72, 75-84, 86-94, 97-105, 114-120, 131-160,and 165-217) land NE of Lindale, Glenalmond Road, Rattray – Report 18/265 – Springfield Priorities PLC**

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.  
Reason: To ensure that the development is carried out in accordance with the plans approved.
2. Prior to the occupation of any residential plot, all matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards required by the Council as Roads Authority.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

Reason: In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.

3. The hours of operation at the construction stages shall be Monday to Friday 07:00 to 19:00, Saturday 08:00 to 13:00 hours and no working on a Sunday.

Reason: In the interests of public health and to prevent noise pollution.

4. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Planning Authority.

Reason: In the interests of employing best practice ecology and to ensure there is no adverse impact on any protected species as identified under the Wildlife and Countryside Act (1981).

5. Measures to protect animals from being trapped in open excavations and/or pipe and culverts shall be implemented for the duration of the construction works of the development hereby approved. The measures may include creation of sloping escape ramps for animals, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day and open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Reason: In order to prevent animals from being trapped within any open excavations.

6. Prior to the completion of the development, a minimum of 1 Swift brick and 1 bat brick shall be incorporated into each 2 storey buildings at eaves height.

Reason: In the interests of employing best practice ecology and enhancing biodiversity.

7. Concurrent with the initiation of the development hereby approved and for the duration of construction, a temporary surface water treatment facility shall be implemented on site and maintained for the duration of the approved development works. The temporary surface water treatment facility shall remain in place until the permanent surface water drainage scheme is implemented.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

Reason: In the interests of best practice surface water management: to avoid undue risks to public safety and flood risk during the construction phases.

8. The development shall be fully undertaken in accordance with the agreed Construction Environment Management Plan (CEMP) associated with planning consent 16/01861/FLM.

Reason: In the interest of protecting environmental quality and of bio-diversity.

9. The approved structural landscaping works associated with planning consent 16/01861/FLM covered within this site area shall be installed in accordance with the agreed timescales and thereafter maintained to the satisfaction of the Planning Authority.

Reason: In order to ensure a responsive and robust landscape framework is created.

**Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

**Informatives**

1. 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)).
2. 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.
3. 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.
4. This development will require the 'Display of notice while development is carried out', under Section 27C (1) of the Town and Country Planning Act 1997, as amended, and Regulation 41 of the Development Management Procedure (Scotland) Regulations 2013. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 41 the notice must be:

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

- Displayed in a prominent place at or in the vicinity of the site of the development
  - Readily visible to the public
  - Printed on durable material
5. The applicant should be advised that in terms of Section 21 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
  6. The applicant is advised that the granting of planning consent 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
  7. No work shall be commenced until an application for building warrant has been submitted and approved.
  8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild birds while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
  9. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD.
  10. The applicant is reminded that, should any protected species be present a licence may be required from Scottish Natural Heritage to disturb a protected species. Failure to obtain a licence may constitute a criminal act under the Habitats Regulations and penalties are severe for non compliance.
  11. The applicant is reminded that this site is still subject to a Section 75 Legal Agreement, securing Developer Contribution requirements and other matters, as secured as part of planning consent 16/01861/FLM. This consent continues to be tied by this legal agreement and the associated requirements will continue to apply.



- (iii) **18/00988/FLM - PERTH - Application under Section 42 of the Town of Country Planning (Scotland) Act 1997 to modify Condition 2 (acoustic insulation of windows) planning permission 15/00809/AMM (Erection of 164 dwellinghouses and associated works (matters specified by conditions attached to permission 12/01692/IPM)) to land to west of Cherrybank Gardens, Perth – Report 18/266 – Bellway Homes Ltd Scotland**

**Resolved:**

**Grant**, subject to the following terms, conditions and informatives:

**Conditions**

1. The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.  
Reason: To ensure that the development is carried out in accordance with the plans approved.
2. All matters regarding access, car parking, road layout, design and specification, including the disposal of surface water, shall be in accordance with the standards agreed by the Council as Roads Authority.  
Reason: In the interest of vehicle and pedestrian safety and in accordance with the policies of the adopted Perth and Kinross Local Development Plan 2014.
3. The agreed specification including materials of all footpaths and cycleways shall be implemented prior to the completion of each phase of the development.  
Reason: In the interest of pedestrian and cycle safety.
4. Permitted development rights associated with Classes 1A, 1B, 3A and 3B of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent comparable classes in future legislation relating to development within the curtilage of a dwellinghouse are hereby revoked in full for all terraced dwellings of the approved Site Layout Plan (Ref No.18/00988/1).  
Reason: In the interests of visual and residential amenity; to ensure a satisfactory standard of local environmental quality and to avoid over-intensive development of individual plots.
5. The approved external finishing details and composition shall be undertaken and completed commensurate with the subsequent phases of the development.  
Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

criteria of the adopted Perth and Kinross Local Development Plan 2014.

6. The detailed landscaping and planting scheme as approved shall be implemented fully and thereafter maintained to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.

7. Any planting failing to become established within five years shall be replaced in the following planting season with others of similar sizes and species to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in pursuance of suitably satisfying placemaking policy criteria of the adopted Perth and Kinross Local Development Plan 2014.

8. The areas of public open space indicated on the approved landscape and planting drawings shall be planted in accordance with the open space standards of the Planning Authority and completed to phase with the adjacent dwellinghouses in accordance with the agreed programme. The scheme shall thereafter be maintained to the satisfaction of the Council as Planning Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and to reserve the rights of the Planning Authority.

9. The approved and installed children's play area indicated in the site layout plan shall be maintained to the satisfaction of the Council as Planning Authority.

Reason: In the interests of residential amenity and to ensure the satisfactory provision and implementation of a children's play area.

10. The approved and installed new accesses onto both Glasgow Road and Necessity Brae shall be implemented in accordance with the agreed detail.

Reason: In order to ensure that the associated roads infrastructure is suitably upgraded in order to adequately accommodate the impact of the development proposed.

11. The approved detailed Construction Environmental Management Plan (CEMP) detailing environmental mitigation measures and construction method statements, including specific measures for environmental monitoring during construction, shall be fully respected and adhered to through the construction phase of the development.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

Reason: To ensure the construction phase is carefully managed to minimise landscape impacts and mitigate for any associated impacts on ecology, neighbours, general public and the wider environment.

12. Storm water drainage from all paved surfaces shall be disposed of by means of suitable Sustainable Urban Drainage Systems to meet the requirements of best management practices.

Reason: In the Interest of vehicle and pedestrian safety.

13. The approved full drainage calculations and the final layout and depth of the proposed SUDS pond and associated infrastructure shall be fully implemented prior to the completion of the development.

Reason: In the interests of best practise surface water management; to avoid undue risks to public safety and flood risk.

14. The developer shall ensure that during the construction of the development that all surface water is controlled, treated and discharged under the principles of SUDS, as contained in the SUDS Manual (C697) and Site Handbook for the Construction of SUDS (C698) published by CIRIA, all to the satisfaction of the Council as Flood Authority. On completion of development all as-built records of all SUDS shall be provided to the Council as Planning Authority.

Reason: In the interests of best practise surface water management; to avoid undue risk to public safety and flood risk.

15. Prior to the completion of the development, Watercourses 1 and 2 (as referred to in the FRA) shall be inspected and cleared of any impediments likely to create any obstruction to the free flow of water within the development and for 300m (or length otherwise agreed with the Planning Authority) upstream and downstream of the proposed development; all to the satisfaction of the Council as Roads Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in accordance with the adopted Perth and Kinross Local Development Plan 2014.

16. Prior to the completion of the development, Watercourses 1 and 2 (as referred to in the FRA) within the extents of the proposed development shall be inspected and repairs carried out on the watercourse where the bed/banks or other associated features have fallen into a state of disrepair; all to the satisfaction of the Council as Roads Authority.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality and in accordance with the adopted development plan.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

17. The discharge of any surface water drainage shall be limited to 50% of the greenfield runoff rate.  
Reason: To reduce flood risk.
18. No works shall take place within 10m of any flood apparatus constructed as part of the Perth Flood Prevention Scheme without the prior written approval of the Planning Authority in consultation with the Structures and Flooding Team.  
Reason: To maintain the integrity of the Perth Flood Prevention Scheme defences.
19. The approved full design of the proposed culverts including maintenance strategy shall be fully implemented prior to the completion of the development.  
Reason: To reduce flood risk.
20. The agreed local road network improvements identified in the Transport Assessment shall be implemented and made operational to mitigate the traffic implications of each development phase.  
Reason: In the Interest of vehicle and pedestrian safety.
21. The agreed financial contribution between the applicant and Transport Scotland must be in place via a Section 48 Agreement (Roads Scotland Act 1984)  
Reason: To ensure that the development supports the longer term aim of providing the capacity improvements necessitated by the traffic impacts of the development; to maintain safety for both the trunk road traffic and the traffic moving to and from the development.
22. The approved site specific plan, detailing bin storage areas, kerbside collection locations and recycling facilities shall be undertaken in accordance with the approved details and completed commensurate with the respective phases of the development.  
Reason: To ensure there is adequate provision for waste disposal and recycling.
23. The approved details of the two bus stops shown in the Site Layout Plan shall be implemented prior to the completion of the development.  
Reason: In order to ensure that associated local sustainable infrastructure improvements are undertaken to adequately accommodate the impact of the development proposed.
24. All first floor habitable rooms of the affected plots identified in the applicants Trickle Vent Overmark Plan (drawing number PB/AV/01) (18/00988/2) shall be fitted with improved sound attenuated trickle ventilation which meets the specification contained within the submitted Acoustic Report (18/00988/3) dated 6 June 2018 by KSG Acoustics.  
The windows identified shall be provided with suitable acoustic insulation with a sound reduction index

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

equivalent to >30 dB RWA and provided with trickle vents with a sound reduction index equivalent to 35db RWA. For the avoidance of doubt;

- The affected plots completed to date shall, within 3 months of the date of this decision, have all affected rooms fitted with trickle vents. Should the owner of any property refuse to have the trickle vents installed at this time the developer must present the requisite number of trickle vents to the owner for their (or any future householders) use. Details of any dwelling not having the trickle vents fitted within the prescribed timescale above shall be notified to the Council as Planning Authority.
- Those affected plots not yet completed shall have trickle vents fitted prior to the occupation of the dwelling house on that said plot.

In the interests of clarity, none of the affected plots will be without the trickle vents either fitted or in the possession of the owner.

Reason: To prevent disturbance in the bedrooms of the property from noise from the adjacent Trunk Road.

25. Where site boundaries affect trees, the development shall fully comply with, respect and remain in full accordance with BS5837 2012: *'Trees in relation to construction, demolition and construction. Recommendations'*.

Reason: In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

26. The approved scheme of mitigation to improve air quality shall be completed commensurate with the respective phases of the development to the satisfaction of the Council as Planning Authority.

Reason: To mitigate for any associated impacts on air quality and the wider environment.

### **Justification**

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure there from.

### **Informatives**

1. 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.
2. The applicant is advised that this permission relates to just three of the four residential phases of the 12/1692/IPM planning approval for residential and employment uses of LDP site MU1.

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

3. The applicant is advised that in terms of Sections 56 of the Roads (Scotland) Act 1984 he must obtain from the Council as Roads Authority consent to open an existing road or footway prior to the commencement of works. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
4. The applicant is advised that in terms of Sections 21 of the Roads (Scotland) Act 1984 they must obtain from the Council as Roads Authority consent to construct a new road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.
5. The applicants are advised that they must apply to the Roads Authority, for construction consent to form a new street. Please contact The Construction and Maintenance Manager, The Environment Service, Perth and Kinross Council, The Atrium, Glover Street, Perth.
6. Paths to be constructed as part of a development should reflect likely patterns of use: pedestrian, bikes horse riders & wheelchairs as appropriate. Specifications should be based on those in "Lowland Path Construction - A Guide to Good Practice" published by SNH, Scottish Enterprise & the Paths for All Partnership.
7. The applicant is advised that the granting of planning consent 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 permission to connect to the public wastewater system and/or water network and all their requirements must be fully adhered to.
8. The applicant is advised that the works are likely to need a license under the Water (Controlled Activities) Regulations 2005 (CAR). The applicant should contact SEPA's Perth Environmental Protection and Improvement Team (Tel: 01738 627989) in regard to this. The applicant should ensure that all works on site comply with the best practice guidelines laid out in SEPA's published Pollution Prevention Guidance, found at [www.sepa.org.uk](http://www.sepa.org.uk)
9. The Council's Community Waste Adviser in the Environment Service should be contacted to clarify the bin storage requirements for the development.
10. No further work shall be undertaken until an application for building warrant has been submitted and approved.
11. Please consult the Street Naming and Numbering Officer, The Environment Service, Perth and Kinross Council, Pullar House, 35 Kinnoull Street, Perth PH1 5GD
12. The applicant should be aware that the street lighting scheme to be submitted to the Council as Roads

PERTH AND KINROSS COUNCIL  
PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE  
29 AUGUST 2018

Authority as part of their Construction Consent application should include the use of LED lights.

**(2) Proposal of Application Notice (PAN)**

- (i) 18/00006/PAN - PERTH - Erection of industrial units (classes, 4, 5 and 6 ) formation of SUDS, landscaping and associated works, land south of Target House, Ruthvenfield Road, Inveralmond Industrial Estate, Perth – Report 18/267**

Councillor W Wilson requested that (i) the integrity of existing paths and disused railway line be assessed, and (ii) access to new roads through this site be considered.

Members noted the issues identified by the Interim Development Quality Manager's report.

~~~~~

PERTH AND KINROSS COUNCIL  
SPECIAL MEETING OF COUNCIL  
29 AUGUST 2018

## **SPECIAL MEETING OF COUNCIL**

Minute of Special Meeting of Perth and Kinross Council held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Wednesday 29 August 2018 at 2.00pm.

Present: Provost D Melloy, Councillors C Ahern, H Anderson, A Bailey, K Baird, B Band, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, J Duff, A Forbes, T Gray, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, C Shiers, L Simpson, C Stewart, R Watters, M Williamson and W Wilson.

In Attendance: J Valentine, Depute Chief Executive and Chief Operating Officer; B Renton, Executive Director (Housing and Environment); K McNamara, Depute Director (Housing and Environment); G Taylor, L Simpson, S Hendry, G Fogg, C Flynn, R Fry and S Richards (all Corporate and Democratic Services); P Marshall, B Murray, D Littlejohn and K Briggs (all Housing and Environment).

Apologies for Absence (intimated to the Head of Democratic Services during the meeting): Councillors E Drysdale and F Sarwar.

Provost D Melloy, Presiding.

### **473. TRIBUTE TO THE LATE PETER MCAVOY**

Provost Melloy paid tribute to the Council's former Head of Education for Secondary and Inclusion, Peter McAvoy, who had died earlier in the week following a short illness. Peter had retired from the Council in 2016 and had worked in a number of different teaching and education roles.

Provost Melloy led Councillors in a minute's silence.

### **474. WELCOME AND APOLOGIES**

Provost Melloy welcomed all those present to the meeting.

### **475. DECLARATIONS OF INTEREST**

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

### **476. PROPOSED LOCAL DEVELOPMENT PLAN REPRESENTATION AND PROPOSED RESPONSES**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/263) outlining the representations received in response to the publication of the Proposed Local Development Plan and the proposed responses to the unresolved representations.



PERTH AND KINROSS COUNCIL  
SPECIAL MEETING OF COUNCIL  
29 AUGUST 2018

Prior to discussion, Provost Melloy highlighted a number of points:

- (i) As the Proposed Local Development Plan required to be consistent with the Strategic Development Plan (TAYplan), any amendments would require to remain consistent with the TAYplan and take account of a range of documents produced by the Scottish Government and others. Any amendments would also require to relate to the representations which were submitted to the Council by 2 February 2018.
- (ii) Any proposed amendments would be taken in the following order:
  - Amendments on Recommendations (i) to (v);
  - Amendments on Recommendation (vi) – Schedule 4 Documents;
  - Amendments on Recommendations (vii) – (xii).
- (iii) It was agreed that in terms of Standing Order 57, and in the event that any proposed amendments came forward all or parts of which were unrelated, the requirement of Standing Order 57 would be suspended. This would allow unrelated amendments to the representations to be voted on their individual merits.

Motion (Councillors M Lyle and P Barrett):

Council:

- i) Agrees the Statement of Conformity;
- ii) Notes the representations received to the Proposed Local Development Plan;
- iii) Notes the findings of the Strategic Environmental Assessment and its subsequent Addendum;
- iv) Notes the findings of the Habitats Regulations Appraisal and Appropriate Assessment;
- v) Approves the Housing Background Paper and Infrastructure Reports to be submitted as evidence to the Scottish Ministers in support of the Plan;
- vi) Approve the responses to the representations received as set out in the series of Schedule 4 documents;
- vii) Delegates authority to the Deputy Chief Executive (Chief Operating Officer) the making of consequential changes to the series of Schedule 4s as a result of any decisions of the Council;
- viii) Delegates authority to the Deputy Chief Executive (Chief Operating Officer) the making of minor correction or formatting changes to the series of Schedule 4s together with the provision of additional evidence to support the Council's response, which may be available prior to submission to the Scottish Ministers;
- ix) Approves the submission of the Plan and associated documents together with the unresolved issues to the Scottish Ministers for examination;
- x) Instructs the Deputy Chief Executive (Chief Operating Officer) to update and publish the Development Plans Scheme;
- xi) Approves the updates to the Proposed Action Programme;
- xii) Delegates authority to the Deputy Chief Executive (Chief Operating Officer) to report back on the findings of the Examination in due course.

**Amendments on Schedule 4 Documents**

**Amendment 1 (Councillors C Stewart and M Barnacle)**

In accordance with the Motion with the following amendment:

**Amendment to Schedule 4 Number 02 response to Policy 1D**

The amendment refers to the objection by Ken Miles (0592/01/007): Mr Miles objects to the inclusion of the proposed Site Capacity Range. A fixed maximum number of houses on specific designated sites should be agreed and adhered to. Major applications have previously regularly breached these agreed numbers by a gross margin, the agreed numbers being wrongly treated as "indicative".

**Proposed Amendment Policy 1D paragraph 1**

The Council acknowledges the concerns of Ken Miles (0592/01/007). Mr Miles objected to the inclusion of the proposed Site Capacity Range and requested that a fixed maximum number of houses on specific designated sites should be agreed and adhered to.

It is important to the communities, where development takes place, that they have a clear understanding of the maximum level of development proposed. The Council's experience from the development management process suggests that this concern is widespread amongst the public and various community bodies.

The Council's first LDP identified an indicative density with the intention that this figure was flexible. Many members of the public however, interpreted this as fixed figure which could not be exceeded and this has caused a good deal of public concern and criticism of the Council for permitting development above the indicated number of houses.

As a result, the Council opted to indicate density ranges in LDP2 believing that it gave a clearer indication to the public that a range of house numbers may be appropriate and that this could only be decided through the detail contained in a planning application. Whilst previously, the majority of planning applications were consented for numbers higher than the indicative figure in the LDP, the Council believes the majority of applications are now likely to be within the identified range.

The Council remains convinced that, at the LDP site identification stage, it would be inappropriate to specify a fixed number of houses. The use of a

capacity range provides an appropriate degree of flexibility for developers whilst giving the public a clearer idea of the likely number of houses that might be acceptable. Greater certainty could be achieved by making the upper limit an absolute maximum, thus providing the certainty sought by the objector, and it is acknowledged that this would likely gain widespread public support.

No modification proposed to the Plan. However the Council requests that the Reporter consider the matter and suggests that the policy be amended to make it clear that the upper limits of the site capacity ranges in the Plan are a maximum number of houses that must not be exceeded. The following change to Policy 1D is therefore suggested:

**“Sites allocated in the Plan for housing development have a capacity range identified. Applications which exceed the identified capacity range will not be permitted. The Placemaking Supplementary Guidance will set out how capacity ranges will be calculated on windfall sites.**

***“Note: Placemaking Supplementary Guidance will set out how the Council aims to implement the above policy. Technical notes will provide further detailed information as to how the individual criteria can be achieved. Further information will also be provided on how capacity ranges have been calculated on allocated sites. It will also set out how capacity ranges will be calculated on windfall sites, and site with consent, which do not appear in the LDP.”***

**Extract Schedule 4 Number 02 response Policy 1D (As in Report 18/263)**

***The term “exceptional circumstances” in Policy 1D is referenced in the Housing Background Paper and states: “Any variation to this (up or down) will be exceptional and will need to be justified under LDP2 Policy 1: Placemaking. Application of the Placemaking Policy will ensure that the number of units is determined by achieving an appropriate design and layout for the site, in line with the Council’s commitment to improving the standard of design across the Council area” (page 9). It is important to acknowledge that there are times when the number of units could rise or fall dependent on the design of a site and the house types proposed. The layout of a site is also determined by the approach that is taken to the topography and any physical or environmental constraints that have been identified through the application process. The capacity range is a necessary prerequisite of the LDP process because the Council have an obligation to identify a number of units for each site. These calculations are a requirement for the Housing Land Audit, as well as supporting the Council’s housing land strategy and the identification of necessary infrastructure upgrades such as new roads and schools.***

**Implication for Strategic Environmental Assessment (SEA) and Habitats Regulations Appraisal (HRA)**

There are no implications for either the SEA or HRA

**Requirement for Modification prior to Submission to Ministers**

The proposed changes to the schedule 4 responses do not constitute a notifiable modification.

**Consequential Changes to Housing Background paper**

**Capacity ranges – Replacement Text**

When planning applications come forward for allocated sites, the actual number of houses is seldom exactly that identified in the Plan. This is because at the plan preparation stage, the detailed site analysis and design work is not complete. In addition, market trends change. Although the Adopted Plan indicates the site capacities are indicative, the variation at planning application stage clearly confuses the local communities.

A new approach is being taken to the identification of the number of housing units for sites allocated in Proposed LDP2. Instead of a single figure, it is proposed that each site allocated for housing in LDP2 will have a 'capacity range' identified. This will set the minimum and maximum number of houses which will be permitted to be built on each site. The mid-point of the capacity ranges will be used for the purposes of calculating the housing land supply. The assumptions made in calculating the capacity range for each site in LDP2 are set out in Appendix 1.

Consequential Changes to other S4s required to reflect that the upper limit of the capacity range is a maximum.

**The Glebe School site OP22 – Replacement Text**

This site is already in the adopted LDP 2014 and therefore the principle of the site is already agreed. Furthermore, this is a brownfield site that has already had development on it. Many of the concerns raised have been shown on the indicative drawing as constraints or opportunities. The site is currently being designed and consultation events are underway to engage with the local community as to how they wish the site to be approached. Two access points have been identified into the site and this is anticipated to reduce the impact on Abbey Road. Pedestrian access is highlighted as a key part of the site

design as well as the retention of the football pitch and the mature trees in the Proposed Plan. The ancient woodland adjacent to the site is out with the site boundary although further work will need to be carried out in terms of identifying the impacts of an access point through the woodland. This will be part of the design process currently underway. The design of the site will determine the capacity. The capacity range is to allow for flexibility in terms of the design approach. It should be noted that the maximum density indicated will not be permitted to be exceeded. The indicative drawing provides a framework within which the design should fit. Whilst tenure is not a specific issue in terms of LDP allocations, there is also additional work being undertaken within the Housing Service to identify the local needs in terms of the type of affordable housing that is required within Scone.

#### **Abernethy – Replacement Text**

In terms of the housing capacity for the site, the Council is aware that there is a technical error with the stated figure for the site size of MU8. The Proposed Plan has identified that the site is 1.5ha however following further analysis the correct area of the site is 2.17ha. Therefore taking this corrected site size in to account and the calculation methodology as contained in the Housing Background Paper (cd doc), the housing capacity range for the site would be between 17-27 houses based on a medium density. However, as the planning application (ref: 17/02190/FLL) for the site is currently under consideration it is considered appropriate to take in to account the number of houses associated with the application if this is ultimately approved. As such, the Council would be comfortable amending the housing capacity range for the site in line with the application, if approved. The Council will be in a position to keep the Reporter informed of the progress of the site and any associated application(s).

Work is ongoing to identify other consequential changes but this may take several days. Accordingly it is recommended that, it be delegated to Jim Valentine, Deputy Chief Executive (Chief Operating Officer) to make consequential changes arising out of this amendment.

#### **Amendment 2 (Councillors C Purves and R Watters)**

In accordance with the Motion with the following amendment:

Amendment to Schedule 4 Number 12A – Kinross-shire Area – Kinross & Milnathort

The amendment refers to the objection by Councillor Michael Barnacle (0584/01/004). Councillor Barnacle laments the lack of a reference to the need for mitigation measures for Route Action Plans for the A977, A911 and the B9097.

PERTH AND KINROSS COUNCIL  
SPECIAL MEETING OF COUNCIL  
29 AUGUST 2018

Proposed Amendment

Amend the proposed Council response in Schedule 4 Number 12A as follows:  
The Route Action Plans for the A977 and the B9097 were developed in response to perceived extra traffic, however, there is no route action plan for the A911. Whilst partial funding is in place for the A977, there is no “identified” funding for the B9097, and therefore it is not appropriate to include any reference to it within the Development Plan. In relation to the A977, no specific interventions are identified within the Plan as they can all be carried out within the road boundary and any measures to address the impact of development will be additional and separate to the route action plans. Mitigation measures required as a relevant and proportional result of development will be assessed through Transport Assessments at site specific proposal stage.

No modification is proposed to the Plan, however, if the Reporter considered it appropriate the Council would not object to the inclusion of a statement within the following settlement summaries as follows:

Blairingone, Powmill, Rumbling Bridge and Balado - “Any proposals for development within the village requiring traffic mitigation should complement the mitigation identified in the Route Action Plan for the A977”;

Crook of Devon and Drum - “Any proposals for development within the village requiring traffic mitigation should complement the mitigation identified in the Route Action Plan for the A977 and B9097.”

Scotlandwell - “It is recognised that the constrained nature of the village centre creates conflicts between traffic and pedestrian movement. However, potential improvements have to date not been identified. In addition the footpath from Scotlandwell to the village hall is recognised as being sub-standard and various options are being assessed.”

Kinnesswood - “It is recognised that the constrained nature of the village centre creates conflicts between traffic and pedestrian movement. However, potential improvements have to date not been identified.”

In addition if the Reporter considered it appropriate add the following paragraph after the third paragraph on page 89 of the Plan.

The local roads of the area are a dynamic network affected by changes in travel patterns and major developments. From time to time new pressures arise such as the opening of the Clackmannanshire Bridge at Kincardine and the major development proposed at Westfield in Fife. Although both these development are outwith the Council area, like developments within Perth & Kinross, they can necessitate the creation of route action plans. Most route action plans can be developed within the road boundary and do not feature in the LDP. Where proposals with land use implications outwith the road boundary are identified they may need to feature in a future LDP. Where development proposals arise adjacent to, or impacting upon, a road which is the subject of a route action plan, cognisance should be taken of these plans.

PERTH AND KINROSS COUNCIL  
SPECIAL MEETING OF COUNCIL  
29 AUGUST 2018

Extract Schedule 4 Number 12A (As in Report 18/263)

Route Action Plans

The route action plans for the A977, A911 and B9097 have been developed to address the impacts of existing traffic on the roads. For example the A977 route action plan was specifically put in place to address a perceived potential increase in traffic as a result of the Clackmannanshire Bridge opening. Funds have been provided by the Council for the mitigation and consultation with the affected communities carried out to identify appropriate measures. No further mitigation is identified in the local development plan as funding is already identified, and any measures to address the impact of development will be additional and separate to the route action plans. Mitigation measures required as a relevant and proportional result of development will be assessed through Transport Assessments at site specific proposal stage.

No modification is proposed.

Implication for Strategic Environmental Assessment (SEA) and Habitats Regulations Appraisal (HRA)

There are no implications for either the SEA or HRA

Requirement for Modification prior to Submission to Ministers

The proposed change to the Schedule 4 response does not constitute a notifiable modification.

THERE FOLLOWED A 20 MINUTE RECESS AND THE MEETING RECONVENED  
AT 2.51PM

Note: The mover of the Motion agreed to incorporate Amendments 1 and 2 into the Motion. The seconder of the Motion agreed to incorporate Amendment 2 into the Motion. Amendment 2 was therefore incorporated into the Motion.

Amendment 1, now incorporating the Revised Motion, became the substantive Amendment and was put against the Revised Motion.

33 members voted for the Amendment as follows:

Councillors C Ahern, H Anderson, A Bailey, K Baird, M Barnacle, B Brawn, R Brock, A Coates, H Coates, S Donaldson, D Doogan, J Duff, A Forbes, D Illingworth, I James, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, Provost Melloy, A Parrott, B Pover, C Purves, J Rebbeck, C Reid, W Robertson, C Shiers, C Stewart, R Watters and M Williamson.

5 members voted for the Revised Motion as follows:

Councillors B Band, P Barrett, T Gray, L Simpson and W Wilson.

**Resolved:**

In accordance with the Amendment.

~~~~~

## **ENVIRONMENT AND INFRASTRUCTURE COMMITTEE**

Minute of meeting of the Environment and Infrastructure Committee held in the Council Chamber, 2 High Street, Perth on 5 September 2018 at 10.00am.

Present: Councillors A Forbes, A Bailey, K Baird, M Barnacle, S Donaldson, D Doogan (up to and including Art. 485), J Duff, A Jarvis, G Laing, R McCall, A Parrott, C Reid, W Robertson, L Simpson and M Williamson.

In Attendance: B Renton, Executive Director (Housing and Environment); K Reid, Chief Executive; A Clegg, S D'All, C Haggart, S Laing (up to and including Art. 481), D Littlejohn, P Marshall, F Patterson (up to and including Art. 481), P Pease (up to and including Art. 481), S Perfett, B Reekie, K Spalding (up to and including Art. 481), K Steven (up to and including Art. 483) and W Young (all Housing and Environment) C Flynn and K Molley (both Corporate and Democratic Services).

Councillor A Forbes, Convener, Presiding.

### **477. WELCOME AND APOLOGIES**

The Convener welcomed everyone to the meeting and gave a special welcome to K Baird as it was her first meeting committee meeting as Vice-Convener.

### **478. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, Councillor K Baird declared a non-financial interest in Art. 482 (Community Green Space – Working with Communities) and Art. 486 (Perth and Kinross Outdoor Access Forum Annual Report 2017-18).

### **479. BURIAL AND CREMATION FEES**

The Convener provided an update to Committee on the decision taken at the last meeting (Art. 280 refers).

#### **Resolved:**

- (i) The Scottish Government's position with regard to providing funding for local authority burials and cremation fees for aged 17 and under with effect from 12 October 2018, be noted.
- (ii) As a result of this, the Committee confirmed the decision with regard to extending the waiving of fees for up to 21 years of age.
- (iii) It be agreed to further extend the waiving of fees for those residents in Perth and Kinross entitled to after care services up to the age of 26 years.

### **480. MINUTE OF PREVIOUS MEETING**

The minute of the meeting of the Environment and Infrastructure Committee of 23 May 2018 (Arts. 276-295) was submitted and approved for signature subject to the following amendment:-



PERTH AND KINROSS COUNCIL  
ENVIRONMENT AND INFRASTRUCTURE COMMITTEE  
5 SEPTEMBER 2018

Tummel Bridge and Strathtummel would be added to the list of appendices as places which would be receiving Vehicle Activated Signs (Art. 282 refers).

**481. HOUSING AND ENVIRONMENT BUSINESS MANAGEMENT & IMPROVEMENT PLAN 2018-19**

There was submitted report by the Executive Director (Housing and Environment) (18/253) presenting the first Housing & Environment Business Management Improvement Plan for the period 2018-19.

**Resolved:**

- (i) The contents of the Housing and Environment Business Management and Improvement Plan 2018-19, as detailed in Appendix 1 to Report 18/253, pertaining to this Committee's areas of responsibility, be approved.
- (ii) It be noted that Report 18/253 had been approved by the Housing and Communities Committee on 22 August 2018 pertaining to that Committee's areas of responsibility and would be submitted to the Scrutiny Committee on 12 September 2018 for scrutiny and comment as appropriate.

F PATTERSON, P PEASE, S LAING AND K SPALDING LEFT THE MEETING AT THIS POINT.

**482. COMMUNITY GREENSPACE – WORKING WITH COMMUNITIES**

There was submitted a report by the Executive Director (Housing and Environment) (18/268) (1) providing an 18 month update on the previous Community Greenspace 'Working with Communities' report to the Environment Committee in January 2017; and (2) outlining the considerable work undertaken to engage, equip and empower local communities to participate in activities such as paths work, project delivery and grounds maintenance.

The Committee heard a presentation from A Clegg, Housing and Environment on this subject. A Clegg addressed the Committee and answered questions from members. The Convener thanked A Clegg for his presentation.

**Resolved:**

- (i) The progress made in the last 18 months, be noted.
- (ii) The Executive Director (Housing and Environment) to bring forward a further report on work undertaken in 18 months time.

**483. DRAFT AIR QUALITY ACTION PLAN**

There was submitted a report by the Executive Director (Housing and Environment) (18/269) (1) providing a draft Air Quality Action Plan (AQAP) and; (2) seeking feedback from members of the Environment and Infrastructure Committee on the content of this document, prior to external consultation.

**Resolved:**

PERTH AND KINROSS COUNCIL  
ENVIRONMENT AND INFRASTRUCTURE COMMITTEE  
5 SEPTEMBER 2018

- (i) The content of the Draft AQAP for Crieff prior to external consultation, be agreed.
- (ii) The consultation processes to engage with all relevant stakeholders in order to create a robust action plan, containing realistic improvement measures, be agreed.
- (iii) The Executive Director (Housing and Environment) to bring the proposed final AQAP for Crieff back to this Committee in due course.

K STEVEN LEFT THE MEETING AT THIS POINT.

**484. POLICY AND LEVEL OF SERVICE FOR WINTER 2018/2019**

There was submitted a report by the Executive Director (Housing and Environment) (18/270) recommending the level of service to be approved by the Council for the gritting and snow clearing of roads and footways in Perth and Kinross during the winter of 2018/2019 using plant and labour resources of Tayside Contracts and other Council Services.

**Resolved:**

- (i) The winter maintenance service, as detailed in section 2 of report 18/270, be agreed.
- (ii) The Executive Director (Housing and Environment) be authorised to make arrangements out with the policy and level of service in exceptional conditions such as snow emergencies,
- (iii) It be agreed that the number of night shift gritting routes be extended from four to six for winter 2018/2019.
- (iv) It be further agreed that the budget of £3.682 million be used to also fund other weather related emergencies; such as works to mitigate immediate risks of flooding to properties/roads and wind damage, directly affecting free movement across the network.

**485. PERTH CITY CENTRE WASTE CONTAINERISATION**

There was submitted a report by the Executive Director (Housing and Environment) (18/271) (1) proposing to provide an improved domestic waste collection service to 847 households within Perth City Centre; (2) recommending providing 'bin hubs' for residents of the city centre who have no storage space to accommodate wheeled bins and where the domestic waste service currently provided is the uplift on pink bin bags twice weekly; and (3) recommending that the city centre containerisation project is rolled out to all properties currently using the pink sack collection service in Perth city centre during 2019.

**Resolved:**

- (i) The installation of general waste communal bins for the use of residents in Perth city centre currently using the pink sack collection service, as shown on the map attached as Appendix 2 to report 18/271, be approved.
- (ii) The cessation of twice weekly pink sack collection service, be approved.
- (iii) The discontinuation of free pink sacks to Perth City Centre residents, be approved.

PERTH AND KINROSS COUNCIL  
ENVIRONMENT AND INFRASTRUCTURE COMMITTEE  
5 SEPTEMBER 2018

- (iv) It be agreed that the service is monitored over a 6 month period, with a report back to Committee on the outcome of the roll-out..

COUNCILLOR D DOOGAN LEFT THE MEETING AT THIS POINT

**486. PERTH AND KINROSS OUTDOOR ACCESS FORUM ANNUAL REPORT 2017-18**

There was submitted a report by the Executive Director (Housing and Environment) (18/272) summarising the activities and progress of the Perth and Kinross Outdoor Access Forum to date and recommends the appointment of one new member to the Forum.

**Resolved:**

- (i) The appointment of one new member and the re-appointment of one member to the Forum for a period of four years, and the proposal that members be retained in their appointments for at least a further year, as detailed in Appendix 1 to Report 18/272, be approved.
- (ii) The Executive Director (Housing and Environment) be delegated to fill any casual vacancy arising in this period through recruitment by Forum members as detailed within the Forums Term of Reference.
- (iii) The activities and progress of the Perth and Kinross Outdoor Access Forum from September 2017 to August 2018, be noted.

**487. NEW RURAL FOOTWAYS**

There was submitted a report by the Executive Director (Housing and Environment) (18/273) (1) detailing the assessment of the list of requested rural footways; and (2) recommending the new footway schemes to be progressed in 2018/19.

**Resolved:**

The list of prioritised rural footway schemes as detailed in Appendix 1 to report 18/273 to be implemented, subject to available funding, satisfactory consultation and site implications, be approved.

**488. ACTIVE TRAVEL STRATEGY – RE-DETERMINATION OF ELM DRIVE, BLAIRGOWRIE – FOOTWAYS FOR SHARED USE**

There was submitted a report by the Executive Director (Housing and Environment) (18/274) seeking approval to commence the legal process to propose to re-determine the footway at Elm Drive, Blairgowrie (Ward 3) to shared use for pedestrians and cyclists.

**Resolved:**

The legal process for the promotion of a Determination Order under Section 152(2) of the Roads (Scotland) Act 1984 be approved to allow the footways identified in Appendix 1 to report 18/274 to be converted to shared use for pedestrians and cyclists.

**489. PROPOSED VARIATION TO WAITING RESTRICTIONS, MONCUR ROAD AND MAIN ROAD, INCHTURE (Ward 1)**

There was submitted a report by the Executive Director (Housing and Environment) (18/275) (1) outlining the problems experienced by residents in Moncur Road and Main Road, Inchtire due to indiscriminate parking; and (2) recommending the creation of an Inchtire Traffic Management Order to introduce waiting restrictions on Moncur Road and Main Road, Inchtire (Ward 1).

**Resolved:**

The creation of the Traffic Regulation Order to introduce No Waiting at Any Time restrictions on Moncur Road and Main Road, Inchtire as detailed in Appendix 1 to report 18/275, be approved.

**490. PROPOSED 30MPH SPEED LIMIT AT HUNTINGTOWER ROAD (U44), RUTHVENFIELD (Ward 5)**

There was submitted a report by the Executive Director (Housing and Environment) (18/276) (1) proposing to extend the 30mph speed limit at Huntingtower Road (U44), Ruthvenfield (Ward 5); and (2) recommending the start of varying the Traffic Regulation Order for the 30mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the extension of the 30mph speed limit as detailed in Appendix 1 to report 18/276, be approved.

**491. PROPOSED 40MPH SPEED LIMIT AT GLENALMOND (C409) (WARD 9)**

There was submitted a report by the Executive Director (Housing and Environment) (18/277) (1) proposing to extend the 40mph speed limit at Glenalmond (C409) (Ward 9); and (2) recommending the start of varying the Traffic Regulation Order for the 40mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a 40mph speed limit at the locations detailed in Appendix 1 and 2 to report 18/277, be approved.

**492. PROPOSED 40MPH SPEED LIMIT AT TIBBERMORE (C410 & U47) (WARD 9)**

There was submitted a report by the Executive Director (Housing and Environment) (18/278) (1) proposing to introduce a 40mph speed limit at Tibbermore (C410 & U47) (Ward 9); and (2) recommending the start of varying the Traffic Regulation Order for the 40mph Speed Limit.

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to allow the start of the process towards the introduction of a 40mph Speed limit as detailed in Appendix 1 to report 18/278, be approved.

**493. PROPOSED ADDITIONAL GREEN ROUTES MUTHILL (WARD 7)  
LONGFORGAN (WARD 1), NEW ALYTH (WARD 2), BLAIRGOWRIE  
(WARD 3), ABERARGIE (WARD 9)**

There was submitted a report by the Executive Director (Housing and Environment) (18/279) (1) outlining the success of previously introduced Green Routes in promoting these roads for use by more sustainable but vulnerable transport modes; and (2) recommending that an additional five routes (Muthill, Longforgan, New Alyth, Blairgowrie, Aberargie) be promoted as Green Routes.

**Resolved:**

- (i) It be approved that the proposed routes as detailed in Appendices 2 to 6 of report 18/279 be taken forward as an addition to the Green Routes projects, to be implemented in financial year 2018/2019.
- (ii) The start of the legal process to promote the relevant Traffic Regulation Orders to vary the speed limits as detailed in Appendices 2 to 6 of report 18/279, be approved.

**494. PROPOSED VARIATION TO WAITING RESTRICTIONS, MONART ROAD  
AND VASART COURT, PERTH (WARD 12)**

There was submitted a report by the Executive Director (Housing and Environment) (18/280) (1) outlining the problems experienced by residents in Monart Road and Vasart Court, Perth due to indiscriminate parking; and (2) recommending a variation to the Perth Traffic Management Order to vary the waiting restrictions on Monart Road and Vasart Court, Perth (Ward 12).

**Resolved:**

The promotion of a variation to the relevant Traffic Regulation Order to introduce additional No Waiting at Any Time restrictions on Monart Road and Vasart Court, as shown in Appendix 1 to report 18/280, be approved.

**495. AMENDMENTS TO LIST OF PUBIC ROADS**

There was submitted a report by the Executive Director (Housing and Environment) (18/281) recommending that the List of Public Roads be updated to take account of the additions detailed in the schedule to report 18/281.

**Resolved:**

The amendments to the List of Public Roads as detailed in Appendix 1, to report 18/281, be approved.

~~~~~

## **STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of meeting of the Strategic Policy and Resources Committee held in the Council Chamber, Council Building, 2 High Street, Perth on Wednesday 12 September 2018 at 10.00am.

Present: Councillors M Lyle, P Barrett, C Stewart, B Band, S Donaldson, D Doogan, J Duff, A Forbes, A Jarvis (substituting for C Purves), G Laing, R McCall, S McCole, X McDade (substituting for A Bailey), A Parrott and C Shiers.

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive and Chief Operating Officer; L Aitchison, L Cameron, K Donaldson, C Flynn, S MacKenzie, M Mahmood, S Richards, F Robertson, L Simpson, G Taylor, S Walker and C Irons (all Corporate and Democratic Services); S Devlin and J Cockburn (Education and Children's Services); B Renton, N Copland, F Crofts and D Fraser (all Housing and Environment) and J Smith, Perth and Kinross Health and Social Care Partnership.

Apologies: Councillors A Bailey and C Purves and Provost D Melloy.

Councillor M Lyle, Convener, Presiding.

### **496. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting. Apologies were noted.

### **497. DECLARATIONS OF INTEREST**

There were no declarations of interest in terms of the Councillors' Code of Conduct.

### **498. MINUTES OF PREVIOUS MEETINGS**

#### **(i) Strategic Policy and Resources Committee**

The minute of meeting of the Strategic Policy and Resources Committee of 13 June 2018 (Arts. 321-329) was submitted, approved as a correct record and authorised for signature.

#### **(ii) Executive Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Executive Sub-Committee of 20 August 2018 was submitted and noted. (*Appendix I*)

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
12 SEPTEMBER 2018

**(iii) Property Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Property Sub-Committee of 26 February 2018 was submitted and noted. **(Appendix II)**

**(iv) Property Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Property Sub-Committee of 14 March 2018 was submitted and noted. **(Appendix III)**

**(v) Provost's Sub-Committee of the Strategic Policy and Resources Committee**

The minute of meeting of the Provost's Sub-Committee of 27 June 2018 was submitted and noted. **(Appendix IV)**

**(vi) Employees Joint Consultative Committee**

The minute of meeting of the Employees Joint Consultative Committee of 30 November 2017 was submitted and noted. **(Appendix V)**

**(vii) Corporate Health, Safety and Wellbeing Consultative Committee**

The minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 12 March 2018 was submitted and noted. **(Appendix VI)**

**(viii) Perth and Kinross Integration Joint Board**

The minute of meeting of the Integration Joint Board of 23 March 2018 was submitted and noted. **(Appendix VII)**

**(ix) Tay Cities Region Joint Committee**

The minute of meeting of the Tay Cities Region Joint Committee of 18 May 2018 was submitted and noted. **(Appendix VIII)**

**499. REVENUE BUDGET 2018/19 – MONITORING REPORT NUMBER 1**

There was submitted a report by the Head of Finance (18/284), providing an update (1) on progress with the 2018/19 General Fund Revenue Budget based on the June 2018 ledger, updated for subsequent known material movements and (2) on the projected financial position of the Housing Revenue Account.

**Resolved:**

- (i) The contents of Report 18/284 be noted.
- (ii) The adjustments to the 2018/19 Management Revenue Budget, as detailed in Appendices 1 and 2 to and Sections 2 and 3 of Report 18/284, be approved.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
12 SEPTEMBER 2018

- (iii) The 2018/19 service virements, as summarised in Appendices 2 and 6 to Report 18/284, be approved.
- (iv) The Health and Social Care projected outturn, as summarised in Paragraphs 3.3 to 3.10 of and Appendix 5 to Report 18/284, be noted.
- (v) The Housing Revenue Account projected outturn summarised in Section 4 of and Appendix 6 to Report 18/284, be noted.

**500. COMPOSITE CAPITAL BUDGET 2018/28 AND HOUSING INVESTMENT PROGRAMME 2018/23 – MONITORING REPORT NUMBER 1**

There was submitted a report by the Head of Finance (18/285), (1) providing a summary position to date for the 10 year Composite Capital Programme for 2018/19 to 2027/28 and the 5 year Housing Investment Programme 2018/19 to 2022/23 and (2) seeking approval for adjustments to the programmes.

**Motion (Councillors M Lyle and P Barrett):**

- (i) **The contents of Report 18/285, be noted.**
- (ii) **The proposed budget adjustments to the 10 year Composite Capital Budget 2018/19 to 2027/28, as set out in Sections 2 and 3 of and summarised at Appendices I and II to Report 18/285, be approved.**
- (iii) **The proposed budget adjustments to the Housing Investment programme Budget 2018/19 to 2022/23, as set out in section 4 of and summarised at Appendix III to Report 18/285, be approved.**

**Amendment (Councillors D Doogan and X McDade)**

- (i) The contents of Report 18/285, be noted.
- (ii) The proposed budget adjustments to the 10 year Composite Capital Budget 2018/19 to 2027/28, as set out in Sections 2 and 3 of and summarised at Appendices I and II to Report 18/285, be approved, with the exception of the proposal in Paragraph 3.3.3 relating to the transfer of £550,000 for the Perth City Vennels and £500,000 from the Perth Lighting Action project to the Perth City Hall budget within Corporate and Democratic Services.
- (iii) The proposed budget adjustments to the Housing Investment programme Budget 2018/19 to 2022/23, as set out in section 4 of and summarised at Appendix III to Report 18/285, be approved.

In terms of Standing Order 58, a roll call vote was taken.

8 members voted for the Motion as follows:

Councillors P Barrett, J Duff, A Forbes, A Jarvis, M Lyle, R McCall, C Shiers and C Stewart.

6 members voted for the Amendment as follows:

Councillors B Band, S Donaldson, D Doogan, G Laing, S McCole and X McDade.

Councillor A Parrott abstained.



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
12 SEPTEMBER 2018

**Resolved:**

In accordance with the Motion.

**501. ANNUAL EFFICIENCY STATEMENT 2017/18**

There was submitted and noted a report by the Head of Finance (18/286) summarising the efficiency gains made by Perth and Kinross Council during financial year 2017/18 and describing how, in the context of a challenging financial climate, the Council might make further efficiency gains in future financial years.

**502. SAVING ARISING FROM EARLY RETIREMENT DECISIONS TAKEN IN 2017/18**

There was submitted and noted a report by the Head of Finance (18/282) providing information on the costs and savings arising from early retirement and redundancy decisions taken in financial year 2017/18.

**503. CULTURAL TRUSTS TRANSFORMATION PROJECT: UPDATE REPORT (Art 325)**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/238) providing an update on progress with the Cultural Trusts Transformation Project.

**Resolved:**

The progress with the review of Cultural Trusts; the scoring criteria for the options appraisal; and the key assumptions to date which are informing the options appraisal process, be noted.

**504. TRANSFORMATION PROGRAMME 2015-2020**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/288), providing (1) an update on the Transformation Programme approved by Council on 1 July 2015; (2) an update on the Can Do Challenge Bid.

**Resolved:**

- (i) The progress related to the Transformation Programme, as detailed in Appendices 1 and 2 to Report 18/288, be noted.
- (ii) The progress with the Can Do Challenge Fund bid for Perth Smart Energy Network, be noted.

**505. CORPORATE AND DEMOCRATIC SERVICES BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2018-21**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/287) presenting the Business Management and Improvement Plan for Corporate and Democratic Services for 2018-2021.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
12 SEPTEMBER 2018

**Resolved:**

- (i) The Corporate and Democratic Services Business Management and Improvement Plan for 2018-21, be approved.
- (ii) It be noted that the report would be submitted to the Scrutiny Committee later in the day for scrutiny and comment.

~~~~~

## **EXECUTIVE SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of Meeting of the Executive Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Monday 20 August 2018 at 11.00am.

Present: Councillors M Lyle, P Barrett, C Stewart, D Doogan and G Laing.

In Attendance: L Simpson, G Taylor, S Walker and C Irons (all Corporate and Democratic Services); S Devlin (Education and Children's Services) and B Renton, D Fraser, F Low and A Taylor (all Housing and Environment)

Councillor M Lyle, Convener, Presiding.

### **1. WELCOME AND APOLOGIES**

The Convener welcomed everyone present to the meeting. There were no apologies.

### **2. DECLARATIONS OF INTEREST**

Councillor C Stewart declared a non-financial interest in the following item in terms of the Councillors' Code of Conduct.

### **3. CHARGING FOR COMMUNITY CARE SERVICES (Art 101/16)**

There was submitted a report by the Depute Chief Executive and Chief Operating Officer (18/262) advising of emerging risks and issues which were likely to impact on the Council's ability to implement the revised charging policy in respect of income thresholds for individuals below pensionable age in receipt of social care services.

#### **Resolved:**

- (i) The implementation of the revised charging policy be deferred and it be noted that the budget savings of £400,000 originally approved in February 2016 were unlikely to be achieved as a consequence of the deferral.
- (ii) Officers be instructed to carry out a further assessment of both the charging thresholds policy and the wider contributions policy to ensure compliance with new legislation and duties under the Equalities Act.
- (iii) Whilst adult social work and social care functions were delegated to the Perth and Kinross Integration Joint Board, it be noted that income and charging was not a delegated function and remained the responsibility of the Council.

~~~~~

## **PROPERTY SUB-COMMITTEE**

Minute of meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Monday 26 February 2018 at 10.00am.

Present: Councillors D Doogan, G Laing, M Lyle and R McCall

In Attendance: B Renton, Executive Director (Environment); L Campbell and T Flanagan (both The Environment Service); G Boland (Education and Children's Services); G Taylor, C Irons and P Mair (all Corporate and Democratic Services).

### **1. APPOINTMENT OF CONVENER**

Councillor Doogan seconded by Councillor McCall, nominated Councillor Lyle for the position of Convener of the Sub-Committee.

Councillor M Lyle was unanimously elected as Convener of the Sub-Committee.

Councillor M Lyle took the chair.

### **2. WELCOME AND APOLOGIES/SUBSTITUTES**

The Convener welcomed all those present to the meeting. There were no apologies.

### **3. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct Councillor G Laing declared a non-financial interest in Item 4 as a member of Live Active Leisure.

### **4. MINUTES**

- (i) The minute of meeting of the Property Sub-Committee of 25 October 2017 was submitted and approved as a correct record.
- (ii) The minute of meeting of the Special Property Sub-Committee of 15 December 2017 was submitted and approved as a correct record.

### **5. LEASING/LICENSING VENUES FOR SPORT**

There was submitted a report by the Executive Director (Education and Children's Services) (18/63) seeking approval to grant (1) a licence to Live Active Leisure to occupy the swimming pool at Breadalbane Community Campus and (2) a lease to Live Active Leisure of the George Duncan Athletics Arena at Perth Grammar School.

#### **Resolved:**

- (i) Live Active Leisure be granted a licence to occupy the swimming pool at Breadalbane Academy Community Campus on terms as detailed in Appendix 1 to Report 18/63.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(iii)) (Appendix II)  
12 SEPTEMBER 2018

- (ii) Live Active Leisure be granted a lease of the George Duncan Athletics Arena at Perth Grammar School on terms as detailed in Appendix 2 to Report 18/63.
- (iii) The licensing and leasing of the properties referred to at Breadalbane Academy Community Campus and Perth Grammar School be approved at a nominal rent to enable Live Active Leisure to deliver services for communities on behalf of the Council and to provide best value for the Council.

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED  
DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID  
THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF  
SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

**P1. DISPOSAL OF PLOT 7, BROXDEN BUSINESS PARK, PERTH**

There was submitted a report by the Executive Director (Environment) (18/64) seeking approval for the disposal of Plot 7 (0.247 Ha/0.610 Acres), Broxden Business Park by way of a long ground lease with title to be transferred on completion of the proposed development.

It was noted that the McDermott Group Ltd were the preferred bidder based on the proposed purchase price, economic benefit to the City of Perth and compatibility with surrounding areas and uses. It was also noted that the Group's proposals were to provide a new headquarters for the Group which would retain existing staff in Perth as well as allow for the relocation of staff from the Group's offices in Glasgow and Edinburgh.

**Resolved:**

- (i) A long ground lease of Plot 7, Broxden Business Park, Perth be granted to McDermott Group Ltd or their nominees and that title be transferred following completion of the development on terms as detailed in Report 18/64, be granted and otherwise on terms to the satisfaction of the Executive Director (Environment) and the Head of Legal and Governance.
- (ii) In the event that the Council fails to conclude missives for the granting of a long ground lease to McDermott Group Ltd or their nominees, the plot be offered for sale to the John Dewar Lamberkin Trust or their nominees and that title be transferred following the outright purchase on terms as detailed in Report 18/64 and otherwise on terms to the satisfaction of the Executive Director (Environment) and the Head of Legal and Governance.
- (iii) Should there be a time lapse before approaching the John Dewar Lamberkin Trust, the Executive Director (Environment) and the Head of Legal and Governance determine whether the original offer still achieves best value
- (iv) Should the Council fail to conclude missives for the outright purchase by the John Dewar Lamberkin Trust or their nominees, the site be remarketed at the earliest opportunity on terms and conditions to the satisfaction of the Executive Director (Environment) and the Head of Legal and Governance Services.

~~~~~

## PROPERTY SUB-COMMITTEE

Minute of special meeting of the Property Sub-Committee of the Strategic Policy and Resources Committee held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 14 March 2018 at 2.00pm.

Present: Councillors M Lyle, B Band, P Barrett, D Doogan, G Laing, R McCall and C Stewart.

In Attendance: T Flanagan and J Learmonth (both The Environment Service); G Taylor, C Irons and A Thomson (all Corporate and Democratic Services).

Councillor M Lyle, Presiding.

### 1. WELCOME AND APOLOGIES/SUBSTITUTES

The Convener welcomed all those present to the meeting.

### 2. DECLARATIONS OF INTEREST

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

**IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

### P1. DISPOSAL OF SITES 3, 4, 9, 10 AND 11 AT PERTH FOOD AND DRINK PARK

There was submitted a report by the Executive Director (Environment) (18/83) seeking approval to dispose of sites 3,4,9,10 and 11 at Perth Food and Drink Park, Arran Road, Perth.

#### **Resolved:**

- (i) Sites 3 and 4 at Perth Food and Drink Park be disposed of to John Deere Forestry Ltd or their nominees for the development of new business premises for the gross sum of £350,000 plus VAT on the terms as set out in Report 18/83 and otherwise on terms and conditions to the satisfaction of the Executive Director (Environment) and the Head of Legal and Governance.
- (ii) Sites 10 and 11 at Perth Food and Drink Park be disposed of to Eastern Properties (Scotland) Ltd or their nominees for the development of new business premises for the gross sum of £396,100 plus VAT on the terms as set out in Report 18/83 and otherwise on terms and conditions to the satisfaction of the Executive Director (Environment) and the Head of Legal and Governance.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE *(Art. 498(iv)) (Appendix III)*  
12 SEPTEMBER 2018

- (iii) In the event that missives are not concluded in respect of sites 3,4,10 or 11 within a reasonable timescale, the respective sites be remarketed.
- (iv) Site 9 at Perth Food and Drink Park be remarketed as the Sub-Committee considered that the current offer did not achieve best value and best reasonable consideration.

~~~~~

## **PROVOST'S SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

Minute of meeting of the Provost's Sub-Committee of the Strategic Policy and Resources Committee held in the Council Chamber, Ground Floor, 2 High Street, Perth on Wednesday 27 June 2018 at 2.00pm.

Present: Provost D Melloy and Councillors C Ahern (substituting for M Lyle), S Donaldson, R McCall and A Parrott.

In Attendance: C Flynn, C Irons and R Hughes (Corporate and Democratic Services).

Provost D Melloy, Presiding.

### **1. WELCOME AND APOLOGIES**

The Provost welcomed everyone to the meeting.

### **2. DECLARATIONS OF INTEREST**

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

### **3. MINUTES OF THE PREVIOUS MEETING**

The minute of meeting of the Provost's Sub-Committee of 28 March 2018 was submitted and noted.

### **4. ARMISTICE DAY 11 NOVEMBER 2018 – 100<sup>TH</sup> ANNIVERSARY OF END OF WORLD WAR ONE**

There was submitted a report by the Head of Democratic Services (18/224) outlining proposals to commemorate the 100<sup>th</sup> anniversary of Armistice day, marking the end of World War One, on Remembrance day, Sunday 11 November 2018.

#### **Resolved:**

- (i) The commemoration of the 100<sup>th</sup> anniversary of Armistice Day by enhancing the customary military parade and incorporating a Walk of Gratitude at an estimated cost of £2,280, be approved.
- (ii) Civic hospitality in the form of tea, coffee and entertainment from the World War One era at Perth Concert Hall, be approved.
- (iii) The offer from the Scottish Military Vehicle Group to participate in the commemorations, be accepted.
- (iv) Authority be delegated to the Head of Democratic Services, in consultation with the Provost, to finalise the arrangements for the event on 11 November 2018.



**5. CELEBRATION OF THE YEAR OF YOUNG PEOPLE 2018**

There was submitted a report by the Head of Democratic Services (18/225) on the proposal to host a civic event on 22 September 2018 in the form of a barbecue and hog roast at Perth College University of Highlands and Islands to recognise and thank young people who have significantly contributed to the success of the Year of Young People 2018 and to recognise young people who contribute to their communities throughout Perth and Kinross.

**Resolved:**

- (i) A civic event in the form of a barbecue and hog roast for 200 guests on 22 September 2018 to celebrate and recognise the achievements and contributions of young people in Perth and Kinross at an estimated cost of £4,900, be approved.
- (ii) The offer by Perth College UHI to host the event at the Academy of Sport and Wellbeing, be accepted.
- (iii) Authority be delegated to the Head of Democratic Services, in consultation with the Provost, to finalise arrangements for the event on 22 September 2018.

~~~~~

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vi)) (Appendix V)  
12 SEPTEMBER 2018

**PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE  
EMPLOYEES JOINT CONSULTATIVE COMMITTEE**

Minute of meeting of the Employees Joint Consultative Committee, held in the Council Chamber, 2 High Street, Perth on Thursday 30 November 2017 at 2.00pm.

**Present:                   Representing Perth and Kinross Council:**

Councillors H Anderson; B Brawn (on behalf of Councillor M Lyle), R McCall (on behalf of Councillor I Campbell) and S McCole; G Boland (on behalf of the Executive Director (Education and Children's Services)); J Dixon (on behalf of the Depute Chief Executive).

**Present:                   Representing Trade Unions:**

S Hope (UNISON); S Robertson, A Thomas, L McLaren and T Todd (Unite the Union).

**In Attendance:**       K Donaldson (Corporate Human Resources Manager); L Johnston, K Molley (Observer); G Reeves, K Ridley, J Somerville and P Steel (all Corporate and Democratic Services).

**Apologies:**           F Fraser, T Maric and M Dickson (UNISON); and H Meldrum (GMB).

S Hope in the Chair

**1.       DECLARATIONS OF INTEREST**

There were no declarations of interest in terms of the Councillors' Code of Conduct.

**2.       MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Employees Joint Consultative Committee of 28 September 2017 was submitted and approved.

**3.       MATTERS ARISING**

**(i)       Transformation Programme (Item 7 refers)**

The JCC agreed that further updates in respect of the Transformation Programme could be requested in the future but it did not require consideration at every meeting.

(ii) **Flexible and Mobile Working (Item 8 refers)**

T Todd confirmed that following the last JCC meeting the outstanding queries relevant to training and mobile working had been resolved following assurances from HR representatives.

(iii) **Council Construction Charter (Item 9 refers)**

P Steel reported that following the last JCC meeting George Ramsay had attended a meeting and the Council would now look to change the procurement strategy with the Construction Charter due to be formally adopted in the New Year.

(iv) **Health and Wellbeing (Item 10 refers)**

S Hope reported that he had attended a meeting with HR following the last JCC meeting and was pleased to confirm that a number of managers were due to attend a 5 week course in mental health first aid. He added that the Council needed to remain aware that this was a matter that many employees were guarded about and did not necessarily wish to disclose to their manager.

(v) **Job Families and Job Matching (Item 11 refers)**

K Donaldson confirmed that she hoped to meet with trade union representatives prior to Christmas and reported that:-

- (a) Following consultation with Senior Management Teams – headings under the Care Job Family would be revised, and
- (b) The Council was close to implementing the next phase of job families.

(vi) **Voluntary Severance Scheme (VSS) (Item 12 refers)**

K Donaldson reported that 121 employees had to date registered an interest by asking for VSS figures and that the deadline for providing estimated voluntary severance was that day. The next stage in the process would be for managers to examine if there was a business case, with final decisions being made at the February 2018 Council meeting.

L McLaren asked about support provided to employees internally and K Donaldson referred to the Preparing for Retirement course being run and the recommendation that employees seek Independent Financial Advice if appropriate.

**(vii) Revenue Budget 2018/19 (Item 13 (i) refers)**

K Donaldson confirmed that the usual meeting with trade unions and the Chief Executive had been scheduled for the following week.

**4. EMPLOYEE ENGAGEMENT SURVEY**

- (i) The Full Council Summary of the Employee Engagement Survey was submitted.
- (ii) G Reeves, Corporate Organisational Development, spoke to the paper and highlighted emerging themes. Overall levels of engagement remain high although there had been a slight dip in some topic areas. The employee survey is one of a great many mechanisms to involve employees and find out what matters to them and to encourage staff to share ideas and suggestions for improvement.

She reported that two Employee Engagement Officers were to be employed and would facilitate future thinking sessions relevant to engagement. They would assist services in future engagement with employees and equip employees with skills for the future.

Discussion which followed the presentation included comments relevant to employee apathy regarding the survey, the need to continue to convey to employees positive change due to previous survey responses, and it not being possible to benchmark findings with other local authorities.

**Resolved:**

The JCC noted the position.

**5. EXPANSION OF EARLY LEARNING IN CHILDCARE 1140 HOURS**

There was submitted a report by the Head of Education: Early Years & Primary (G/17/202) outlining the implications of the Scottish Government commitment to increase the provision of funded Early Learning and Childcare (ELC) from 600 to 1,140 hours by 2020.

Staff briefings had commenced to ensure all staff are aware of the increased access to early learning and childcare and the need for workforce changes. S Hope spoke of initial concern amongst employees who had entered such employment because of the family friendly hours. G Boland noted that HR was currently producing a Question and Answer factsheet and P Steel noted that as part of a 4 year plan there would be numerous opportunities to examine how to best accommodate the existing workforce by working differently and flexibly. She added that the overall aim was to maximise and sustain employability and asked if there was anything that she could provide to alleviate concerns immediately. S Hope said that UNISON was putting out

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vi)) (Appendix V)  
12 SEPTEMBER 2018

the message that there were positive outcomes with more permanent roles and possible promotion opportunities.

S Robertson asked if an Equality Impact Assessment had been undertaken and P Steel confirmed that this had taken place. Discussion then centred on the successful initiative - Men in Childcare and opportunities for staff to retrain for a career in early years. This would be similar to the successful Learn To Teach programmes.

In response to a question from Councillor Anderson, K Donaldson noted the Council's commitment to ensure mixed provision (public and private nurseries) and P Steel noted the desire amongst parents for the combination model to remain.

K Donaldson confirmed that future updates would be submitted to the JCC annually.

**Resolved:**

The JCC noted the contents of Report G/17/202.

**6. ANY OTHER COMPETENT BUSINESS**

No other business was discussed.

**7. DATE OF NEXT MEETING**

The next meeting was scheduled to take place on Thursday 22 February 2018 at 10.00am. It was also confirmed that a 2018 timetable would be circulated to members prior to the next meeting.

~~~~~

**PERTH AND KINROSS COUNCIL**  
**STRATEGIC POLICY AND RESOURCES COMMITTEE**  
**CORPORATE HEALTH, SAFETY AND WELLBEING**  
**CONSULTATIVE COMMITTEE**

Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Monday 12 March 2018 at 10.00am.

**Present:**                   **Representing Perth and Kinross Council**  
Councillor K Baird  
Councillor P Barrett  
Councillor E Drysdale  
Councillor S McCole  
G Boland (on behalf of Executive Director (Education and Children's Services))  
C Flynn (on behalf of the Chief Executive)  
P Steel (on behalf of Corporate Human Resources Manager)

**Trade Union Safety Representatives and Elected  
Representatives of Employee Safety Committees**  
M Blacklaws, SSTA  
S Peddie, EIS (substituting for M Swan)  
T Todd, UCATT

**In attendance:**       S Crawford, Head of Property Services, The Environment Service  
J Handling, Health, Safety and Wellbeing Manager, The Environment Service  
C Irons, Committee Officer, Corporate and Democratic Service  
L McGeorge, Property Compliance Team Leader, Environment Service  
R Turner, Health, Safety and Wellbeing, The Environment Service

**Apologies:**           L McLaren, M Swan, J Dixon and A Taylor.

Councillor S McCole, Convener, in the Chair

**1. CHANGE TO MEMBERSHIP**

- (i) It was noted that Murray Swan had been appointed by the EIS to replace Scott Peddie on the Committee. S Peddie was in attendance substituting for M Swan and the Convener thanked S Peddie for his commitment over the years as a member of the Committee and particularly during his appointment as Joint Secretary.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vii)) (Appendix VI)  
12 SEPTEMBER 2018

- (ii) T Todd advised that A Thomas had resigned from his role as a union representative and there was no replacement from Unite the Union at this time.

**2. DECLARATIONS OF INTEREST**

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

**3. MINUTES**

The Minute of meeting of the Corporate Health, Safety and Wellbeing Consultative Committee of 11 December 2017 was submitted and approved as a correct record.

**4. HEALTH, SAFETY AND WELLBEING REMIT**

The Convener advised that a presentation had been arranged to determine if there was a gap in the reporting of Wellbeing to this Committee.

R Turner, Team Leader/Senior Health and Safety Adviser and P Steel, Human Resources Manager-Operations gave a presentation to members on the remit of the Committee.

R Turner referred to the meetings being held quarterly in each of the Services where all health and safety matters were discussed in more. Information on specific Service aspects were also reported to the Employee Joint Consultative Committee, Joint Negotiating Committee for Teachers and the Strategic Policy and Resources Committee.

R Turner also advised there was discussion of the following topics at Service and Divisional meetings :- Occupational Stress; Violence and Aggression; Alcohol and Drugs; Health and Safety Training; Health and Safety Executive visits; Needles/Sharps; Lone Working; Defibrillator Provision; Occupational Health provision; Health Surveillance and more.

These quarterly meetings were attended by Service Managers, employee representatives and Trade Union representatives. In addition, the Health and Safety Team Leader meets regularly with Heads of Service and Health and Safety Advisers attend divisional committees.

R Turner advised that the Corporate Health, Safety and Wellbeing Consultative Committee's role was to take an overview of Health, Safety and Wellbeing with all aspects reported on annually.

In examining the remit of the Committee and items reported to it, it was considered that Health Surveillance was not currently covered and it was proposed that it be included in future annual reports.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vii)) (Appendix VI)  
12 SEPTEMBER 2018

P Steel advised that there was the following reporting to the Employees Joint Consultative Committee and the Joint Negotiating Committee for Teachers:-

- Projects and Initiatives            Annually in September
- Sickness Absence                    Six monthly
- Future Plans                         Annually in September
- Employee Survey results         Annually after September survey

P Steel also advised of initiatives undertaken on wellbeing aspects :-

- Lunchtime Sessions eg Yoga; Working through the menopause
- Healthy Working Lives Programme
- Flu vaccination programme
- National Campaigns eg No Smoking Day; Cycle to Work Day
- Health Promotion Days eg Health checks – cholesterol, blood pressure

P Steel referred to the Scottish Performance Indicator comparing sickness levels annually with other Local Authorities; regular monitoring of the top three reasons for sickness absences; referrals to the occupational health service including counselling and physiotherapy and refresher training for employees if required.

The maximising attendance policy was currently being reviewed. Health & Wellbeing and sickness levels formed part of an annual report to the Strategic Policy and Resources Committee. Staff were also encouraged to think differently in work with sessions on Coping with Change and Your Career, Your future, resilience being delivered.

P Steel advised the Employee Survey had been conducted for over ten years and PULSE surveys had recently been introduced

Future plans included named representatives being appointed as Wellbeing Champions in Services and improved management information.

The Convener thanked R Turner and P Steel for the presentation and requested that the presentation be circulated to all members. (Presentation attached)

The Convener highlighted the reference to Wellbeing in the Committee's Constitution and questioned if it was still appropriate for this Committee to have Wellbeing included in the remit.

Councillor K Baird also thanked the officers for the presentation and stated that she was assured that a holistic approach was being taken with Wellbeing at the heart of everything the Council does and was comfortable with the approach currently taken.

Councillor E Drysdale welcomed the opportunity to challenge and question the remit of the Committee with the information presented today. He



PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vii)) (Appendix VI)  
12 SEPTEMBER 2018

expressed concern that sickness absence records may not reflect that staff are suffering from workforce stress. He added that staff suffering from workplace stress may avoid or are afraid to take time off and usually worked long hours.

P Steel assured members that there were trained mental health first aiders throughout the Council and stress management guidance in place. P Steel added that often workplace stress was combined with stresses at home. To help address problems the Council promotes PKAVS and Carers Forums. With more people now living and working with cancer, sessions with McMillan had been arranged, 'Let's Talk About Cancer' for affected staff and their line manager.

Managers were expected to consider implications for staff who do not take their holidays to initiate early intervention or prevention and would, if appropriate, refer employees to Occupational Health and work jointly with other relevant agencies to support wellbeing at work.

M Blacklaws commented that that it was good that workplace stress had been highlighted but questioned if this was where it should be addressed as it was an extensive and diverse subject to consider. He suggested it was a cultural approach within the workplace which led to employees being unwell and not taking time off. M Blacklaws also referred to difficulties with the form to be completed by line managers to report stress which needed to be addressed. He also asked for clarification of what was included in health surveillance.

R Turner advised health surveillance was used to monitor employees whose work activities exposed them to specific risk and to ensure a job was not making a person unwell physically e.g. for a music teacher that could be a hearing test and for a grounds maintenance operative it could be a hand/arm vibration test.

P Steel added that mental health issues would be part of a risk assessment to highlight any stresses or pressures and would be discussed at team meetings, one-to-one meetings or off-line but that everyone was different and could react differently to others and require different support to their colleagues.

In conclusion, J Handling referred back to the presentation which listed items discussed at Service Health and Safety level and those that were covered by quarterly reporting to this Committee.

Councillor P Barrett referred to the change from the Health and Safety Committee to the Health, Safety and Wellbeing Committee and questioned if the agenda had changed to reflect the change in title. He added that with the gap analysis, the Constitution should now be reviewed and amended if appropriate. With this being a Corporate Consultative Committee there may not be a wellbeing role for the Committee. Alternatively, if reporting to the

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vii)) (Appendix VI)  
12 SEPTEMBER 2018

Committee was different to previous reporting then the remit would need to be expanded.

S Crawford suggested that third party contractors be considered in the review as the Council had a legal responsibility for them while working on Council premises.

**Resolved**

A working group be established comprising the Convener, the Vice-Convener and relevant officers to review the Committee's constitution and report back to the Committee on either a change to the reporting on Wellbeing issues to the Committee or a change to the Constitution.

**5. HEALTH AND SAFETY PERFORMANCE QUARTERLY REPORT**

There was submitted a report by the Transformation and Business Manager, the Environment Service (G/18/36) providing an overview of (i) the Performance Reviews, (ii) the most serious incidents and (iii) a general summary of all incidents affecting employees and non-employees, during quarter 3 of 2017/18, 1 October – 31 December 2017.

It was noted that due to resourcing issues within the Health, Safety and Wellbeing Team the timetable for carrying out Performance Monitoring Reviews was to be revised and circulated to Services.

**Resolved:**

- (i) Five Performance reviews undertaken in this quarter, be noted.
- (ii) Seven reportable Incidents in the quarter, be noted.
- (iii) The total number of employee incidents was one hundred and ninety-nine, which was a decrease compared to quarter 3 in 2016/17. The highest number of employee incidents in this quarter was violence and aggression.
- (iv) The total number of non-employee incidents was seventeen, which was the same as in quarter 3 in 2016/17. The highest number of non-employee incidents in this quarter were caused by sharp objects.

**6. FIRE SAFETY QUARTERLY REPORT**

There was submitted a report by the Transformation and Business Manager, the Environment Service (G/18/37) to (1) inform members of the Fire Safety key performance for quarter 3 of 2017/18 and (2) assist the Committee to monitor the Fire Safety performance across Perth and Kinross Council's Estate.

**Resolved**

- (i) Five Council premises had their Fire Risk assessment reviewed during quarter 3 of 2017/18.
- (ii) A revised Fire Risk Assessment Review programme to be developed this year, be noted.

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(vii)) (Appendix VI)  
12 SEPTEMBER 2018

- (iii) The Scottish Fire and Rescue Service carried out one audit of Council premises.
- (iv) There was one reported incident of fire in a Council premises during the quarter.

**7. PROPOSED MEETING DATES FOR 2018**

**Resolved**

The dates of 11 June, 17 September and 10 December 2018, be agreed.

**8. DATE OF NEXT MEETING**

It was noted that the next meeting will be held on Monday 11 June 2018 at 10.00am.

~~~~~

## PERTH AND KINROSS INTEGRATION JOINT BOARD

Minute of Meeting of the Perth and Kinross Integration Joint Board held in the Council Chamber, Ground Floor, Council Building, 2 High Street, Perth on Friday 23 March 2018 at 9.30am.

**Present:**

**Voting Members**

Councillor C Reid, Perth and Kinross Council (Vice-Chair)  
Councillor C Ahern, Perth and Kinross Council  
Councillor E Drysdale, Perth and Kinross Council (up to and including Item 9)  
Councillor X McDade, Perth and Kinross Council (up to and including Item 9)  
L Dunion, Tayside NHS Board (Chair)  
S Hay, Tayside NHS Board (from Item 4 onwards)  
S Tunstall-James, Tayside NHS Board

**Non-Voting Members**

J Pepper, Chief Social Work Officer, Perth and Kinross Council  
R Packham, Chief Officer  
J Smith, Chief Finance Officer  
J Foulis, NHS Tayside

**Additional Members**

L Marley, NHS Tayside (on behalf of Dr D Walker)  
Dr A Noble, External Adviser to Board

**Stakeholder Members**

F Fraser, Staff Representative, Perth and Kinross Council  
A Drummond, Staff Representative, NHS Tayside  
H MacKinnon, Third Sector Interface  
B Campbell, Carer Public Partner (up to and including Item 8 on the agenda)  
L Lennie, Service User Public Partner

**In Attendance:**

J Valentine, Depute Chief Executive and Chief Operating Officer, Perth and Kinross Council; G Taylor, Clerk; S Hendry, P Steel and S Rodger (all Corporate and Democratic Services, Perth and Kinross Council; D Fraser, E Devine, P Henderson, S Gunnion, V Johnson, J Cormack, and H Dougall (all Perth and Kinross Health and Social Care Partnership); and K Wilson, NHS Tayside.

**Apologies:**

J Golden, Tayside NHS Board  
Dr D Carey, Independent Contractor  
Dr N Prentice, NHS Tayside  
Dr D Walker, NHS Tayside

**1. WELCOME AND APOLOGIES**

L Dunion welcomed all those present to the meeting and apologies were noted as above.

**2. DECLARATIONS OF INTEREST**

There were no Declarations of Interest made in terms of the Perth and Kinross Integration Joint Board Code of Conduct.

**3. MINUTE OF PREVIOUS MEETING**

The minute of meeting of the Perth and Kinross Integration Joint Board of 26 January 2018 was submitted and approved as a correct record.

*S HAY ENTERED THE MEETING AT THIS POINT*

**4. ACTION POINT UPDATE**

There was submitted and noted the action point update for the Perth and Kinross Integration Joint Board as at 23 March 2018 (G/18/44).

*IT WAS AGREED TO VARY THE ORDER OF BUSINESS AND CONSIDER ITEM 10.1 ON THE AGENDA AT THIS POINT*

**5. CHIEF OFFICER STRATEGIC UPDATE**

There was submitted a report by the Chief Officer (G/18/49) updating board members on progress against tasks outlined in the rolling actions list.

**Resolved:**

- (i) The plans put in place for the Perth and Kinross Health and Social Care Partnership during the winter/festive period (November 2017 to March 2018) as set out in Report G/18/49 be noted;
- (ii) The progress with implementation of the Mental Health Transformation Programme, as set out in Report G/18/49, be noted;
- (iii) The progress on the implementation of the refresh of the Perth and Kinross Integration Joint Board Strategic Plan, due in 2018, and set out in Report G/18/49, be noted.
- (iv) The Chief Officer be instructed to continue discussions with Stagecoach on the provision of bus services that link with Murray Royal Hospital, Perth and provide an update at the next meeting.

**6. MATTERS ARISING**

There were no matters arising from the previous minute.

## **7. MEMBERSHIP UPDATE**

It be agreed that Dr Daniel Carey replace Dr Neil McLeod as a non-voting member of the Perth and Kinross Integration Joint Board.

## **8. RECORDING OF MEETINGS**

It be agreed to amend Standing Orders and liaise with Perth and Kinross Council on the recording of meetings of the Integration Joint Board for public viewing online following meetings, with recordings being retained for 12 months.

## **9. REDESIGNING CARE**

### **9.1 REVIEW OF RESIDENTIAL CARE**

#### **(i) REVIEW OF RESIDENTIAL CARE**

#### **(ii) SUPPLEMENTARY BRIEFING NOTE – REVIEW OF RESIDENTIAL CARE**

There was submitted a report by the Chief Officer (G/18/45) providing the results of a formal consultation and options appraisal commissioned by the Board to determine the preferred alternative service delivery model for directly provided in-house adult residential care service. The report had been deferred from the meeting of the Board of 26 January 2018.

A supplementary briefing note was also submitted by the Chief Officer (G/18/46) providing supporting information in relation to the Review of Residential Care.

#### **Motion (L Dunion and S Hay)**

- (i) The outcome of the Option Appraisal be noted and the highest scoring Option 4, Closure of Beechgrove Care Home, as set out in Report G/18/45, be approved.**
- (ii) Perth and Kinross Council as the relevant employer to continue the engagement and progress required in consultation with the Trade Unions and employees.**
- (iii) It be noted that the implementation of Option 4 generates a saving of £528k, leaving a shortfall in the savings target of £168k, with the Chief Officer directed to identify alternative savings options to meet the shortfall.**
- (iv) The Chief Officer report back on the progress of the implementation of Option 4 to the Integration Joint Board in 12 months time.**
- (v) The Chief Officer monitor and review the new model of residential care provision to ensure that it continues to align with the strategic objectives of the Integration Joint Board.**

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (Art. 498(viii)) (Appendix VII)  
12 SEPTEMBER 2018

Amendment (Councillors E Drysdale and X McDade)

- (i) The outcome of the Option Appraisal be noted and Option 1, the status quo, as set out in Report G/18/45, be approved.
- (ii) Perth and Kinross Council and NHS Tayside be called upon to make representations through COSLA and NHS Scotland to the Scottish Government to address the acute funding shortfall in health and social care services.
- (iii) Partners be called upon to fund any remaining shortfall in 2018/19 finances at the end of that year from their financial reserves.
- (iv) A further review to take place of overall budgets, as currently planned, ahead of 2019/20.

*THERE FOLLOWED A FIFTEEN MINUTE RECESS AND THE MEETING  
RECONVENED AT 11.20AM*

In terms of Standing Order 3.5, the Chair ruled that the Amendment was not competent.

Amendment (Councillors X McDade and E Drysdale)

- (i) The outcome of the Option Appraisal be noted and Option 1, the status quo, as set out in Report G/18/45, be approved.
- (ii) The Chief Officer be remitted to explore alternative savings options as part of the Review of Residential Care.

In terms of Standing Order 3.5, the Chair ruled that the Amendment was not competent.

Amendment (Councillors X McDade and E Drysdale)

- (i) The outcome of the Option Appraisal be noted and Option 1, the status quo, as set out in Report G/18/45, be approved.
- (ii) The financial deficit to be funded by Perth and Kinross Council earmarked reserves for social care for 12 months the Chief Officer be instructed to examine options for recurring funding beyond this timescale.

In terms of Standing Order 3.5, the Chair ruled that the Amendment was not competent.

In terms of Standing Order 13.1, Councillor X McDade proposed the suspension of Standing Orders 14 and 15. In terms of Standing Order 3.5, and in the absence of any competent amendments, the Chair ruled that this was not competent.

The Chair asked the voting members of the Board to indicate by a show of hands whether they were not willing to support the recommendations in Report G/18/45.

**Resolved:**

In accordance with the Motion.

*COUNCILLORS E DRYSDALE AND X McDADE, AND B CAMPBELL LEFT THE MEETING AT THIS POINT.*

## **10. FINANCE AND GOVERNANCE**

### **10.1 2017/18 FINANCIAL POSITION AND FORWARD LOOK**

There was submitted a report by the Chief Financial Officer (G/18/47) providing a summary of the issues impacting on the financial position of the Perth and Kinross Integration Joint Board in 2017/18, based on the 9 months to 31 December 2017.

**Resolved:**

The forecast financial position for 2017/18, as detailed in Appendix 1 to Report G/18/47, be noted.

### **10.2 2018/19 BUDGET**

There was submitted a report by the Chief Financial Officer (G/18/48) seeking approval from the Integration Joint Board to the 2018/19 Financial Plan, including the budget proposals from both Perth and Kinross Council and NHS Tayside, and the 2018/19 Transformation and Efficiency Programme.

**Resolved:**

- (i) The proposed recurring budget offer from Perth and Kinross Council (PKC) for 2018/19, as set out in Report G/18/48, be approved, and the Chief Officer be requested to write to PKC on this basis and thereafter issue a formal direction, noting that whilst the budget proposal from PKC is considered manageable in 2018/19, it is essential that a fair settlement is agreed for 2019/20.
- (ii) The Chief Officer be requested to seek early discussions with PKC in respect of the 2019/20 budget to safeguard essential services in future years.
- (iii) The Chief Officer be requested to seek a formal proposal from PKC in relation to the Council's proposed transfer of the £538k budget for Citizens Advice Bureau, Independent Advocacy and Credit Union.
- (iv) The recurring budget offer from NHS Tayside (NHST) for 2018/19, as set out in Report G/18/48, be approved, and the Chief Officer be requested to write to NHST on this basis and thereafter issue a formal direction.
- (v) The Chief Officer to conclude discussions with NHST about the NRAC prescribing, medical locum bridging and complex car package funding.
- (vi) The 2018/19 Perth and Kinross Integration Joint Board Financial Plan, and the associated 2018/19 Transformation and Efficiency Programme, as detailed in Report G/18/48, be approved.
- (vii) The £1.2m gap in the 2018/19 Financial Plan, along with the further work being undertaken to deliver a balanced budget, be noted.
- (viii) The Chief Officer to develop proposals for the meeting of the Integration Joint Board on 22 June 2018 for a collaborative budget process with NHST and PKC for 2019/20.
- (ix) The Board passed on their appreciation to the work done by all relevant staff in the preparation of the 2018/19 budget proposals.



### **10.3 AUDIT AND PERFORMANCE COMMITTEE UPDATE**

Councillor C Ahern, Chair of the Audit and Performance Committee of the Integration Joint Board, provided a verbal update to the Board following the [meeting of the Committee on 6 March 2018](#) focusing on areas such as strategic planning, risk management, clinical, care and professional governance and delayed discharge performance

The Board noted the position.

### **11. GP PRESCRIBING FORECAST 2017/18**

There was submitted a report (G/18/50) by the Clinical Director providing an update on the forecast position on prescribing for 2017/18 and the key issues impacting on performance.

#### **Resolved:**

- (i) The year end forecast overspend of £1.638m compared to the £1.687m plan, as detailed in Report G/18/50, be noted.
- (ii) The issues impacting on expenditure and the overall positive position on growth, as set out in Report G/18/50, be noted.
- (iii) The progress in implementing the GP Engagement Programme and the spend forecast for 2017/18 of £47,000 be noted. The Clinical Director to submit a revised funding request for 2018/19 and 2019/20 to the next meeting of the Board on 22 June 2018.
- (iv) The difficulties in obtaining robust management information that ties GP Practice level data to financial expenditure on a regular basis be noted, and the Chief Officer be instructed to ensure that this is resolved as soon as possible.

### **12. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC) STANDARDS AND QUALITY REPORT 2016-2017**

The Board noted a joint report by the Chief Executive and Executive Director (Education and Children's Services), Perth and Kinross Council (17/320) on the Perth and Kinross Child Protection Committee Standards and Quality Report 2016-2017. It was noted that the report had also been endorsed by Perth and Kinross Council at its meeting of 4 October 2017.

### **13. WINTER PLAN 2017/18 UPDATE**

The Board noted a report by the Chief Officer (G/18/51) on the Winter Plan 2017/18 Update and requested a detailed report be submitted to the Board on 22 June 2018.

### **14. FUTURE MEETING DATES 2018**

Friday 11 May 2018 at 9.30am – Briefing Session  
Friday 22 June 2018 at 9.30am – IJB Meeting

PERTH AND KINROSS COUNCIL  
STRATEGIC POLICY AND RESOURCES COMMITTEE (*Art. 498(viii)*) (*Appendix VII*)  
12 SEPTEMBER 2018

Friday 24 August 2018 at 9.30am – Briefing Session  
Friday 28 September 2018 at 9.30am – IJB Meeting  
Friday 26 October 2018 at 9.30am – Briefing Session  
Friday 30 November 2018 at 9.30am – IJB Meeting

**15. VALEDICTORIES**

The Chief Officer referred to this being the last meeting of the Integration Joint Board for both Councillor Crawford Reid, Vice-Chair, and Sheila Tunstall James and thanked them for their contribution to the work of the Board.

The Chief Officer also referred to this being the last meeting for Linda Dunion, Chair of the Board and former Vice-Chair of both the Board and previous Pathfinder Board and paid tribute to the commitment and contribution she had made in her various roles and wished her well for the future.

At a MEETING of the **TAY CITIES REGION JOINT COMMITTEE** held at Dundee on Friday, 18th May, 2018.

Present:-

Angus Council

Councillor Bill DUFF

Councillor Bob MYLES

Councillor Angus MacMillan DOUGLAS

Dundee City Council

Councillor John ALEXANDER

Councillor Lynne SHORT

Councillor Richard McCREADY

Fife Council

Councillor Tim BRETT

Councillor Karen MARJORAM

Councillor David ROSS

Perth & Kinross Council

Councillor Murray LYLE

Councillor Dave DOOGAN

Councillor Colin STEWART

Non-Elected Members

Gordon McGUINNESS, Skills Development Scotland

Tim ALLAN, Tay Cities Enterprise Forum

Professor Sir Pete DOWNES, Principal, University of Dundee Regional HE/FE Forum

Also Present

David LITTLEJOHN, Tay Cities Deal

Ian SCOTT, Scottish Enterprise

Steve GRIMMOND, Fife Council

David MARTIN, Dundee City Council

Mike GALLOWAY, Dundee City Council

Margo WILLIAMSON, Angus Council

Alan McKEOWN, Angus Council

Jim VALENTINE, Perth & Kinross Council

Julie FARR, Third Sector

Alison CARRINGTON, Skills Development Scotland

Alan McGREGOR, Glasgow University

Apologies

Apologies were intimated from Ellis Watson.

**I DECLARATION OF INTEREST**

No declarations of interest were made.

**II CONVENER AND VICE-CONVENER**

In terms of Clause 12 of the Minute of Agreement, the Joint Committee agreed that appointments for the Convenership of the Joint Committee be made on a calendar year basis, from December 2017 to November 2018.

Accordingly, it was noted that Councillor Bob Myles would continue as Chair for this period.

The Joint Committee noted that following the death of Councillor Ian Campbell, a vacancy had arisen for a Vice Convener.

The Joint Committee agreed that Councillor Murray Lyle be appointed as Vice Convener.

### **III MINUTE OF MEETING OF 8TH DECEMBER, 2017**

The minute was submitted and approved.

### **IV MATTERS ARISING**

There were no matters arising.

### **V TAY CITIES DEAL UPDATE**

There was submitted Report TCRJC2-2018 by the Head of Tay Cities Deal providing the Joint Committee with an update on progress and the anticipated timescale for the conclusion of the Tay Cities Deal.

The Joint Committee:-

- (i) Noted the content of this report; and
- (ii) requested that a further progress update be made at its next meeting.

### **VI SKILLS**

- TAY CITIES SKILLS INVESTMENT PLAN, PROFESSOR ALAN MCGREGOR, GLASGOW UNIVERSITY (PRESENTATION)

A presentation was given to the Joint Committee by Professor Alan McGregor of Glasgow University on the Tay Cities Regional Skills Investment Plan, a copy of which is appended to the Minute.

Professor McGregor outlined issues considered in the preparation of the plan, in particular economic projections within the region and how it was paramount for Tay Cities partners to employ a joined up approach to ensure robust economic outcomes for the area.

It was noted that a finding of the plan consultation papers was that challenges may be faced regarding skills development/employer/sector requirements and retention of skilled personnel. However, many assets existed within the Region which could be expanded such as the many exceptional opportunities for further education within the region, increasing business opportunities and innovative intervention around employability.

Furthermore Skills Development Scotland would support the Delivery of Regional Economic of Strategy which aimed to:-

- Raise productivity to Scottish average level.
- Close jobs gap and improve job quality.
- Reduce unemployment.
- Focus on sectoral strengths and opportunities.
- Work to create a smarter and fairer Tay Cities region.
- Help simplify skills system, actively address unnecessary duplication, build agility respond quickly to shocks and opportunities.

Actions to achieve these goals were outlined, noting that these required to be delivered effectively, and also that capacity to make decisions based on evidence existed. Furthermore, annual reviews should be undertaken to measure progress and findings be acted upon to ensure consistent and meaningful progress is made.

The Joint Committee then had the opportunity to ask questions of Professor McGregor and the undernoted points discussed:-

- The impact that Brexit may have on the regional economy
- The importance of the Region as a whole building on existing resources
- Identification of skills needed within region and the development of this region and the development of this
- How private/third sector involvement at future stages in the process was paramount.

The Joint Committee thanked Professor McGregor for his interesting and informative presentation.

## **VII INVESTMENT**

#SCOTLANDISNOW, ERIC SIMPSON, SDI (PRESENTATION)

TAY CITIES TRADE AND INVESTMENT PARTNERSHIP, MERLYN DUNN, ANGUS COUNCIL (PRESENTATION)

SCOTLAND'S TAY COUNTRY, ALAN GRAHAM, PERTH AND KINROSS COUNCIL (PRESENTATION)

Presentations were given to the Joint Committee by Eric Simpson, Merlyn Dunn and Alan Graham, a copy of which are appended to the Minute.

The first presentation focused on the brand #Scotlandisnow, its ambition to be an opportunity to communicate "Scottishness" to the world through old and new media and help ensure Scotland's business community had the appropriate information and support to drive investment, economic impact.

The second presentation outlines the history of the Tay Cities Trade and Investment Partnership, its future and challenges faced, particularly lower than average Foreign Direct Investment. This was due to factors including economies of scale and rural bias within the region. However, it was anticipated that a more joined up approach and shared pathway for business would address this, along with the development of an interactive Asset Map and common events calendar.

The final presentation was on Scotland's Tay Country – a regional approach to Tourism. There was a strong existing tourism business base within the area, however more formalised partnership arrangements would be likely to increase this. Again, it was key to the future success of tourism that clear strategic goals were developed, business skills developed in key areas including digital capabilities and the needs of new and emerging markets adequately met.

After the presentations were made, a brief question and answer session followed with members noting the following points:-

- the scale of existing opportunities for development be fully explored.
- Assets be clearly pinpointed.
- The most opportune time for increased private sector involvement be identified and acted upon.

The Joint Committee thanked Eric Simpson, Merlyn Dunn and Alan Graham for their presentations.

## **VIII TAY CITIES DEAL GOVERNANCE**

There was submitted Report No TCRJC1-2018 by the Clerk to the Tay Cities Region Joint Committee updating the Joint Committee on progress with regard to the governance of the Tay Cities Deal.

The Joint Committee noted that:-

- (i) The Standards Commission for Scotland had granted a Dispensation Request for the Tay Cities Deal (Appendix 1 attached); and
- (ii) The Clerk would prepare Standing Orders for approval by the Joint Committee and a Joint Committee Agreement for approval by the organisations represented on the Joint Committee.

## **IX AOCB**

- (i) The Joint Committee agreed that should progress be made with regards to the conclusion of the Tay Cities Deal prior to the next meeting, then a written update be provided for all members.

## **X DATE OF NEXT MEETING**

24th August, 2018 in Committee Room 1, 14 City Square, Dundee.

Bob MYLES, Convener.

## **SCRUTINY COMMITTEE**

Minute of meeting of the Scrutiny Committee held in the Council Chamber, 2 High Street, Perth on Wednesday 12 September 2018 at 2.00pm.

Present: Councillors G Laing, S McCole, C Ahern, K Baird (substituting for Councillor H Coates) M Barnacle, D Doogan, D Illingworth, R McCall (substituting for Councillor C Purves), T McEwan, A Parrott and C Stewart.

In Attendance: K Reid, Chief Executive; S Devlin, Executive Director (Education and Children's Services) (up to and including Art. 511); B Renton, Executive Director (Housing and Environment); R Hill, S Johnston, L Richards and N Rogerson (all Education and Children's Services up to and including Art. 510); C Mailer (up to and including Art. 511) and J Scott (both Housing and Environment); L Cameron, F Robertson (up to and including Art. 509), L Simpson, G Taylor, M Mahmood, C McCarthy (up to and including Art. 513) S Richards and D Williams (all Corporate and Democratic Services).

Apologies: Councillors H Coates and C Purves.

Councillor G Laing, Convener, Presiding.

### **506. WELCOME AND APOLOGIES**

The Convener welcomed all those present to the meeting and apologies were noted as above.

### **507. DECLARATIONS OF INTEREST**

Councillors C Ahern, K Baird and A Parrott all declared a non-financial interest in Art. 509(i).

### **508. MINUTE OF THE MEETING OF THE SCRUTINY COMMITTEE OF 18 APRIL 2018**

The minute of meeting of the Scrutiny Committee of 13 June 2018 (Arts. 330-336) was submitted, approved as a correct record and authorised for signature.

### **509. UPDATE BY ARMS' LENGTH EXTERNAL ORGANISATION**

#### **(i) Culture Perth & Kinross.**

J Smout, Chief Executive; M Kelly; and J Findlay, Culture Perth & Kinross, displayed a short video to members before providing a verbal update on online and mobile library services; a rise in museum attendances; and answering members' questions.

PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
12 SEPTEMBER 2018

Members sought assurance on matters such as: the role of volunteers; visitor attendances at museums and libraries; and digital services in rural areas.

The Convener thanked the representatives of Culture Perth & Kinross for their attendance and they left the meeting at this point.

F ROBERTSON LEFT THE MEETING AT THIS POINT.

**510. EDUCATION AND CHILDREN'S SERVICES IMPROVEMENT PLAN 2018-19**

There was submitted a report by the Executive Director (Education and Children's Services) (18/246) providing a summary of the key priorities for Education and Children's Services for the year ahead.

S Devlin, Executive Director (Education and Children's Services) highlighted to members that this Plan also included Criminal Justice Services.

Councillor Baird commented upon the youth representation on the Council's Lifelong Learning Committee, praising the role and approach of the two youth representatives on the Committee.

**Resolved:**

The contents of Report 18/246, be noted.

R HILL, S JOHNSTON, L RICHARDS AND N ROGERSON ALL LEFT THE MEETING AT THIS POINT.

**511. HOUSING AND ENVIRONMENT BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2018-19**

There was submitted a report by the Executive Director (Housing and Environment) (18/253) presenting the first Housing and Environment Business Management and Improvement Plan for the period 2018-19.

In response to a question from Councillor Laing regarding the 100% rent collection target, C Maller (Housing and Environment) informed members that, whilst an ambitious target, the target was consistent with the national context and averages with regards to rent collection from both social housing landlords and local authority landlords.

In response to a query from Councillor McCall regarding the aim of reducing the percentage of empty retail units in Perth & Kinross, B Renton informed members that discussions with the retailers and Perth Traders Association were ongoing, in addition to the work of the Perth City Development Board, whilst also highlighting the importance of independent retailers in Perth & Kinross.



PERTH AND KINROSS COUNCIL  
SCRUTINY COMMITTEE  
12 SEPTEMBER 2018

In response to a query from Councillor McCole regarding the number of days taken to complete approved medical adaptations, C Mailer informed members that the overall number of days did include the application process. C Mailer added that the reduced target, with regards to number of days, was due to this being regarded as an area for improvement.

**Resolved:**

The contents of Report 18/253, be noted.

S DEVLIN AND C MAILER LEFT THE MEETING AT THIS POINT

**512. CORPORATE AND DEMOCRATIC SERVICES BUSINESS MANAGEMENT AND IMPROVEMENT PLAN 2018-21**

There was submitted a report by the Depute Chief Executive (18/287) presenting the Business Management and Improvement Plan for Corporate and Democratic Services for the period 2018-21.

In response to a query from Councillor Illingworth regarding financial management and the use of the intelligent client model, B Renton informed members that all Services in the Council have benefitted from having a nominated financial controller, but that it was felt that the profile of this role needed to be raised.

**Resolved:**

The contents of Report 18/287, be noted.

**513. SUMMARY OF FINDINGS FROM BEST VALUE ASSURANCE REPORTS: EAST RENFREWSHIRE COUNCIL, WEST LoTHIAN COUNCIL, ORKNEY ISLANDS COUNCIL, CLACKMANNANSHIRE COUNCIL, FIFE COUNCIL AND EAST AYRSHIRE COUNCIL**

There was submitted a report by the Head of Strategic Commissioning and Organisational Development (18/289), examining the position of Perth & Kinross against six Best Value Assurance Reports and messages from Audit Scotland.

Councillor Parrott commented that he welcomed the pro-active approach of the report with regards to preparedness for routine inspection, and queried whether this approach could be replicated in other areas where there was routine inspection. K Reid, Chief Executive, responded by informing members that learning from Audit Scotland reports; the Local Area Network Scrutiny Panel and other inspections would always inform future inspection work for example the self-evaluation process being undertaken in relation to the forthcoming joint inspection of the Health and Social Care Partnership.

**Resolved:**

The contents of Report 18/289, be noted.

C MCCARTHY LEFT THE MEETING AT THIS POINT

**514. SIXTH SCRUTINY REVIEW: PLANNING ENFORCEMENT – ANNUAL  
PLANNING ENFORCEMENT REPORT**

There was submitted a report by the Executive Director (Housing and Environment) (18/290) providing an update on the implementation of recommendation 3 from the Scrutiny Review of Planning Enforcement, which marks the completion of this recommendation.

**Resolved:**

- (i) The Committee agreed that this report satisfied recommendation 3 of the Sixth Scrutiny Review: Planning Enforcement, and therefore concluded that review.
- (ii) To note that the first Annual Planning Enforcement Report covering 2017/18 will be presented to the Environment and Infrastructure Committee at its meeting on 7 November 2018 and that thereafter, for subsequent years, the Report will be presented at the first available committee following the publication of annual performance statistics by the Scottish Government.

~~~~~