

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council held in the Gannochy Suite, Dewars Centre, Glover Street, Perth on Wednesday 18 May 2016 at 2.00pm.

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

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform), J Valentine, Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development); B Atkinson, Director (Social Work and Housing), G Taylor, C Flynn, R Hughes, S Grant, S Wright, L Gowans, R Fry, S Hendry, S Rodger, K Donaldson and J Symon (all Corporate and Democratic Services), D Littlejohn, J McCrone, C Horne and F Kerr (all Environment Service); S Flanigan (Housing and Community Care); S Boyle (Audit Scotland)

Apologies for Absence: Councillors M Barnacle and A Munro

Provost E Grant, Presiding.

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

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

Provost Grant congratulated Councillor A Stewart on his election on 5 May 2016 to be a member of the Scottish Parliament, and welcomed Councillor K Baird to her first Council meeting following her election on 7 April 2016.

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

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

### **373. MINUTES OF MEETINGS FOR APPROVAL AND SIGNATURE**

- (i) The minute of the special meeting of Perth and Kinross Council of 11 February 2016 (arts. 98-102) was submitted, approved as a correct record and authorised for signature
- (ii) The minute of the meeting of Perth and Kinross Council of 24 February 2016 (Arts. 187-206) was submitted, approved as a correct record and authorised for signature.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**374. NOTICE OF MOTION SUBMITTED IN TERMS OF STANDING ORDER 26**

Motion Councillors (A Stewart and L Simpson)

This Council wishes to highlight the increasing concern of local businesses both in Perth and other towns in Perth and Kinross about the inability of the current SNP administration to show any meaningful leadership in developing and effective strategy to support businesses, including retail and tourism.

This Council asks the Chief Executive to present a report to the next full meeting of the Council in June clearly identifying measures and timescales that are proposed to address these concerns; this report to form the basis for future consultation with local businesses.

First Amendment (Councillors I Miller and A Parrott)

Council reaffirms its previously stated commitment to support, wherever possible, the retail and tourism and wider business sector across Perth and Kinross.

A report by the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) focussing on the particular issues in Perth City has already been commissioned and will be brought to the Enterprise and Infrastructure Committee on 1 June 2016, Strategic Policy and Resources Committee on 15 June 2016 and Council on 22 June 2016.

Council recognises the changing face of retailing nationwide due to the internet and pledges to continue with our work to support retailers in adapting to the changing market

Calls on all Councillors to show a united front against negative comment.

Second Amendment (Councillors A MacLellan and J Flynn)

The Labour Group believes this Motion is premature as we have received assurances that there will be a full report coming to the June Council meeting for approval.

The Council therefore resolves to await the outcome of this report and to consider any further action necessary to support local businesses.

Note: The Mover and Seconder of the First Amendment agreed to incorporate the wording of the Second Amendment into their Amendment. The Revised Amendment became the Substantive Amendment.

**Substantive Amendment**

**Council reaffirms its previously stated commitment to support, wherever possible, the retail and tourism and wider business sector across Perth and Kinross.**

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**Council resolves that this Motion is premature as a report by the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) focusing on the particular issues in Perth City has already been commissioned and will be brought to the Enterprise and Infrastructure Committee on 1 June 2016, Strategic Policy and Resources Committee on 15 June 2016 and Council on 22 June 2016.**

**Council resolves to await the outcome of the above report to Council and to consider any further action necessary to support local businesses.**

**Council recognises the changing face of retailing nationwide due to internet and pledges to continue with our work to support retailers in adapting to the changing market.**

**Council calls on all Councillors to show a united front against negative comment.**

In Accordance with Standing Order 44, a roll call vote was taken.

21 members voted for the Substantive Amendment as follows:

Councillors H Anderson, B Band, D Doogan, B Ellis, J Flynn, J Giacobazzi, C Gillies, A Grant, Provost E Grant, T Gray, K Howie, J Kellas, G Laing, E MacLachlan, A MacLellan, I Miller, A Parrott, D Pover, G Walker, M Williamson and A Younger.

18 Members voted for the Motion as follows:

K Baird, P Barrett, R Brock, I Campbell, A Cowan, D Cuthbert, A Gaunt, A Livingstone, M Lyle, D Melloy, M Roberts, W Robertson, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan and W Wilson.

**Resolved:**

In Accordance with the Substantive Amendment.

**375. MINUTES OF COMMITTEES**

**Minutes of Committees from 11 February 2016 to 29 April 2016**

The decisions recorded in Arts. 98-322, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

In relation to Article 319 and the use of committee forward planners, B Malone reassured members that these were being developed.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**376. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP**

**(i) Minute of meeting of the Perth and Kinross Community Planning Partnership Board of 4 December 2015**

The minute of meeting of the Perth and Kinross Community Planning Partnership Board of 4 December 2015, was submitted and noted.

**(ii) Briefing Note by Executive Lead Officer**

There was submitted and noted a report by the Senior Depute Chief Executive, ECS (Equality, Community Planning and Public Service Reform) (16/214) providing Council with an update on the work of the Community Planning Partnership Board since the last update to Council in February 2016.

**377. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2015/16 QUARTER**

There was submitted a report by the Head of Finance (16/215) (1) providing a summary of Loans Fund transactions for the quarter ending 31 March 2016; and (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices, the Investment Strategy and the Prudential Indicators for the same period.

**Resolved:**

The contents of Report 16/215, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

**378. BUILDING AMBITION – A WORKFORCE FOR THE 21<sup>ST</sup> CENTURY**

There was submitted a report by the Depute Chief Executive, HCC (Corporate and Community Development Services) and Chief Operating Officer (16/216) (1) setting out the Council's plans to build on positive people practices; and (2) detailing key achievements since the last annual workforce report in December 2014.

**Resolved:**

- (i) The continued emphasis on supporting people as the essential element of the Council's ability to transform as an organisation, be acknowledged.
- (ii) The progress and achievements since December 2016 as detailed in Report 16/216, be noted.
- (iii) The further development of the Learn, Innovate, Grow ethos, as a means of helping the organisation modernise and transform, be endorsed.

THE MEETING WAS ADJOURNED FOR 10 MINUTES

IT WAS AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.

**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.**

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**379. PERTH HARBOUR BUSINESS PLAN AND INVESTMENT REQUIREMENTS**

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic & Entrepreneurial Development) (16/222) asking the Council to consider the contents of the Perth Harbour Business Plan and agree next steps.

**Motion (Councillor D Doogan and H Anderson)**

- (i) The Perth Harbour Business plan and contents, be agreed.**
- (ii) The principle Business Plan recommendation to undertake, subject to securing statutory consents and legal agreements, a dredge of the River Tay to a depth of 5 Metres, be agreed.**
- (iii) The proposed recommendations in relation to the staffing, management, governance arrangements and any required survey work, be agreed.**
- (iv) It be agreed that the budget pressures be managed through the Environment Service slippage in 2016/17 and managed in future years through the Revenue Budget process.**
- (v) The Director (Environment) be instructed to undertake a condition survey of all Council assets, including Common Good Fund Assets, at Perth Harbour and report back to the appropriate Committee for their consideration.**
- (vi) It be agreed that the Business Case be included within the Capital Budget Report to be considered by Council on 22 June 2016.**

**Amendment (Councillors P Barrett and W Wilson)**

- (i) The Council does not accept the recommendations detailed in the paragraph 3.5 of the report.**
- (ii) The Council agrees to dispose of its interest at Perth Harbour and instructs the Depute Chief Executive, Environment to market the site and report back to Council in six months on the outcome of this process.**

**THE MEETING WAS ADJOURNED FOR 2 MINUTES**

Note: The Mover and Seconder of the Motion agreed to a suggestion by Councillor J Kellas to add the word “funding,” before the word “statutory” at Recommendation (ii).

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

31 members voted for the Motion as follows:

Councillors H Anderson, R Band, K Baird, R Brock, A Cowan, I Campbell, D Doogan, B Ellis, J Flynn, J Giacomazzi, C Gillies, A Grant, Provost E Grant, T Gray, K Howie, J Kellas, G Laing, M Lyle, E MacLachlan, A MacLellan, D Melloy, I Miller, A Parrot, D Pover, M Roberts, C Shiers, A Stewart, H Stewart, G Walker, M Williamson and A Younger

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

8 Members voted for the Amendment as follows:

Councillors P Barrett, D Cuthbert, A Gaunt, A Livingstone, W Robertson, L Simpson, B Vaughan and W Wilson.

**Resolved:**

In Accordance with the Motion.

IT WAS AGREED THAT THE PUBLIC AND PRESS BE RE-ADMITTED TO THE MEETING AT THIS POINT

**380. FAIR WORK FRAMEWORK**

There was submitted a report by the Depute Chief Executive, HCC, (Corporate and Community Development Services) and Chief Operating Officer (16/217) (1) updating the Council on the Fair Work Framework 2016 produced by the Fair Work Convention; and (2) proposing that the Council assess its practice against the principles of fair work with a view to improving understanding of fair work and people practices, where appropriate.

**Resolved:**

- (i) The work of the Fair Work Convention and the Fair Work Framework, be noted.
- (ii) The Depute Chief Executive, HCC (Corporate and Community Development Services) and Chief Operating Officer be remitted to work with employees and trade unions to assess the Council's people practices against the Fair Work principles and bring a report back to a future meeting.

**381. ESTABLISHING A FAIRNESS COMMISSION (Article 200 refers)**

There was submitted a report by the Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Services Reform) (16/218) (1) setting out the proposed organisational arrangements of the Fairness Commission; and (2) seeking approval for the membership and aims of the commission. It was noted at Section 2.1 of the report that the Director of the Poverty Alliance was now to be replaced by the Chief Executive of Children 1st.

**Resolved:**

- (i) The core membership of the Fairness Commission, as set out in Section 2 of Report 16/218, be agreed.
- (ii) Councillor A MacLellan be appointed to serve on and Chair the commission.
- (iii) In recognition of Councillor MacLellan's role as Chair of the Commission, in addition to his role as Chair of the shadow Perth and Kinross Community Justice Partnership, he be remunerated as a Senior Councillor with effect from 1 June 2016 until the Council election in May 2017, the additional cost of £4,873 in the current year to be met from the budget for elected members' salaries.
- (iv) The allocation of up to £15,000 from the Change and Transformation Fund to support the Commission's work be agreed.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**382. PROGRESS REPORT ON IMPLEMENTATION OF HEALTH AND SOCIAL INTEGRATION JOINT BOARD IN PERTH AND KINROSS**

There was submitted a report by the Depute Chief Executive, HCC (Corporate and Community Development Services) and Chief Operating Officer (16/219) (1) providing a summary of the progress of the implementation of the Public Bodies (Joint Working) (Scotland) Act 2014; and (2) identifying areas of progress and where challenges and risk exist how these will be addressed to mitigate risk to the Council.

**Resolved:**

- (i) The progress made to date with establishing the Integrated Joint Board (IJB), be noted.
- (ii) The Chief Finance Officer of the IJB is satisfied the Council's budget meets the key tests of transparency, proportionality and adequacy.
- (iii) Approval of actions to mitigate identified risks, as detailed in Report 16/219, be noted.
- (iv) The Chief Executive and Depute Chief Executive (HCC) be instructed to report progress to Council in integrating services and delivery of the Strategic Plan.
- (v) The Chief Executive and Depute Chief Executive, (HCC) be instructed to advise the Council of ongoing risks and actions to mitigate them.

**383. AUDIT SCOTLAND'S OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND REPORT 2016**

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/220) (1) highlighting the key messages of the Audit Scotland Report; and (2) describing the Council's current position as a high performing Council and future actions in relation to the key messages.

**Resolved:**

The findings of the "Overview of Local Government in Scotland 2016" report and the Council's response to these challenges, be noted.

**384. LOCAL SCRUTINY PLAN – 2016/2017**

There was submitted a report by the Depute Chief Executive, Environment (Sustainability, Strategic and Entrepreneurial Development) (16/221) outlining the Local Scrutiny Plan for Perth and Kinross Council.

**Resolved:**

Perth and Kinross Council's Local Scrutiny Plan for 2016/17 be noted.

**385. APPOINTMENTS TO COMMITTEE / OUTSIDE BODIES**

**(i) Enterprise and Infrastructure**

It was noted that this item had been withdrawn from the agenda.

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
18 MAY 2016

**(ii) Friends of Bydoszcz Management Committee**

Councillor D Pover replace Councillor J Kellas On The Friends of Bydoszcz Management Committee.

~~~~~

DRAFT