

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
3 OCTOBER 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 3 October 2018 at 1.00pm.

Present: Provost D Melloy, Councillors 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, D Illingworth, A Jarvis, G Laing, M Lyle, R McCall, S McCole, X McDade, T McEwan, A Parrott, B Pover, C Purves, J Rebbeck, W Robertson, F Sarwar, C Shiers, L Simpson, C Stewart, R Watters and M Williamson.

In Attendance: K Reid, Chief Executive; J Valentine, Depute Chief Executive; S Devlin, Executive Director (Education and Children's Services); B Renton, Executive Director (Housing and Environment); R Packham, Chief Officer, Perth and Kinross Health and Social Care Partnership; J Pepper, Depute Director (Education and Children's Services) and Chief Social Work Officer; G Taylor, S Hendry, L Simpson, S MacKenzie, S Walker, C Flynn, L Potter, L Cameron, K Donaldson, A Taylor and K Molley (all Corporate and Democratic Services); M Notman, S Merone and D Littlejohn (all Housing and Environment); H Robertson and R Drummond (both Education and Children's Services); and B Atkinson, Independent Chair of Perth and Kinross Adult Protection Committee and Child Protection Committee.

Apologies for Absence: Councillors C Ahern, I James, C Reid and W Wilson.

Provost D Melloy, Presiding.

572. WELCOME AND APOLOGIES

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

573. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillors A Parrott, P Barrett, H Coates and H Anderson all declared a non-financial interest in Art. 585 on the agenda.

574. NOTICE OF MOTIONS IN TERMS OF STANDING ORDER 39

In terms of Standing Order 39, the Council considered the following Motions:

(i) Brexit Impact Assessment

Motion (Councillors M Williamson and S Donaldson)

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Council instructs the Chief Executive to commission an impact assessment which will report on the likely impact of Brexit, either hard or with agreement of the EU, on Perth and Kinross communities and enterprise and submit this to the next full Council meeting.

Amendment (Councillors A Bailey and M Barnacle)

That this Council will continue both current and planned Brexit assessments in active collaboration with neighbouring local authorities where necessary. Further, that the output from that work will be shared with Council and residents in due course.

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

15 members voted for the Motion 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.

21 members voted for the Amendment as follows:

Councillors A Bailey, K Baird, M Barnacle, P Barrett, B Brawn, R Brock, A Coates, H Coates, J Duff, A Forbes, D Illingworth, A Jarvis, M Lyle, R McCall, X McDade, Provost Melloy, C Purves, W Robertson, C Shiers, L Simpson and C Stewart.

Resolved:

In accordance with the Amendment.

(ii) Committee Structure

Motion (Councillors X McDade and R Brock)

Overview

To merge the Housing & Communities Committee and Environment & Infrastructure Committee

Following the successful merger of the former Housing & Community Safety and the former Environment Service into the new Housing and Environment Service, it seems appropriate to now realign the service committee remits in line with the new service responsibilities and have a single Housing & Environment Committee.

The merger of these committees would save senior officer time in attending committees as well as bringing committee remits into line with current service responsibilities.

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Proposed Changes to Remits & Membership

The remit for the new Housing & Environment Committee would be in line with the responsibilities of the new Housing & Environment Service.

Responsibilities that have been transferred to the Education & Children's Service since the council reorganisation in April 2018 would be transferred to the remit of the Lifelong Learning Committee.

Other matters that are currently within the remit of either Housing & Communities Committee or the Environment & Infrastructure Committee, but where the main responsibility for that remit lies with either Corporate & Democratic Services or the Health & Social Care Partnership the remit would be included in the remit of the Strategic Policy & Resources Committee.

To provide membership parity across all service committees there would be 15 members of both the new Housing & Environment Committee and of the Lifelong Learning Committee. The membership of the Strategic Policy & Resources Committee would remain the same.

Conclusion

The motion asks that the Council approve the proposal outlined above and asks officers to update the Scheme of Administration accordingly.

Amendment (Councillors C Shiers and W Robertson)

In December 2017, the Council agreed a decision-making structure following extensive discussion between officers and elected members and detailed consideration by the Modernising Governance Member/Officer Working Group.

The proposal in the motion by Councillors McDade and Brock has been presented to Council without the benefit of either discussion with officers or consideration by the Modernising Governance Member/Officer Working Group.

As the public service governance landscape is ever changing, it is important that the Council ensures that its own governance arrangements, including the decision making structure, should be regularly reviewed to ensure that they remain fit for purpose.

Accordingly, I would move that the Council agrees to remit to the Modernising Governance Member/Officer Working Group to review the decision making structure, and that the proposal by Councillors McDade and Brock be considered as part of that review.

Note: Following a suggestion by Councillor Doogan, the mover and seconder of the amendment agreed in relation to paragraph two of their amendment that both the decision making structure and the agenda setting process should be part of the review.

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Note: The Mover and Seconder of the Motion agreed to withdraw the Motion.

Resolved:

In accordance with the Revised Amendment.

575. MINUTES

(i) Minute of Meeting of Perth and Kinross Council of 20 June 2018 for approval and signature

The minute of the meeting of Perth and Kinross Council of 20 June 2018 (Arts. 378-396) was submitted, approved as a correct record and authorised for signature.

(ii) Minute of Special Meeting of Perth and Kinross Council of 29 August 2018 for approval and signature

The minute of the special meeting of Perth and Kinross Council of 29 August 2018 (Arts. 473-476) was submitted, approved as a correct record and authorised for signature.

576. MINUTES OF MEETINGS OF COMMITTEES FROM 6 JUNE 2018 to 12 SEPTEMBER 2018

The decisions recorded in Arts. 316-377, 397-472 and 477-514 copies of which had been circulated to all members of the Council, were submitted and noted.

577. AUDITED ANNUAL ACCOUNTS 2017/18 AND ANNUAL AUDIT REPORT TO THE MEMBERS OF PERTH & KINROSS COUNCIL AND THE CONTROLLER OF AUDIT FOR THE YEAR ENDED 31 MARCH 2018

There was submitted a report by the Head of Finance (18/306) presenting the Council's Audited Annual Accounts for financial year 2017/18 in accordance with the Local Authority Accounts (Scotland) Regulations 2014 and including the Annual Audit Report to the Members of Perth & Kinross Council and the Controller of Audit for the Year Ended 31 March 2018.

It was noted that the Audited Annual Accounts and Annual Audit Report had been approved by the Audit Committee on 26 September 2018.

Resolved:

- (i) The contents of KPMG's Annual Audit Report to the Members of Perth & Kinross Council and the Controller of Audit for the year ended 31 March 2018, as appended to Report 18/306, be noted.
- (ii) The 2017/18 Audited Annual Accounts, appended to Report 18/306, be noted.

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578. AUDIT SCOTLAND'S REPORTS: LOCAL GOVERNMENT IN SCOTLAND, CHALLENGES AND PERFORMANCE 2018; LOCAL GOVERNMENT IN SCOTLAND, FINANCIAL OVERVIEW 2016/17

There was submitted a report by the Depute Chief Executive (18/319) highlighting the key messages from, and the Council's response to, the Audit Scotland reports 'Local Government in Scotland, Challenges and Performance 2018', published in April 2018; and 'Local Government in Scotland, Financial Overview 2016/17', published in November 2017.

Resolved:

- (i) The findings of the reports 'Local Government in Scotland, Challenges and Performance 2018' and 'Local Government in Scotland, Financial Overview 2016/17', be noted.
- (ii) The areas of improvement currently being progressed, as set out in Report 18/319, be noted.

579. PERTH AND KINROSS COUNCIL ANNUAL PERFORMANCE REPORT 2017/18

There was submitted a report by the Chief Executive (18/327) providing an overview of how the Council has performed against the strategic objectives for Perth and Kinross, as set out within the Council's Corporate Plan 2013-2018, for the period 1 April 2017 to 31 March 2018.

Resolved:

The Perth and Kinross Council Annual Performance Report for 2017/18, as appended to Report 18/327, be approved.

580. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2018/19 QUARTER 1

There was submitted a report by the Head of Finance (18/323) (1) providing a summary of Loans Fund transactions for the quarter ending 30 June 2018; 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 18/323, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

581. MEDIUM TERM FINANCIAL PLAN 2019-2024

There was submitted a report by the Head of Finance (18/326) (1) updating the Medium Term Financial Plan approved by Council on 4 October 2017; (2) summarising the implications of the latest projections on future Council General Fund Revenue Budgets over the medium term; (3) providing an update on the Council's Capital Budget, Housing Revenue Account, Reserves position and other

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Funds; and (4) making recommendations on how the Council develops the Revenue Budget over the short to medium term.

Resolved:

- (i) The Head of Finance be instructed to maintain the Medium Term Financial Plan and further refine the assumptions which underpin it, as set out in Section 3.5 of Report 18/326.
- (ii) The proposal to update the Provisional Revenue Budgets for 2019/20 and 2020/21 and commence the development of a new Provisional Revenue Budget for 2021/22, as set out in Section 4.10 of Report 18/326, be approved.
- (iii) The corporate savings targets be approved as the basis for updating the 2019/20 and 2020/21 Provisional Revenue Budgets, and for the preparation of the 2021/22 Provisional Revenue Budget, as set out in Sections 4.20 and 4.25 of Report 18/326.
- (iv) The setting of the 2028/29 Composite Capital Budget take place at the same time as the setting of the Revenue Budget at the special meeting of the Council in February 2019.
- (v) The Executive Officer Team be instructed to review the existing Capital Budget, Capital resourcing and potential projects for financial year 2028/29 and bring forward recommendations for consideration by Council.
- (vi) The updated Reserves Strategy be submitted to the Council in February 2019.
- (vii) The Housing Revenue Account Budget and rent levels for 2019/20, and the five year Housing Investment Programme be determined at the meeting of the Housing and Communities Committee in January 2019.
- (viii) The extension, on a permanent basis, of the severance payment scheme of up to 60 weeks' pay in the Framework for Managing Workforce Change and Employing Authority Pension Discretions Policy, set out in Section 8.9 of Report 18/326, be approved.

THERE FOLLOWED A 10 MINUTE RECESS AND THE MEETING RECONVENED AT 3.15PM.

**582. PERTH AND KINROSS CHILD PROTECTION COMMITTEE (CPC)
STANDARDS AND QUALITY REPORT 2017-2018**

There was submitted a report by the Chief Social Work Officer (18/320) (1) providing an overview of the key activities of the work of the Perth and Kinross Child Protection Committee to protect children and young people from harm, abuse and exploitation for the academic year 2017-2018, identifying achievements, key strengths and areas for further improvement; and (2) setting out a programme of improvement for the next two years.

B Atkinson, Independent Chair of the Child Protection Committee, was in attendance and answered questions from members.

Resolved:

- (i) The wide range of work carried out by Perth and Kinross Council and partners through the Child Protection Committee, to provide high quality services to

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- protect children and young people, in particular the high level commitment to continuous improvement through self-evaluation, be noted.
- (ii) The contents of Report 18/320, the Child Protection Committee Standards and Quality Report 2017 – 2018, attached as Appendix 1 to Report 18/320, and the contents of the Child Protection Committee Improvement Plan 2018 – 2020, attached as Appendix 2 to Report 18/320, all be endorsed.

IT WAS AGREED TO VARY THE ORDER OF BUSINESS AND CONSIDER ITEM 13 ON THE AGENDA AT THIS POINT

583. PERTH & KINROSS ADULT PROTECTION COMMITTEE BI-ENNIAL REPORT 2016-18

There was submitted a report by the Chief Social Work Officer (18/325) providing an update on the work of the Perth and Kinross Adult Protection Committee and activity over the 2016-2018 period to protect adults who may be at risk of harm.

B Atkinson, Independent Chair of the Adult Protection Committee, was in attendance and answered questions from members.

Resolved:

- (i) The contents of the bi-ennial report, attached as Appendix 1 to Report 18/325, being submitted to the Scottish Government in October 2018, be noted.
- (ii) It be agreed that annual update reports be submitted to Council on both child and adult protection in Perth and Kinross.

584. UPDATE ON CHILD SEXUAL EXPLOITATION (CSE)

There was submitted a report by the Chief Social Work Officer (18/321) providing an update on the work being taken forward to tackle Child Sexual Exploitation in Perth and Kinross.

Resolved:

- (i) The ongoing work of the Child Protection Committee and Child Sexual Exploitation Working Group, to tackle abuse and exploitation in Perth and Kinross, be noted.
- (ii) The significant progress made via the Child Sexual Exploitation Work Plan 2017 – 2020 to raise understanding and prevent abuse and exploitation, develop pro-active early and effective intervention, promote trauma informed practices and support for recovery for victims, be noted.
- (iii) The Stop To Listen Pathfinder Evaluation Report, attached as Appendix 2 to Report 18/321, and ongoing legacy work in Perth and Kinross, be noted.

585. PERTH HARBOUR BUSINESS PLAN – PROGRESS REPORT

There was submitted a report by the Depute Chief Executive (18/322) (1) updating Council on the delivery of the Perth Harbour Business Plan; (2) asking the

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Council to note the successful handover of harbour operations; and (3) requesting consideration of producing a revised business plan by March 2019

Resolved:

- (i) The successful handover of operations at Perth Harbour to Calmac Ferries Ltd be noted.
- (ii) The Depute Chief Executive be instructed to produce a revised Business Plan for the Harbour for submission to Council (April 2019-March 2023), including a targeted investment plan, by March 2019.
- (iii) It be agreed to target Jan-March 2020 to carry out any dredging work, with a final decision to be considered just after the revised business plan has been considered.

586. INITIAL FINDINGS OF THE REVIEW OF THE SCHEME OF ESTABLISHMENT FOR COMMUNITY COUNCILS IN PERTH AND KINROSS

There was submitted a report by the Head of Democratic Services (18/324) (1) updating members on the initial findings from consultation with community councils on the review of the Scheme of Establishment of Community Councils in Perth and Kinross; and (2) outlining suggested amendments to the current Scheme.

Resolved:

- (i) The general issues and the comments set out in Appendix 1 to Report 18/324 be noted.
- (ii) The suggested changes to the Scheme of Establishment for Community Councils for Perth and Kinross, as set out in Appendix 2 to Report 18/324, be approved.
- (iii) It be noted that the next steps will be a public consultation between 8 October 2018 and 3 December 2018 with a final report to Council in February 2019.

587. PROPOSED TIMETABLE OF MEETINGS 2019

There was submitted a report by the Head of Democratic Services (18/328) seeking approval of the 2019 timetable of meetings for the Council and Committees.

Resolved:

- (i) The dates and start times for the 2019 timetable of meetings, as set out in Appendix 1 to Report 18/328, be approved.
- (ii) Further start times be agreed as follows to be incorporated into the 2019 timetable of meetings:
 - Sub-Committee meetings on a Monday morning to commence at 10.00am;
 - Meetings of the Planning and Development Management Committee to commence at 10.00am;
 - Committee meetings on Wednesday mornings to commence at 9.30am;
 - Committee meetings on Wednesday afternoons to commence at 1.00pm;

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- Meetings of the Common Good Fund Committees to commence at 9.00am;
- Council meetings to commence at 11.00am with a break for lunch at approximately 1.00pm and a further short break if required at approximately 3.00pm.

588. AMENDMENTS TO SCHEME OF ADMINISTRATION/STANDING ORDERS

With effect from 1 December 2018 references to the Head of Democratic Services in both the Scheme of Administration and Standing Orders be amended to refer to the Head of Legal and Governance Services, with the exception of the reference at Paragraph 19.1 in relation to Community Councils, where the reference should be to the Head of Culture and Community Services.

589. MEMBERSHIP OF HIGH CONSTABLES

It was agreed to approve the decision by the Society of High Constables of the City of Perth at its AGM on 3 September 2018, to change the Society Regulations by removing the gender specific references from the criteria of Membership and to amend the Regulations as necessary.

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