

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
24 June 2009

## **PERTH AND KINROSS COUNCIL**

Minute of Meeting of Perth and Kinross Council held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 24 June 2009 at 2.00pm.

Present: Provost Hulbert, Councillors K Baird, B Band, M Barnacle, L Caddell, I Campbell, J Coburn, A Cowan, J Flynn, A Gaunt, C Gillies, A Grant, E Grant, G Hayton, K Howie, A Jack, J Kellas, J Law, K Lyall, M Lyle, E Maclachlan, A MacLellan, H McDonald, D Melloy, I Miller, P Mulheron, M Roberts, D Scott, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan, A Wylie, W Wilson and A Younger.

In Attendance: B Malone (Chief Executive); J Fyffe, Executive Director (Education and Children's Services); G Stevenson, Executive Director (Corporate Services); David Burke, Executive Director (Housing and Community Care); J Irons, Executive Director (The Environment Service); M Walker, W Atkinson and A Irvine (all Education and Children's Services); J Valentine, R Bean, J McCrone and J Martin (all The Environment Service); J Walker (Housing and Community Care) G Fogg (Corporate Services); G Taylor, B Renton, P Graham, M Cochlan, C Taylor, L Dott and M Kay (all Chief Executive's Service).

Also Attending: C Wylie, Henderson Loggie

Apologies: Councillors P Barrett, B Ellis, W Lumsden, S Miller and W Robertson,

Provost Hulbert, Presiding.

### **Euna Scott, Award of MBE**

Prior to the commencement of business, Provost Hulbert congratulated Euna Scott, Principal Environmental Initiatives Officer, on being awarded the MBE in the Queen's Birthday Honours.

### **347. DECLARATIONS OF INTEREST**

Councillor A Grant declared a non-financial interest in Article 357 – Town Centre Regeneration Fund Bid for Perth and Coupar Angus, as chair of the Coupar Angus Regeneration Trust.

Councillor Shiers declared a financial interest in Article 355 – Perth and Kinross Structure Plan – Finalised Alteration; Population and Households.

### **348. MINUTES**

The Minute of the Council Meeting of 6 May 2009 (Arts. 226-236) was submitted, approved as a correct record and authorised for signature.

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**349. MINUTES OF COMMITTEES**

**Minutes of Committees from 29 April 2009 to 3 June 2009**

The decisions recorded in Arts. 200-225 and 237-301, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

**350. PERTH AND KINROSS COUNCIL ANNUAL PERFORMANCE REPORT 2008/09**

There was submitted a report by the Chief Executive (09/307) introducing Perth and Kinross Council's Annual Performance Report 2008/09 which is designed to (1) give an overview of how the Council performed during 2008/09 across all five service areas; (2) provide an update on progress since the Audit of Best Value and Community Planning in 2008; and (3) link to the Council's newly developed evidence portal and online performance scorecards which provide more detailed information in all areas covered within the Annual Performance Report.

**Resolved:**

- (i) Perth and Kinross Council's performance during 2008/09 be noted.
- (ii) The Annual Performance Report 2008/09 as detailed in Report 09/307 be approved.
- (iii) The Single Outcome Agreement Annual Report 2008/09 as contained in Appendix 1 to Report 09/307 be approved.

**351. PERTH AND KINROSS COUNCIL CORPORATE PLAN (Art. 230)**

There was submitted a report by the Chief Executive (09/318) seeking the Council's approval for the revised Corporate Plan following the completion of a broad consultation process and requesting consideration of the requests for changes to the Corporate Plan received during the consultation period.

**Resolved:**

The changes to the Corporate Plan as recommended in Tables 1 and 2 of Report 09/318 be approved.

**352. PRIORITIES AND RISKS FRAMEWORK REPORT/RETURN – MARCH 2009**

There was submitted a report by the Chief Executive (09/319) outlining the External Auditor's view that having regard to the Priorities and Risks Framework, the Council continues to make good progress to address improvement and remains committed to delivering Best Value.

**Resolved:**

- (i) The contents of Report 09/319 be noted.
- (ii) Appendix A to Report 09/319 be approved as the Priorities and Risk Framework for Perth and Kinross Council for 2009/10.

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**353. CONSULTATION ON PHASE 2 OF AUDIT OF BEST VALUE AND COMMUNITY PLANNING – PERTH AND KINROSS COUNCIL RESPONSE**

There was submitted a report by the Chief Executive (09/320) requesting that the Council homologate the action taken by the Chief Executive, in view of the due date for submission, to submit Appendix 1 to Report 09/320 to the Accounts Commission as the Council's response to the consultation on the proposals for the second phase of the Audit of Best Value and Community Planning.

**Resolved:**

- (i) The contents of Report 09/320 be noted.
- (ii) The action taken by the Chief Executive in submitting Appendix 1 to Report 09/320 to the Accounts Commission as the Council's response to the consultation on the proposals for the second phase of the Audit of Best Value and Community Planning be homologated.

**354. JOINT INSPECTION OF SERVICES TO PROTECT CHILDREN AND YOUNG PEOPLE IN PERTH AND KINROSS**

There was submitted a joint report by the Head of Service, Children and Families' Services and Chair of the Child Protection Committee (09/321) highlighting the very positive findings from the Joint Inspection of Services to Protect Children and Young People in Perth and Kinross, and the areas for improvement to be incorporated in the multi-agency improvement plan.

**Resolved:**

- (i) The very positive nature of the findings of the Inspection be welcomed.
- (ii) Staff be commended for the strong partnership working that is apparent at every level within and across services.
- (iii) The multi-agency improvement plan and the actions proposed to address the recommendations be approved.

COUNCILLOR SHIERS, HAVING DECLARED A FINANCIAL INTEREST IN THE FOLLOWING ITEM, WITHDREW FROM THE MEETING AT THIS POINT.

**355. PERTH AND KINROSS STRUCTURE PLAN – FINALISED ALTERATION; POPULATION AND HOUSEHOLDS**

There was submitted a report by the Executive Director (Environment) (09/322) reporting on the outcome of the consultation exercise undertaken on the Perth and Kinross Structure Plan Draft Alteration: Population and Households and proposing a Finalised Alteration to be submitted to Scottish Ministers.

**Resolved:**

- (i) The Finalised Structure Plan Alteration: Population and Households, together with the associated finalised alterations to the Report of Survey and the Consultation Report be approved for submission to the Scottish Ministers.
- (ii) The contents of the revised Environmental Report for the Finalised Structure Plan Alteration: Population and Households be noted.

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- (iii) Authority be delegated to the Executive Director (Environment) to comment on draft modifications by the Scottish Ministers, unless the modifications are significant.

**356. IMPLEMENTATION OF PLANNING (ETC) SCOTLAND ACT 2006 – UPDATE**

There was submitted a joint report by the Head of Planning and the Head of Democratic Services (09/323) (1) providing an update in relation to the implementation of the Planning etc (Scotland) Act 2006; (2) outlining the main changes in the legislation with regard to development management; (3) seeking approval for a Scheme of Delegation and the establishment of a Local Review Body as required by the Act, including the appointment of a Convener for the Local Review Body and (4) seeking approval for certain aspects of the arrangements for the Dundee, Perth, Angus and North Fife Strategic Development Plan Authority.

**Resolved:**

- (i) The contents of Report 09/323 in respect of the update regarding the implementation of the Planning etc (Scotland) Act 2006 be noted.
- (ii) Subject to the approval of the proposed Scheme of Delegation by Scottish Ministers as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, it be remitted to the Head of Democratic Services in consultation with the Head of Planning to amend the Council's Scheme of Administration as set out in Paragraph 6.1 of Report 09/323.
- (iii) It be remitted to the Head of Democratic Services in consultation with the Head of Planning to otherwise amend the Council's Scheme of Administration to reflect any further changes resulting from the implementation of the Planning etc (Scotland) Act 2006.
- (iv) The principles for the establishment of a Local Review Body for Perth and Kinross be approved as set out in Paragraph 6.3 of Report 09/323 and the Head of Democratic Services in consultation with the Head of Planning and the Head of Legal Services make the necessary arrangements to support the work of the Local Review Body.
- (v) Councillor Band be appointed as Convener of the Local Review Body. (See Note).
- (vi) The decisions of the Dundee, Perth, Angus and North Fife Strategic Development Plan Authority as set out in Paragraphs 5.2 and 5.3 of Report 09/323 be ratified.

Note: The decision at (v) above was reached on a division as follows:-

**Motion (Councillors I Miller and Wilson)**

**Councillor Band be appointed as Convener of the Local Review Body.**

Amendment (Councillors A Stewart and Baird)

Councillor Lyle be appointed as Convener of the Local Review Body.

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Amendment – 14 votes

Motion – 21 votes

COUNCILLOR A GRANT, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, REMAINED FOR THE DISCUSSION TO PROVIDE INFORMATION IF REQUIRED.

**357. TOWN CENTRE REGENERATION FUND BID FOR PERTH AND COUPAR ANGUS**

There was submitted a report by the Executive Director (Environment) (09/324) outlining the bid of £2.9 million made by the Council as lead applicant for Town Centre Regeneration Fund assistance to projects in Perth and Coupar Angus.

**Resolved:**

- (i) The bid of £2.9 million by the Council as lead applicant for Town Centre Regeneration Fund assistance to projects in Perth and Coupar Angus as outlined in the report and that a response to the bid will be received from the Scottish Government at the end of July 2009 be noted.
- (ii) It be noted that, should the bid prove successful, further consultation will be undertaken with Perth city centre retailers and event organisers of Perth 800 in the interim on the more extensive proposals for Perth High Street and building proposals at St John's Kirk and the Fair Maid's House contained in the bid, to assist in determining how best to phase the works to minimise impact.
- (iii) It be noted that a further report to the Council will be submitted on the outcome of the bid and any funding and implementation issues arising from the decision.

**358. ENHANCING CUSTOMER SERVICE**

There was submitted a joint report by the Depute Director (Environment) and Depute Director (Education and Children's Services) (09/325) presenting a way forward for decision-making on services provision based on customer need and aspirations, and having regard to ensuring that services are accessible.

**Resolved:**

- (i) The progress made in enhancing a more customer focused service delivery across the Council be noted.
- (ii) The principles as outlined in Section 4 of Report 09/325 be used when developing further a modernised approach to supporting communities and developing locality based services.
- (iii) It be agreed that community campuses/libraries in rural areas become the central access point for personal customer contact, where practical and appropriate, and customer telephone calls in these libraries be routed to the Customer Service Centre.
- (iv) It be agreed that cash collection in rural areas transfer from Council offices to alternative options such as Direct Debit, Post Offices and Paypoints.
- (v) Officers be instructed to develop on a locality basis the business cases for any change to service delivery.

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**359. SUSTRANS RIVER TAY CONNECT2 PROJECT**

There was submitted a report by the Executive Director (Environment) (09/327) outlining the background to the Sustrans River Tay Connect2 Project and detailing the current funding position and the next steps.

**Resolved:**

- (i) The contents and issues highlighted in Report 09/327 be noted.
- (ii) It be agreed to proceed with the project and sign the Memorandum of Understanding with Sustrans on the basis of a future commitment for funding from the indicative future TACTRAN commitment.

COUNCILLOR BARNACLE LEFT THE MEETING DURING DISCUSSION OF THE FOLLOWING ITEM.

**360. BOUNDARY COMMISSION FOR SCOTLAND – FIRST PERIODICAL REVIEW OF SCOTTISH PARLIAMENT BOUNDARIES**

There was submitted a report by the Head of Democratic Services (09/326) (1) advising that on 21 May 2009 the Boundary Commission for Scotland had published its revised proposals for constituencies for the Scottish Parliament following the local inquiry held in August 2008 and provisional proposals for eight Scottish Parliament regions and (2) referring in particular to the proposals as they affect the Perth and Kinross Council area, in relation to the existing Scottish Parliament constituencies of Perth and North Tayside, and the region of Mid-Scotland and Fife.

**Motion (Councillors I Miller and Wilson)**

- (i) The Boundary Commission for Scotland's proposals be noted.**
- (ii) In respect of the boundaries proposed for the Scottish Parliament Constituencies in the Perth and Kinross Council area, the Chief Executive be instructed to write to the Commission expressing the Council's continuing disappointment at the proposed division of Perth on the basis of electorate numbers.**

Amendment (Councillors A Stewart and Cowan)

The Council support the proposals by the Boundary Commission for Scotland as outlined in Report 09/326.

Amendment – 13 votes

Motion – 19 votes

**Resolved:**

In accordance with the Motion.

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**361. AMENDMENTS TO SCHEME OF ADMINISTRATION**

**(i) Public Health etc (Scotland) Act 2008 (Art 263)**

Following the Community Safety Committee decision on 27 May 2009 in the above regard, the Council was asked to agree the undernoted addition to the Scheme of Administration.

**Resolved:**

The following be added to the Scheme of Administration.:-

20 Executive Director (Environment)

20.1.7 to appoint competent persons in terms of Part 1 of the Public Health (Scotland) Act 2008, and to maintain a list of such competent persons.

**(ii) Delegation to Executive Director (Corporate Services)**

Following the resignation of the Executive Director (Corporate Services) and to reflect the interim management arrangements in Corporate Services, the Council was asked to agree that with effect from 6 July 2009 until such time as a successor is in post the undernoted amendments be made to the Scheme of Administration.

**Resolved:**

- (i) Where the Scheme refers to the Executive Director (Corporate Services) in relation to property matters this be taken as a reference to the Depute Chief Executive; and
- (ii) Where the Scheme refers to the Executive Director (Corporate Services) in all other capacities, or refers generally to Executive Directors, this be taken as a reference to the Head of Legal Services and the Head of Finance acting jointly.

**362. MEMBERSHIP OF COMMITTEES ETC**

**(i) Enterprise and Infrastructure Committee**

**Resolved:**

It was agreed that Councillor A Stewart be appointed to the Enterprise and Infrastructure Committee to replace Councillor M Roberts.

**(ii) Community Safety Committee**

**Resolved:**

It was agreed that Councillor M Roberts be appointed to the Community Safety Committee to replace Councillor A Stewart.

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**(iii) Planning Etc (Scotland) Act 2006 Member/Officer Working Group**

**Resolved:**

It was agreed that Councillor I Campbell be appointed to the vacancy created by the resignation of Councillor M Barnacle.

**363. VALEDICTORY**

Provost Hulbert referred to Gavin Stevenson's appointment as Chief Executive of Dumfries and Galloway Council and on behalf of the Council thanked him for his contribution as Executive Director (Corporate Services) and wished him every success in his new post.

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