

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
15 December 2010

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 15 December 2010 at 10.30am.

Present: Provost J Hulbert; Councillors K Baird, B Band, M Barnacle, P Barrett, L Caddell, I Campbell, J Coburn, A Cowan, J Flynn, C Gillies, A Grant, E Grant, T Gray, G Hayton, K Howie, J Kellas, W Lumsden, K Lyall, M Lyle, E Maclachlan, A MacLellan, D Melloy, I Miller, S Miller, M Roberts, W Robertson, C Shiers, A Stewart, H Stewart, B Vaughan, W Wilson, A Wylie and A Younger.

In Attendance: B Malone (Chief Executive); I Innes, G Taylor, J Symon, C Flynn, T Yule and M Kay (all Chief Executive's Service); D Burke, Executive Director (Housing and Community Care); J Fyffe, Executive Director (Education and Children's Services); W Atkinson (Education and Children's Services) and J Valentine (The Environment Service).

Also Attending: M Richardson, Henderson Loggie

Apologies for Absence: R Ellis, A Gaunt, A Jack, H McDonald, P Mulheron, D Scott and L Simpson,

Provost Hulbert, Presiding.

682. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct, Councillor W Lumsden declared a non - financial interest in Item 13 on the agenda (Art. 695) in relation to Review of Parliamentary Constituency Polling Districts and Polling Places.

683. MINUTES

(a) Meeting of 29 September 2010

The Minute of the Council Meeting of 29 September 2010 (Arts. 547-560) was submitted, approved as a correct record and authorised for signature.

(b) Special Meeting of 4 November 2010

The Minute of the Special Meeting of the Council of 4 November 2010 (Arts. 609-610) was submitted, approved as a correct record and authorised for signature.

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684. MINUTES OF COMMITTEES

Minutes of Committees from 29 September 2010 to 24 November 2010

The decisions recorded in Arts. 529-546, 561-608 and 611-641, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

685. MATTERS ARISING

Council Meeting – 29 September 2010

Local Development Plan: Main Issues Report and Development Plan Scheme Update (Art. 554)

Resolved:

As severe weather had led to the cancellation of workshops on the Main Issues Report planned for weeks commencing 29 November and 6 December 2010, the consultation period on the Local Development Plan Main Issues Report be extended until 11 February 2011.

686. REVENUE BUDGET 2011/14 UPDATE

There was submitted a report by the Head of Finance (10/640) (1) summarising the implications of the Draft Scottish Budget and the subsequent local government finance settlement 2011-12 for Perth and Kinross Council, (2) recommending that the Council agree in full to the terms of the settlement offer for 2011-12 as detailed in Appendix 1 to Report 10/640, noting the timetable and proposed process in relation to the settlement offer as set out in Appendix 2 to the report (3) seeking the Council's views on setting a one, two or three year budget and (4) making further recommendations on revising the Council's corporate savings targets and on up-dating the Council's five year Composite Capital Budget.

Motion (Councillors I Miller and G Hayton)

- (i) The contents of Report 10/640, be noted.
- (ii) The terms of the settlement offer for 2011-12 as set out in section 3.3 of Report 10/640 and detailed in the joint letter from the Cabinet Secretary for Finance and Sustainable Growth and the President of COSLA attached as Appendix 1 to Report 10/640 be approved in full.
- (iii) The stages and timetable for agreeing to the settlement offer and the proposed process for subsequent verification of commitments made by local authorities as set out in the letter from the Cabinet Secretary for Finance to the President of COSLA attached as Appendix 2 to Report 10/640 be noted.
- (iv) At the Special Council meeting on 17 February 2011 a Revenue Budget be set for 2011/12, together with provisional budgets for 2012/13 and 2013/14.

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- (v) **The preparation of the 2011-12 provisional Revenue Budget on the basis of a revised corporate savings target of £14.964 million, including £6.296 million of budget headroom as set out in sections 5.2 and 5.3 of Report 10/640, subject to review, that any provisional Revenue Budgets beyond 2011-12 be based at this time upon assumed corporate savings targets of £8.417 million in 2012-13 and £7.586 million in 2013-14 be approved.**
- (vi) **The submission of an updated five year Composite Capital budget for the period 2011-2016 to the Council meeting on 11 May 2011 as set out in section 6 of Report 10/640 be approved.**

Amendment (Councillors A Stewart and M Roberts)

- (i) The contents of Report 10/640, be noted.
- (ii) The terms of the settlement offer for 2011-12 as set out in section 3.3 of Report 10/640 and detailed in the joint letter from the Cabinet Secretary for Finance and Sustainable Growth and the President of COSLA attached as Appendix 1 to Report 10/640 be approved in full.
- (iii) The stages and timetable for agreeing to the settlement offer and the proposed process for subsequent verification of commitments made by local authorities as set out in the letter from the Cabinet Secretary for Finance to the President of COSLA attached as Appendix 2 to Report 10/640 be noted.
- (iv) As the financial situation is unknown for years 2012/13 and 2013/14 only a one year Revenue Budget for 2011/12 be set on 17 February 2011.
- (v) The preparation of the 2011-12 provisional Revenue Budget on the basis of a revised corporate savings target of £14.964 million, including £6.296 million of budget headroom as set out in sections 5.2 and 5.3 of Report 10/640, subject to review be approved.
- (vi) The submission of an updated five year Composite Capital budget for the period 2011-2016 to the Council meeting on 11 May 2011 as set out in section 6 of Report 10/640 be approved.

Amendment – 10 votes

Motion – 24 votes

Resolved:

In accordance with the Motion.

687. EXTERNAL AUDIT – FINAL REPORT TO MEMBERS AND THE CONTROLLER OF AUDIT 2009/10

There was submitted a report by the Head of Finance (10/632) accompanying the External Auditors' Final Report to Members and the Controller of Audit for financial year 2009/10.

Members made reference to (1) the implications of future pension liabilities and (2) the need to set realistic target dates for audit actions.

Resolved:

- (i) The contents of the External Auditors' Report to Members and the Controller of Audit as detailed in Report 10/632, be noted.

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- (ii) The External Auditors' Final Report to Members and the Controller of Audit be submitted to a future meeting of the Audit Sub-Committee for detailed consideration.

688. REVIEW OF TREASURY MANAGEMENT SYSTEMS DOCUMENT

There was submitted a report by the Head of Finance (10/633) seeking approval of the revised Treasury Management Systems Document as required by the CIPFA Code of Practice for Treasury Management.

Resolved:

The revised Treasury Management Systems Document as detailed in Report 10/633 be approved.

689. TREASURY ACTIVITY AND COMPLIANCE REPORT

There was submitted a report by the Head of Finance (10/634) providing a summary of the Loans Fund transactions for the quarter ending 30 September 2010 and reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices, Investment Strategy and the Prudential Indicators for the same period.

Resolved:

- (i) The contents of Report 10/634, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The adjustment of Public Works Loan Board borrowing rates as a result of the UK Government's Comprehensive Spending Review as detailed at Section 3.1 of Report 10/634 be noted.
- (iii) The temporary reinstatement of the Co-operative Bank plc to the list of approved counterparties for investments to cover the period of Christmas closedown of Perth and Kinross Council as detailed at Section 6.1 of Report 10/634 be approved.

690. BIENNIAL REVIEW OF FINANCIAL REGULATIONS

There was submitted a report by the Head of Finance (10/635) summarising the background and the process undertaken to review the Council's Financial Regulations and recommending revised Financial Regulations.

Resolved:

The revised Financial Regulations attached as Appendix 1 to Report 10/635 be approved.

691. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2009/10

There was submitted a report by the Chief Social Work Officer (10/636) providing the Council with the Chief Social Work Officer's view on the effective functioning of social work and social care services within Perth and Kinross for the year 2009/10.

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Resolved:

The Chief Social Work Officer's Annual Report for 2009/10 as set out in Appendix 1 to Report 10/636 be approved.

692. EMPLOYEE ENGAGEMENT SURVEY

There was submitted a report by the Chief Executive (10/637) outlining the results of the Council's Annual Employee Engagement Survey carried out in September 2010 which confirm that Perth and Kinross Council has a committed and able workforce which will provide a strong foundation for the future challenges ahead.

Resolved:

- (i) The positive high level results of the September 2010 Employee Engagement Survey be noted.
- (ii) It be noted that areas for improvement identified via the survey will be progressed within individual Services and at a corporate level, as appropriate.
- (iii) The inclusion of any improvement actions in Service Business Management Improvement Plans be endorsed.

693. IMPLEMENTATION OF SCOTTISH GOVERNMENT PROPOSALS ON COMMUNITY COUNCILS

There was submitted a report by the Head of Democratic Services (10/638) relating to the publication of the Model Scheme of Establishment of Community Councils and the Code of Conduct for Community Councils, jointly endorsed by the Scottish Government, the Convention of Scottish Local Authorities and the Association of Scottish Community Councils, and making recommendations for amendments to the existing Scheme of Establishment of Community Councils, and on the future provision of support for community councils within Perth and Kinross.

Resolved:

- (i) The Head of Democratic Services take forward the statutory consultation on the undernoted proposals:-
 - (a) Adoption of the amended Scheme of Establishment of Community Councils for the Perth and Kinross Council area as set out in the Appendix to Report 10/638;
 - (b) Adoption of the amended Constitution and Standing Orders as set out in Schedules II and III in the Appendix to Report 10/638;
 - (c) Adoption of the Code of Conduct for Community Councillors and the associated complaints investigation process as set out in Schedule IV in the Appendix to and Section 3.10 of Report 10/638.
- (ii) The Head of Democratic Services submit a further report to the Council meeting on 23 February 2011 following the consultation process.

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COUNCILLOR W LUMSDEN HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM TOOK NO PART IN THE CONSIDERATION THEREOF.

694. REVIEW OF PARLIAMENTARY CONSTITUENCY POLLING DISTRICTS AND POLLING PLACES

There was submitted a report by the Head of Democratic Services (10/639) seeking the Council's views on proposed changes to the parliamentary constituency polling districts and polling places within the area of Perth and Kinross following a review which had included considering discontinuing the use of (i) schools as polling places and (ii) polling places with an electorate of less than 100.

Motion (Councillors I Miller and G Hayton)

The proposals for the designation of polling districts and polling places as set out in Paragraphs 3.2 to 3.13 of and Appendix 1 to Report 10/639 be approved with (1) Perth Gospel Hall being designated the polling place for parliamentary polling district PTQ together with an amendment to the parliamentary polling districts of PTN and PTQ to accommodate the change of polling place and (2) Almondband/Tibbermore Church being designated the polling place for parliamentary polling district STS.

Amendment (Councillors J Flynn and C Gillies)

The proposals for the designation of polling districts and polling places as set out in Paragraphs 3.2 to 3.13 of and Appendix 1 to Report 10/639 be approved subject to (1) Letham Primary School being retained as the polling place for parliamentary polling district PTQ, and (2) Almondband/Tibbermore Church being designated the polling place for parliamentary polling district STS.

Amendment – 3 votes

Motion – 29 votes

Resolved:

In accordance with the Motion.

695. EUROPE PRIZE – APPLICATION FOR THE FLAG OF HONOUR/2012 JUBILEE CIVIC HONOURS COMPETITIONS

There was submitted a report by the Head of Democratic Services (10/641) (1) advising the Council on the background to the Europe Prize, including the four levels of the Prize; (2) reminding the Council of Perth's success in gaining The European Diploma earlier this year; (3) recommending that an application be submitted by Perth for The Flag of Honour; and (4) advising of the publication by the Department of Culture, Media and Sport of the details of the 2012 Diamond Jubilee civic honours competitions.

Resolved:

- (i) The position with regard to the application process for the Europe Prize be noted.

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- (ii) An application for The Flag of Honour be submitted in respect of Perth and the Head of Democratic Services be remitted, in consultation with the Provost, to finalise the application to be submitted to the Parliamentary Assembly of the Council of Europe by 31 December 2010.
- (iii) The position with regard to the entry process for the 2012 Diamond Jubilee civic honours competitions be noted.
- (iv) A steering group be established to progress the entry for the grant of city status for Perth, plans to celebrate HM Queen Elizabeth's Diamond Jubilee and a further report be submitted thereon to the Council in early course.

696. AMENDMENT TO SCHEME OF ADMINISTRATION

Resolved:

The following amendment be made to the Scheme of Administration:-

17 Depute Chief Executive

17.2 The Depute Chief Executive be designated as the Senior Information Risk Officer.

697. PRESENTATION BY DAVID GREEN, CHAIR OF THE CAIRNGORMS NATIONAL PARK AUTHORITY

The Council heard a presentation from Mr David Green, Chair of the Cairngorms National Park Authority on the structure, strategic direction, budget and priorities of the Cairngorms National Park Authority.

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