

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
24 February 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 24 February 2010 at 2.00pm.

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

In Attendance: B Malone, Chief Executive; J Irons, Depute Chief Executive; G Taylor, I Innes, T Yule, S Mackenzie, D Henderson, J Jennings, M Kay and J Jarvie (all Chief Executive's Service); J Fyffe, Executive Director (Education and Children's Services); P McAvoy (Education and Children's Services); D Burke, Executive Director (Housing and Community Care) and L Brady (Housing and Community Care); J Valentine and P Marshall (the Environment Service).

Also Attending: Mrs H Bridge, Mr S Clark, Mr I Jackson and Mr D Stewart.

Apologies: Councillors A Cowan, M Lyle, K Lyall and H McDonald; and Mrs A Macauley.

Provost Hulbert, Presiding.

Prior to the commencement of business Provost Hulbert referred to the untimely death of Councillor John Law and paid tribute to the considerable contribution he had made both as an elected member of Perth and Kinross Council and also in promoting the Scots language. On behalf of the Council, the Provost offered his condolences to Councillor Law's wife Janet, daughter Anna and family.

### 116. DECLARATIONS OF INTEREST

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

### 117. MINUTES

#### (a) Meeting of 16 December 2009

The Minute of the Council Meeting of 16 December 2009 (Arts. 662-679/09) was submitted, approved as a correct record and authorised for signature.

Note: Article 671/09 – Implementation of Scottish Government Proposals on Community Councils

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Councillor Barnacle asked that it be noted that he had not yet received the information he had requested on the level of support provided to Community Councils by other Scottish Local Authorities; the Head of Democratic Services advised that the information would be provided to him as soon as this was received.

**(b) Special Meeting of 15 January 2010**

The Minute of the Special Council Meeting of 15 January 2010 (Arts. 9-11) was submitted, approved as a correct record and authorised for signature.

**118. MINUTES OF COMMITTEES**

**Minutes of Committees from 9 December 2009 to 10 February 2010**

The decisions recorded in Arts. 621-661/09, 1-8 and 12-76, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

**119. INDEPENDENT EVALUATION OF EDUCATION AND CHILDREN'S SERVICES**

There was submitted a joint report by the Chief Executive and the Executive Director (Education and Children's Services) (10/114) (1) on the outcome of the Validated Self-Evaluation of Education and Children's Services undertaken by Her Majesty's Inspectorate of Education and (2) setting out the evaluation of the effectiveness of the leadership, management and performance of the functions within Education and Children's Services.

Provost Hulbert invited the non-Council members of the Lifelong Learning Committee who were present, Mrs H Bridge, Mr S Clark, Mr I Jackson and Mr D Stewart, to participate in the discussion of this report.

**Resolved:**

- (i) The Validated Self Evaluation of Education and Children's Services undertaken by Her Majesty's Inspectorate of Education as detailed in Appendix 1 of Report 10/114 be endorsed.
- (ii) The contribution of all involved in the considerable progress made and the leadership shown by the Executive Director and Depute Director of Education and Children's Services be noted.

MRS H BRIDGE, MR S CLARK, MR I JACKSON AND MR D STEWART ALL LEFT THE MEETING AT THIS POINT.

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**120. ANNUAL TREASURY STRATEGY AND PRUDENTIAL AND TREASURY MANAGEMENT INDICATORS 2010/11 – 2014/15**

There was submitted a report by the Head of Finance (10/115) detailing the Council's proposed Treasury Strategy and activities and the Prudential and Treasury Management Indicators for the five financial years 2010/11 to 2014/15.

**Resolved:**

- (i) The revised CIPFA Treasury Management Code of Practice issued in November 2009, and the four clauses detailed at Appendix I of Report 10/115 be approved.
- (ii) All future Treasury Management reports be submitted to meetings of the Council for consideration and approval, and the scrutiny of Treasury Management activities be delegated to the Strategic Policy and Resources Committee, as detailed in Section 3.4 of Report 10/115.
- (iii) The amendments to the Council's Financial Regulations and Scheme of Administration to effect the changes outlined in (i) and (ii) above be approved.
- (iv) The five year Treasury Strategy for 2010/11 to 2014/15, as detailed in Report 10/115, submitted in accordance with the Council's approved Treasury Management Practices, be approved.
- (v) The Prudential and Treasury Management Indicators for 2010/11 to 2014/15 outlined in Section 11 and detailed at Appendix III of Report 10/115 be approved.

**121. COUNCIL TAX ENERGY EFFICIENCY DISCOUNT SCHEME**

There was submitted a report by the Executive Director (Housing and Community Care) (10/116) proposing the introduction of an energy efficiency discount scheme in accordance with the requirements of section 65 of The Climate Change (Scotland) Act 2009. It was noted that to date the only energy supplier which had indicated an interest in providing such a scheme was Scottish Gas.

In response to a number of questions raised in relation to the one year pilot and other opportunities available from energy suppliers, members were advised that guidance would be provided and those in receipt of benefits signposted to the appropriate services.

**Resolved:**

- (i) Perth and Kinross Council enter into a pilot scheme with Scottish Gas to deliver an energy efficiency scheme that meets the requirements of Section 65 of the Climate Change (Scotland) Act 2009, to be implemented from 1 April 2010 as required by the legislation and run for one financial year, with an option to extend subject to evaluation.
- (ii) The pilot scheme be evaluated and, if any other energy suppliers show interest in the scheme, arrangements be made in conjunction with the Energy Saving Trust, and potentially other local authorities, to select a preferred partner based on a competitive procurement process.

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**122. DUNDEE, PERTH, ANGUS AND NORTH FIFE STRATEGIC DEVELOPMENT PLANNING AUTHORITY (SDPA) TAYPLAN MAIN ISSUES REPORT**

There was submitted a report by the Executive Director (Environment) (10/132) seeking ratification of the decision of the Joint Committee of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority to approve the TAYplan Main Issues Report and related documents as a basis for public consultation.

Whilst members had a number of comments on the content of the main issues report, in particular in regard to projected growth levels, it was noted that all members would have an opportunity to comment during the consultation process.

**Resolved:**

- (i) Perth and Kinross Council ratify the SDPA Joint Committee's decision to approve the Main Issues Report and draft Equalities and Human Rights Impact Assessment as a basis for consultation and has regard to the content of the Environmental Report.
- (ii) Perth and Kinross Council ratify the Joint Committee's approval of the Monitoring Statement for submission to the Scottish Ministers
- (iii) It be noted that, as the Responsible Authority, Perth and Kinross Council will publish and submit the Environmental Report to the Scottish Ministers and Consultation Authorities.

**123. SCOTTISH INFORMATION COMMISSIONER – FREEDOM OF INFORMATION ASSESSMENT REPORT**

There was submitted a report by the Head of Legal Services (10/133) (1) presenting the Scottish Information Commissioner's Freedom of Information assessment report for Perth and Kinross Council published on 17 February 2010 and (2) highlighting very positive findings from the assessment and areas for improvement.

**Resolved:**

- (i) The positive nature of the report and the good work undertaken by staff across the Council to achieve this level of compliance with the legislation be recognised.
- (ii) The actions proposed to address the recommendations from the Scottish Information Commissioner be approved.

**124. BEST VALUE AUDIT OF TAYSIDE POLICE AND JOINT BOARD**

There was submitted a report by the Executive Director (Housing and Community Care) (10/117) (1) providing an overview of the recent Best Value Audit report on Tayside Police and Joint Board by Audit Scotland and Her Majesty's Inspectorate of Constabulary Scotland and (2) setting out the Board's improvement plan for Council approval.

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**Resolved:**

- (i) It be noted that the report on the joint inspection of Tayside Police and Tayside Joint Police Board by Audit Scotland and Her Majesty's Inspectorate of Constabulary Scotland, together with the associated improvement plan, had been considered by the Board on 1<sup>st</sup> February 2010, and that the plan had been referred to the three constituent Councils for approval.
- (ii) The improvement plan as set out in Appendix A to Report 10/117 be approved.
- (iii) It be remitted to the Head of Democratic Services to develop and report back on options for membership of the Community Safety Committee and local Community Safety Partnership, considering this issue for both Tayside Joint Police and Tayside Fire and Rescue Boards.
- (iv) Minutes of meetings of the Tayside Joint Police and Tayside Fire and Rescue Boards be referred to the Community Safety Committee.
- (v) The Tayside Joint Police Board and the Chief Constable be invited to present their Annual Report for consideration by Perth and Kinross Council.

**125. AMENDMENT TO SCHEME OF ADMINISTRATION**

**Resolved:**

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

19 Executive Director (Education and Children's Services)

19.1.1 Children's Services

The Adoption (Scotland) Act 1978 be replaced by the Adoption and Children (Scotland) Act 2007

**126. APPOINTMENTS TO OUTSIDE BODIES**

(i) Perth Festival of the Arts

Motion (Councillors M Barnacle and A Jack)

Councillor A Jack replace Councillor E Maclachlan on the Perth Festival of the Arts.

**Amendment (Councillors I Miller and E Maclachlan)**

**Councillor J Coburn replace Councillor E Maclachlan on the Perth Festival of the Arts.**

Amendment – 32 votes

Motion – 4 votes

**Resolved:**

In accordance with the Amendment.

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**127. PROGRAMME OF MEETINGS**

Provost Hulbert requested the Council's agreement to amendments to the timetable of meetings.

**Resolved:**

- (i) In the event that the General Election is held on 6 May 2010 the Common Good Fund Committees and the Council Meeting scheduled to be held on 5 May 2010 be postponed to Tuesday 11 May 2010 at 1.00pm and 2.00pm respectively.
- (ii) A Special Council Meeting be held on 24 March 2010 at 2.00pm, with the Community Safety Committee scheduled for 2.00pm that day being held following the Special Council.

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