

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
28 SEPTEMBER 2011

## 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 28 September 2011 at 2.00pm.

Present: Provost J Hulbert; Councillors K Baird, P Barrett (from Article (Item 3) onwards), L Caddell, I Campbell, J Coburn, A Cowan, R Ellis, J Flynn, A Gaunt, C Gillies, A Grant, E Grant, T Gray, G Hayton, K Howie, A Jack, J Kellas, W Lumsden, M Lyle (up to and including Article (Item 8)), 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, M Williamson, W Wilson, A Wylie and A Younger.

In Attendance: B Malone (Chief Executive); I Innes, S Mackenzie, C Flynn, S Hendry, S Watson and A O'Brien (all Chief Executive's Service); D Burke, Executive Director (Housing and Community Care); J Fyffe, Executive Director (Education and Children's Service); J Valentine, Depute Director (Environment); H Stuart, F Mackay and M Cochlan (all Education and Children's Services).

Also Attending: C Wylie, Henderson Loggie; I Halliday, Horsecross; J Moyes and H Fairweather, Live Active Leisure; P Leslie.

Apologies: Councillors R Band, M Barnacle and H McDonald.

Provost Hulbert, Presiding

Prior to the commencement of business:

**(i) Local Government By-Election – Ward 4, Highland**

Provost Hulbert welcomed Councillor Michael Williamson to the Council and congratulated him on his recent success in the by-election for Ward 4, Highland.

**(ii) Royal Wedding Gift**

Provost Hulbert referred to the thank you letter received from the Earl and Countess of Strathearn in recognition of the gift of £500 to charity made by the Council on the occasion of their wedding on 29 April 2011.

**(iii) Britain in Bloom Awards**

Provost Hulbert referred to the recent success of Perth, Pitlochry and Comrie in winning gold medals in the Champion of Champions section of the Britain in Bloom Awards.

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**(iv) Perth City Status Bid**

Provost Hulbert made reference to the “Supporting Scotland’s Cities” conference that had taken place in Glasgow earlier in the day. The Deputy First Minister and Minister for Cities, Nicola Sturgeon MSP, had given her support and endorsement to Perth’s bid for city status during her speech at the conference, and had added her signature to Perth’s bid along with other conference delegates.

**THE PROVOST RULED THAT IN HIS OPINION THE FOLLOWING ITEM SHOULD  
BE CONSIDERED AS A MATTER OR URGENCY IN TERMS OF SECTION  
50(B)(4)(B) OF THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973**

**541. EXECUTIVE SUB-COMMITTEE OF THE ENVIRONMENT COMMITTEE**

**Resolved:**

- (i) Councillor T Gray be appointed to the Executive Sub-Committee of the Environment Committee.
- (ii) Councillor I Campbell replace Councillor H McDonald on the Executive Sub-Committee of the Environment Committee.

**542. DECLARATIONS OF INTEREST**

In terms of the Councillors’ Code of Conduct, Councillors J Coburn, A Jack, J Kellas, S Miller, H Stewart and W Wilson each declared a non-financial interest in Art. 549 in relation to Securing the Future for Leisure and Cultural Services.

**543. MINUTES**

The Minute of the Council Meeting of 29 June 2011 (Arts. 396-404) was submitted, approved as a correct record and authorised for signature.

**544. MINUTES OF COMMITTEES**

**Minutes of Committees from 22 June 2011 to 14 September 2011**

The decisions recorded in Arts. 378-395 and 405-525, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary, subject to the following amendments:

- (i) With reference to the minute of meeting of the Community Safety Committee of 7 September 2011, the minute to record that Councillor A Gaunt was substituting for Councillor W Robertson.
- (ii) With reference to the minute of meeting of the Environment Committee of 7 September 2011, Article 493(ii) be amended to read: “It be noted that consultation with local members had informed the selected sites”.

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- (iii) With reference to the minute of meeting of the Strategic Policy and Resources Committee of 14 September 2011, the minute to record Councillor J Flynn's apologies.

**545. MINUTES OF MEETINGS OF THE PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP**

The minutes of meetings of the Perth and Kinross Community Planning Partnership of 28 February and 20 May 2011 were submitted and noted.

**546. TREASURY ACTIVITY AND COMPLIANCE REPORT**

There was submitted a report by the Acting Head of Finance (11/495) (1) providing members with a summary of the Loans Fund transactions for the quarter ending 30 June 2011 and (2) 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 11/495, which was submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The revised amendment to the Treasury Management Roles and Responsibilities and limitations to Authority, as detailed in paragraph 5.1 and Appendix IV of Report 11/495, be noted.
- (iii) The proposed amendment to the Treasury Policy, as detailed in Section 6 of Report 11/495, be approved.

**547. AUDITED STATEMENT OF ACCOUNTS 2010/11**

There was submitted a report by the Acting Head of Finance (11/512) accompanying the Council's Audited Statement of Accounts for the financial year 2010/11.

C Wyllie from the Council's external auditors, Henderson Loggie, was in attendance to answer members' questions on the report.

**Resolved:**

- (i) The contents of Report 11/512 be noted.
- (ii) The Audited Statement of Accounts, as detailed in Report 11/512, be submitted to a future meeting of the Audit Sub-Committee for detailed consideration.
- (iii) The International Standard on Auditing (ISA 260), "Report to those charged with Governance on the Audit of Perth and Kinross Council", be submitted to a future meeting of the Audit Sub-Committee.
- (iv) The External Auditors' Report to Members and the Controller of Audit be submitted for consideration to the Council Meeting on 14 December 2011.

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**548. SINGLE OUTCOME AGREEMENT ANNUAL PERFORMANCE REPORT 2010/11**

There was submitted a report by the Chief Executive (11/496) providing an overview of how the Perth and Kinross Community Planning Partnership had performed against the Single Outcome Agreement 2009-2011 for the period 1 April 2010 to 31 March 2011.

**Resolved:**

The Single Outcome Agreement annual performance report 2010/11 be approved.

**549. SECURING THE FUTURE FOR CULTURE AND LEISURE SERVICES (Art. 404)**

There was submitted a report by the Executive Director (Education and Children's Services) (11/497) providing an update on the progress (1) of engagement with the Boards of Horsecross and Live Active Leisure (LAL) since the Council Meeting on 29 June 2011; and (2) in developing a new arm's length delivery model for Culture and Leisure Services; and (3) seeking approval for a range of proposals including a move to sole member status for the companies, with the Council as the sole member for both Horsecross and LAL, as well as increasing the collaboration across both organisations.

**Resolved:**

- (i) The positive progress in developing a new arm's length delivery model for culture and for leisure services, as detailed in Report 11/497, be noted.
- (ii) The willingness of the Boards of both Horsecross and Live Active Leisure to consider supporting a move to a two organisation sole member delivery model, with the Council as the sole member of both organisations, be noted.
- (iii) The Executive Director (Education and Children's Services) and Head of Legal Services be instructed to work with the Boards of Horsecross and LAL to put into effect the proposals detailed in Section 5 of Report 11/497;
- (iv) The Executive Director (Education and Children's Services) be instructed to report back to the Council on further progress by September 2012.

COUNCILLOR M LYLE LEFT THE MEETING AT THIS POINT.

**550. PROPOSED TAYPLAN GOVERNANCE REVIEW**

There was submitted a report by the Executive Director (Environment) (11/498) seeking to ratify the decision of the Joint Committee of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority (SDPA) to approve the Proposed TAYplan Governance Review.

**Resolved:**

- (i) The decision of the TAYplan Joint Committee to approve the Proposed TAYplan Governance Review be ratified.
- (ii) The decision to amend the Minute of Agreement, as set out in Sections 6-9 of Report 11/498, be approved.

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- (iii) The decision to amend the Joint Committee's Scheme of Delegation, as set out in Sections 10-12 of Report 11/498, be approved.
- (iv) The decision to amend the Joint Committee's Financial Regulations, as set out in Section 13 of Report 11/498, be approved.

**551. APPOINTMENTS TO COMMITTEE**

**(i) Environment Committee**

**Resolved:**

Councillor M Williamson be appointed to the Environment Committee to replace Councillor P Mulheron.

**(ii) Scrutiny Committee**

**Resolved:**

Councillor A Younger be appointed to the Scrutiny Committee to replace Councillor D Scott.

**552. APPOINTMENTS TO OUTSIDE BODIES**

**(i) Heartland Radio Foundation Ltd**

**Resolved:**

Councillor K Howie be appointed to the Heartland Radio Foundation Ltd.

**(ii) Rannoch and Tummel Community Venture**

**Resolved:**

Councillor M Williamson be appointed to the Rannoch and Tummel Community Venture.

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