

COUNCIL MEETING

Minutes of Council Meeting held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 18 May 2005 at 2.00pm.

Present: Provost Scott, Councillors Baird, Barnacle Barr, Barrett, Caddell, Coburn, Cowan, Crabbie, Culliven, Doig, Dow, Flynn, Gillies, A Grant, E Grant, Hayton, Howie, Hulbert, Hunter, Lennie, Lloyd, Lumsden, Lyall, Mair, McDonald, McEwen, MacLellan, Miller, Mulheron, Robertson, D Scott, Simpson, Stewart and Young.

Also Attending: B Malone (Chief Executive), T Yule and J Dean (both Chief Executive's); A R McArthur (Executive Director - Corporate Services), G Taylor and C Irons (both Corporate Services); G Waddell (Executive Director - Education & Children's Services); D Roberts (Executive Director - Housing & Community Care); R Bean (Planning & Transportation) and B Ronald (Environment Services)

Provost Scott, Presiding.

373. DECLARATIONS OF INTEREST

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

374. MINUTES OF PREVIOUS MEETINGS

(a) Council Meeting of 23 March 2005

The Minutes of the Council Meeting of 23 March 2005 (Arts. 244-254) were submitted, approved as a correct record and authorised for signature.

(b) Special Council Meeting of 20 April 2005

The Minutes of the Special Council Meeting of 20 April 2005 (Arts. 299-300) were submitted, approved as a correct record and authorised for signature.

375. NOTICE OF MOTION IN TERMS OF STANDING ORDER 20

Fairtrade Status to the County of Kinross

In terms of Standing Order 20, the Council considered a Motion by Councillors Robertson and Hayton. The Proposer, with the agreement of the Seconder, detailed an amendment to the Motion as detailed at paragraph (iii) below

Resolved:

Perth and Kinross Council resolves to (i) achieve Fairtrade status for the county of Kinross, (ii) if granted, as part of the Kinross-shire branding strategy that signs will be erected at the main entrances to the county advising that it is the first Fairtrade county in Scotland and (iii) to support the principles of Fairtrade.

376. MINUTES OF COMMITTEES

Minutes of Committees from 16 March 2005 to 4 May 2005.

The decisions recorded in Arts. 201-244, 255-298 and 301-348, copies of which had been circulated to all Members of the Council, were submitted and approved.

377. SCHEME OF ADMINISTRATION – PROPOSED AMENDMENTS

(a) Environment Services

Resolved:

- (i) Where the Scheme of Administration refers to the Executive Director (Environment Services), this be taken with immediate effect as a reference to the Executive Director (Planning and Transportation).
- (ii) With immediate effect, authority be delegated to the Executive Director (Planning and Transportation) to make orders under Section 14A of the Public Order Act 1986 and the Scheme of Administration be amended accordingly.

378. MEMBERSHIP OF COMMITTEES/APPOINTMENT OF CONVENERS

Motion (Councillors Doig and Miller)

- (1) **To approve the revised membership of the Standards and Scrutiny Committee and the Licensing Committee as follows:-**

Standards and Scrutiny Committee

Councillor Lloyd (Convener)
Councillor Ellis (Vice Convener)
Councillor Barrett
Councillor Coburn
Opposition Member
Opposition Member
Opposition Member

Licensing Committee

Councillor A Grant (Convener)
Councillor Mulheron (Vice Convener)
Councillor E Grant
Councillor Wilson
Opposition Member
Opposition Member
Opposition Member

- (2) **To request that the Opposition membership of these two Committees be confirmed with the Council Secretary as soon as possible.**
- (3) **To appoint Councillor John Lloyd as the Convener of the Standards and Scrutiny Committee.**
- (4) **To appoint Councillor Alan Grant as the Convener of the Licensing Committee.**
- (5) **To appoint Councillor Peter Mulheron as the Vice-Convener of the Licensing Committee.**
- (6) **To note that for the time being Councillor Mulheron will not take up the Special Responsibility Allowance payable in respect of the office of Vice-Convener of the Licensing Committee.**

Amendment (Councillors MacLellan and Stewart)

- (1) To approve the revised Administration membership of the Standards and Scrutiny Committee and the Licensing Committee as noted above.
- (2) To request that the Opposition membership of these two Committees be confirmed with the Council Secretary as soon as possible.
- (3) To retain Councillor Lennie as the Convener of the Standards and Scrutiny Committee.
- (4) To retain Councillor McDonald as the Convener of the Licensing Committee.
- (5) To retain Councillor McEwen as the Vice-Convener of the Licensing Committee.
- (6) To agree that there be no change with regard to the payment of Special Responsibility Allowances.

A roll call having been requested:

13 Members voted for the Amendment as follows:

Councillors Baird, Cowan, Crabbie, Dow, Flynn, Gillies, Lennie, Mair, McDonald, McEwen, MacLellan, Stewart and Young.

21 Members voted for the Motion as follows:

Councillors Barr, Barrett, Caddell, Coburn, Culliven, Doig, A Grant, E Grant, Hayton, Howie, Hulbert, Hunter, Lloyd, Lumsden, Lyall, Miller, Mulheron, Robertson, D Scott, Provost R Scott and Councillor Simpson.

Councillor Barnacle abstained.

Resolved:

In accordance with the Motion.

379. MEMBERSHIP OF LICENSING BOARD

Resolved:

Councillor Jack Coburn replace Councillor Peter Mulheron on the Licensing Board.

380. APPOINTMENTS TO EXTERNAL BODIES

(a) Perth and Kinross Leisure

Resolved:

Councillor Bob Ellis replace Councillor James Doig as a member of Perth and Kinross Leisure.

(b) Tayside Valuation Joint Board

Resolved:

Councillor Peter Mulheron replace Councillor Lorraine Caddell on the Tayside Valuation Joint Board.

(c) Tayside Contracts Joint Committee

Resolved:

Councillor Lewis Simpson replace Councillor Lorraine Caddell on the Tayside Contracts Joint Committee.

(d) Perth Prison Visiting Committee

Resolved:

Councillor Margo Lennie be appointed as a member of the Perth Prison Visiting Committee.

(e) Scottish Enterprise Tayside Board

Resolved:

Councillor Alan Livingstone replace Councillor Sandy Bushby on the Scottish Enterprise Tayside Board.

381. THE SMOKING HEALTH AND SOCIAL CARE (SCOTLAND) ACT 2005 – (PROHIBITION OF SMOKING IN CERTAIN PREMISES) REGULATIONS 2005: DRAFT CONSULTATION DOCUMENT

Resolved:

Consideration of this item be deferred to the Housing and Health Committee on 25 May 2005.