

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
23 February 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 23 February 2011 at 2.00pm.

Present: Provost J Hulbert; Councillors K Baird, B Band, P Barrett, L Caddell, I Campbell, A Cowan, R Ellis, J Flynn, C Gillies, A Grant, E Grant, T Gray, G Hayton, K Howie, A Jack, J Kellas, W Lumsden, K Lyall, E Maclachlan, A MacLellan, H McDonald, I Miller, S Miller, 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, J Symon, G Fogg, C Flynn, J Jarvie and M Kay (all Chief Executive's Service); D Burke, Executive Director (Housing and Community Care); J Gilruth (Housing and Community Care); J Fyffe, Executive Director (Education and Children's Services); and J Valentine and R Bean (The Environment Service).

Also Attending: Mr A Davidson, Independent Chair of Adult Protection Committee; Chief Superintendent C Suttie, Tayside Police; R Drummond, Child Protection Inter-Agency Coordinator; N Ritchie, Children's Reporter and J Flynn, Head of Primary Care, Tayside Community Health Partnership.

Apologies: Councillors M Barnacle, J Coburn, A Gaunt, M Lyle, D Melloy, P Mulheron, M Roberts and W Robertson.

Provost Hulbert, Presiding

In terms of Standing Order 19, the Council unanimously agreed to change the order of business on the agenda.

101. DECLARATIONS OF INTEREST

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

102. MINUTES

The Minute of the Council Meeting of 15 December 2010 (Arts. 682-697/10) was submitted, approved as a correct record and authorised for signature, subject to noting the date of the Council being 15 December 2010.

103. NOTICE OF MOTION IN TERMS OF STANDING ORDER 26 – LEUCHARS AND LOSSIEMOUTH AIRBASE CAMPAIGNS

In terms of Standing Order 26, the Council considered and agreed the following Motion by Provost J Hulbert and Depute Provost W Wilson.

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This Council recognises the strength and justice of the campaigns by the communities of Fife and Moray, to support the retention of the Royal Air Force bases at Leuchars and Lossiemouth.

Council further recognises that an equitable distribution of defence expenditure across the United Kingdom would ensure the retention of both bases.

Given the economic impact that these closures would have on their surrounding areas, we in Perth and Kinross Council, offer our full support to both campaigns.

Resolved:

It be remitted to the Provost to write to both Fife and Moray Councils notifying them of Perth and Kinross Council's support for their campaigns to support the retention of the Royal Air Force Bases at Leuchars and Lossiemouth.

104. MINUTES OF COMMITTEES

Minutes of Committees from 8 December 2010 to 9 February 2011

The decisions recorded in Arts. 642-681/10 and 1-74, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

105. WEDDING GIFT TO HRH PRINCE WILLIAM AND MISS CATHERINE MIDDLETON

The Council was asked to consider the presentation of a suitable gift to mark the occasion of the wedding of HRH Prince William and Miss Catherine Middleton at Westminster Abbey on Friday 29 April 2011.

Resolved:

It be delegated to the Chief Executive in consultation with Provost Hulbert to make a gift of £500 to charity.

106. PERTH AND KINROSS CHILD PROTECTION COMMITTEE – STANDARDS AND QUALITY REPORT 2009/10

Provost Hulbert welcomed Mr Alex Davidson, Independent Chair of the Adult Protection Committee, Chief Superintendent Craig Suttie of Tayside Police, Ross Drummond, Child Protection Inter-Agency Coordinator, Mrs Norma Ritchie, Children's Reporter and Ms Julie Flynn, Head of Primary Care, Tayside Community Health Partnership, to the meeting.

There was submitted a joint report by the Chief Executive, Executive Director (Education and Children's Services) and Chair of the Child Protection Committee (11/69) providing an overview of the self-evaluation of child protection activity for the year 2009/10.

In response to members' questions:

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(1) Chief Superintendent Suttie provided information on police resources available for protecting the vulnerable and on the move to embed greater awareness in frontline policing in recognising children affected by parental substance abuse and domestic abuse; (2) R Drummond reported on the focus on multi-interagency training in relation to children living with a range of increased vulnerability risks, with the message being “it is everyone’s job”, and on the assessment of the impact of training in the workplace; (3) N Ritchie highlighted that staff also dealt with children suffering emotional abuse and parents who were difficult to engage with or hostile; and (4) J Flynn reported on the ongoing review of the unborn baby protocol undertaken on a multi-agency basis and advised that the final draft would be available on 17 March 2011.

Resolved:

The Annual Report for the Child Protection Committee be approved.

Provost Hulbert referred to the forthcoming retiral of Mrs Norma Ritchie and, on behalf of the Council, noted her contribution to the strong partnership working across agencies particularly links with Tayside Police and Social Work Services; he noted that many of the achievements being attributed under the national initiative of “Getting It Right for Every Child” had already been delivered in Perth and Kinross, including reducing the number of children requiring compulsory measures of care, as a result of the close working arrangements between Mrs Ritchie and colleagues across community partners; he thanked her for her active involvement in strategic planning for children’s services across Perth and Kinross and wished her well for the future.

R DRUMMOND AND N RITCHIE LEFT THE MEETING AT THIS POINT.

107. PERTH AND KINROSS ADULT PROTECTION COMMITTEE – BIENNIAL REPORT 2008 – 2010

There was submitted a report by the Executive Director (Housing and Community Care) (11/68) advising the Council of the Adult Protection Committee Biennial Report on adult support and protection activities within Perth and Kinross, as required of all Adult Protection Committees in Scotland.

Mr A Davidson, Independent Chair of the Perth and Kinross Adult Protection Committee noted that the issue of abuse of adults at risk was, like child protection, an issue for all and commended Perth and Kinross Council for introducing a multi-agency approach many years previously.

He reported further that, following the introduction of the Adult Support and Protection (Scotland) Act 2007, there was a wider understanding of a range of abuse towards adults at risk, and advised that the focus of the Committee had been initially on awareness raising; in understanding the issues; what responses should be; and how duties and powers within the Act should be utilised. He outlined the route for referrals, training, collation of data and the measurement of outcomes.

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In response to members' questions on the transition from Child Protection to Adult Protection, he advised that the age of the individual was not the best measure and that there would be cooperation with Child Protection colleagues to ensure that needs were met. J Gilruth further advised on the differing needs which required to be identified and on parallel systems developed. It was noted that members had had the opportunity to attend a presentation the previous day on both Adult and Child Protection.

In response to members' questions in relation to (1) a query on the percentage of referrals under Adult Protection procedures in Perth and Kinross, D Burke agreed to determine the accuracy of the figure included in the report; (2) which areas elected members should focus on, D Burke suggested that members may wish to consider governance issues, scrutiny, and resources to be applied to public protection with a move to "Getting It Right for Every Person"; (3) whether the current financial situation had increased financial harm, J Gilruth advised that information was currently being collated in cooperation with the Public Guardian; highlighted, in addition to misappropriation of funds, the issue of consumer protection scams, and noted that statutory powers were now available to address these; (4) as to the possibility of window stickers being made available to vulnerable people at home requiring help, D Burke suggested that there may be a preferable way to develop this suggestion with media colleagues without increasing risk; and (5) the relative incidence of harm at home and in care homes, Chief Superintendent Suttie explained the approach taken by Tayside Police in identifying risk. Councillor Caddell noted that, with raised awareness of individuals vulnerability, it may assist in reducing risk.

Resolved:

The Council affirm the Perth and Kinross Adult Protection Committee's Biennial Report 2008-2010.

COUNCILLOR L CADDELL, CHIEF SUPERINTENDENT C SUTTIE AND J FLYNN LEFT THE MEETING AT THIS POINT.

108. TREASURY ACTIVITY AND COMPLIANCE REPORT

There was submitted a report by the Head of Finance (11/70) (1) providing a summary of the Loans Fund transactions for the quarter ending 31 December 2010 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 content of Report 11/70 submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The proposed revised Operational Boundary for each of the years 2010/11 to 2014/15 be approved, as described at Section 8.1 and detailed at Appendix IV of Report 11/70.

109. ANNUAL TREASURY AND INVESTMENT STRATEGY AND PRUDENTIAL AND TREASURY MANAGEMENT INDICATORS 2011/12 – 2014/15

There was submitted a report by the Head of Finance (11/71) detailing the Council's proposed Treasury Strategy and activities, the Prudential and Treasury Management Indicators for the four financial years 2011/12 to 2014/15, and the Annual Investment and Property Strategy for 2011/12.

Resolved:

- (i) The four year Treasury Strategy for 2011/12 to 2014/15, as detailed in Report 11/71, submitted in accordance with the Council's approved Treasury Management practices, be approved.
- (ii) The Annual Investment and Property Investment Strategy for 2011/12, as outlined at Sections 6 and 7 and detailed at Appendix III of Report 11/71, be approved.
- (iii) The Prudential and Treasury Management Indicators for 2011-12 to 2014/15, outlined at Section 10 and detailed at Appendix IV of Report 11/71, be approved.

110. IMPLEMENTATION OF SCOTTISH GOVERNMENT PROPOSALS ON COMMUNITY COUNCILS – OUTCOME OF STATUTORY PUBLIC CONSULTATION EXERCISE (ART. 671/09)

There was submitted a report by the Head of Democratic Services (11/72) updating members on the statutory public consultation exercise on the proposed amendment to the Scheme of Establishment of Community Councils, Constitution, Standing Orders, Code of Conduct and community council boundaries for the Perth and Kinross area.

Resolved:

- (i) The amended Scheme of Establishment of Community Councils for the Perth and Kinross Council area as submitted for consultation be adopted.
- (ii) The amended Constitution and Standing Orders as submitted for consultation be adopted.
- (iii) The complaints system on alleged breaches of the Code of Conduct as submitted for consultation be adopted.
- (iv) The amendments to the community council boundaries, as submitted during the statutory consultation process, be adopted and it be remitted to the Head of Democratic Services to continue to consult with elected members and community councils on any further ongoing minor boundary adjustments and agree a resolution to these.
- (v) The arrangements for the future provision of financial support for community councils as set out in paragraph 3.4 of Report 11/72 be agreed. (See Note)
- (vi) It be remitted to the Head of Democratic Services to determine arrangements for community councils to access photocopying facilities in suitable Council premises, together with the provision of any other future support for community councils.

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***Note:** Councillor Vaughan requested that further consideration be given to restricting administration grants for those community councils holding reserves, but failed to secure agreement.

111. 2012 DIAMOND JUBILEE CIVIC HONOURS COMPETITIONS “PERTH – THE FAIR CITY”

There was submitted a report by the Head of Democratic Services (11/73) seeking agreement on the defined area which would form the basis of the application for city status for Perth in accordance with the entry guidelines for the 2012 Diamond Jubilee civic honours competitions.

Resolved:

The area defined on the map attached at Appendix 1 to Report 11/73 be agreed as the distinct area which would form the basis of the application for city status for Perth, whilst noting this had no bearing on planning matters.

112. SCOTTISH VETERANS CHARTER

There was submitted a letter dated 8 December 2010 from the Scottish Parliament Cross Party Group on Supporting Veterans (11/74) requesting the Council to consider adopting a formal Veterans Charter.

Resolved:

Perth and Kinross Council adopt the formal Veterans Charter appended to the letter dated 8 December 2010 from Jeremy Purvis MSP.

113. SCOTLAND – MALAWI PARTNERSHIP – INVITATION TO TAKE UP MEMBERSHIP

The Council noted an invitation had been received for Perth and Kinross Council (1) to become a member of the Scotland – Malawi Partnership, a registered charity which existed to support, coordinate and develop civil society links between Scotland and Malawi, membership of which was free of charge and (2) to nominate an elected member to act as a contact for the Partnership.

Resolved:

- (i) The Council become a member of the Scotland – Malawi Partnership.
- (ii) Councillor Wylie be nominated to act as a contact for the Partnership.

114. APPOINTMENTS TO OUTSIDE BODIES

- (i) **Perth Bike Station – Recycle to Cycle Ltd**

Resolved:

Councillor Lewis Simpson be nominated to become a member of the Board of Trustees of Recycle to Cycle Ltd.

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(ii) Kinloch Rannoch Village Hall Trust

Motion – (Councillor I Miller and G Hayton)

Councillor K Howie be appointed, as the elected member from Ward 4, as a Trustee to replace Councillor K Lyall on the Kinloch Rannoch Village Hall Trust.

Amendment – (Councillor A Stewart and B Vaughan)

Councillor I Campbell be appointed, as the elected member from Ward 4, as a Trustee to replace Councillor K Lyall.

Amendment – 8 votes

Motion – 19 votes

Resolved:

In accordance with the Motion.

115. VALEDICTORY

(i) Roland Bean, Head of Planning

Provost Hulbert referred to the forthcoming retirement of Roland Bean, Head of Planning, after 33 years as an officer in Perth and Kinross, highlighted his involvement in the many major projects completed during that period, and, on behalf of the Council, thanked him for his considerable contribution and wished him well in his retirement.

(ii) Julia Mackay, Corporate Communications Manager

Provost Hulbert referred to the departure of Julia Mackay who was leaving to take up another post in Edinburgh and thanked her for her contribution, particularly with her assistance with the city status bid.

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