

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
23 MAY 2012

## COUNCIL MEETING

Minute of Council Meeting in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 23 May 2012 at 2.00pm.

Present: Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock, I Campbell, J Coburn, A Cowan, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacobazzi, C Gillies, A Grant, E Grant, T Gray, K Howie, A Jack, J Kellas, G Laing, A Livingstone, M Lyle, E Maclachlan, A MacLellan, D Melloy, I Miller, D Pover, M Roberts, W Robertson, C Shiers, L Simpson, A Stewart, H Stewart, B Vaughan, G Walker, M Williamson, W Wilson, and A Younger.

Also Attending: B Malone (Chief Executive); I Innes (Head of Legal Services); G Taylor (Head of Democratic Services); S Mackenzie (Acting Head of Finance) and M Kay (All Chief Executive's), D Burke (Executive Director – Housing and Community Care); J Walker Depute Director J Fyffe (Executive Director – Education and Children's Services); J Valentine (Executive Director (Environment), B Renton Depute Director, and staff from Democratic Services.

Apology for Absence: Councillor A Munro

Returning Officer – Chairman

### 213. INTERIM CHAIR OF MEETING

In terms of the Local Government etc (Scotland) Act 1994, B Malone, Returning Officer, took the Chair.

B Malone advised that a request had been received to film the installation of the new Provost and, in terms of Standing Order 13, the Council agreed to allow the proceedings to be filmed up until the point that the Convener of the Council had been elected and took the Chair.

### 214. DECLARATIONS OF INTEREST

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

### 215. RETURN OF MEMBERS OF THE COUNCIL

The Returning Officer reported that the following persons had been elected to the Perth and Kinross Council for the ensuing five years: -

#### Ward 1 – Carse of Gowrie

Councillor Douglas Pover  
Councillor Mac Roberts  
Councillor Gordon Walker

#### Ward 2 – Strathmore

Councillor Alan Grant  
Councillor Dennis Melloy  
Councillor Ian Miller  
Councillor Lewis Simpson

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**Ward 3 – Blairgowrie & Glens**

Councillor Bob Ellis  
Councillor Elizabeth Grant  
Councillor Caroline Shiers

**Ward 4 – Highland**

Councillor Ian Campbell  
Councillor Kate Howie  
Councillor Mike Williamson

**Ward 5 – Strathtay**

Councillor John Kellas  
Councillor Grant Laing  
Councillor Barbara Vaughan

**Ward 6 – Strathearn**

Councillor Rhona Brock  
Councillor Ann Cowan  
Councillor Anne Younger

**Ward 7 – Strathallan**

Councillor Ann Gaunt  
Councillor Tom Gray  
Councillor Murray Lyle

**Ward 8 – Kinross-shire**

Councillor Michael Barnacle  
Councillor Dave Cuthbert  
Councillor Joe Giacobazzi  
Councillor Willie Robertson

**Ward 9 – Almond and Earn**

Councillor Henry Anderson  
Councillor Alan Jack  
Councillor Alan Livingstone

**Ward 10 – Perth City South**

Councillor Bob Band  
Councillor Alistair Munro  
Councillor Alexander Stewart  
Councillor Willie Wilson

**Ward 11 – Perth City North**

Councillor Dave Doogan  
Councillor John Flynn  
Councillor Callum Gillies  
Councillor Elspeth MacLachlan

**Ward 12 – Perth City Centre**

Councillor Peter Barrett  
Councillor Jack Coburn  
Councillor Archie MacLellan  
Councillor Heather Stewart

**216. ELECTION OF CONVENER OF THE COUNCIL**

Councillor Liz Grant was unanimously elected as Provost of Perth and Kinross Council for the period to May 2017, being the next scheduled ordinary election of the Council. Provost Grant was presented with the Chain of Office, took the Chair and thanked the Council for her election.

**217. DEPUTE CONVENER OF THE COUNCIL**

**Resolved:**

- (i) A Depute Convener of the Council be elected for the period to May 2017;
- (ii) Councillor Bob Band was unanimously elected as Depute Provost of Perth and Kinross Council.

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**218. POLITICAL DECISION MAKING STRUCTURES**

There was submitted a report by the Head of Democratic Services (12/193) on a way forward for a political decision-making structure for the Council.

In terms of Standing Order 42, a motion by Councillor Barrett, seconded by Councillor Robertson that the meeting be adjourned to allow members time to read a revised version of Appendix 6 to Report 12/193 which had been circulated at the meeting, was defeated.

**Resolved:**

- (i) The existing political decision-making structure be continued until the end of the current calendar year.
- (ii) Conveners, Vice-Conveners and Committee members be appointed in accordance with Paragraphs 3.1 and 3.2 of and Appendices 1A and IB to Report 12/193 as follows:

**Community Safety Committee**

- 1 Councillor D Pover  
(Convener)
- 2 Councillor J Coburn  
(Vice-Convener)
- 3 Councillor R Brock
- 4 Councillor J Giacobazzi
- 5 Councillor A Grant
- 6 Councillor G Laing
- 7 Councillor A Munro
- 8 Councillor A MacLellan
- 9 Councillor L Simpson
- 10 Councillor A Stewart
- 11 Councillor H Stewart
- 12 Councillor C Shiers
- 13 Councillor M Williamson

**Development Management Committee**

- 1 Councillor T Gray  
(Convener)
- 2 Councillor B Band  
(Vice-Convener)
- 3 Councillor H Anderson
- 4 Councillor M Barnacle
- 5 Councillor I Campbell
- 6 Councillor A Gaunt
- 7 Councillor J Giacobazzi
- 8 Councillor C Gillies
- 9 Councillor A Jack
- 10 Councillor J Kellas
- 11 Councillor A Livingstone
- 12 Councillor M Lyle
- 13 Councillor G Walker

**Enterprise and Infrastructure Committee**

- 1 Councillor J Kellas  
(Convener)
- 2 Councillor J Giacobazzi  
(Vice-Convener)
- 3 Councillor I Campbell
- 4 Councillor A Cowan
- 5 Councillor D Doogan
- 6 Councillor J Flynn
- 7 Councillor A Gaunt
- 8 Councillor T Gray
- 9 Councillor A Jack (**See Note 1**)

**Environment Committee**

- 1 Councillor A Grant  
(Convener)
- 2 Councillor M Williamson  
(Vice-Convener)
- 3 Councillor M Barnacle
- 4 Councillor R Brock
- 5 Councillor B Ellis
- 6 Councillor C Gillies
- 7 Councillor T Gray
- 8 Councillor G Laing
- 9 Councillor M Lyle

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- 10 Councillor G Laing
- 11 Councillor A Livingstone
- 12 Councillor W Robertson
- 13 Councillor A Younger

- 10 Councillor D Melloy
- 11 Councillor M Roberts
- 12 Councillor W Robertson
- 13 Councillor A Younger

**Housing and Health Committee**

- 1 Councillor D Doogan  
(Convener)
- 2 Councillor K Howie  
(Vice-Convener)
- 3 Councillor H Anderson
- 4 Councillor P Barrett
- 5 Councillor I Campbell
- 6 Councillor D Cuthbert
- 7 Councillor J Flynn
- 8 Councillor E Maclachlan
- 9 Councillor D Melloy
- 10 Councillor W Robertson
- 11 Councillor H Stewart
- 12 Councillor G Walker
- 13 Councillor M Williamson

**Licensing Committee**

- 1 Councillor J Coburn  
(Convener)
- 2 Councillor B Ellis  
(Vice-Convener)
- 3 Councillor R Brock
- 4 Councillor J Flynn
- 5 Councillor D Melloy
- 6 Councillor D Pover
- 7 Councillor M Roberts

**Lifelong Learning Committee**

- 1 Councillor B Band  
(Convener)
- 2 Councillor G Walker  
(Vice-Convener)
- 3 Councillor C Gillies
- 4 Councillor K Howie
- 5 Councillor G Laing
- 6 Councillor E Maclachlan
- 7 Councillor A Munro
- 8 Councillor D Pover
- 9 Councillor C Shiers
- 10 Councillor L Simpson
- 11 Councillor A Stewart
- 12 Councillor B Vaughan
- 13 Councillor W Wilson

**Scrutiny Committee**

- 1 Councillor A Stewart  
(Convener) **(See Note 2)**
- 2 Councillor B Vaughan  
(Vice-Convener)
- 3 Councillor M Barnacle
- 4 Councillor D Cuthbert
- 5 Councillor D Doogan
- 6 Councillor A MacLellan
- 7 Councillor A Younger

**Strategic Policy and Resources  
Committee**

- 1 Councillor I Miller\*  
(Convener)
- 2 Councillor A Grant  
(Vice-Convener)
- 3 Councillor B Band
- 4 Councillor P Barrett

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- 5 Councillor D Cuthbert
- 6 Councillor D Doogan
- 7 Provost E Grant
- 8 Councillor J Kellas
- 9 Councillor A Livingstone
- 10 Councillor A MacLellan
- 11 Councillor D Pover
- 12 Councillor M Roberts\*\*
- 13 Councillor C Shiers
- 14 Councillor A Stewart
- 15 Councillor W Wilson
- 16 Councillor A Younger

\* Leader of the Council

\*\* Leader of the Largest Opposition Party

**Perth Common Good Fund  
Committee**

- 1 Councillor B Band
- 2 Councillor P Barrett
- 3 Councillor J Coburn
- 4 Councillor D Doogan
- 5 Councillor J Flynn
- 6 Councillor C Gillies
- 7 Councillor A Grant
- 8 Councillor E Maclachlan
- 9 Councillor A MacLellan
- 10 Councillor I Miller
- 11 Councillor A Munro
- 12 Councillor A Stewart
- 13 Councillor H Stewart
- 14 Councillor W Wilson

**Abernethy Common Good Fund  
Committee (in abeyance)**

- 1 Councillor A Grant
- 2 Councillor A Jack
- 3 Councillor H Anderson
- 4 Councillor A Livingstone
- 5 Councillor I Miller

**Auchterarder Common Good  
Committee**

- 1 Councillor A Gaunt
- 2 Councillor A Grant
- 3 Councillor T Gray
- 4 Councillor M Lyle

**Aberfeldy Common Good Fund  
Committee**

- 1 Councillor I Campbell
- 2 Councillor A Grant
- 3 Councillor K Howie
- 4 Councillor I Miller
- 5 Councillor M Williamson

**Alyth Common Good Fund  
Committee**

- 1 Councillor A Grant
- 2 Councillor D Melloy
- 3 Councillor I Miller
- 4 Councillor L Simpson

**Blairgowrie Common Good Fund  
Committee**

- 1 Councillor R Ellis
- 2 Councillor A Grant
- 3 Provost E Grant
- 4 Councillor I Miller

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5 Councillor I Miller

5 Councillor C Shiers

**Coupar Angus Common Good  
Fund Committee**

- 1 Councillor A Grant
- 2 Councillor D Melloy
- 3 Councillor I Miller
- 4 Councillor L Simpson

**Crieff Common Good Fund  
Committee**

- 1 Councillor R Brock
- 2 Councillor A Cowan
- 3 Councillor A Grant
- 4 Councillor I Miller
- 5 Councillor A Younger

**Kinross Common Good Fund  
Committee**

- 1 Councillor M Barnacle
- 2 Councillor D Cuthbert
- 3 Councillor J Giacomazzi
- 4 Councillor A Grant
- 5 Councillor I Miller
- 6 Councillor W Robertson

**Pitlochry Common Good Fund  
Committee**

- 1 Councillor I Campbell
- 2 Councillor A Grant
- 3 Councillor K Howie
- 4 Councillor I Miller
- 5 Councillor M Williamson

(iii) Members of the Perth and Kinross Licensing Board be appointed as follows:

**Perth and Kinross Licensing Board**

- 1 Councillor H Anderson
- 2 Councillor B Band
- 3 Councillor R Brock
- 4 Councillor J Coburn
- 5 Councillor A Cowan
- 6 Councillor J Flynn
- 7 Councillor A Jack
- 8 Councillor D Melloy
- 9 Councillor M Roberts
- 10 Councillor A Younger

- (iv) the current provisions in relation to the Local Review Body be continued in accordance with Paragraphs 3.6 - 3.7 of Report 12/193 and Councillor M Lyle be appointed as Convener of the Local Review Body,
- (v) the current provisions in relation to the Pre-Determination Committee be continued in accordance with Paragraphs 3.8 - 3.9 of Report 12/193,
- (vi) the Police and Fire Reform Transitional Pathfinder Group be re-established, on the basis of the previous remit in accordance with Paragraphs 3.10 – 3.11 of and Appendix 2 to Report 12/193; and to appoint representatives to serve on the Group as follows:

**Police and Fire Reform Transitional Pathfinder Group**

- 1 Councillor Alexander Stewart
- 2 Councillor Archie MacLellan

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- 3 Councillor Douglas Pover
- 4 Councillor Bob Band
- 5 Councillor Willie Wilson

- (vii) Council representation on the Health and Social Care Integration Transition Board be continued, on the basis of the previous remit in accordance with Paragraphs 3.12 – 3.13 of and Appendix 3 to Report 12/193 and Councillors I Miller and Councillor D Doogan, Conveners of Strategic Policy and Resources Committee and Housing and Health Committee respectively, be appointed to serve on the Board;
- (viii) Members be appointed to the Community Planning Partnership at this time as follows and the appointment of members to the remaining community planning groups in accordance with Paragraph 3.14 of and Appendix 4 to Report 12/193 be deferred to the Council meeting to be held on 27 June 2012;

**Community Planning Partnership**

- 1 Councillor A Grant
- 2 Councillor I Miller
- 3 Councillor M Roberts (**See Note 3**)

- (ix) the appointment of external representatives on the Housing and Health Committee and the Lifelong Learning Committee be continued in accordance with Paragraphs 3.15 – 3.18 of Report 12/193;
- (x) the appointment of a non-Council member on the Audit Sub-Committee be considered as part of the review of the decision-making structure in accordance with Paragraphs 3.19 - 3.20 of Report 12/193;
- (xi) the Modernising Governance Member / Officer Working Group be re-established on the basis of the previous remit in accordance with Paragraphs 3.21 – 3.23 of and Appendix 5 to Report 12/193 and the following Council members be appointed to serve on the Group:

**Modernising Governance Member/Officer Working Group**

- 1 Councillor P Barrett
- 2 Councillor A Grant
- 3 Councillor A MacLellan
- 4 Councillor I Miller
- 5 Councillor M Roberts

- (xii) it be remitted to the Modernising Governance Member/Officer Working Group to consider options for models of political decision-making structures and to submit reports to the Council as the Group considers necessary on aspects of its work, but to submit a final report to the Council meeting on 12 December 2012 with recommendations for a structure to be implemented with effect from January 2013,
- (xiii) it be noted that the Council's Standing Orders and Scheme of Administration will be reviewed as part of the review of the decision-making structure and

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- that revised versions of these documents will be submitted as part of the final report to Council referred to at (xii) above;
- (xiv) the councillors' remuneration arrangements as set out in Appendix 6 as circulated be approved; **(See Note 4)**
  - (xv) the role profiles / descriptions related to councillors; councillors with significant additional responsibilities and council leaders, and the competencies framework, together with personal development plans, based on the competencies framework be continued, in accordance with Paragraphs 3.29 – 3.30 of and Appendix 7 to Report 12/193;
  - (xvi) the timetable of meetings for the remainder of the current calendar year in accordance with Paragraphs 3.34 – 3.35 of and Appendix 8 to Report 12/193 be approved.

**Note 1**

The decision above was reached on a division as follows:

**Motion (Councillors Miller and A Grant) – The membership of the Enterprise and Infrastructure Committee be as set out in Appendix 1B as circulated at the meeting.**

Amendment (Councillors Barnacle and Wilson) – Councillor Barnacle be appointed to the Enterprise and Infrastructure Committee in place of Councillor Jack.

Amendment 7 votes

Motion 21 votes.

**Note 2**

The decision above was reached on a division as follows:

**Motion (Councillors Miller and A Grant) – The membership of the Scrutiny Committee be as set out in Appendix 1B as circulated at the meeting, with Councillor A Stewart appointed as Convener.**

Amendment (Councillors Barnacle and Robertson) – Councillor Cuthbert be appointed as Convener of the Scrutiny Committee.

Amendment 8 votes

Motion 19 votes.

**Note 3**

The decision above was reached on a division as follows:

**Motion (Councillors Miller and A Grant) – The membership of the Community Planning Partnership be as set out in Appendix 4 as circulated at the meeting.**

Amendment (Councillors Wilson and Robertson) – Councillor Barrett be appointed to the Community Planning Partnership as the Opposition member in place of Councillor Roberts.

Amendment: 10 votes

Motion 11 votes



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**Note 4**

The decision above was reached on a division as follows:

**Motion (Councillors Miller and A Grant) – The councillors’ remuneration arrangements be as set out in Appendix 6 as circulated at the meeting.**

Amendment (Councillors Barrett and Wilson) – The Council continue with the existing remuneration arrangements with any review to be part of the review of the decision-making structure.

Amendment 7 votes

Motion 17 votes.

**219. APPOINTMENT OF REPRESENTATIVES TO PARTNER ORGANISATIONS AND OUTSIDE BODIES**

There was submitted a report by the Head of Democratic Services (12/194) on the appointment of representatives to a range of partner organisations and outside bodies.

**Resolved:**

The appointments as undernoted be approved, with the remainder of the appointments as detailed in Appendix 1 to Report 12/194 being considered at the next Council meeting on 27 June 2012.

|  |  |
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| CoSLA  | Councillors I Miller, A Grant, M Roberts and P Barrett                           |
| East of Scotland European Consortium   | Councillor J Kellas  |
| Forth Estuary Transport Authority  | Councillor J Giacobazzi  |
| Highland Reserve Forces and Cadets Association   | Councillor D Pover   |
| Scotland Excel Joint Committee   | Councillor J Kellas  |
| Scotland Malawi Partnership  | Councillor E MacLachlan  |
| Scottish Councils’ Committee on Radioactive Substances (S.C.C.O.R.S.)                          | Councillor A Younger   |
| Supporting Veterans in Scotland (Scottish Parliament Cross Party Group on Supporting Veterans) | Councillor K Howie   |
| UHI Millennium Institute Foundation  | Councillor B Vaughan   |
| Strategic Development Plan Authority Joint Committee (TAYplan)                                 | Councillors J Kellas, A Jack and T Gray  |
| Tayside Fire & Rescue Board  | Councillors D Pover, J Coburn, E MacLachlan, A Stewart, A Munro and W Wilson     |
| Tayside Joint Police Board   | Councillors D Pover, J Coburn, E MacLachlan, A Stewart, A MacLellan and W Wilson |
| Tayside Valuation Joint Board  | Councillors D Pover, E MacLachlan, A Stewart, A Munro and W Wilson               |
| Tayside Contracts Joint Committee  | Councillors G Walker, J Coburn, J  |

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|---|---|
|   | Giacopazzi, C Shiers, M Roberts and R Brock                               |
| Tayside & Central Scotland Transport Partnership (TACTRAN)        | Councillors J Kellas, A Livingstone and M Barnacle<br>Substitute – T Gray |
| Tayside Community Justice Authority                               | Councillors D Pover, A MacLellan<br>Substitutes – J Coburn, A Munro       |
| Dovetail Enterprises (1993) Limited                               | Councillor R Band   |
| Open Estate Prison Visiting Committee                             | Councillors D Pover and M Roberts   |
| Perth Prison Visiting Committee                                   | Councillors H Stewart   |
| Scottish Enterprise Tayside Regional Advisory Board               | Councillor J Kellas   |
| Tay District Salmon Fisheries Board                               | Convener of Perth Common Good   |
| Tay Estuary Forum   | Councillor G Walker   |
| Tay Landscape Partnership Steering Group                          | Councillor M Roberts  |
| The Tay Foundation  | Provost   |
| Carse of Gowrie Development Group                                 | Councillors D Pover and M Roberts   |
| Children's Panel Advisory Committee (Perth and Kinross)           | Councillors D Pover and B Vaughan   |
| David K Thomson Award Trust                                       | Provost   |
| Friends of Aschaffenburg – Management Committee                   | Provost and Councillor J Coburn   |
| Friends of Bydgoszcz - Management Committee                       | Provost and Councillor J Kellas   |
| Friends of Cognac - Management Committee                          | Provost and Councillor T Gray   |
| Friends of Haikou - Management Committee                          | Provost and Councillor J Coburn   |
| Friends of Pskov – Management Committee                           | Provost and Councillor E MacLachlan                                       |
| Highland Perthshire Communities Partnership – Executive Committee | Councillor K Howie  |
| Highland Perthshire Ltd (Board of Directors)                      | Councillor M Williamson   |
| Horsecross Perth Theatre and Concert Hall – Executive Committee   | Councillor H Anderson, M Roberts and W Wilson                             |
| J D Fergusson Arts Awards Trust                                   | Councillors J Coburn, A MacLellan   |
| Live Active Leisure Ltd   | Councillors J Coburn, G Laing and H Stewart                               |
| Morrison's Academy Board  | Councillor B Vaughan  |
| Moulin Kirk Trust   | Councillor K Howie  |
| Perth & Kinross Community Health Partnership Committee            | Councillors D Doogan, K Howie   |
| Perth & Kinross Countryside Trust – Executive Committee           | Councillors B Ellis and C Shiers  |
| Perth & Kinross Heritage Trust – Executive Committee              | Councillors A Younger and D Cuthbert                                      |
| Perth & Kinross Quality of Life Trust                             | Councillors J Coburn, C Gillies and H Stewart                             |
| Perth & Kinross Sports Council                                    | Provost and Councillors M Williamson, A Younger, G Laing and A Stewart    |
| Perth Academy War Memorial Bursary Trust                          | Councillor A Stewart  |
| Perth Airport Consultative Committee                              | Councillors A Grant and L Simpson   |

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| Perth Citizens Advice Bureau – Management Committee             | Councillor A Gaunt  |
| Perth Civic Trust – Executive Committee                         | Councillors J Coburn and W Wilson   |
| Perth Farmers Market Ltd  | Councillor T Gray   |
| Perth Festival of the Arts                                      | Councillors J Coburn and H Stewart  |
| Perthshire Area Tourism Partnership                             | Councillors T Gray, H Anderson and A Cowan  |
| Perthshire Public Art Trust                                     | Councillors B Band and J Kellas   |
| Pitlochry Civic Trust   | Councillor K Howie  |
| Recycle to Cycle - Perth Bike Station                           | Councillor M Williamson   |
| Scots Language Centre Association Limited – Executive Committee | Councillors K Howie   |
| Strathord Initiative Steering Group                             | Councillors B Vaughan and G Laing   |
| Thomas Barclay’s Trust  | Provost and Councillors J Coburn, D Pover, W Wilson, E McLachlan, B Band and D Doogan |
| Alyth, Meigle & District Nursing and Samaritan Association      | Councillor I Miller   |
| Blair Atholl and Struan Initiative                              | Councillor K Howie  |
| Comrie War Memorial Institute                                   | Councillor A Younger  |
| Dr Donald Duncan Bequest  | Councillors J Giacopazzi and W Robertson  |
| Hayfield Trust  | Councillor J Giacopazzi   |
| Heartland Radio Foundation Limited                              | Councillor K Howie  |
| Hope Park Trust – Smith Bequest                                 | Councillors B Ellis, A Grant, E Grant and C Shiers                                    |
| Innerpeffray Library  | Councillor A Cowan  |
| Kinloch Rannoch Village Hall Trust                              | Councillor M Williamson   |
| Laggan Park Playing Field, Comrie                               | Councillor A Younger  |
| Pitlochry Festival Theatre                                      | Councillors B Vaughan, J Kellas and K Howie   |
| Sharp Fund  | Councillor D Pover  |

**220. DATE OF NEXT COUNCIL MEETING**

**Resolved:**

In accordance with the approved timetable of meetings it was noted that the next meeting of the Council would be held on 27 June 2012 at 2.00pm.

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