

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
1 MAY 2013

## **COUNCIL MEETING**

Minute of meeting of Perth and Kinross Council in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 1 May 2013 at 2.00pm.

Provost E Grant, Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock , I Campbell, J Coburn, A Cowan, D Cuthbert, D Doogan, J Flynn, A Gaunt, J Giacobazzi, C Gillies, A Grant, T Gray, K Howie, A Jack, J Kellas, G Laing, A Livingstone, M Lyle, E Maclachlan, A MacLellan, D Melloy, I Miller, A Munro, D Pover, M Roberts, 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); G Taylor, J Symon, G Fogg, R Fry and S Hendry (all Chief Executive's Service); D Burke, Depute Chief Executive and Executive Director (Housing and Community Care); J Irons (Housing and Community Care); J Fyffe, Depute Chief Executive and Executive Director (Education and Children's Services); M Cochlan (Education and Children's Services); B Renton Depute Director (Environment) and D Littlejohn (The Environment Service).

Apologies for Absence: Councillors B Ellis and W Robertson.

Also in Attendance: S O'Hagan and N O'Connor (Audit Scotland, External Auditors); R Middlemiss (Scottish Fire and Rescue Service); Chief Superintendent H McPherson and Chief Inspector M Whitford (both Police Scotland).

Provost E Grant, Presiding.

### **279. DECLARATIONS OF INTEREST**

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

### **280. MINUTES**

#### **(a) Special Meeting of 14 February 2013**

The minute of the special meeting of the Council of 14 February 2013 (Arts. 92-95) was submitted, approved as a correct record and authorised for signature.

#### **(b) Meeting of 27 February 2013**

The minute of meeting of the Council of 27 February 2013 (Arts. 130-142) was submitted, approved as a correct record and authorised for signature.

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**281. MINUTES OF COMMITTEES**

**Minutes of Committees from 14 February 2013 to 17 April 2013**

The decisions recorded in Arts. 96-129 and 143-227, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

**282. PERTH CITY PLAN**

There was submitted a report by the Executive Director (Environment) (13/216) (1) providing the context for the development of the Perth City Plan, (2) summarising its contents and outlining the consultation process undertaken by the Council, (3) seeking approval for the plan and a logo for the City of Perth, and (4) noting the further requirement for a City of Perth Investment Plan as part of the work of the Scottish Cities Alliance.

**Resolved:**

- (i) The Perth City Plan, as detailed in Appendix 1 of Report 13/216, be approved.
- (ii) The actions detailed in Appendix 2 of Report 13/216, to deliver the overall vision contained within the Perth City Plan, be approved.
- (iii) The Executive Director (Environment) be instructed to bring forward a report detailing proposals for the establishment of a new City Development Board, including its remit and membership, to support the implementation of the plan.
- (iv) The City of Perth logo and guidance on its use, as detailed in Appendix 3 of Report 12/216, be approved.
- (v) The launch and content of the Invest in Perth website be noted.

**283. APPROVAL OF THE LOCAL FIRE AND RESCUE PLAN FOR PERTH AND KINROSS**

There was submitted a report by the Executive Director (Housing and Community Care) (13/217) introducing a Fire and Rescue Plan for Perth and Kinross.

R Middlemiss, Group Manager for the Perth and Kinross area, Scottish Fire and Rescue Service was in attendance and answered a number of members' questions on the plan.

**Resolved:**

The Local Fire and Rescue Plan for Perth and Kinross, as detailed in Appendix 1 to Report 13/217, be approved.

**284. APPROVAL OF THE LOCAL POLICING PLAN FOR PERTH AND KINROSS**

There was submitted a report by the Executive Director (Housing and Community Care) (13/218) introducing the Policing Plan for Perth and Kinross.

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Chief Superintendent H McPherson and Chief Inspector M Whitford from Police Scotland were in attendance and answered a number of members' questions on the plan.

**Resolved:**

The Local Policing Plan for Perth and Kinross, as detailed in Appendix 1 to Report 13/218, be approved.

**285. ASSURANCE AND IMPROVEMENT PLAN UPDATE – 2013-2016**

There was submitted a report by the Chief Executive (13/219) outlining the Assurance and Improvement Plan prepared by the Local Area Network of audit, inspection and regulation bodies to inform the Council of the strategic scrutiny activity planned for 2013 to 2016 based on an assessment of the Council's performance.

**Resolved:**

The Assurance and Improvement Plan for 2013-2016, as detailed in Report 13/219, be noted.

**286. RESPONDING TO CHALLENGES AND CHANGE – AUDIT SCOTLAND'S OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND 2013**

There was submitted a report by the Chief Executive (13/220) providing a summary of the Responding to Challenges and Change – Overview of Local Government in Scotland 2013, published by Audit Scotland in March 2013.

**Resolved:**

The contents of Responding to Challenges and Change – Overview of Local Government in Scotland 2013 by Audit Scotland be noted.

**287. IMPROVING COMMUNITY PLANNING IN SCOTLAND – AUDIT SCOTLAND REPORT**

There was submitted a report by the Chief Executive (13/221) providing a summary of Audit Scotland's 'Improving Community Planning in Scotland' report published in March 2013.

**Resolved:**

- (i) The contents of Report 13/221 be noted.
- (ii) The Chief Executive be instructed to submit the report to the Perth and Kinross Community Planning Partnership for its consideration of the findings and to inform the future development of community planning in Perth and Kinross.

**288. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2012/13 QUARTER 4**

There was submitted a report by the Head of Finance (13/222) providing a summary of Loans Fund transactions for the quarter ending 31 March 2013 and

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reporting on compliance with the Council's Treasury Management Policy Statement , Treasury Management Practices and the Investment Strategy for the same period.

**Resolved:**

- (i) The content of Report 13/222, submitted in accordance with the Council's approved Treasury Management Practices, be noted.
- (ii) The revised Treasury Management Organisation Chart and Roles and Responsibilities, as detailed in Section 5 and Appendix IV of Report 13/222, be noted.

**289. FIRE REFORM – TRANSITIONAL FINANCE ARRANGEMENTS**

There was submitted a report by the Head of Finance (13/223) advising members of the transitional financial arrangements which will apply to winding up the financial affairs of the Tayside Fire and Rescue Board.

**Resolved:**

The contents of Report 13/223 be noted.

**290. AUDIT COMMITTEE ROLE AND REMIT**

There was submitted a report by the Chief Internal Auditor (13/224) presenting the proposed role and remit of the Audit Committee for approval.

**Resolved:**

- (i) The proposed role and remit of the Audit Committee, as detailed in the appendix to Report 13/224, be approved.
- (ii) The Modernising Governance Member/Officer Working Group be remitted to consider whether the Audit Committee should have the flexibility to invite additional representation as is required to support its work, with the Head of Democratic Services to submit a report to the next meeting of the Council on 26 June 2013.

**291. EXECUTIVE DIRECTOR'S APPOINTMENTS SUB-COMMITTEE OF THE STRATEGIC POLICY AND RESOURCES COMMITTEE**

The Council was advised that David Burke, Depute Chief Executive and Executive Director (Housing and Community Care), intends to retire from the Council on 2 April 2014.

The Scheme of Administration provides for the establishment of an Executive Directors Appointments Sub-Committee of the Strategic Policy and Resources Committee comprising 4 members of the committee and the convener of the appropriate Committee, together with the Chief Executive. The appropriate convener would be the convener of the Housing and Health Committee, Councillor David Doogan.

**Resolved:**

Councillors D Doogan, I Miller, M Roberts, P Barrett and A MacLellan be appointed to the Executive Director's Appointments Sub-Committee.

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**292. CHANGES TO COMMITTEE MEMBERSHIP**

**(i) Scrutiny Committee**

**Resolved:**

Councillor A Munro be appointed to the Scrutiny Committee to replace Councillor A MacLellan.

**293. AMENDMENTS TO SCHEME OF ADMINISTRATION**

The following changes to the Scheme of Administration be agreed:-

**(i) Part 2 – Provisions Relating to Committees**

**10 Lifelong Learning Committee – Executive Sub-Committee**

Paragraph 10.3 – Amend to read:

Comprising five members of the Council and three non-Council members when considering educational matters.

**Terms of Reference**

It shall be delegated to the Sub-Committee:-

1. *to decide any matter which would normally be decided by the Committee, but which, be reason of urgency, requires to be decided prior to the next scheduled meeting of the Committee.*
2. *to consider Education Scotland reports on individual schools, pre-school partner providers and community learning;*
3. *to consider Care Inspectorate reports in relation to services for children and young people; care home services; fostering and adoption services; support services; housing support; and, by exception, on the day care of children, where Perth and Kinross Council is the registered provider and including partner providers.*

**11 Scrutiny Committee**

**Terms of Reference**

**Scrutiny of Service Delivery**

Paragraph 11.2 – Amend to read:

4. *To consider trends in Education Scotland reports on individual schools, pre-school partner providers and community learning*

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5. *To consider trends in reports on inspections carried out by the Care Inspectorate;*

(ii) Part 3 – Delegation to Officials

16 General Provisions Regarding Delegation to all Officials

Paragraph 16.8 – Amend to read 'The Chief Executive or any Executive Director is authorised to enter into contracts on behalf of the Council in accordance with the Council's Contract Rules *and Contract & Procurement Guidance.*'

24 Executive Director (Housing and Community Care)

Paragraph 24.11 – Additional paragraph – '*To exercise the functions on behalf of the Council in relation to the operation of the Tayside Procurement Consortium.*'

**294. APPOINTMENTS TO OUTSIDE BODIES**

(i) **Morrison's Academy Board**

Councillor M Lyle be appointed to the Morrison's Academy Board to replace Councillor B Vaughan.

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