

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
13 MAY 2015

COUNCIL MEETING

Minute of meeting of Perth and Kinross Council held in the Gannochy Suite, Dewars Centre, Glover Street, Perth on Wednesday 13 May 2015 at 2.00pm.

Present: Provost E Grant, Councillors H Anderson, R Band, R Brock , I Campbell, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacobazzi, 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, A Parrott, 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

In Attendance: B Malone, Chief Executive; J Fyffe, Depute Chief Executive and Executive Director (Education and Children's Services); J Valentine, Executive Director (Environment), B Renton and M Cochlan (the Environment Service); J Walker, Executive Director (Housing and Community Care); L Brady and K Fraser (both Housing and Community Care); G Taylor, I Innes, S Walker, J Jennings, C Flynn, S Hendry, L Potter and D Mitchell (all Chief Executive's Service).

Also attending: P Tate, Audit Scotland

Apologies for Absence: Councillors M Barnacle, P Barrett, A Cowan and C Gillies.

Provost E Grant, Presiding.

300. WELCOME AND APOLOGIES

Provost Grant welcomed all those present to the meeting, and apologies were submitted and noted as above. The Council welcomed Councillor A Parrott to his first meeting and congratulated him on his recent success in the by-election for Ward 12, Perth City Centre.

301. DECLARATIONS OF INTEREST

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

302. MINUTES

- (i) The minute of the special meeting of Perth and Kinross Council of 12 February 2015 (Arts. 97-103) was submitted, approved as a correct record and authorised for signature.
- (ii) The minute of the meeting of Perth and Kinross Council of 25 February 2015 (Arts. 134-159) was submitted, approved as a correct record and authorised for signature.

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- (iii) The minute of the special meeting of Perth and Kinross Council of 25 March 2015 (Arts. 194-197) was submitted, approved as a correct record and authorised for signature.

303. REQUEST FOR DEPUTATION

Provost Grant advised that a request for a deputation had been received in respect of Article 303, Notice of Motion, as follows:

- Mrs Amanda Kopel

In terms of Standing Order 59, the Council agreed to hear the deputation from Mrs Kopel.

304. NOTICE OF MOTION

Mrs Kopel addressed the Council on the proposal detailed in the Motion. Mrs Kopel answered a number of questions from members and thereafter withdrew to the public seating area.

Motion by Councillors W Wilson and A Gaunt.

This Council calls on the Chief Executive to write to the First Minister to introduce a 'Frank's Law' so that free personal care is extended to under 65's with dementia.

Resolved:

In accordance with the Motion.

305. MINUTES OF COMMITTEES

Minutes of Committees from 11 February 2015 – 22 April 2015

The decisions recorded in Arts. 81-96, 104-133, 160-193 and 198-263 copies of which had been circulated to all members of the Council were submitted and noted/approved as necessary. With reference to Article 249(1)(ii), Councillor B Band to be included in the list of 7 members who voted for the Motion.

306. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP

Resolved:

The briefing note by the Executive Lead Officer (15/180) providing an update on key areas of the Board's work for March – April 2015 was submitted and noted.

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307. TREASURY ACTIVITY AND COMPLIANCE REPORT 2014-15 QUARTER 4

There was submitted a report by the Head of Finance (15/181) (1) providing a summary of Loans Fund transactions for the quarter ending 31 March 2015; and (2) reporting on compliance with the Council's Treasury Management Policy Statement, Treasury Management Practices and the Investment Strategy for the same period.

Resolved:

The contents of Report 15/181, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

308. AUDIT SCOTLAND'S OVERVIEW OF LOCAL GOVERNMENT IN SCOTLAND REPORT 2015

There was submitted a report by the Chief Executive (15/182) highlighting the key messages of the Audit Scotland report "An Overview of Local Government in Scotland 2015" published in March 2015, and describing the Council's current position and future actions in relation to the key messages in the report.

Resolved:

- (i) The findings of the "Overview of Local Government in Scotland 2015" report and the Council's response to these challenges be noted.
- (ii) A further report be submitted by the Chief Executive on the Council's strategic capacity to deliver in the future.
- (iii) A report be submitted by the Chief Executive to the Council meeting on 1 July 2015 on the Council's Transformation Strategy for the medium term (2015-2020).

309. CHANNEL SHIFTING IN LOCAL TAXES

There was submitted a report by the Executive Director (Housing and Community Care) (15/183) providing an update on the channel shifting in local taxes project.

Resolved:

- (i) The progress made towards channel shifting in the Revenues and Benefits Service as detailed in Report 15/183 be noted.
- (ii) The future potential expansion of the service, as outlined in sections 4.2 and 4.3 of Report 15/183, be approved.

310. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – FIFTH REVIEW OF LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS – PROPOSALS FOR WARDS

There was submitted a report by the Head of Democratic Services (15/196) advising on the consultation by the Local Government Boundary Commission for Scotland on its proposals for wards in the Perth and Kinross Council area in relation to the Fifth Statutory Review of Electoral Arrangements by the Commission, and seeking the Council's views on the proposals.

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Resolved:

- (i) The proposals by the Local Government Boundary Commission for Scotland for wards for the Perth and Kinross Council area be noted.
- (ii) It be noted that there are no proposed changes to Ward 1 (Carse of Gowrie), Ward 6 (Strathearn), Ward 7(Strathallan) and Ward 10 (Perth City South).
- (iii) It be noted that there are no proposed changes to ward names.
- (iv) The proposed changes to ward boundaries by Aberfeldy, Bamff and Logierait, as suggested by the Council, be accepted.
- (v) The Council's preferred position is that it does not accept the proposals to reduce the number of councillors in Ward 8 (Kinross-shire) by 1 and to make changes to ward boundaries by Almondbank, Perth and north of Kinross, but agrees to maintain the Council's previous position that:
 - (a) given the GROS projected population increase for Perth and Kinross over the coming years, the Council feels that there is insufficient basis for a reduction in councillor numbers in Perth and Kinross and
 - (b) the Head of Democratic Services respond to the Local Government Boundary Commission for Scotland confirming the Council's view that the "status quo" of 41 elected members should be retained for Perth and Kinross Council.
- (vi) If the Commission remains of the view that the number of councillors in Perth and Kinross Council be reduced by 1, the Commission be urged to:
 - (a) take cognisance of the following factors in relation to the existing Ward 8 (Kinross-shire) boundaries:
 1. The interests of effective and convenient local Government:
 - i. The current proposal cuts 2 community council areas in half
 - ii. Ward 9 (Almond & Earn) Councillors would have 9 Community Councils to attend
 - iii. Three Community Councils could be attended by 7 Councillors
 2. Councillor Parity:
 - i. LGBCS figures indicate a 6.98% variation to the mean number of voters to Councillors under the existing proposal, using the existing methodology.
 - ii. Retaining the existing ward 8 boundary gives a 5.51% variation when increasing population is taken into account.
 3. Local Ties:
 - i. Kinross-shire is an ancient Scottish County with a strong sense of identity.
 - ii. All communities within the existing Ward 8 look to Kinross and Milnathort for their services (including administrative hub, local services and High School provision).
 4. Easily Identifiable Boundaries
 - i. The proposal takes the A91 as the northern boundary of ward 8. Whilst this is easily identifiable, it also cuts communities like Carnbo in half.
 - ii. The existing Boundary for ward 8 utilises the ridge line of the Ochils as the Boundary. This is easily identifiable and does not cut communities in half.
 5. Geographic reasons
 - i. The existing Ward 8 (Kinross-shire) is in a natural bowl formed by hills.

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- (b) Include the complete parish of Arngask in Ward 8 as currently a small area of this parish is in Ward 9 (Almond & Earn).
- (c) Give further consideration to proposed consequential changes to the boundaries of Wards 5 and 9 by Almondbank, Perth and north of Kinross.
- (vii) The Head of Democratic Services to respond to the Commission by 19 May 2015.

311. LOCAL SCRUTINY PLAN 2015/16

There was submitted a report by the Chief Executive (15/185) outlining the Local Scrutiny Plan (LSP) for Perth and Kinross Council, prepared by the Local Area Network of audit, inspection and regulation bodies, as part of the annual shared risk assessment process. The LSP outlines the strategic scrutiny activity planned for 2015/16, which is based on the national scrutiny programme for 2015/16.

Resolved:

The Local Scrutiny Plan 2015/16 be noted.

312. APPOINTMENTS TO COMMITTEES / SUB-COMMITTEES

(i) Licensing Committee

Resolved:

- (a) Councillor A Parrott be appointed to the Licensing Committee.
- (b) Councillor B Ellis be appointed Convener of the Licensing Committee.
- (c) Councillor D Pover be appointed Vice-Convener of the Licensing Committee.

(ii) Community Safety Committee

Resolved:

- (a) Councillor H Anderson be appointed to the Community Safety Committee.
- (b) Councillor E Maclachlan be appointed Vice-Convener of the Community Safety Committee.

(iii) Corporate Health, Safety and Wellbeing Consultative Committee

Resolved:

Councillor A Younger be appointed to the Corporate Health, Safety and Wellbeing Consultative Committee to replace Councillor D Pover.

313. APPOINTMENTS TO OUTSIDE BODIES

(i) Tayside Contracts Joint Committee

Councillor D Pover be appointed to the Tayside Contracts Joint Committee.

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(ii) **Friends of Aschaffenburg – Management Committee**

Councillor D Pover be appointed to the Friends of Aschaffenburg - Management Committee.

314. AMENDMENTS TO SCHEME OF ADMINISTRATION

Resolved:

The following changes to the Scheme of Administration be agreed:

Part 2 – General Provision Relating to Committees

2 General Provisions Regulating All Committees of the Council

Paragraphs 2.24 and 2.25 – to be removed

8 Housing and Health Committee

Paragraph 8.2.3 – Additional Paragraph:

To exercise the functions of the Council in terms of the Tobacco and Primary Medical Services (Scotland) Act 2010 and all related subordinate legislation.

12 Strategic Policy and Resources Committee

Paragraph 12.2.13 – Amend to read as follows:

Contracting, Tendering and Procurement

1. To consider reports relating to the activities of the Council's Corporate Procurement Team and Tayside Procurement Consortium.
2. To consider matters regarding tenders and contracts.

Part 3 – Delegation to Officials

23 Executive Director (Environment)

Paragraph 23.1.1 – Amend to include:

The Tobacco and Primary Medical Services (Scotland) Act 2010.

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