

## **SPECIAL COUNCIL MEETING**

Minute of special meeting of Perth and Kinross Council held in the Gannochy Suite, Dewars Centre, Glover Street, Perth on Wednesday 18 November 2015 at 2.00pm.

Present: Provost E Grant, Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock, I Campbell, D Cuthbert, D Doogan, B Ellis, J Flynn, A Gaunt, J Giacobazzi, C Gillies (up to and including Art.755), A Grant, T Gray, K Howie, A Jack, J Kellas, G Laing, E Maclachlan, A MacLellan, D Melloy (during consideration of Art.754), 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 and W Wilson.

In Attendance: B Malone, Chief Executive; J Fyffe, Senior Depute Chief Executive (Equality, Community Planning & Public Service Reform); J Walker, Depute Chief Executive (Corporate & Community Development Services); J Valentine, Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development); G Taylor, Y Oliver, L Potter, H Rheinallt, L Simpson and G Fogg (all Corporate and Democratic Services); B Renton, Director, S MacKenzie, S Crawford, D Littlejohn, P Marshall and B Murray (all The Environment Service)

Apologies for Absence: Councillors A Cowan, A Livingstone, M Lyle and A Younger.

Provost E Grant, Presiding.

### **752. WELCOME AND APOLOGIES**

Provost Grant welcomed all those present to the meeting, and apologies were submitted and noted as above.

### **753. DECLARATIONS OF INTEREST**

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

### **754. LOCAL DEVELOPMENT PLAN: MAIN ISSUES REPORT AND DEVELOPMENT PLAN SCHEME UPDATE**

There was submitted a report by the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) (15/534), seeking approval for (1) the publication of and consultation on a Main Issues Report (MIR) as a key stage in the preparation of the new Local Development Plan (LDP2), and (2) an updated Development Plan Scheme to reflect the consultation arrangements for the MIR.

#### **Statement by Provost on Procedural Points**

Prior to discussion, Provost Grant highlighted the following procedural points:

- (i) The Main Issues Report is not a draft Plan, but seeks views on which policy and development options could be included in the Proposed Local Development Plan (due to be published in September 2016).

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- (ii) Standing Order 43 provides that, where there is more than one amendment, the amendments require to be put against each other until only one amendment remains, and the vote is then taken between the motion and that amendment.
- (iii) In the context of the Council's consideration of the Main Issues Report, it is possible that amendments could come forward, all or parts of which are unrelated, and consequently, applying the terms of Standing Order 43 would not be appropriate. Accordingly, if that situation occurs, the requirements of Standing Order 43 will require to be suspended, and that unrelated amendments will be voted on on their individual merits.

**Consideration of Report 15/534**  
**General Introduction**

P Marshall, Strategy and Policy Manager, provided a brief summary of the Chapters in the Main issues Report and answered members' questions as follows -

- Chapter 1 – Introduction
- Chapter 2 – Vision and Objectives
- Chapter 3 – Main Issues:
  - Ø Main Issue 1 – Housing
  - Ø Main Issue 2 – Settlement Envelopes
  - Ø Main Issue 3 – Tay Eco-Valley
  - Ø Main Issue 4 – Green Belt
  - Ø Main Issue 5 – Perth City Plan
  - Ø Main Issue 6 – District Heating Networks/Heat Mapping
- Chapter 4 - Spatial Strategy
  - Ø Perth Area (including Greater Dundee Housing Market Area)
  - Ø Highland Perthshire Area
  - Ø Kinross-Shire Area
  - Ø Strathearn Area
  - Ø Strathmore and the Glens Area
- Policy RD5 Gypsy/Travellers' Sites

**Recommendations (i) & (ii)**  
**Motion (Councillors Miller and Kellas)**

- (i) The amendments proposed to the Development Plan Scheme including an update to the timetable, list of Supplementary Guidance and reference to the National Parks now being covered by their own Local Development Plan, be approved.
- (ii) The contents of the Monitoring Report on Local Development Plan 1 (LDP1) and the Main Issues Report Environmental Report and appendices to Report 15/534, be noted.

**Resolved:**

In accordance with the Motion

**Recommendation (iii)**

**Chapters 1 – 3**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

**Resolved:**

In accordance with the Motion

**Chapter 4 – Spatial Strategy – Perth Area (including Greater Dundee Housing Market Area)**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

Amendment 1 (Councillors Roberts and Pover)

In accordance with the Motion, but amend as follows:

- (i) The preferred site at Rosamunde Pilcher Drive for the allocation of an additional site in Longforgan to meet the housing land shortfall, be deleted.
- (ii) The preferred option to meeting the housing land shortfall be the allocation of land to the west of the village adjacent to Janet Forbes Avenue.

The Mover and Seconder of the Motion agreed that, following consideration of Amendment 1, the Motion be amended to include the above wording.

**Resolved:**

In accordance with the Motion as amended.

**Chapter 4 - Spatial Strategy - Highland Perthshire Area**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

**Resolved:**

In accordance with the Motion

**Chapter 4 – Spatial Strategy – Kinross-shire**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

Amendment 2 (Councillors Barnacle and Cuthbert)

In accordance with the Motion, with the following inclusion:

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- (i) The Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be requested to submit with the Proposed Plan a detailed report on the infrastructure capacity within Kinross-shire and its ability to support the level of growth identified in the Plan. Where capacity deficits have been identified, the nature of the deficit should be identified and a costed programme to address the deficit should be provided. In particular, the report will address the following issues:
- Drainage capacity
  - Schools capacity
  - Recreational demand and capacity
  - Health Service capacity
  - Cemetery capacity
  - Parking provision in Kinross/Milnathort and the key villages
  - § Public transport provision within Kinross-shire and connections to Perth and Edinburgh (including park & Ride provision)
    - The capacity and safety of the local road network including the A977

The Mover and Seconder of the Motion agreed that, following consideration of Amendment 2, the Motion be amended to include the above wording.

**Resolved:**

In accordance with the Motion as amended.

Amendment 3 (Councillors Barnacle and Giacopazzi)

The Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be requested to submit a report to a future meeting of the Enterprise & Infrastructure Committee on the feasibility of introducing spatial strategy housing section proposals for the Wider Kinross-shire area and to introduce a new proposal at Crook of Devon.

The Mover and Seconder of the Motion agreed that, following consideration of Amendment 3, the Motion be amended to include the above wording.

**Resolved:**

In accordance with the Motion as amended, and that it be remitted to the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) to undertake the Strategic Environmental Assessment on this proposal and report back to the Council as soon as practicable.

**Chapter 4 - Spatial Strategy – Strathearn Area**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

**Resolved:**

In accordance with the Motion

**Chapter 4 – Spatial Strategy – Strathmore and the Glens Area**

Amendment 4 (Councillors Shiers and Ellis)

- (i) The Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be requested to submit with the Proposed Plan a detailed report to a future meeting of the Enterprise & Infrastructure Committee on the infrastructure capacity within Blairgowrie and Rattray and its ability to support the level of growth identified in the Plan. Where capacity deficits have been identified, the nature of the deficit should be identified and a costed programme to address the deficit should be provided. In particular, the report will address the following issues:

- § Drainage capacity
- § Schools capacity
- § Recreational demand and capacity
- § Health Service capacity
- § Parking provision in Blairgowrie Town Centre
- § Cemetery capacity
- § Roads infrastructure capacity

The Mover and Seconder of the Motion agreed that, following consideration of Amendment 4, the Motion be amended to include the above wording.

**Resolved:**

In accordance with the Motion as amended.

**Policy RD5 Gypsy/Travellers' Sites**

**Motion (Councillors Miller and Kellas)**

**The Main Issues Report be approved and published for consultation.**

Amendment 5 (Councillors Giacobazzi and Barnacle)

The text on Page 4 of the Travelling People Policy be amended to accommodate a minor change to the Policy to reflect the need for an adequate separation distance from noise receptors where generators are a primary source of power and connection to the grid is not possible or intended.

The amendment would also require the deletion of the text on page 9 of the Policy Analysis (Appendix 1 to the MIR) which currently reads:

“The policy analysis highlights the need for further Supplementary Guidance relating to Policy RD5 Gypsy Travellers.”

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The Mover and Seconder of the Motion agreed that, following consideration of Amendment 5, the Motion be amended to include the above wording.

**Resolved:**

In accordance with the Motion as amended

**Recommendations (iv) - (vi)**

**Motion (Councillors Miller and Kellas)**

- (iv) The Head of Planning and Development be authorised to make changes to the format, appearance and technical details of the Main Issues Report and associated documents prior to the commencement of the public consultation exercise.
- (v) The Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be instructed to bring forward a report to a future meeting of the Enterprise and Infrastructure Committee on the results of the consultation on the Developer Contributions and Affordable Housing Supplementary Guidance.
- (vi) The Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be instructed to bring forward a report to a future meeting of the Enterprise and Infrastructure Committee on the revised programme and priorities for Supplementary Guidance.

**Resolved:**

In accordance with the Motion.

**755. COMMUNITY PLANNING: THE JOURNEY OVER THE NEXT FIVE YEARS**

There was submitted a joint report by the Senior Depute Chief Executive (Equality, Community Planning and Public Service Reform) and the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) (15/535), setting out recommended changes to the governance and delivery arrangements for the Community Plan 2013-23, at both strategic and local level.

**Resolved:**

- (i) The continued progress of the Public Service Reform agenda in Scotland, be noted.
- (ii) The new duties required of Community Planning Partnerships resulting from the Community Empowerment (Scotland) Act 2015, as detailed in Appendix 2 to Report 15/535 be noted.
- (iii) The proposed changes to operating principles and CPP Governance arrangements as set out in Report 15/535, be approved.
- (iv) The Senior Depute Chief Executive (Equality, Community Planning and Public Service Reform) and the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be instructed to –
  - (a) complete consultation with ward members on locality areas by December 2015 and to report back to the next meeting of the Council on 16 December 2015;

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- (b) submit regular update reports thereafter to the Modernising Governance Member/Officer Working Group.
- (v) The Senior Depute Chief Executive (Equality, Community Planning and Public Service Reform) and the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) be instructed to implement these changes with effect from April 2016 and provide a further progress update to Council in October 2016.

**756. PERTH OFFICE PROGRAMME**

There was submitted a report by the Depute Chief Executive (Sustainability, Strategic and Entrepreneurial Development) (15/536), (1) providing an update on progress with the Perth Office Programme, (2) advising the Council on the delivery of the approved refurbishment of 2 High Street and setting out options for the location of the Council Chambers; and (3) considering the possible future role of the Council's offices at 1-5 High Street in the context of the Corporate Property Asset Management Review approved as part of the Council's Transformation Strategy.

**Motion (Councillors Miller and A Grant)**

- (i) The contents of Report 15/536, be noted.
- (ii) The recommendation to make no change at this time to Elected Member accommodation on Floor 4 of 2 High Street with the exception of essential maintenance works, as set out in Paragraphs 2.1 to 2.3 of Report 15/536, be approved.
- (iii) The recommendation to relocate the Council Chambers from Floor 4 to the Ground Floor of 2 High Street, together with associated works to Floor 4 of the building at an estimated additional cost of £850,000, as set out in Paragraphs 3.11 to 3.24 of Appendices B and C to Report 15/536, be approved.
- (iv) The outcome of the preliminary technical review into the refurbishment of the Council's 1-5 High Street offices at an estimated cost of £3.3 million at current prices, as set out in Section 5 and Appendix D to Report 15/536, be noted.
- (v) The recommendation to assess and report upon the potential role of 1-5 High Street in future service delivery as part of the Corporate Property Asset Management Review, as set out in Paragraph 5.19 of Report 15/536, be approved.
- (vi) The Head of Property Services be instructed to develop options for a restricted increase in the use of 1-5 High Street to the extent that this can be resourced from within the existing Property Maintenance budget, as set out in Paragraph 5.20 of Report 15/536.
- (vii) The resource implications set out in Section 6 of and the annex to Report 15/536, be approved.

Amendment (Councillors A Stewart and Shiers)

To accept all the recommendations contained in Report 15/536, with the exception of recommendation (iii) relating to the relocation of the Council Chambers within 2 High

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Street, on the grounds that the revenue cost of £60,000 per year required to finance the £850,000 additional spending could be better channelled to the delivery of services to the residents of Perth and Kinross.

In accordance with Standing Order 44, a roll call vote was taken.

8 Members voted for the Amendment as follows:

Councillors Campbell, Melloy, Roberts, Robertson, Shiers, A Stewart, H Stewart and B Vaughan.

28 Members voted for the Motion as follows:

Provost E Grant; Councillors Anderson, Band, Barnacle, Barrett, Brock, Cuthbert, Doogan, Ellis, Flynn, Gaunt, Giacobazzi, A Grant, Gray, Howie, Jack, Kellas, Laing, Maclachlan, MacLellan, Miller, Munro, Parrott, Pover, Simpson, Walker, Williamson and Wilson.

**Resolved:**

In accordance with the Motion.

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