

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

COUNCIL MEETING

Minute of meeting of Perth and Kinross Council held in the Council Chambers, Fourth Floor, Council Building, 2 High Street, Perth on Wednesday 7 May 2014 at 2.00pm.

Present: Provost E Grant, Councillors H Anderson, R Band, M Barnacle, P Barrett, R Brock, I Campbell, J Coburn, A Cowan, D Doogan, B Ellis, J Flynn, J Giacomazzi, C Gillies, A Grant, T Gray, K Howie, J Kellas, G Laing, A Livingstone, M Lyle, E MacLachlan, A MacLellan, D Melloy, I Miller, A Munro, 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 in Attendance: B Malone, Chief Executive; J Fyffe, Depute Chief Executive and Executive Director (Education and Children's Services); G Taylor, J Symon, I Innes, S Hendry, C Flynn and R Fry (all Chief Executive's Service); J Valentine, Executive Director (Environment); B Renton, Depute Director (Environment); J Robinson and P Marshall (both The Environment Service); J Walker, Executive Director (Housing and Community Care); P Graham (Housing and Community Care); B Atkinson, Depute Director (Education and Children's Services); G Boland, K Robertson, C Taylor and M Cochlan (all Education and Children's Services).

Apologies for Absence: Councillors D Cuthbert, A Gaunt and A Jack.

Provost E Grant, Presiding.

318. WELCOME AND APOLOGIES

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

Prior to the commencement of business:

(i) St Johnstone Football Club

Provost Grant passed on her good luck and best wishes to St Johnstone Football Club in the Scottish Cup Final on 17 May 2014.

(ii) Elena Baltacha

Provost Grant referred to the recent sad death of Elena Baltacha, former resident of Perth and British number one tennis player, and on behalf of the Council passed on condolences to her family.

319. DECLARATIONS OF INTEREST

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

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

320. MINUTES

- (i) The minute of the special meeting of Perth and Kinross Council of 13 February 2014 (Arts. 82-86) was submitted, approved as a correct record and authorised for signature.
- (ii) The minute of the meeting of Perth and Kinross Council of 26 February 2014 (Arts. 133-145) was submitted, approved as a correct record and authorised for signature.
- (iii) The minute of the special meeting of Perth and Kinross Council of 23 April 2014 (Arts. 249-251) was submitted, approved as a correct record and authorised for signature.

321. MINUTES OF COMMITTEES

Minutes of Committees from 11 February 2014 – 23 April 2014

The decisions recorded in Arts. 80-81, 87-132, 146-248 and 252-260, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

322. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP BOARD

The Executive Director (Education and Children's Services) provided members with an update on the recent work of the Perth and Kinross Community Planning Partnership (CPP) Board. The success of the recent Community Planning Partnership Conference '*Connecting, Inspiring, Creating*' on 30 April 2014 was noted. Outcome Delivery Groups for the partnership would be submitting their plans to the next meeting of the Board on 23 May 2014. It was also noted that the newly formed Community Empowerment Board had now met twice, and would continue to meet throughout the year.

323. TREASURY ACTIVITY AND COMPLIANCE REPORT – 2013-14 – QUARTER 4

There was submitted a report by the Head of Finance (14/191) providing a summary of Loans Fund transactions for the quarter ending 31 March 2014, and 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 14/191, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

324. PERTH TRANSPORT FUTURES PROJECT – PHASE 1 A9/A85 TO BERTHA PARK

There was submitted a report by the Executive Director (Environment) (14/192) (1) outlining previous decisions by the Council to address the issues of congestion and air quality in, and around, Perth while supporting the Council's priority for sustainable economic growth in particular focusing on Phase 1 of the Perth Transport Futures Project, and (2) providing details in relation to the resource implications, seeking approval for the Council to borrow up to £15.7M subject to confirmation of the final cost of the scheme.

Resolved:

- (i) The contents of Report 14/192 be noted.
- (ii) Funding for the project of up to £15.7M, subject to confirmation of the final cost of the scheme, be approved.

325. OPTIONS APPRAISAL FOR ESTABLISHMENT OF A NEW SECONDARY SCHOOL FOR PERTH CITY

There was submitted a joint report by the Executive Director (Education and Children's Services), Executive Director (Environment) and the Head of Finance (14/193) proposing the establishment of a catchment area for the new secondary school at Bertha Park from a number of options which also took into account the position of other Perth City Secondary Schools. The report also detailed the associated funding options.

Resolved:

- (i) The Executive Director (Education and Children's Services) be instructed to submit a report to a special meeting of the Lifelong Learning Committee on 25 June 2014, proposing that Statutory Consultation is undertaken on Option 1f, as detailed in Report 14/193, which will accommodate pupils from catchment areas Methven, Logiealmond, Ruthvenfield, Pitcairn and Auchtergaven, the strategic Local Development Plan (LDP) sites of Bertha Park, Perth West, Almond Valley, Oudenarde and catchment areas to the South West and South of Perth which are Dunbarney, Forgandenny and Forteviot.
- (ii) Primary pupils from the Strategic LDP sites neighbouring the school be accommodated in the secondary school (on a temporary basis), subject to agreement from the Scottish Futures Trust (SFT).
- (iii) The revenue budget implications of the new secondary school considered in future years' revenue budget strategies, as set out in section 2.6 and paragraph 3.7 of Report 14/193 be approved.
- (iv) The Executive Director (Education and Children's Services) be instructed to submit a report detailing the impact of population growth and house building on the primary school estate, in particular the financial implications, to a future meeting of the Council at the earliest possible opportunity.

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

326. PUBLIC SERVICE REFORM – BUILDING ON STRONG FOUNDATIONS

There was submitted a joint report by the Executive Directors of (Housing and Community Care) and (Education and Children's Services) (14/194) (1) setting out proposals for the implementation of the Public Bodies (Joint Working) (Scotland) Act 2014 and the Children and Young People (Scotland) Act 2014; and (2) proposing that the Council build on existing good practice of models of partnership working and strategically align key legislative and policy issues to lead, direct and commission adult, children and family services focussed upon providing better outcomes for the individuals and communities of Perth and Kinross.

Resolved:

- (i) A Body Corporate Model as described in the Public Bodies (Joint Working) (Scotland) Act be adopted for the Perth and Kinross Health and Social Care Partnership from April 2015;
- (ii) The scope and remit of the Children and Young People's Strategic Group be extended to include those services which impact on families as a whole.
- (iii) The Executive Director (Housing and Community Care) and Executive Director (Education and Children's Services) be requested to continue engagement with partner organisations in establishing the Health and Social Care Partnership and Children and Families Partnership.
- (iv) It be agreed that the Chief Social Work Officer sit as an advisor on both the Health and Social Care Partnership and the Children and Families Partnership providing advice and professional guidance in relation to the services overseen by both partnerships, and providing assurance to the Council that effective professional practice and values are being upheld.

327. ASSURANCE AND IMPROVEMENT PLAN UPDATE 2014-17

There was submitted a report by the Chief Executive (14/195) outlining the Assurance and Improvement Plan prepared by the Local Area Network (LAN) as part of the annual shared risk assessment process, which detailed the strategic scrutiny activity planned for 2014 to 2017 based on an assessment of the Council's performance. The LAN's assessment remains that the Council has a low scrutiny risk and that no additional scrutiny is required.

Resolved:

The Assurance and Improvement Plan for 2014-2014 as detailed in Report 14/195 be noted.

328. LOCAL GOVERNMENT BENCHMARKING FRAMEWORK VARIANCE AND COMPARISON REPORT 2012/13

There was submitted a joint report by the Depute Director (Environment) and the Head of Finance (14/182) presenting a summary of Perth and Kinross Council's performance during 2012/13 against the Local Government Benchmarking Framework indicators published by the Improvement Service on 27 March 2014.

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

Resolved:

- (i) The Local Government Benchmarking Framework results for Perth and Kinross Council for 2012/13 as set out in Appendix 1 to Report 14/182 be noted.
- (ii) The explanations for performance variance provided by Council Services be noted.
- (iii) A training session be organised for elected members and staff on the Local Government Benchmarking Framework toolkit developed by the Improvement Service.

329. AMENDMENTS TO SCHEME OF ADMINISTRATION

Resolved:

The following changes to the Scheme of Administration be agreed:

Part 2 – General Provision Relating to Committees

2 Tenders and Contracts

Paragraph 2.2.25 – Additional Paragraph:

In addition, all Council procurement functions, including the Tayside Procurement Consortium, shall be reported to the appropriate Committee.

12 Strategic Policy and Resources Committee

Paragraph 12.2.13 – Additional Paragraph:

Contracting, Tendering and Procurement

To consider reports relating to the activities of the Council's Corporate Procurement Team and Tayside Procurement Consortium.

Part 3 – Delegation to Officials

19 Head of Democratic Services

Paragraphs 19.11-13 – Amend to read as follows:

To exercise the functions of the Council in respect of the relevant area of the Tayside Area Support Team and the Panel or Panels appointed under the Children's Hearings (Scotland) Act 2011, including arrangements for training of relevant members of said Area Support Team and Panel or Panels.

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

To exercise the functions of the Council in respect of the arrangements for the appointment of legal representatives to children under the Children's Hearings (Legal Representation) (Scotland) Rules 2002 and Children's Hearings (Scotland) Act 2011.

23 Executive Director (Environment)

Paragraph 23.11 – Amend to include:

High Hedges (Scotland) Act 2013

Paragraph 23.23 – Amend to read:

To exercise the functions of the Council in terms of the following and all related subordinate legislation.

Flood Prevention (Scotland) Act 1961

Flood Risk Management (Scotland) Act 2009

Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010

Paragraph 24.31 – Amend to read:

To determine requests between £2,001 and £50,000 under the Financial Assistance to the Voluntary Sector Revenue Budget and the Community Environment Challenge Fund.

24 Executive Director (Housing and Community Care)

Paragraph 24.4 – Amend to read:

To exercise the functions of the Council in terms of the following Acts and all related subordinate legislation:-

Anti Social Behaviour etc (Scotland) Act 2004

Council Tax (General) Regulations 1992

Crime & Disorder Act (Chapter ii), and Anti-Social Behaviour etc (Scotland) Act 2004

Housing Act 1988

Housing Benefit (General) Regulations 1987

Housing (Scotland) Acts 1987, 1988, 2001,2006 (with the exception of Part 5 Houses in Multiple Occupation) and 2010

Land Compensation (Scotland) Act 1973

Leasehold Reform Housing and Urban Development Act 1993

Local Government (Scotland) Act 1975

Local Government Finance Act 1992,

Local Government etc (Scotland) Act 1994

Regulation of Investigatory Powers Act 2000

PERTH AND KINROSS COUNCIL
COUNCIL MEETING
7 MAY 2014

Paragraph 24.8 – Additional Paragraph:

To award Rates relief in accordance with legislation and the Council's agreed discretionary policies.

Paragraph 24.11 – Amend to Read:

To exercise the functions on behalf of the Council in relation to the operation of the Tayside Procurement Consortium and Council procurement functions, including tender award reports.

Appendix 1 Perth and Kinross Council Corporate Rules and Standards

Additional sentence:

The lead officer for the relevant corporate rules and standards document is responsible for the monitoring, revision and implementation across all Council services of the document.

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