

PERTH AND KINROSS COUNCIL  
COUNCIL MEETING  
1 JULY 2015

## COUNCIL MEETING

Minute of meeting of Perth and Kinross Council held in the Gannochy Suite, Dewars Centre, Glover Street, Perth on Wednesday 1 July 2015 at 1.00pm.

Present: Provost E Grant, Councillors H Anderson, R Band, M Barnacle (up to and including Art. 476) P Barrett, R Brock (up to and including Arts.476), I Campbell, D Cuthbert (up to and including Art. 477), D Doogan, B Ellis, J Giacobazzi, C Gillies, A Grant, T Gray, K Howie, A Jack (left during consideration of Art. 476), J Kellas, G Laing, E Maclachlan, A MacLellan, D Melloy, I Miller, A Munro, A Parrott, D Pover, M Roberts, W Robertson, C Shiers, L Simpson (from Art. 472 onwards), 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); B Atkinson and F Robertson (both Education and Children's Services); J Valentine, Executive Director (Environment), B Renton, K McNamara, D Littlejohn and J McCrone (all The Environment Service); J Walker, Executive Director (Housing and Community Care); S Flanigan (Housing and Community Care); G Taylor, L Simpson, S Walker, A Thomson, K Donaldson, C Flynn, S Hendry, L Potter, C Lamb and H Rheinallt (all Chief Executive's Service).

Also attending: J Hogg and N Stobie, Jones Lang La Salle

Apologies for Absence: Councillors A Cowan, J Flynn, A Gaunt, A Livingstone and M Lyle.

Provost E Grant, Presiding.

Prior to the commencement of business:

### (i) **Terrorist Attack in Tunisia**

Provost Grant referred to the tragic terrorist attack at the Imperial Marhaba Hotel and the Bellevue Park resort in Tunisia that had taken place the previous week. Two Perth and Kinross residents died during the attack, Billy and Lisa Graham from Bankfoot. On behalf of all elected members and Council staff, Provost Grant expressed deepest sympathy and condolences to the family and friends of Billy and Lisa, along with the families from across the United Kingdom and abroad who had also been affected by the tragedy.

Provost Grant led the Council in a minute's silence to remember the victims.

### **465. WELCOME AND APOLOGIES**

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

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**466. DECLARATIONS OF INTEREST**

In terms of the Councillors' Code of Conduct, the following members declared non-financial interests in the following items:

Councillor D Cuthbert (Art. 476)  
Councillor H Anderson (Art. 477)  
Councillor M Williamson (Art. 477)  
Councillor H Stewart (Art. 477)  
Councillor M Roberts (Art. 477)  
Councillor G Laing (Art. 477)

**467. MINUTE OF MEETING OF 13 MAY 2015 FOR APPROVAL AND SIGNATURE**

The minute of the meeting of Perth and Kinross Council of 13 May 2015 (Arts.300-314) was submitted, approved as a correct record and authorised for signature.

**468. MINUTES OF COMMITTEES**

**Minutes of Committees from 28 April 2015 to 17 June 2015**

The decisions recorded in Arts. 188-193, 266-299 and 315-418, copies of which had been circulated to all members of the Council, were submitted and noted/approved as necessary.

**469. COUNCILLOR ANN COWAN**

It was noted that due to ill-health Councillor Ann Cowan had been unable to attend any meetings of the authority since 12 February 2015, when she attended the meeting of the Council that day.

Section 35 of the Local Government (Scotland) Act 1973 sets out the requirements with regard to the requirements for attendance at meetings of the authority. It was understood that Councillor Cowan's ill-health may preclude her from attending a meeting of the authority before 12 August 2015 ie. the end of the period of 6 consecutive months from 12 February 2015.

Provost Grant asked the Council to approve Councillor Cowan's ongoing ill-health as the reason for her failure to attend and meetings of the authority since 12 February 2015, and also and further meetings of the authority before 12 August 2015.

**Resolved:**

Council approves Councillor Cowan's ongoing ill-health as the reason for her failure to attend any meetings of the authority since 12 February 2015.

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**470. REQUESTS FOR DEPUTATIONS**

In terms of Standing Order 59, the Council agreed to hear deputations from the following parties prior to the consideration of Item 11 on the agenda, Perth City Hall:

Mr Hugh Rutherford on behalf of Perth Market Place Limited.  
Mr Malcolm Smith from TMS Planning on behalf of the Seventy Property Group Limited.

**471. PERTH AND KINROSS COMMUNITY PLANNING PARTNERSHIP**

**Resolved:**

- (i) The minute of meeting of the Perth and Kinross Community Planning Partnership Board of 13 February 2015 was submitted and noted.
- (ii) The briefing note by the Executive Lead Officer (15/291) providing an update on key areas of the Board's work for May-June 2015 was submitted and noted.

*COUNCILLOR SIMPSON JOINED THE MEETING AT THIS POINT*

**472. MEDIUM TERM FINANCIAL PLAN 2016-2021**

There was submitted a report by the Head of Finance (15/276) (1) updating the Medium Term Financial Plan approved by Council on 8 October 2014 (Report No. 14/433 refers), (2) summarising the implications of the latest projections on future Council General Fund Revenue Budgets over the medium term, (3) providing an update on the Council's Capital Budget, Housing Revenue Account and Reserves position and (4) making recommendations on how the Council develops the Revenue Budget over the shorter term.

**Resolved:**

- (i) The Head of Finance be instructed to maintain the Medium Term Financial Plan and further refine the assumptions that underpin it as detailed in paragraph 3.31 of Report 15/276
- (ii) The proposal to commence development of a three year Revenue Budget for 2016/17, 2017/18 and 2018/19, as detailed in paragraph 4.5 of Report 15/276, be approved.
- (iii) The corporate savings targets, as detailed in paragraph 4.8 of Report 15/276, and the methodology supporting them as the basis for the preparation of the Revenue Budget for 2016/17 to 2018/19, be approved.
- (iv) The proposal in relation to Council charges, as detailed in paragraph 4.11 of Report 15/276, be endorsed.
- (v) The proposal to consider the Updated Composite Capital Programme for 2016/17 to 2022/23 in February 2016, as detailed in paragraph 5.6 of Report 15/276, be noted.
- (vi) The proposal to present the updated Reserves Strategy to the Council in February 2016, as detailed in paragraph 6.5 of Report 15/276, be endorsed.
- (vii) The proposals to determine the Housing Revenue Account budget and rent levels for 2016/17 and five-year Housing Investment Programme at the

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meeting of the Housing and Health Committee on 27 January 2016, as detailed in paragraph 7.3 of Report 15/276, be endorsed.

- (viii) The proposals in relation to workforce planning, as detailed in section 8 of Report 15/276, be endorsed.
- (ix) The proposal to update other funds in February 2016 when the updated Capital Budget and Reserves Strategy are considered, as detailed in paragraph 10.4 of Report 15/276, be endorsed.

**473. BUILDING AMBITION: THE COUNCIL'S TRANSFORMATION STRATEGY 2015-2020 AND ORGANISATIONAL DEVELOPMENT FRAMEWORK**

There was submitted a report by the Chief Executive (15/292) presenting the Council's Transformation Strategy 2015-2020.

**Resolved:**

- (i) The Council's Transformation Strategy 2015-2020 and Transformation Programme, as detailed in Appendix 2 of Report 15/292, be approved.
- (ii) The Council's new Organisational Development Framework, as detailed in sections 3.2 to 3.5, and included in Appendix 3 of Report 15/292, be approved.
- (iii) The Chief Executive be requested to report on progress with the Transformation Programme to Council on an annual basis.

**474. PERTH CITY PLAN**

There was submitted a report by the Executive Director (Environment) (15/298) providing a brief summary of the draft new Perth City Plan, as part of the work of the Perth City Development Board, supported by the Council. The draft plan will be subject to wide consultation before final consideration and approval this year.

**Resolved:**

- (i) The proposed revisions to the Perth City Plan, as detailed in Report 15/298, be accepted.
- (ii) It be agreed to undertake broader consultation throughout the City region on behalf of the Perth City Development Board.
- (iii) The Executive Director (Environment) be instructed to report back to the Council in due course on the outcomes of the consultation and subsequent changes to the Perth City Plan.

THEREAFTER THE MEETING WAS ADJOURNED FOR 15 MINUTES,  
RECOMENCING AT 3.10PM

**475. DEVELOPING THE CULTURAL OFFER FOR PERTH AND KINROSS**

There was submitted a joint report by the Executive Director (Education and Children's Services) and the Executive Director (Environment) (15/293) setting out recommendations from feasibility work commissioned by the Council to develop its approach to future investment in the cultural offer for Perth.

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**Resolved:**

- (i) The strategic context in respect of the Perth City Plan, the findings of further feasibility work instructed by the Council in October 2015 and the recommended strategic response to those findings, be noted.
- (ii) The recommended strategic response to "Big Move 7" in the City Plan, as detailed in Report (15/293), be approved for further investigation.
- (iii) The Executive Director (Education and Children's Services) and the Executive Director (Environment) be instructed to progress further feasibility work to include identification of delivery and fundraising plans, costings and potential location of a new attraction on the basis of the timeline, detailed in paragraph 2.8 of Report 15/293.
- (iv) An update report be provided to Council in February 2016.

**476. PERTH CITY HALL**

There was submitted a report by the Executive Director (Environment) (15/294) containing an analysis of the offers received for the Perth City Hall. The report asked the Council to consider a recommendation to accord preferred bidder status to one of the bidders.

With reference to Article 476 above, Mr Rutherford and Mr Malcolm Veigas, Group Geraud addressed the Council on the proposals detailed in the report, answered a number of questions from members and thereafter withdrew to the public seating area.

Mr Smith addressed the Council on the proposals detailed in the report, answered a number of questions from members and there after withdrew to the public seating area.

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

**The Council resolves to:**

- 1. **Defer the decision to appoint any preferred bidder.**
- 2. **Instruct the Chief Executive:**
  - (i) **To engage further with Historic Scotland and other relevant agencies to address and highlight our concerns and to identify a realistic way forward to ensure that any decision that we take has the best possible impact on the economy of the city.**
  - (ii) **To report back to the next meeting of Council on 7 October 2015 which would also include further information on economic benefits of the two bids from Perth Market Place Limited and the Seventy Property Group Limited.**

*THEREAFTER THE MEETING WAS ADJOURNED FOR 5 MINUTES, RECOMENCING AT 4.45PM.*

*COUNCILLOR JACK DID NOT RETURN TO THE MEETING*

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Amendment (Councillors P Barrett and A Stewart)

- (i) The Council approves the recommendation from Jones Lang La Salle that Perth Market Place Ltd should be considered as the preferred bidder;
- (ii) The Council confirms Perth Market Place Limited as the preferred bidder for Perth City Hall.
- (iii) The Council instructs the Executive Director (Environment), in consultation with the Head of Legal Services, to negotiate the terms of the lease; and
- (iv) The Council instructs the Executive Director (Environment) to report the agreed Heads of Terms to a future meeting of the Council and the Perth Common Good Fund Committee.

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

26 members voted for the Motion as follows:

Councillors H Anderson, B Band, I Campbell, D Doogan, B Ellis, J Giacobazzi, C Gillies, A Grant, Provost Grant, T Gray, K Howie, J Kellas, G Laing, E Maclachlan, A MacLellan, D Melloy, I Miller, A Munro, A Parrott, D Pover, M Roberts, C Shiers, B Vaughan, G Walker, M Williamson and A Younger

9 members voted for Amendment as follows:

Councillors M Barnacle, P Barrett, R Brock, D Cuthbert, W Robertson, L Simpson, A Stewart, H Stewart and W Wilson.

**Resolved:**

In accordance with the Motion.

*COUNCILLORS M BARNACLE AND R BROCK LEFT THE MEETING AT THIS POINT.*

**477. SECURING THE FUTURE FOR CULTURE AND SPORT**

There was submitted a report by the Executive Director (Education and Children's Services) (15/295) (1) setting out the key findings from a detailed options appraisal of further strategic commissioning arrangements for culture and sport, (2) recommending a preferred option and (3) setting out key next steps for transition to new Trust arrangements, if approved by the Council, by April 2016.

**Resolved:**

- (i) The outcome of the options appraisal on new Trust arrangements, which demonstrates customer, financial and other benefits deliverable through new Trust models, be noted.
- (ii) Option 4 in Report 15/295 be approved as the most appropriate delivery model for culture and sport for April 2015 onwards to achieve benefits and required savings.

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- (iii) The Executive Director (Education and Children's Services) be instructed to proceed with implementation of Option 4 in Report 15/295 including the establishment of a new Culture Trust from April 2016.
- (iv) It be noted that a further review of implementing Option 5 in report 15/295 will be undertaken during 2017/18 with any recommendations brought back to Council for consideration; and
- (v) The Executive Director (Education and Children's Services) be instructed to provide an update on implementation progress to Council in May 2016.

*COUNCILLOR CUTHBERT LEFT THE MEETING AT THIS POINT*

**478. UNAUDITED ANNUAL ACCOUNTS 2014/15**

There was submitted a report by the Head of Finance (15/277) presenting the Council's Unaudited Annual Accounts for the financial year 2014/15 in accordance with the new Local Authority Accounts (Scotland) Regulation 2014.

**Resolved:**

The content of Report 15/277 be noted.

**479. ANNUAL TREASURY REPORT 2014/15**

There was submitted a report by the Head of Finance (15/296)  
(1) summarising the Council's treasury activities for the 2014/15 financial year and  
(2) comparing actual performance with the approved Treasury and Investment Strategy for 2014/15.

**Resolved:**

The contents of Report 15/296, submitted in accordance with the Council's approved Treasury Management Practices, be noted.

**480. PROPOSED TIMETABLE OF MEETINGS 2016 AND INDICATIVE TIMETABLE 2017**

There was submitted a report by the Head of Democratic Services (15/297),  
(1) providing an update on the operation of the 2015 Committee cycle and (2)  
seeking approval of a timetable for meetings for 2016 and indicative timetable for 2017.

**Resolved:**

- (i) The timetable of meetings for 2016, as detailed in Appendix 1 of Report 15/297, be approved.
- (ii) The indicative timetable for 2017 (up to the local government elections), as set out in Appendix 2 of Report 15/297, be approved.

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**481. APPOINTMENT TO MEMBER/OFFICER WORKING GROUP**

**Equality and Diversity Member/Officer Working Group**

Councillor M Williamson be appointed to the Equality and Diversity Member/Officer Working Group.

**482. APPOINTMENTS TO OUTSIDE BODIES**

**(i) Tay Foundation**

**Resolved:**

Councillor M Williamson be appointed to the Tay Foundation to replace Councillor G Laing.

**(ii) JD Fergusson Arts Awards Trust**

**Resolved:**

Councillor A Parrott be appointed to the JD Fergusson Arts Awards Trust.

**(iii) Friends of Haikou – Management Committee**

**Resolved:**

Councillor C Gilles be appointed to the Friends of Haikou Management Committee.

**(iv) Perth and Kinross Society for the Blind – Board of Trustees**

**Resolved:**

Councillor A Munro be appointed to the Perth and Kinross Society for the Blind - Board of Trustees.

**(v) Perth Civic Trust**

**Resolved:**

Councillor A Munro be appointed to the Perth Civic Trust.

**(vi) Thomas Barclay Trust**

**Resolved:**

Councillor A Munro be Appointed to the Thomas Barclay Trust.

**(vii) Older Persons Champion**

**Resolved:**

Nominations for the vacancy be forwarded to the Head of Democratic Services.

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