

Thursday 12 December 2024 - 10.00 a.m.

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**

In terms of Section 5 of the Code of Conduct, members are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **CIVIC BUSINESS BULLETIN** 4 – 6
4. **MINUTE** – Minute of the meeting of Fife Council of 19 September 2024. 7 - 34
5. **MINUTES OF COMMITTEES AND SUB-COMMITTEES**

Minutes of meetings of the Council's committees and sub-committees, as contained in the volume of minutes uploaded to the intranet and Fife Council website, are submitted for accuracy.
6. **LEADERS' REPORT** 35 - 39
7. **QUESTION TIME** 40 – 43
8. **CONSEQUENTIAL CHANGES TO LIST OF COMMITTEE POWERS AND LIST OF OFFICER POWERS** – Report by the Head of Legal and Democratic Services. 44 – 46
9. **REVIEW OF POLLING STATIONS** – Report by the Head of Legal and Democratic Services. 47 – 48
10. **APPOINTMENTS TO EXTERNAL ORGANISATIONS - ST ANDREWS LINKS TRUST AND ST ANDREWS LINKS MANAGEMENT COMMITTEE** – Report by the Head of Legal and Democratic Services 49 – 53
11. **NOTICE OF MOTIONS** – Report by the Head of Legal and Democratic Services. 54 - 57
12. **BUSINESS BROUGHT FORWARD BY THE PROVOST AS A MATTER OF URGENCY**

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
North Street
Glenrothes
Fife, KY7 5LT

5 December, 2024

If telephoning, please ask for:
Emma Whyte, Committee Officer, Fife House 06 (Main Building)
Telephone: 03451 555555, ext. 442303; email: Emma.Whyte@fife.gov.uk

Agendas and papers for all Committee meetings can be accessed on
www.fife.gov.uk/committees

BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

Civic Business Bulletin

Alex Salmond

We were saddened to hear of the untimely death of Alex Salmond. We would like to express our sympathy and condolences to his family and friends; and appreciation of the many years of public service that he gave as an MP, MSP, and First Minister of Scotland. We recognise the substantial and significant contribution that he made to public life over many decades.

Lady Elgin

We have been advised of the sad news that Lady Victoria Elgin passed away recently. She was the wife of former Lord-Lieutenant of Fife, Lord Andrew Elgin, to whom we send our deepest condolences.

Lochgelly War Memorial

Remembrance Sunday marked the 100th anniversary of the unveiling of Lochgelly War memorial and the ceremony was attended by the Provost and Lord-Lieutenant.

Lochgelly High School pupils presented a stunning wreath of 100 metal poppies made by S2 pupils. They had researched the history of the memorial and presented their projects at a well-attended public meeting on 11th November. The young people also read the names of all the 333 fallen that are inscribed on the memorial. It was a very poignant service.

Dunfermline High School

Pupils at Dunfermline High School have created a video that has won a competition to have their film lead the “Respectme” National Anti-Bullying week campaign. Marie MacLachlan (Teacher of Art) and the pupils have done a fantastic job creating the film and we are delighted that this has been recognised at a national level.

Resources based around the content of the video have been sent out to schools across Scotland to highlight the message of this year’s Anti-Bullying week campaign. The focus this year is to encourage everyone to talk and think about how the power of respectful relationships can help to prevent bullying.

Well done to everyone involved.

Careers Week

Levenmouth Academy featured on STV News when Jenny Gilruth, MSP, Cabinet secretary for Education and Skills, visited the school to launch Careers week.

Scottish Careers Week 2024 shines a light on the life changing support offered by Scotland's career services. Research shows that young Scots are ambitious and knowledgeable about their future careers and that there are many positive opportunities for school leavers to explore.

The pupils were outstanding and a real credit to the school.

Courier Business Awards

Congratulations to Tod Arthur, Building Services who won an award in the Apprentice category. Nominations were from across all industries in Courier country. Tod was delighted to receive the award and said, "This is the perfect culmination to my apprenticeship".

Facilities Management Awards

The Facilities Management Services "Glitz & Glamour" Dinner & Awards ceremony recently took place at the Glen Pavilion. The event was a great success and we send congratulations to all the nominees and award winners.

Denend Parent Council

The group has been shortlisted for the Parentkind PTA Awards 2024 in the "Community Initiative of the Year" category, chosen from over 100 entries across the UK. Although they didn't take the top spot, we in Fife are incredibly proud to have a local parent council recognised at a national level, especially given the economic challenges they face as a community. The award involved two rounds of judging by independent judges, making this achievement particularly meaningful.

Despite all challenges, the team at Denend have managed to raise over £20,000 in the last year, primarily for playground improvements that will have a lasting impact on our children's day-to-day school experience.

Fife Sports & Leisure Trust

Congratulations to Fife Sports and Leisure Trust on their success at the Scottish Leisure Networking Group (SLNG) Annual Conference that took place in Cumbernauld recently. This year's conference, the largest to date, welcomed over 200 industry professionals and featured insightful presentations and engaging panel discussions about the future of Scottish leisure services.

The event concluded with the presentation of 6 prestigious awards, with nominations from 16 of Scotland's leading leisure organisations. We are proud to share that Fife Sports and Leisure Trust secured two of these top honours:

- Facility of the Year for Kirkcaldy Leisure Centre.
- Team of the Year for the Sales & Commercial Development Team.

These achievements highlight our dedication to innovation, community engagement, and delivering exceptional leisure services. They also embody our 'one team' ethos and the collective efforts driving the Trust's Growing the Business strategy."

Provost's Reception

The Provost's Recognition Reception will take place on the evening of 12th December and the following will be recognized for their achievements:-

- Once A Dockie Always a Dockie for Charitable Services
- Glenrothes High School Hydrogen Grand Prix World Championship Team
- Ben Sandilands for success at the 2024 Paralympics
- Brooke Gilles for her work as a guide at the 2024 Paralympics
- Mandy Miller for services to Education and the Dunfermline Junior Chorus
- Alex Burns for services to the John Thomson Football Tournament
- Dunfermline Samaritans for 60 years' service to the people of Fife
- DAPL for supporting the people of Fife for 30 years
- Kingdom Highland Dance Team for success at the 2024 Scottish Championships

Also invited but unable to attend are:-

- Paul Noble for commentating at the 2024 Paralympics
- Alison Peasgood for success at the 2024 Paralympics

Poppy Scotland Fundraising Concert

The Provost is hosting a Civic reception as part of a fundraising concert by the Band of the Royal Regiment of Scotland who are fundraising for Poppy Scotland. The concert will take place at Rothes Halls on 19th December and tickets are on sale for £17.

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

Council Chamber, 6th Floor, Fife House, North Street, Glenrothes

19 September 2024

10.00 am – 4.00 pm

PRESENT: Councillors Jim Leishman (Convener), Tom Adams, David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Linda Erskine, Julie Ford, Derek Glen, Brian Goodall, Peter Gulline, Jean Hall-Muir, Judy Hamilton, Alycia Hayes, Cara Hilton, Stefan Hoggan, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, James Leslie, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Mary Lockhart, Donald Lothian, David MacDiarmid, Julie MacDougall, Lea McLelland, Lynn Mowatt, Sarah Neal, Derek Noble, John OBrien, Nicola Patrick, Gordon Pryde, David Ross, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Andrew Verrecchia, Ross Vettraino, Craig Walker, Darren Watt, Daniel Wilson, Jan Wincott and Conner Young.

APOLOGIES FOR ABSENCE: Councillors Al Clark and David Graham.

132. DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 22.

133. CIVIC BUSINESS BULLETIN

Decision

The council noted the Civic Business Bulletin.

134. MINUTE

The Provost, seconded by Councillor Dempsey, moved that the minute of the meeting of Fife Council of 16 May 2024 be approved.

Decision

The council approved the minute.

135. MINUTES OF COMMITTEES AND SUB COMMITTEES

Minutes of the undernoted committees and sub-committees, as contained in the volume of minutes, were submitted for accuracy:-

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- (1) West and Central Planning Committee of 1 May, 29 May, 26 June, 28 August 2024.
- (2) North East Planning Committee of 8 May, 5 June, 14 August 2024.
- (3) Fife Planning Review Body of 17 June, 2 September 2024.
- (4) Regulation and Licensing Committee of 9 April, 11 June, 9 July, 13 August 2024.
- (5) Cabinet Committee of 9 May, 6 June, 15 August 2024.
- (6) Standards, Audit and Risk Committee of 23 May, 28 June, 22 August 2024.
- (7) Pensions Committee of 28 June 2024.
- (8) Glenrothes Area Committee of 22 May, 21 August 2024.
- (9) Levenmouth Area Committee of 15 May, 21 August 2024.
- (10) City of Dunfermline Area Committee of 18 June, 20 August 2024.
- (11) Kirkcaldy Area Committee of 25 June, 27 August 2024.
- (12) North East Fife Area Committee of 19 June, 28 August 2024.
- (13) Cowdenbeath Area Committee of 12 June, 4 September 2024.
- (14) South and West Fife Area Committee of 12 June, 4 September 2024.
- (15) Education Scrutiny Committee of 7 May 2024.
- (16) Finance, Economy and Corporate Services Scrutiny Committee of 13 June, 29 August 2024.
- (17) People and Communities Scrutiny Committee of 27 June 2024.
- (18) Environment, Transportation and Climate Change Scrutiny Committee of 28 May, 3 September 2024.
- (19) Fife Health and Social Care Integration Joint Board of 28 March, 31 May 2024.

Decision

The council noted the minutes.

136. LEADER'S REPORT

The council considered a report by the Leader of the Council on a number of strategic issues. The Leader provided updates on a number of issues in response to questions from members.

Decision

The council noted the Leader's report.

137. QUESTION TIME

In terms of Standing Order No. 9.3, the following questions were submitted.

Question 1 from Councillor Jonny Tepp

Parking in front of dropped kerbs is a real concern in many parts of my own constituency and probably across Fife. What steps can this administration take to improve the situation for those who need to make use of dropped kerbs?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

Yes, and the pavement parking ban will allow us to do that.

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Roads & Transportation Services have been assessing the resource implications of the ban including exemptions and infrastructure implications and a report on this will be presented to Cabinet Committee.

Supplementary Question

Have we made any further progress or spent any money on pursuing the pavement parking ban since the last time I asked about it? This won't resolve issues of parking in front of dropped kerbs.

Answer

This is a problem all over Fife. The legislation and implementation of this has taken longer than expected and likely to be in 2025 but this will help.

Question 2 from Councillor Jonny Tepp

There is a lining works backlog that has been building over the last two years due to increasing downtime of a deteriorating vehicle (we are told). Re-lining works on the Cupar Road, Newport where Newport PS is located were not completed by the start of new school year as promised earlier in the calendar year. How big is the backlog? When will it be caught up? What areas are affected?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

Reliability issues with the in-house lining vehicle, and a backlog of subcontracted refurbishment lining works have contributed to a Fife wide delay in road markings.

The combined backlog should be cleared by the end of October, noting the potential impacts of inclement weather at this time of year.

Supplementary Question

When will we be replacing the defective vehicle which has been worse over the last couple of years and can we develop a KPI that assesses the seriousness of the lining issues as we don't have any means of measuring performance.

Answer

A replacement vehicle will be part of the capital plan and I will raise the issue of KPIs with the head of service.

Question 3 from Councillor James Calder

What engagement has taken place with families regarding free bus travel to the new St Columba's and Woodmill High Schools?

Answer (Spokesperson for Education)

There have been three communications with families in February, May and June, these were shared directly with parents/carers/families from the schools. These are detailed below:

February (Groupcall message)

We would like to encourage parents and carers to apply for the Young Persons' Free Bus Travel. When we move to the new campus there will be no buses serving Woodmill High School, therefore having the National Entitlement Card will allow your child to access a service bus that will serve the new school and with no cost implication.

You can find, how to apply for this on the [school website](#), you can also view the [Young Scots NEC Rewards and Advantages](#). If anyone needs access to IT to complete the application then please contact the school to make arrangements to come in and use a school device.

May (Extract from SWAY)

Fife Council provides home to school transport for a secondary school aged young person who attends his/her catchment area school or other educational establishment and lives than two miles from it, by the shortest available walking route.

For those pupils attending **Woodmill HS** at the campus, there will be no pupils living in the catchment area that are entitled to have transport provided. Consequently, there will be no school buses operating directly to Woodmill HS.

There will be 11 school bus services operating to **St Columba's RC HS** from August 2024. The new bus routes have been designed to accommodate the entitled pupils living in the catchment area.

Information regarding the new bus services will be available from the beginning of August and parents/carers/young people should check <https://www.travelfife.com/> to make sure they know which bus to use and where to get on.

Pupils will be able to use their NEC card to travel for free using service buses. More information on available services in the area have been sent out on Groupcall and through the Sway newsletter.

June (Groupcall message)

Service Bus Routes

As of the 18th June Stagecoach have issued an amended/updated set of Bus Routes from the 19th August take into consideration the increased demand for bus transportation for the new campus. You may wish see which service routes run close to your homes to create options for getting to and from school.

Please access the new bus routes timetables using the link below

[ServiceUpdatesArticle | Stagecoach \(stagecoachbus.com\)](#)

If you have any questions, please contact us to discuss. There will be staff present in school from the start of August.

Transportation Services identified that there would be no Woodmill pupils entitled to transport when the move to the new campus took place so this was part of the communication at an early stage.

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As part of the process for the move to the new Campus several walk route assessments were carried out and routes were deemed accessible.

Supplementary Question

Would the Administration consider engaging with those just missing out on school transport, i.e. areas of Pitcorthie?

Answer

Aware of issues and will brief local members when an update is available.

Question 4 from Councillor Margaret Kennedy

Fife Council has made various efforts over the years to address support for those recognised as hard of hearing. It is however recognised that this work is not simply ensuring that we have a loop system. There are a wide range of people for whom a loop system or indeed BSL/sign language would not be suitable and they feel excluded from many public events in our buildings.

Cupar Hard of Hearing Group have expressed concern that our facilities are limited in their ability to enable people living with hearing challenges to feel fully included.

What provision is currently in our buildings and do they meet current standards to optimise inclusivity?

Answer (Leader of the Administration)

Fife Council has a prime objective, and is committed, to ensure all Council Services are accessible to all (irrespective of disability), enable active participatory engagement and that people are not inadvertently excluded.

Overall, several years and deploying many resources, Fife Council has already made good progress by implementing reasonable adjustments under the Disability Discrimination Act and the Council's equality standards. Most Council buildings are already largely accessible to the public - including Council staff that might have (physical and hearing) disabilities and impairments

In the preparation of this response, it should be noted that out of 38,000 contact transactions there have been no recorded complaints logged which suggests that no one with hearing impairment or disability is having significant challenges with our existing loop systems or are unable to engage in Council meetings.

Current Hearing support provision in public buildings

The Council's four main "public" access buildings are Kirkcaldy Town House, Fife House, Dunfermline City Chambers, Cupar County Buildings. The public access these buildings. The Council has already ensured hearing equipment is provided to enable people with auditory disabilities and impairments not to be of feel excluded. These buildings have the following equipment in place:

Kirkcaldy Town House

Fixed Loop Systems/Portable loops within public meeting rooms/Reception and fixed infrared hearing systems within Council Chambers

Fife House

Fixed Loop Systems within the building and Counter Loop at reception and customer services. Portable loop systems are available on request.

Dunfermline City Chambers

Fixed Loop Systems

Cupar County Buildings

4 portable systems, one in use at the customer service desk and one fixed loop system in the County Hall.

The reception desks at these buildings are equipped with “loop” systems, including portable auditory units that can be supplied if requested by services. Reception staff have been trained to understand and support the needs of people with hearing impairments so that they are not inadvertently denied access to services.

Council officers already advise and provide appropriate communication support for meetings: for example BSL Interpreters, Electronic Note Takers, Hands-On (tactile) Interpreters and Lip-Speakers. British Sign Language sessions and Deaf Awareness sessions can be booked for Fife Council Employees.

Fife Council broadcasts Council and Committee meetings via Microsoft Teams and live transcription can be switched on by remote individual users.

Other services have responded:

Schools

Soundfield Systems are included in all new builds in Fife. For our other schools which have deaf learners (all levels of hearing impaired) Soundfield Systems or other appropriate sound systems are in place to support the pupils' access to information.

Where our young people have a hearing impairment, specific tailored plans are designed to support the young person in their school.

Where a parent/carer has a hearing impairment, tailored plans would be discussed with them to enable the parent to take part in school events.

Communities and Neighbourhoods

There is a mixed picture in Community Use venues with 28/91 buildings across Fife providing hearing equipment to enable people with auditory disabilities and impairments not to feel excluded.

Further proposed action

The Council is continually developing and improving services and appreciates that there may be some individual (and groups) for whom a loop system or BSL/sign language may not be suitable, leading to feelings of exclusion. This important matter raised by the Cupar Hard of Hearing group is no exception. Therefore, officers propose the following actions:

- 1) Facilities Management Service is willing to meet with the Cupar Hard of Hearing Group to understand their ideas and suggestions.
- 2) Implement further compliance checks testing of hearing equipment.
- 3) Explore and where necessary further training on the use of hearing systems within corporate buildings.
- 4) Discuss the matter at the officers' Corporate Equality Group on potential improvements.
- 5) Consider the advancements in hearing aid (and other) technology and how the Council might reasonably adapt existing services to minimise exclusion.

Question 5 from Councillor Jane Ann Liston

How many free lets and irregular tenancies are there in FC owned and managed public buildings, and what oversight is there to manage risks of fire, flood etc?

Answer (Spokesperson for Communities and Leisure Services)

Fife Council has no free let's or irregular leases. It is understood the question relates to a licence arrangement for a property in St Andrews that dates from the 1850s on which a paper will be produced for consideration by the Area Committee.

Supplementary Question

What will Fife Council do to rectify this anomaly in the interests of fairness and in the event of damage to the rest of the building in question to ensure that they would not be held responsible for repairs?

Answer

This is a complex question which requires to be discussed with the service. A response will be provided in due course.

Question 6 from Councillor Brian Goodall

When did the Housing and Building Services Spokesperson become aware of the almost £30 million underspend in the Fife Affordable Housing Programme for the year 2023-24?

Answer (Spokesperson for Housing and Building Services)

The 2023-24-year end HRA capital outturn was reported to Cabinet on 15th August 2024. This detailed the slippage of £29.869m on the Affordable housing Programme. This was the first time the slippage, totalling this amount, was reported to members. The Housing Spokesperson was advised of the

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specific issues associated with the liquidation of First Endeavour in early 2023. The failure of First Endeavour exacerbated the normal programme slippage by over £10m. The Communities year end outturn will be taken to People & Communities on 26th September 2024.

Supplementary Question

Does the spokesperson understand her responsibility to manage this and why was more not done during the year?

Answer

Slippage happens in programmes and money will be carried forward into next year and rely on finance to provide the final outturn figures.

Question 7 from Councillor Lesley Backhouse

What is the current average cost (excluding any Scottish Government subsidy) of constructing a new build Council House, and what is the current average cost (excluding any Scottish Government subsidy) of buying a house from the open market to become a Council House?

Answer (Spokesperson for Housing and Building Services)

The cost in 2024/25 for building a new council houses is £225k on average. The costs of buying exiting properties on the private market are on average £110k and the Council includes an upgrade cost to the SHQS of £15k, resulting in a total cost of £125k per property.

Supplementary Question

Given the difference to purchase rather than build, why is there no budget allocated in 25/26 for housing acquisitions and with the HRA sitting with a £26m surplus?

Answer

A blended approach is taken and buyback where appropriate. Level of subsidy is aligned to legally committed projects.

Question 8 from Councillor Lesley Backhouse

What is the average completion time from a decision to build Council houses to them being occupied and what is the average time taken to purchase a suitable house from the open market to become a Council house from a decision to occupancy?

Answer (Spokesperson for Housing and Building Services)

New build start to finish time - 18-24 months on average but some developments have taken in excess of years (example- former co-op building Kirkcaldy. Housing Acquisitions start to finish time - Offer in and going through legal 8-12 weeks - get keys, asbestos survey and works and then bring up to SHQS, standard 6 - 16weeks - total time 28 weeks.

The Provost advised that, in terms of SO 9.3(7), one response would be provided to cover questions 9–12, 14–15 and 19-22 below.

Question 9 from Councillor Nicola Partick

What is the current assessment period for assessing a Fife Housing Register Application?

Question 10 from Councillor Nicola Partick

How many people are currently waiting for over four weeks for a Housing Functional Needs Assessment?

Question 11 from Councillor Nicola Partick

What is the current longest time anyone has been waiting for a Housing Functional Needs Assessment?

Question 12 from Councillor Nicola Partick

How many different lists are there for those awaiting Housing Functional Needs Assessments?

Answer (Spokesperson for Housing and Building Services)

There are currently 358 Fife Housing Register applications awaiting assessment. The current average processing time is around 15 days. Application numbers have remained consistent since the declaration of the Housing Emergency in March 2024 with relatively minor variations.

At 10/09/24, 159 forms are waiting longer than the 4 week mark, some of these are complex, missing information or awaiting input from an OT or another professional involved in their case. The Council is currently assessing forms from 24/07/24 with a current processing time of 6 weeks. This is due to a significant increase in the numbers of HFNA being submitted since the Housing Emergency where numbers have increased by around 50%.

The oldest form awaiting assessment is from mid-April 2024. In this case the Council is awaiting additional information from the housing applicant. Assessments out with the current 6-week assessment period are often complex, require further assessment or we are awaiting further information from the applicant or other agencies.

The Council operates one list for Housing Functional Needs Assessments by date order of application within this we fast track any assessments where there is an imminent offer of housing. The team also undertake other areas of work in relation to enquiries re points, allocations queries and review of recommendations.

Supplementary Question

Given the council's policy that an HNA should be completed within 4 weeks and previously assured these were back to being assessed in timescales, why in the time of a self declared housing emergency, has the Spokesperson allowed these delays to happen again?

Answer

The delays are due to a significant increase of around 50% in requests since the housing emergency was declared.

Supplementary Question

I have been advised there are 2 separate lists, after 2 years of non-compliance the list is 4 times beyond policy and the hidden list is 7 times beyond policy. What is the housing spokesperson doing this year to get this back on track?

Answer

A number of additional staff have been drafted in to help with the backlog and this will be reported to the relevant scrutiny committee in due course.

Supplementary Question

Is the housing spokesperson not ashamed that HNAs are again exceeding the 4 week policy she personally championed?

Answer

There are issues around it which have been explained, significant increase in demand and extra staff drafted in to support.

Question 13 from Councillor Sam Steele

Why were Transfer Housing Options Interviews in some parts of Fife recently suspended?

Answer (Spokesperson for Housing & Building Services)

As a result of Housing Options Officer shortages due to illness and holidays, the Area Housing Manager in South and West Fife made the operational decision to suspend transfer options interviews and advise local Members accordingly. Following local Members bringing this to the attention of the Head of Service and Service Manager, resources were realigned from other parts of Fife and normal service resumed within a couple of days.

Supplementary Question

Do you agree that we should be upping our level of service and could we have missed opportunities to generate letting chains?

Answer

It was stopped for a matter of days and I am unaware of any missed opportunities.

Question 14 from Councillor Louise Kennedy-Dalby

How many stairlifts have been installed by Fife Council, in each Area Committee, in each of the last three years (including where the resident has paid a portion of the costs) following an Occupational Therapy assessment?

Question 15 from Councillor Louise Kennedy-Dalby

What is the current waiting time, in each Area Committee, for a stairlift installation from the time an OT assessment confirms it is required?

Answer (Spokesperson for Housing and Building Services)

The statistics provided below reflect completed stairlift installations in that financial year. All stairlifts are considered temporary adaptations and, as such, Service Users are not required to contribute any costs.

Financial Year Number complete Area Breakdown

2021 / 22 195 in Fife: Area Breakdown: South West Fife –33; Dunfermline – 27; Cowdenbeath – 25; Kirkcaldy – 31; Glenrothes - 33; Leven – 31; North East Fife – 15

2022 / 23 265 in Fife: Area Breakdown: South West Fife -40; Dunfermline - 37; Cowdenbeath -40; Kirkcaldy - 40; Glenrothes - 46; Leven - 40; North East Fife - 22

2023 / 24 237 in Fife: Area Breakdown: South West Fife - 33; Dunfermline - 35; Cowdenbeath - 35; Kirkcaldy - 35; Glenrothes - 35; Leven - 35; North East Fife - 29

2024 / 25 (to August) 153 in Fife: Area Breakdown: South West Fife - 21; Dunfermline - 23; Cowdenbeath - 23; Kirkcaldy - 23; Glenrothes - 23; Leven - 22; North East Fife - 18

Our contractor is held to a standard timeframe across Fife so there is no variation to the average waiting time across areas. The average waiting time for installation is 39 days across all Areas in Fife. There are some variations in individual installation dates due to the complexity of the stair lift and arranging access to the property.

Supplementary Question

Why is it taking the best part of a year to address and does the Spokesperson have any consideration to the pain and suffering she is inflicting on families and the NHS implications for delayed discharges?

Answer

In recent analysis, Fife came out as one of the top performing councils for housing adaptations.

Question 16 from Councillor Ken Caldwell

The Grenfell Tower Inquiry created to examine the circumstances leading up to and surrounding the fire at Grenfell Tower on the night of 14 June 2017, published its Phase 2 report on 4th September 2024. What arrangements are in place to advise Committee/s of the Council about the Council's assessment of the report and any implications there may be for Fife Council?

Answer (Spokesperson for Housing and Building Services)

The Head of Housing is currently examining the Phase 2 report's recommendations with the Council's Tower Block Review Group and will report to the appropriate Committee prior to Christmas.

Following the Grenfell tragedy in 2017, the Council acted swiftly to assess the cladding at all of our 12 Multi-Storey blocks of flats in Fife alongside the Scottish Fire & Rescue Service. At that time, Committee was advised that the particular type of cladding used at the Grenfell Tower was not used on any council properties in Fife. Furthermore, the Council's assessment and that of Scottish Fire & Rescue was that all cladding used on the Multi-Storey blocks of flats in Fife were assessed as either zero or low risk. In the case of the low risk cladding used at Swan & Memorial Courts, the Council has begun work to strip the existing cladding and replace it with zero risk mineral wool cladding as used in our other Tower Blocks.

The Council worked closely with the TRAs and tenants and residents in our Tower Blocks to ensure that they had up-to-date information and were involved in meetings to discuss the tragedy at Grenfell. The Council does not employ Tenant Management Companies/Organisations to deliver services to our tenants as was the case with Grenfell. That is best done by a direct relationship between the Council and tenants.

Supplementary Question

When and where will any assessment be reported?

Answer

This is currently being examined by the Head of Housing Services with the Tower Block Review Group and will be reported to the appropriate committee prior to Christmas.

Question 17 from Councillor Sarah Neal

What assessment has the Education Service and its school management teams taken in relation to the 'Mobile phone guidance for Scotland's schools' published by the Scottish Government on 15 August 2024?

Answer

Each school in Fife is required to develop its own policy in this regard.

To support this, updated Fife Council guidance for schools and staff, with regards to use of digital technology, was considered by the Cabinet Committee in November 2023.

The purpose of the Fife Council guidance/policy is to provide our educational establishments with advice on how to develop their own policies that encourage safe and responsible use of personal mobile technology in school, and beyond. This guidance was subsequently issued to schools and during 2024 our schools have been reviewing their own policies, in light of this updated guidance.

This new Scottish Government guidance provides similar support and advice for schools. However, following the publication of this Scottish Government Guidance on Mobile Phones in Scotland's Schools in August 2024, the Directorate is reflecting on the guidance already provided, to determine whether any additional elements should be included in our guidance, and schools are considering whether there should be any further amendments to their own policies.

Supplementary Question

Is there any intelligence about neighbourhood or Fife Council approaches being developed?

Answer

I will look into this and respond outwith the meeting.

Question 18 from Councillor David Alexander

The Chancellor of the Exchequer advised, in relation to cuts in Pension Credit, in the House of Commons in Westminster on September 3rd *"All local authorities, have been written to about how they can play their part in identifying those pensioners who are entitled to pension credit but are not getting it. The Department for Work and Pensions will also bring together the administration of pension credit and housing benefit, so that pensioner households receiving housing benefit will also receive any pension credit they are entitled to"* What correspondence has the Council received from the Treasury and what steps are the Council taking in relation to the letter received?

Answer (Leader of the Administration)

The Council uses its own information (via the LIFT product) to identify potential households who may be eligible for pension credit. The DWP also have information which they share with us to identify potential under-claiming.

We have just kicked off the third Pension credit take-up campaign which will be overseen by the Welfare Reform Delivery Group and will be managed by CARF and the Financial Wellbeing Team.

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The first stage of the campaign is to write to the 417 identified households as we need their permission to progress claiming Pension Credits. These letters will be issued shortly.

The Council has received the letter stated in the question from the DWP and we are progressing via the Welfare Reform Delivery Group.

Question 19 from Councillor John Beare

The Finance, Economy and Corporate Services Scrutiny Committee was made aware at its meeting of 29th August that 'Soft Working Groups' existed within the Council which included elected members, how many of these 'soft working groups' with elected member involvement which are in existence or have existed since May of 2022?

Question 20 from Councillor John Beare

The Finance, Economy and Corporate Services Scrutiny Committee was made aware at its meeting of 29th August that 'Soft Working Groups' existed within the Council which included elected members, what is or has been the remit of each of these 'soft working groups' with elected member involvement which are in existence or have existed since May of 2022?

Question 21 from Councillor John Beare

The Finance, Economy and Corporate Services Scrutiny Committee was made aware at its meeting of 29th August that 'Soft Working Groups' existed within the Council which included elected members, what members are or have been on each of these 'soft working groups' since May of 2022?

Question 22 from Councillor John Beare

The Finance, Economy and Corporate Services Scrutiny Committee was made aware at its meeting of 29th August that 'Soft Working Groups' existed within the Council and included elected members, what governance and transparency arrangements are in or have been in place for each of these 'soft working groups' since May of 2022?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

There are no soft working groups. Officers have responded to requests from members for information.

Question 23 from Councillor John Beare

Since the meeting of the Cabinet Committee of 15th August concerning the Bereavement Services Cemetery Strategy, what progress has been made with the Development Plan Team to advance the proposal from the Glenrothes Area Committee in relation to making provision for a cemetery in Glenrothes?

Answer (Spokesperson for Communities and Leisure Services)

Discussions continue with the local plan team to identify a possible site for a cemetery in Glenrothes which would be included in the next iteration of the Local Development Plan.

Supplementary Question

When will and where will we see plans?

Answer

Glenrothes Area Committee will receive a report but do not have a timescale for this.

Question 24 from Councillor David Barratt

It was confirmed via a members briefing in May that there remain significant staff shortages in the Flooding, Shoreline & Harbours Service. What is the current status of unfilled posts in this Service, and what steps have been taken to address this since May?

Answer (Spokesperson for Environment and Climate Change)

The recruitment of experienced specialist staff continues to be a challenge, initial advertisements did not attract suitable candidates, hence readvertisement is currently ongoing. In the interim, to help address this staffing shortfall and maintain service delivery, an external specialist consultant has now been appointed to provide assistance with flooding and coastal matters until these permanent posts are filled. Vacancies within such specialist areas are common throughout the sector and particularly pronounced in Local Authorities across Scotland

The current vacancies are:

- Lead Consultant – FS&H: 1 (**vacant**)
- Consultant Engineer - Flooding: 1 (**vacant**)
- Consultant Engineer – Harbours & Shoreline: 1 (**vacant**)
- Consultant Engineer – Shoreline: 1 temporary post (**vacant**)

Supplementary Question

Do you consider that flooding is being sufficiently prioritised by the council particularly in SWF?

Answer

Flooding matters will be addressed as a matter of urgency when we have the staff available but this hasn't been helped by the recent reduction in funding for flooding by Scottish Government.

Question 25 from Councillor David Barratt

It is understood that significant delays in the Inverkeithing Heritage Regeneration project were in part down to staff shortages in Roads and Transportation Service and the delayed production of tender drawings. What is the current status of unfilled posts in this Service and what steps have been taken to address this?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

The Roads and Lighting Contracts team within Roads & Transportation Services that led on the delivering of this project have now filled two vacant technician posts.

Supplementary Question

Has the council learned lessons from this and is the council agile enough to identify risks and allocate resources as appropriate?

Answer

We are probably not agile enough. Work starts first week in October and all parties are working together to deliver the project.

Question 26 from Councillor David Barratt

What projects (with a budget of over £500k) are awaiting design or tender documentation to be complete within Roads and Transportation or Property Services and when were each of these projects forwarded to the Service to be actioned?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

Roads & Transportation Services deliver a range of projects and programmes on annual basis and those of significance are detailed in the capital plan programme. In relation to the question and the receipt of projects from other sources....

There are currently three programmes/projects, namely:

- the **Leven Connectivity Programme** – associated with delivery of the rail link
- the **Dunfermline Strategic Transportation Intervention Measures** - which are the infrastructure needs identified to accommodate the planned housing expansion, and
- **City Square, Dunfermline** which is a public realm improvement

The first two programmes are complex and comprise several sub-projects. The projects and the dates these were received by Roads and Transportation Services are:

Leven Connectivity Programme (Related to Leven Rail Link) - (which is collaborative working with SEPA and Green Action Trust and funding through LUF and Sustrans funding).

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Active Travel Network On-Road – July 2022

Mountfleurie Footbridge – July 2022

Active Travel Network Off-Road (River Park Routes) - March 2023

Dunfermline Strategic Intervention Measures (Joint work with the Planning Service)

Northern Link Road, East End – July 2020

Northern Link Road, Townhill/ Whitefield Rd – July 2020

Grange Road – July 2020

Dunfermline City Centre:

City Square, Dunfermline - July 2022

Property Services have two projects. Pitcoudie Primary School upgrades which was received in Dec 22 and Kirkcaldy Leisure Centre Pool Refurbishment which was received in Sept 24. The affordable housing programme work is procured through an external framework hence is outwith the scope of this question.

Question 27 from Councillor David Barratt

How many designs for projects have Roads and Transportation or Property Services contracted out to professional design organisations/companies since May 2022?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

Since May 2022, Roads and Transportation Services has engaged Consultants on 31 projects, either delivering the design in its entirety or providing specialist design input on specific elements of a project, where the Service doesn't have the expertise, ie traffic signal design/ specialist flood modelling etc.

Structural Services = 24

Sustainable Transport & Parking = 3

Passenger Transport Service = 1

Road & Lighting Contracts = 3

In Property Services, they have had 194 projects where external design support has been used. However, the vast majority of these are for smaller packages of design support, e.g. civil/structural and mechanical/ electrical which are then fed into the overall design package.

Supplementary Question

Would it be possible to have a member briefing advising of staff shortages across the council affecting projects?

Answer

Yes this can be arranged.

Question 28 from Councillor Daniel Wilson

Can the Transport spokesperson provide an update to the discussions that have been ongoing between the Council and Network Rail relating to the provision of a safe rail crossing at Double Dykes, Thornton?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

The Council, through Roads & Transportation Services, has held discussions with Transport Scotland on the potential funding of a crossing (outline conceptual estimates suggest an approx cost of £2.0- £2.5m). Transport Scotland confirmed that funding of a crossing is not included within the budget for the Leven Rail Link and that funding and justification for a crossing would be through Active Travel sources. Roads & Transportation Services has explored this route with regards to the promotion of Active Travel links, around the location of the proposed footbridge, and at this stage indications are that this location does not meet the criteria for Active Travel funding.

Supplementary Question

Will the transport Spokesperson commit to attend these community council meetings and provide an update to the community?

Answer

We have had communications with the community council and have been clear and transparent with them on the position. We are trying to find a resolution to this.

Question 29 from Councillor Dave Dempsey

What steps can be taken to reduce the long delays between reporting vegetation encroaching onto adopted pavements and footpaths and action being taken to cut it back?

Answer (Spokesperson for Environment and Climate Change)

In many cases there is no quick way to short cut the current procedures which is based on a legal process.

Under the Roads (Scotland) Act 1984 the Council has powers to apply an enforcement notice to landowners/occupiers to take action to cut back vegetation from the adopted road boundary. The legal notice gives 28 days to landowners/occupier to action works, failing this the Council can intervene, and undertake works and recover reasonably incurred costs.

However, as a good neighbour, the Council has adopted two informal stages prior to this formal legal enforcement notice, which are:

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Stage 1 Initial contact with landowner gives them 2 weeks to reply. If vegetation is coming from a residential property this generally isn't a problem however, where it is from fields etc. it can take several weeks for the landowner to be identified due to the time to undertake land searches.

If Stage 1 doesn't yield a response a further letter is issued to the landowner which gives them 2 weeks to reply.

If the above stages fail to resolve the issue, Roads & Transportation Services revert to the legal process however, it is hoped that this legal process is not required.

This approach is generally successful, and most issues are addressed within a reasonable time frame, albeit there are occasions that can take a longer period to resolve.

Where vegetation is considered a danger due to users and there is no safe alternative footway Roads & Transportation Services can intervene immediately and undertake the works and recover reasonable costs from the landowner/occupier.

Supplementary Question

Can statistics be provided for my local ward area and will the Spokesperson meet to discuss?

Answer

Yes happy to arrange.

Question 30 from Councillor Robin Lawson

How much money has Fife Council budgeted for spend on Active Travel projects in 2024/25? How much of this spend comes from external sources such as Transport Scotland, Sustrans and other bodies, and how much comes from within Fife Council's own resources?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

Total Active Travel funding for 2024 /25 is £3,436,662

This is split into capital funding of £3,146,950 and revenue funding of £289,712

The capital funding includes:

- Transport Scotland Active Travel Infrastructure Fund Tier 1 - £2,307,346
- Fife Council capital - £537,531
- Fife Council Section 75 agreements - £55,000
- Sustrans - £18,873
- SEStran People and Place (Capital) - £228,200

The revenue funding includes:

- Fife Council Revenue - £156,712
- SEStran People and Place (Revenue) £133,000

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In addition, the Levenmouth Connectivity Project and Glenrothes Riverside Park project secured £19.4m funding from LUF and Sustrans, and includes elements for active travel. In 2024/25 it is estimated that approximately £0.9m of active travel projects will be delivered as part of these programmes.

Supplementary Question

Would you agree that the focus of active travel spend should be on the safety of pedestrians and cyclists?

Answer

Any safety issues need to be addressed in a timely fashion.

Question 31 from Councillor Rosemary Liewald

How many structural/underfloor surveys and investigative works have been carried out on Fife Council properties within the village of Cardenden since the flooding event of August 2020?

Answer (Spokesperson for Housing and Building Services)

6 surveys have been carried out.

Supplementary Question

Can we have a report to the Cowdenbeath Area Committee addressing the issues raised on surveys due to flooding including a vacant house in Benarty with similar issues?

Answer

Yes this can be arranged.

138. FIFE COUNCIL APPOINTMENTS - LEADER OF THE OPPOSITION AND SPOKESPERSON FOR HEALTH AND SOCIAL CARE

The council considered a report by the Executive Director (Finance and Corporate Services) asking council to appoint an elected member to the positions of Leader of the Opposition and Spokesperson for Health and Social Care (to act as council's representative on the Board of NHS Fife, to act as Chair/Vice-Chair of the Integration Joint Board, to represent Fife Council on COSLA Board (Health and Social Care) and the Fife Alcohol and Drug Partnership).

NOMINATIONS FOR LEADER OF THE OPPOSITION

Councillor Alexander, seconded by Councillor Barratt, proposed that Councillor Walker be appointed as Leader of the Opposition.

Decision

The council agreed unanimously that Councillor Walker be appointed as Leader of the Opposition.

Motion

Councillor Erskine, seconded by Councillor Craik, moved as follows:-

“Council agrees to:-

- (1) separate the appointment of the Chair/Vice-Chair of the Health and Social Care Integration Joint Board (IJB) from the position of Spokesperson for Health & Social Care;
- (2) subject to the agreement of (1) above, appoint Cllr Mary Bain-Lockhart to the vacant position of Spokesperson of Health & Social Care (including to act as Fife Council’s representative on the Board of NHS Fife, COSLA Board for Health & Social Care, and Fife Alcohol & Drug Partnership); and
- (3) appoint Cllr David Ross to the position of Chair/Vice-Chair of the Health and Social Care Integration Joint Board (IJB);

Following unanimous agreement to the first point of the motion, the Provost called for nominations for the Spokesperson for Health and Social Care and the Chair/Vice-Chair of the Integration Joint Board (IJB).

NOMINATIONS FOR THE SPOKESPERSON FOR HEALTH AND SOCIAL CARE

Councillor Erskine, seconded by Councillor Craik, proposed that Councillor Bain-Lockhart be appointed as the Spokesperson for Health and Social Care.

Councillor Beare, seconded by Councillor Walker, proposed that Councillor Liewald be appointed as the Spokesperson for Health and Social Care.

Roll Call

For Councillor Bain-Lockhart – 36 votes

Councillors Tom Adams, Mary Bain-Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For Councillor Liewald - 33 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O’Brien, Nicola Patrick, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

Abstained – 1

Councillor MacDougall

Decision

The council agreed to appoint Councillor Bain-Lockhart as the Spokesperson for Health and Social Care (to act as council's representative on the Board of NHS Fife, to represent Fife Council on COSLA Board (Health and Social Care) and the Fife Alcohol and Drug Partnership).

NOMINATIONS FOR THE CHAIR/VICE-CHAIR OF THE INTEGRATION JOINT BOARD (IJB)

Councillor Erskine, seconded by Councillor Craik, proposed that Councillor Ross be appointed as the Chair/Vice-Chair of the Integration Joint Board (IJB).

Councillor Beare, seconded by Councillor Verner, proposed that Councillor Liewald be appointed as the Chair/Vice-Chair of the Integration Joint Board (IJB).

Roll Call

For Councillor Ross – 35 votes

Councillors Tom Adams, Mary Bain-Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt and Jan Wincott.

For Councillor Liewald - 33 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O'Brien, Nicola Patrick, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

Abstained – 1

Councillor MacDougall

Decision

The council agreed to appoint Councillor Ross as the Chair/Vice-Chair of the Integration Joint Board (IJB).

139. APPOINTMENT TO EXTERNAL ORGANISATION - REGIONAL TRANSPORT PARTNERSHIP FOR SOUTH EAST SCOTLAND

The council considered a report by the Executive Director (Finance and Corporate Services) asking Council to appoint two elected members to the Regional Transport Partnership for the South East of Scotland (SEStran).

NOMINATIONS FOR APPOINTMENT TO THE REGIONAL TRANSPORT PARTNERSHIP FOR THE SOUTH EAST OF SCOTLAND (SESTRAN)

Councillor Lawson, seconded by Councillor Dempsey, proposed that Councillor James Leslie be appointed as a Fife Council representative on the Regional Transport Partnership for the South East of Scotland (SEStran).

Councillor Craik, seconded by Councillor Erskine, proposed that Councillor Ian Cameron be appointed as a Fife Council representative on the Regional Transport Partnership for the South East of Scotland (SEStran).

Decision

The council agreed to appoint Councillors James Leslie and Ian Cameron as Fife Council representatives on the Regional Transport Partnership for the South East of Scotland (SEStran).

The meeting adjourned at 12.25 pm and reconvened at 1.15 pm.

140. NOTICE OF MOTIONS

The council considered a report by the Head of Legal and Democratic Services requiring the council to consider motions submitted in terms of Standing Order No. 10.

Motion 1

Councillor Knox, seconded by Councillor Calder, moved as follows:-

“Council notes the August 2024 report of the Scottish Fiscal Commission says that since their December 2023 publication the pressure on the Scottish Government’s finances has increased.

The report also states that:

Decisions by the Scottish Government have played a role in these budget pressures. As well as previous public sector pay deals in Scotland being higher than in the rest of the UK, other policy commitments made by the Scottish Government such as the council tax freeze in 2024-25.

Council notes with extreme concern the announcement by the Scottish Government about forthcoming cuts to local services. This includes suspending funding for Scotland’s digital devices programme, flood defences and free school meals.

Council believes this will likely have an enormously detrimental impact to communities in Fife.

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Fife Council resolves to declare no confidence in the Scottish Government's management of Scotland's finances."

Amendment 1

Councillor Craik, seconded by Councillor Pryde, moved as follows:-

Amend to read:

"Council notes the August 2024 report of the Scottish Fiscal Commission says that since their December 2023 publication the pressure on the Scottish Government's finances has increased and that decisions taken by the Scottish Government have played a role in these budget pressures.

Council notes with extreme concern that a failure to fund local authorities properly for pay and inflation has led to cuts and delays to local services and that this will have a detrimental impact on communities in Fife.

Council therefore resolves to write to the Scottish Government expressing our concern and lack of confidence in its management of Scotland's finances and in particular in its failure to properly fund local government."

Amendment 2

Councillor Alexander, seconded by Councillor Glen, moved as follows:-

"Fife Council notes that for the Liberal Democrats to claim that Scottish Government decisions will have an "enormously detrimental impact to communities in Fife" takes hypocrisy to quite another level given the devastating role they had in creating austerity during the Clegg/Cameron government.

In contrast, Fife Council welcomes the additional funding that has so far awarded workers throughout the public sector wage increases above inflation and avoided strike action.

We also welcome the additional funding that has protected vulnerable people from the cost-of-living crisis.

The Scottish Government must balance the books, cannot overspend, and has limited borrowing powers.

Consequently, savings that had to be made to cover the increased costs are regrettable. However, the cumulative impact of the financial challenges are a direct result of continual Westminster mismanagement and cannot be directed at Holyrood.

Fife Council also notes that the Scottish Fiscal Commission state that "In advance of the UK Budget on 30 October, there is considerable uncertainty around the Scottish Government's funding for 2024-25 while UK Government policies contribute to put pressures on the Scottish budget"

Fife Council notes that the Institute for Fiscal Studies in response to the statement on Scottish Government savings said " As the Scottish Fiscal Commission has highlighted, the last few years have seen the Scottish Government increase public sector pay, and roll out new, more generous social security benefits. These are legitimate things to prioritise".

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“And as we have highlighted before, there is a case for giving the Scottish Government some additional borrowing powers to address in-year public service spending pressures, as well as the benefit spending pressures and tax shortfalls that it can already borrow for. The Scottish Government has far fewer options to address pressures than the UK government.”

With the agreement of the Provost, the mover of the motion agreed to accept Amendment 1 subject to minor amendments. The conjoined motion was agreed as follows:-

“Council notes the August 2024 report of the Scottish Fiscal Commission says that since their December 2023 publication the pressure on the Scottish Government’s finances has increased and that decisions taken by the Scottish Government have played a role in these budget pressures.

Council notes with extreme concern that a failure to fund local authorities properly for pay and inflation has led to cuts and delays to local services and that this will have a detrimental impact on communities in Fife.

Concerns include suspending funding for Scotland’s digital devices programme, flood defences and free school meals.

Council therefore resolves to write to the Scottish Government expressing our concern and increasing lack of confidence in its management of Scotland’s finances and in particular in its failure to properly fund local government.”

Roll Call

For the Conjoined Motion – 35 votes

Councillors Tom Adams, Mary Bain-Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt and Jan Wincott.

For Amendment 2 - 33 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O’Brien, Nicola Patrick, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

Decision

Having received a majority of votes, the conjoined motion was accordingly carried.

Motion 2

Councillor Walker, seconded by Councillor Beare, moved as follows:-

“Council notes with regret the recent statements, by the Westminster Prime Minister on August 27th “There is a budget coming in October and it’s going to be painful.”, and the Chancellor of the Exchequer who on July 29th advised that “difficult decisions” to find £5.5 billion of savings this year and £8.1 billion next year, will be taken, which demonstrate that after 14 years ‘austerity’ will not end.

Council also notes that on May 19th Wes Streeting (Secretary of State for Health and Social Care) stated “All roads do lead back to Westminster because even though this (Health) is devolved, decisions taken in Westminster have an impact on the NHS across the Whole Country”.

Council notes that on September 3rd the Scottish Government has had to make £500 million in savings to ease “enormous and growing pressure on the public finances”.

Council notes that according to the Wales Governance Centre at Cardiff University, the Welsh government is facing "serious budgetary challenges" in the region of £683 million, or face cuts to non-protected areas.

Council also notes that ‘two child benefit cap’ which impacts some 2,100 families in Fife is to remain, That some 65,871 pensioners in Fife and 1 million households across Scotland will lose their Winter Fuel Payments, that the energy price cap will be increased by 10% in October impacting almost every household in Fife.

Given the above, Council seeks a report by the Executive Director for Finance and Corporate Services to be presented to the Cabinet Committee or the full Council by the end of the year as to what measures Fife Council can continue to take or may seek to take, to address the impact of continuing ‘austerity’.

Amendment 1

Councillor Calder, seconded by Councillor Boubaker-Calder, moved as follows:-

“Remove paragraphs 1 and 2 and replace with:

Council notes with concern recent statements from both the UK and Scottish Governments detailing budgetary pressures.

Change paragraph 3 to:

Council notes that on September 3rd the Scottish Government has chosen to make £500 million in cuts, partly driven by previous choices such as the Council Tax freeze taken earlier this year. This is reflected in the Scottish Fiscal Commission Report.

Remove paragraph 4

Change paragraph 5 to:

Council also notes that the 'two-child benefit cap' will remain affecting 2,100 families in Fife. Council also notes the Scottish Government decision to replicate the UK Government decision to restrict Winter Fuel Payments which will affect 65,781 pensioners in Fife while the Energy Price Cap is set to rise by 10% in October. Council further notes the decision by the Scottish Government to scrap the expansion of free school meals for P6 and P7 pupils.

Change Paragraph 6 to:

Council requests a report to Cabinet Committee by the end of the year to detail how Fife Council can address the impacts of recent budgetary decisions made by the Scottish and UK Governments.”

Amendment 2

Councillor Ross, seconded by Councillor Craik, moved as follows:-

“Delete all and replace

Whilst Council recognises the very difficult financial position inherited by the newly elected Labour Government, Council notes with concern that the Government’s decisions to withdraw the Winter Fuel Allowance from those pensioners not in receipt of pension credits and not to immediately remove the ‘two child benefit cap’ will ultimately have consequences for pensioners and families in Fife.

Council further notes its disappointment that, whilst facing its own financial challenges, the Scottish Government has also chosen to withdraw the winter fuel allowance on a similar basis in Scotland.

Council notes that the Cabinet Committee at its meeting on 12th September 2024 agreed a report on Cost of Living Support – Funding Priorities, and that as part of its winter programme, the Council will be conducting another campaign to encourage the take up of pension credits, including a direct mailing to over 400 pensioners identified as eligible through the Low Income Family Tracker.

Council therefore notes and endorses the continuing actions being undertaken by the Council to mitigate the Cost of Living Crisis and requests that the Leader of the Council writes to the UK Government urging it to reconsider and reverse its decisions on the winter fuel allowance and ‘two child benefit cap’ and to the Scottish Government urging it to continue the universal provision of the winter fuel allowance in Scotland.

The mover of Amendment 1, Councillor Calder, advised he wished to withdraw his amendment.

Roll Call

For the Motion – 34 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Julie MacDougall,

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Lea McLelland, Lynn Mowatt, Sarah Neal, John O'Brien, Nicola Patrick, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

For Amendment 2 - 31 votes

Councillors Tom Adams, Mary Bain-Lockhart, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Allan Knox, Jim Leishman, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt and Jan Wincott.

Decision

Having received a majority of votes, the motion was accordingly carried.

The meeting adjourned twice during consideration of the above item.

141. BUSINESS BROUGHT FORWARD BY THE PROVOST AS A MATTER OF URGENCY

No business was brought forward under this item.

Fife Council 12th December 2024

Leader's Report

1. Scottish Budget

The Scottish Government will announce its budget proposals on 4th December, after the preparation of this report but prior to the Council meeting. A COSLA Leaders meeting is scheduled for 6th December to discuss the implications of the budget for local government.

2. Areas of Dispute

COSLA has formally declared that it is in dispute with the Scottish Government over three issues under the Verity House Agreement:

- The National Care Service
- Teacher Numbers and funding for teachers
- Council Tax freeze or cap

There have been two meetings of the COSLA Presidential team and Group Leaders with the First Minister and Cabinet Secretaries to discuss these areas of dispute in the context of the local government budget settlement.

3. Fiscal Framework

One of COSLA's key asks has been the development of a rules based Fiscal Framework for local government funding. The aim of this would be to provide more financial certainty for councils, a greater degree of transparency and fairness in the settlement from the Scottish Government and hopefully stopping the on-going erosion of local government funding.

Progress has been made at officer/civil servant level and COSLA Leaders have agreed to run the fiscal framework as a 'shadow year' in 2025/26, allowing both sides to see how the rules based system would perform in practice before fully committing to it.

A response is awaited from the Scottish Government at political level.

4. IJBs/Delayed Discharge

Many of the Integrated Joint Boards for Health and Social Care across Scotland are facing significant in year and future financial pressures. Much of this is due to historic under-funding of health and social care by Scottish Government and this is compounded by recruitment and retention, and skill shortage issues.

Scottish Government has focussed on delayed discharge from hospital and whilst this is an issue in some areas, COSLA continues to argue that this is only one of the pressures facing health and social care and that a whole system approach is required.

Fife is performing well in relation to delayed discharge compared with most other IJB areas but at the expense of incurring a financial overspend in year. The IJB has agreed a recovery plan to address this overspend but it is likely that the risk share

agreement for the Council and NHS Fife may be required at the end of the financial year.

5. Levelling Up Fund

The provisional approvals of additional Levelling Up funding allocated by the previous UK Government, including the £5m cultural funding for Dunfermline were unbudgeted for and have not been confirmed by the new Government.

We have had a call with Alex Norris MP, Parliamentary Under-Secretary (Housing, Communities and Local Government) who is the Minister dealing with this issue and the local MP regarding this funding, to make the case for at least some of this funding as requested by the new Government and will be submitting details of the proposed projects as part of the consultation initiated by the new Government on this matter.

6. Pay

Negotiations on the SJC pay settlement have been on-going, with GMB and Unite accepting the latest offer but discussions continuing with Unison.

There has been progress on three significant issue – joint meeting with Scottish Government on local government finance prior to the Scottish Budget being set, discussions on reduction of the working week and minimum £15 per hour for the lowest paid, recognising this requires commitment from Scottish Government, and a shorter defined timescale for future pay negotiations.

Unison has put these to a ballot of members and agreement has been reached which will allow the current year's negotiations to be concluded.

7. Pay for Councillors

The independent Scottish Local Authority Remuneration Committee (SLARC) reported on councillors remuneration last year following an extensive review. Levels of remuneration have consistently been identified as a barrier to individuals coming forward to serve as councillors.

The review recommended an uprating of pay for councillors and linking this in a systematic way to the pay of MSPs. It also recommended that this should be implemented from April 2024.

The report was submitted to Scottish Government earlier this year but although Scottish Government accepted most of the recommendations (after some delay) it declined to implement the recommendations for the current year and has also declined to confirm that the increased cost will be paid for as additional funding to local government rather than being funded from existing council resources.

Councillor David Ross
Leader of Fife Council
Fife House,
North Street,
Glenrothes
4th December 2024

Progress on the Administration's Key Objectives.

There follows a summary of progress made on the key objectives set out by the Administration at the beginning of the Council term in 2022.

1. Fix Fife's Roads

On the whole, Fife's roads have been gradually improving since funding was increased, but increased cost of supplies and labour associated with road maintenance has driven up the cost of maintaining a steady state on Fife's roads. An additional £3.5m in funding was committed to roads in this year's budget but it will be imperative to ensure that sufficient funding is committed in future budgets.

2. Scrap Charges for Bulky Uplifts

Charges for bulky uplifts were removed last year and the increase in demand for this service has been maintained. Additional pressure has been placed on the overall service with the new requirements relating to the collection of persistent organic pollutants but this is incidental to the bulky uplift service.

3. £10m Recovery Fund for Local Communities

Over £9m of the total Community Recovery Fund had been committed by August this year and it was agreed to extend expenditure on local projects into 2025/26.

4. A Permanent Teacher for Every Class

The data shows that for every primary and secondary class allocated in Fife there is a qualified teacher employed on a permanent contract, with the exception of the classes where either a probationer teacher is allocated from the core probationer number or, in the secondary sector, where there is a shortage of teachers available within specific subjects.

In addition there are a number of teachers across all sectors on temporary contracts and some probationers who are on permanent contracts but with no available permanent post. Schools also rely on supply teachers at times throughout the year and these are on both permanent and temporary contracts.

5. Build More New, Warm and Well Insulated, Council Housing

The Council's new build affordable housing programme is continuing in conjunction with our Fife Housing Association Alliance partners. Between April 2022 and March 2024 1,055 affordable properties were completed including 287 council houses. A further 127 properties have been completed from April to September this year including 68 council houses.

There was a significant cut in the Scottish Government funding for the affordable housing supply programme in 2023/24 that has undermined the Council's ability to fund its ongoing new build programme. It is a key element of COSLA's budget ask of the Scottish Government that this cut is restored, given the likely increase in capital funding coming to Scotland from the UK Government.

6. Support Low Carbon Heating Schemes and Local Community Climate Projects

Since the baseline year of 2011/12, Fife Council's carbon footprint has been reduced by 46%. There has been investment of £15.5m in CO2 reduction projects for non-domestic buildings since 2012/13.

The Climate Fife 2024 Strategy and Action Plan has been agreed and published.

The Property Flood Resilience Grant Scheme was approved in April 2024.

7. Expand Holiday Meals for Fife's Children and Families

The People and Communities Scrutiny Committee undertook a review of Café Inc earlier this year and its recommendations were taken on board by the Cabinet Committee. Over 170,000 meals were provided during 2024.

8. Invest in Town Centres

During 2024 we have continued to make progress in tackling the need for change in our town centres – to meet changing needs from residents and visitors; to support viable mixed economies and inclusive communities; and helping to ensure that our main town centres stand out as attractive places to live, work and visit, supporting thriving places.

There are ongoing commitments to investment in Glenrothes Riverside Park and the connectivity network in Levenmouth. Preparation has started for new town centre housing in Cupar, building of the successful development in Kirkcaldy High Street. In Inverkeithing, public realm works start shortly as part of the 5 year Built Heritage Investment programme. Work will start in 2025 to deliver a new city square in Dunfermline.

These examples of capital projects in our town and city centres continue to be supported by improvement grants and business support services for town and city centre businesses, promotional campaign and digital activities.

9. At Least 50% of Council Contracts to Local Firms

The percentage of Council contracts let to local firms has now almost reached 50%. The value of contracts sourced locally is generally in the 30-40% range but this fluctuates depending on major projects during the year and will not necessarily include all local supply chain opportunities arising from major contracts.

10. Invest in Skills and Training

Total investment for 2022/25 has been £4m through the UK Shared Prosperity Fund, and through No-One Left Behind, £6.7m all age provision and £4.9m tackling child poverty.

Of the 3,794 clients registered during the two years 2022/24, 37% were able to access employment. Other positive outcomes included: entry to accredited training; formal education or training; full-time education, higher education; entry to Foundation Apprenticeship or Modern Apprenticeship; and achievement of accredited or non-accredited qualifications.

Fife Council's Life Chances progressive recruitment approach was piloted in 2023/24 . This approach which focuses on giving people experiencing barriers to employment access to hard to fill, entry level positions within the Council, has now been fully integrated within the Council's recruitment strategy and is being adopted by some of our community planning partners.

11.No Privatisation of Council Care Homes

The new Methil Care Village opened last year and work on the replacement homes for Cupar and Anstruther is progressing.

12.Fair Pay and Conditions for Care Workers

We are continuing to press for this nationally with the minimum wage of £12ph now in place and with the joint aspiration with the trade unions to move to £15ph minimum.

13.Reduce Waiting Times for Social Care Packages in the Community

The numbers waiting for a care package in both the community and hospital has been significantly reduced in comparison with last year. The proportion of people in delayed discharge in Fife is low in comparison to the majority of IJB areas. This is largely due to the successful partnership working between the Health and Social Care Partnership, NHS Fife and the Council, but has resulted in significant financial pressures on the IJB.

14.Refurbishment and Replacement of Schools

The Dunfermline Learning Campus is now open and construction of the replacement for Inverkeithing High School is advancing.

Unfortunately the application for Scottish Government funding to support the replacement of Glenrothes and Glenwood High Schools was turned down and decisions will have to be taken in the capital programme on how to address the outstanding needs for replacement or refurbishment of these high schools along with Balwearie HS in Kirkcaldy.

15.No Workplace Parking Levy

It continues to be Council policy not to impose a workplace parking levy.

FIFE COUNCIL
12 DECEMBER 2024

ITEM 7 – QUESTION TIME

Question 1 from Councillor Dave Dempsey

Why does the Council persist in not sending "undeliverable" responses to incoming emails with misspelled addresses, given that this results in members of the public incorrectly concluding that members and officers are ignoring them?

Question 2 from Councillor James Calder

What is the full process for putting together a Strategic Incident Diversion Route between Transportation Services and Bear Scotland for trunk roads, and how often is it then subsequently reviewed?

Question 3 from Councillor Jane Ann Liston

How much does FC pay per week for the care of a resident in:

- (a) a Council care home?
- (b) a private care home?
- (c) a third sector (not for profit) care home?

Question 4 from Councillor Patrick Browne

To ask the Labour administration what has been the impact of the Scottish Government's decision to "pause" funding from the Place Based Investment Programme on the £1.9 million that Fife was due to receive from the fund in 2024/25, in particular the impact on the Inverkeithing Heritage Regeneration project?

Question 5 from Councillor Patrick Browne

To ask the Labour administration what assessment it has made of the Scottish Government's recent Budget and whether it believes local government in across Scotland and Fife Council has received a fair share of the additional £1.5 billion in the current financial year and £3.4 billion in 2025/26 coming to Scotland as a result of the recent Labour UK Government's Budget?

Question 6 from Councillor Kathleen Leslie

The hedgehog population of Britain has declined by between 30-75% in rural areas since 2000. This is as a result of multiple factors including a decline in available natural food sources, loss of habitat and increased vehicle collisions. Has the Council considered the use of road signage to alert drivers to areas with significant hedgehog populations within Fife?

Question 7 from Councillor Alex Campbell

What plans is there to build new social housing for rent in Kelty?

Question 8 from Councillor Alex Campbell

What impact of cuts announced by the health and social care partnership will be on the provision of care packages in Fife?

Question 9 from Councillor Alex Campbell

What actions are being taken to address behavioural challenges in Fife schools?

Question 10 from Councillor Robin Lawson

How many properties in Fife are now paying 200% Council Tax, and how much additional money (over and above standard Council Tax) will this generate in the current financial year. Please also break down by Wards or Areas where these second home properties are located.

Question 11 from Councillor Robin Lawson

How many Enforcement Notices has Planning Department issued in the last 12 months, and what have the results of these Notices been?

enforcement investigation, and 509 cases closed. Some cases continue over reporting

Question 12 from Councillor Dave Dempsey

Which part of the Council enforces Section 89 of the Civic Government (Scotland) Act 1982 and when was it last used?

Question 13 from Councillor Dave Dempsey

Is Fife Council bound by agreements entered into by its predecessor Councils?

Question 14 from Councillor Brian Goodall

How many new-build Council Houses have been completed in the current financial year?

Question 15 from Councillor Brian Goodall

What representations has the Spokesperson for Housing & Building Services and/or the Leader of the Council made to the UK Government regarding the impact of the increase to employer's national insurance contributions on Fife Council's Housing Revenue Account?

Question 16 from Councillor John Beare

What discussions have Council Spokespersons or Officers had with our Suppliers and those we have contracts with, including but not limited to ALEO's, care homes and partners in the third sector who provide services on our behalf, in relation to the additional employee and related costs they will be subjected to as a result of the announced increase in Employers National Insurance contributions by the Westminster Government?

Question 17 from Councillor Brian Goodall

Is the current rule excluding Fife Council employees from selling homes to the Council under the Domestic Property Acquisition Policy under review, and if so when will this review be concluded and advised to Committee or Council?

Question 18 from Councillor Lesley Backhouse

Given that previous answers to questions at full Council meetings have demonstrated that it can be almost twice as cheap and four times as fast to deliver an additional Council House for rent via Domestic Property Acquisitions, why has the Administration set itself against delivering more affordable homes for rent in this way?

Question 19 from Councillor Lesley Backhouse

How much of the additional funding allocated to Fife this year by the Scottish Government for the acquisition of domestic properties for use as temporary accommodation for homeless housing applicants has already been drawn down?

Question 20 from Councillor Nicola Patrick

The zero waste Fife resources strategy and action plan 2018-2028 indicates a target to recycle 70% of all household waste by 2025 while the council currently advises

domestic rates are at 44% what is the administration doing to immediately address this gap?

Question 21 from Councillor Nicola Patrick

When will a committee of the council consider the pilot and roll out of communal food waste bins at our high and medium rise flats, following the pilot at three blocks of flats in Ravenscraig Kirkcaldy in 2023 and the ongoing rollout of other blocks ?

Question 22 from Councillor Andy Jackson

How many residential blocks of flats in Fife have recycling bins, communal or otherwise?

Question 23 from Councillor Rod Cavanagh

What progress has been made since the Kirkcaldy Area Committee meeting of 7.2.23, when it agreed to: Decommission the Esplanade and Thistle Street multistorey car parks, demolish and clear the sites, a surface level car park developed on the footprint of Thistle Street site and the Esplanade site made available for re-development, alongside the site of the former swimming pool, and when will progress be reported to the Area Committee?

Question 24 from Councillor Derek Glen

The latest edition of SEPA's Scottish Pollutant Release Inventory lists 69 different sites or businesses in Fife, how many of these were invited to the FifeCOP24 event? And now that it has been cancelled, what costs have been incurred, including officer time?

Question 25 from Councillor Craig Walker

Since the Council meeting of September 19th, what representations has the Leader of the Council or its Spokespersons made to the Westminster Government or its Ministers or MP's in relation to the 'two child benefit cap', the loss of Winter Fuel Payments for the current Winter, or the energy price cap which increased by 10% in October and will again increase in January given he campaigned to reduce energy bills to householders?

12 December 2024

Agenda Item No. 8

Consequential Changes to List of Committee Powers and List of Officer Powers

Report by: Head of Legal & Democratic Services

Wards Affected: All

Purpose

This report proposes a number of minor changes to the List of Committee Powers and List of Officer Powers.

Recommendation(s)

Council is invited to:

- (1) agree that the List of Committee Powers and List of Officer Powers be amended as set out at Section 1.4 to take effect from 13 December 2024; and
- (2) delegate authority for any additional consequential amendment to Fife Council's governance documentation required by recommendation one to the Head of Legal & Democratic Services.

Resource Implications

There are no resource implications arising from this report.

Legal & Risk Implications

The Council is obliged, in terms of local government legislation, to ensure that appropriate decision-making structures are in place.

Impact Assessment

A formal impact assessment is not required.

Consultation

The minor changes proposed are as a result of either the Cabinet Committee decision on a matter of policy or as a result of minor omissions noted following the recent more detailed review. There has been no formal consultation undertaken in bringing these matters forward.

1.0 Background

- 1.1 The Council's Governance Scheme comprises a number of documents, including Standing Orders, the List of Committee Powers and the List of Officer Powers. These documents are kept under regular review and changes have been made on occasion. Any substantive amendments must be approved at a meeting of the Council and minor changes as detailed in Section 1.4 below are now presented for approval.
- 1.2 The List of Committee Powers provides a statement of the terms of reference and membership of committees and sub-committees. The List of Officer Powers provides a statement on the delegations to officers.
- 1.3 The changes to the Lists of Committee and Officer Powers relate mainly to consequential changes arising from the introduction of new legislation and improvements suggested following experience of operating these documents over the last few months.
- 1.4 The changes proposed are detailed below. Given the changes are few in number it was not thought necessary to replicate the Lists of Committee and Officer Powers documents in full for this paper but a full electronic copy showing the proposed textual changes can be provided on request.

List of Committee Powers

- Fife Council Reserved Powers - Section 3 (3.1.1) – to appoint Area Conveners and Depute Conveners, unless otherwise delegated.
- Area Committees
 - Section 7 (7.3.6) – additional power to designate an area as a firework control zone following the appropriate consultation process.
 - Section 7 (7.3.7) – additional power to determine the Council's voting intention in any ballot relating to a Business Improvement District (BID).
- Appendix 1 – General Provisions – Committee Membership (2) – clarify that substitute members for Cabinet Committee who are also members of a scrutiny committee will not be able to vote at a scrutiny committee on any matter which the scrutiny committee has called in from the Cabinet Committee and at which they attended as a substitute.

List of Officer Powers

- Delegations to All Executive Officers – Section 2 (2.3.7) – additional power to confirm that an Executive Director may reinstate an employee in exceptional circumstances, provided the matter has not been considered by the Appeals Sub-Committee, following approval by the Chief Executive or the Executive Director, Finance and Corporate Services.
- Executive Director, Finance and Corporate Services – Section 4 (4.1.11) – additional power to consider and determine an application for the review of a decision to refuse a community request for a Firework Control Zone.
- Executive Director, Place – Section 7 (7.7.6) – additional power to assess compliance with Business Improvement District (BID) requirements to allow the application to ballot or otherwise.

- Executive Director, Communities – Section 8 (8.2.5) – additional power to consider community requests for a Firework Control Zone in consultation with the Convener and or Depute Convener of the relevant Area Committee and thereafter to determine whether to accept the community request.

2.0 Conclusions

- 2.1 Council is invited to agree the consequential amendments to the List of Committee Powers and List of Officer Powers as set out in Section 1 of the report and that they are implemented with effect from Friday 13 December 2024.

List of Appendices

None

Background Papers

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:-

None

Report Contact Helena Couperwhite

Author Name Helena Couperwhite

Author's Job Title Democratic Services Manager (Committees & Members)

Email: helena.couperwhite@fife.gov.uk

12 December 2024

Agenda Item No. 9

Review of Polling Districts and Polling Places

Report by: Head of Legal & Democratic Services

Wards Affected: All

Purpose

To advise members of the progress in meeting the Council's duty, in terms of Section 18(c) of the Representation of the People Act 1983, as amended, to undertake a statutory review of Fife Council's Polling Districts and Polling Places.

Recommendation(s)*

The Council is asked to note: -

- (1) the imminent commencement of the public consultation on the proposed amendments to the current polling scheme; and
- (2) that a final report detailing all proposed amendments to the scheme will be submitted to the Council for approval on 20 March 2025. This is slightly outwith the statutory completion date of 31 January 2025. There are no practical consequences associated with this delay.

Resource Implications

The work required to undertake the review exercise has been resourced within the Electoral Services team with support from a member of the Business Management Innovation Unit (BMIU).

Legal & Risk Implications

The review is a statutory requirement in terms of Section 18(c) of the Representation of the People Act 1983, as amended.

Impact Assessment

An EqIA is not required as this report does not propose a change or revision to existing policies and practices.

Consultation

The period of public consultation will commence on 16 December 2025 and will cease on 14 February 2025. The consultation document will be issued to all elected members, MP's and MSPs, Community Councils, disability groups and will be available to members of public on the council's website.

1.0 Background

- 1.1 Preparations to carry out the review commenced in 2023; however, the completion of the review has been delayed due to a number of other priorities including the implementation of measures arising from the Elections Act 2022, the administration of the UK Parliament election in July and the recent by-election.
- 1.2 As part of the review process elected members were informally consulted in 2023; the polling district boundaries have now been reviewed and many new potential polling venues have been identified, visited, and surveyed. The team have also engaged with colleagues in the Education Directorate to review, and reduce where possible, the number of schools in use as polling venues in Fife.
- 1.3 Colleagues in the BMIU and Planning have also provided invaluable assistance in reviewing proposed residential development in Fife.
- 1.4 In undertaking the review, the Returning Officer has used the following guiding principles:
 - There should be no barriers to voting for people with a disability.
 - The reduction in the use of educational premises as polling places
 - Formalising venues which have replaced designated polling places on the current Fife polling scheme since the last review.
 - The Scottish Government’s “20-minute neighbourhood concept” which aims to provide access to most daily needs with a 20-minute walk, wheel, or cycle from home.
- 1.5 The public consultation document has now been prepared outlining a series of proposed amendments to the current Fife polling scheme and the consultation exercise will commence on 16 December 2024.
- 1.6 Once the public consultation exercise is completed, all representations received will be considered in full before a report with final proposed amendments to the polling scheme will be submitted to Council for approval.

List of Appendices

None

Background Papers

None

Report Contact

Shona Cameron
Electoral Services Manager
Shona.cameron@fife.gov.uk

12 December 2024

Agenda Item No. 10

Appointment to External Organisations – St Andrews Links Trust and St Andrew Links Management Committee

Report by: Head of Legal & Democratic Services

Wards Affected: All wards

Purpose

To appoint elected member representatives to the St Andrews Links Trust and the St Andrews Links Management Committee and to agree a proposed protocol for future appointments.

Recommendation(s)

The Council is asked to:-

- (1) appoint an elected member to the St Andrews Links Trust for a three year period 1 January 2025 to 31 December 2027;
- (2) appoint an elected member to the St Andrews Links Management Committee for a four year period 1 January 2025 to 31 December 2028; and
- (3) approve the Protocol for member appointment to the Links Trust attached as Appendix 1.

Resource Implications

None

Legal & Risk Implications

The proposed nominations are in accordance with the St. Andrews Links Order 1974.

Impact Assessment

An EqIA is not required because the report does not propose a change or revision to existing policies and practices.

Consultation

There has been engagement with the Links Trust in preparing the draft protocol. It was also circulated to current appointed Councillors and Group Leaders for comment.

1.0 Background

St Andrews Links Trust – Elected Member Representative

- 1.1 The St Andrews Links Trust consists of eight members who are Trustees of the Links Trust, three of whom are appointed by Fife Council (two elected members and one non-elected member). In accordance with the current Agreement which exists between the Council and the St Andrews Links Trust, the local golf clubs are invited to take up one of the Council places on the Trust. Appointments to the Links Trust are for a 3 year period.
- 1.2 Councillor Davidson was appointed by Fife Council on 21 September 2023 as one of Fife Council's representatives on the St Andrews Links Trust following the resignation of the Provost during his term of appointment. In terms of the provisions of the Order, Councillor Davidson's appointment was to cover the remaining part of the Provost's term of appointment. The Provost's term is due to expire on 31 December 2024.
- 1.3 The Council's other elected member representative is Councillor Ann Verner who is currently appointed as a trustee until 31 December 2025.
- 1.4 It should be noted that members cannot be appointed to the St Andrews Links Trust if they are already members of the St Andrews Links Management Committee (or vice versa) or if they are members of the Royal and Ancient Golf Club of St Andrews.

St Andrews Links Management Committee - Elected Member Representative

- 1.5 The St Andrews Links Management Committee consists of eight members, four of which are appointed by Fife Council and appointments are made for a four year period. In accordance with the current Agreement which exists between the Council and the St Andrews Links Trust, the local golf clubs are invited to take up two of the Council places on the Management Committee. The St Andrews Links Order 1974 also states that persons appointed to the Management Committee shall have close connections with the town of St. Andrews and its golfing community.
- 1.6 Councillor Lesley Backhouse was last appointed to the St Andrews Links Management Committee by Fife Council on 12 November 2020, and her term of appointment expires on 31 December 2024. This is the end of Councillor Backhouse's first full term in her own right, her initial appointment having been to cover the remaining term of a previous appointee.
- 1.7 The Council's other elected member representative is Councillor Allan Knox. Councillor Knox was appointed to the St Andrews Links Management Committee at the Fife Council meeting on 9 June 2022. This appointment was to cover the remaining term of a previous appointee and runs to 31 December 2025.

- 1.8 The appointment of an elected member representative on the St Andrews Links Management Committee is for a rolling 4 year period.
- 1.9 It should be noted that members cannot be appointed to the St Andrews Links Management Committee if they are already members of the St Andrews Links Trust (or vice versa).
- 1.10 The Order is silent on whether it is possible for a Councillor who is also a member of the Royal and Ancient Golf Club of St Andrews to be appointed to the Links Management Committee but it is recommended that the Council appointee is not also a member of the Royal and Ancient Golf Club of St Andrews for reasons of good governance.

St Andrews Links Trust and Management Committee Protocol

- 1.11 Appointments to the Trust and Management Committee are governed by the St Andrews Links Order 1974. The Order will, of course, remain the primary statement of appointment requirements, however there are a number of areas in which the Order is silent. In addition, the Trust has had a recent focus on its governance and has agreed approaches with the other appointing authorities and it is considered helpful if the Council agreed a protocol which complements the other appointing organisations' approaches. Finally, a review of previous historic appointments made to the Trust by the Council has indicated an inconsistent approach which might not have happened had there been a clearer Council position statement on these appointments.
- 1.12 It is proposed that there is no change to the existing agreement that the Council has allowed members of local golf clubs to appoint to some of the Council allocated positions. The proposed Protocol will supplement that agreement.

List of Appendices

- Protocol for Appointments to the St Andrews Links Trust and St Andrews Links Management Committee

Report Contact

Emma Whyte
Committee Officer
Legal & Democratic Services
Fife House
Glenrothes

Telephone: 03451 555555 ext. 442303; e-mail – emma.whyte@fife.gov.uk

Draft Protocol for Appointments to the St Andrews Links Trust and Management Committee

St Andrews Links Trust (The Trust)

The Order is clear that terms of appointments to the Trust run for 3 years. The period of appointment runs from 01/01/year to 31/12/year (plus 3). This term of appointment will govern appointments regardless of the electoral cycle.

The Order is also clear that Members can resign within their three-year appointment. In that case the Council will appoint another member to serve the remainder of the time. The Council agrees that the same person can be re-appointed to a subsequent term in their own right after serving a period covering the remainder of the term of another member.

The Council agrees that if a member is no longer a Councillor they will be deemed to have resigned and Council will be invited to appoint to the remainder of the term at its next meeting.

Council agrees that members should serve no more than 2 terms in their own right for this particular appointment, reflecting the governance arrangements agreed by the Trust for other appointing organisations. Council will consider recommendations from the Trust as to the background/skillset that would be complementary to other members on the Trust but will not be bound by it.

The same Councillor cannot be appointed to the Trust and the management committee at the same time and Council agrees that members should not move from the Trust to the management committee (and vice versa) in sequential terms of appointment.

The Order is clear that a Council appointee to the Trust cannot be a member of the Royal and Ancient Golf Club of St Andrews.

Members must act in the interests of the trust when appointed and not the interest of the Council.

St Andrews Links Management Committee

The Order is clear that terms of appointment to the Committee run for 4 years. They cover the period 01/01/year to 31/12/yr (plus 4). This term of appointment will govern appointments regardless of the electoral cycle.

The Order is also clear that Members can resign within this time and Council will appoint another member to serve the remainder of the time. The Council agrees that the same person can be re-appointed to a subsequent term in their own right after serving a period covering the remainder of the term of another member.

Council agrees that members should serve no more than 2 terms in their own right for this particular appointment, reflecting the governance arrangements agreed by the Trust for other appointing organisations. Council will consider recommendations from the Trust as to the background/skillset that would be complementary to other members on the Committee but will not be bound by it. The Order is clear that appointments to the management committee require a close connection with St Andrews and golfing.

The Order is silent on whether a Council appointee to the Committee can also be a member of the Royal and Ancient Golf Club of St Andrews but agrees that they should not be for reasons of good governance.

The same Councillor cannot be appointed to the Trust and the management committee at the same time and Council agrees that members should not move from the Trust to the management committee (and vice versa) in sequential terms of appointment.

The Council agrees that if a member is no longer a Councillor they will be deemed to have resigned and Council will be invited to appoint to the remainder of the term at its next meeting.

Members must act in the interests of the /committee when appointed and not the interest of the Council

12 December 2024

Agenda Item No. 11

Notice of Motions

Report by: Head of Legal & Democratic Services

Wards Affected: All

Purpose

In terms of Standing Order No. 10, the attached notice of motions have been submitted.

Recommendation(s)

Council is asked to consider the motions.

Resource Implications

Not applicable.

Legal & Risk Implications

Not applicable.

Impact Assessment

Not applicable.

Consultation

Not applicable.

Lindsay Thomson
Head of Legal and Democratic Services
Fife House, North Street, Glenrothes

Tel. 03451 55 55 55 Ext No 442180
[Email: lindsay.thomson@fife.gov.uk](mailto:lindsay.thomson@fife.gov.uk)

Motion 1

Intergenerational Fife

“Council notes that spending time with other generations helps us to strengthen and regenerate our communities by promoting inclusion and understanding which in turn, helps us to make our communities better and more vibrant places to live and work.

Council notes that we have intergenerational projects across Fife be it the: ‘Bite and a Blether’ at Waid Community Campus in Anstruther; the intergenerational care village in Methil, and various local Community Learning and Development Action Plans.

Council agrees that developing an intergenerational Policy, Strategy and Action Plan for Fife would be a significant benefit to Fife and its residents.

Council therefore seeks that an Intergenerational Policy, Strategy and Action Plan for Fife, compatible with the Plan for Fife 2017-2027, be developed that would include but not be limited to:

- Increasing knowledge and understanding of intergenerational approaches.
- Embedding intergenerational approaches in governance and policy making.
- Delivering support and encouraging involvement to benefit all of Fife’s generations, by working, learning, volunteering and living together.
- Developing more intergenerational places and spaces.

That the Policy, Strategy and Action Plan be published for approval before the Global Intergenerational Week which takes place from April 24–30, 2025.”

Proposed by Councillor Julie MacDougall
Seconded by Councillor Rosemary Liewald

Motion 2

“Council recognises the importance of the distilling industry to Fife and Scotland.

Council notes that in 2023 the then Chancellor, Jeremy Hunt increased the duty on Scotch Whisky by 10.1%. The impact of this increase was a reduction in revenue for the treasury and a reduction in output.

Council also notes that Sir Keir Starmer announced to the industry that his governments trade strategy would “back Scotch Producers to the hilt”.

Council further notes that the Labour Chancellor announced, in the recent budget, that duty on alcohol would rise in line with the Retail Price Index from February 2025.

Council notes that Nuno Teles, Managing Director of spirits giant Diageo said “he was deeply disappointed by the outcome”. On the campaign trail Labour pledged to “back the scotch whisky industry to the hilt”. Instead the government has broken this promise and slammed even more duty on spirits. This betrayal will leave a bitter taste for drinkers and pubs, while jeopardising jobs and investment across Scotland.

Council also recognises the huge importance of distilling and bottling to many parts of Fife including Guardbridge, Newburgh, Cupar, Kingsbarns, Charleston, Falkland, Cluny, Glenrothes,

and Levenmouth and when the Managing Director of Diageo says the budget could impact jobs and investment it is wise to listen.

Council therefore insists that the Leader of the Council write to Sir Keir Starmer, and Rachel Reeves, highlighting the huge damage this element of the budget could do to Fife businesses, and Levenmouth specifically, and demand that the planned February increase in duty is reversed.”

Proposed by Councillor David Alexander
Seconded by Councillor Alistair Suttie

Motion 3

National Insurance:

“Council notes the increased costs to the Council and its partners imposed by the Westminster Labour Government as a result of the announced increase in National Insurance for Employers from 13.8% to 15% from April 2025.

Council directs the Leader of the Council and Chief Executive to write to the Chancellor of the Exchequer and Prime Minister to request the Westminster Government fully reimburse the over £500m costs of employer National Insurance contributions to the public and third sectors in Scotland as a result of the UK Autumn Statement, and that this should include full funding for Fife Council and every Scottish local authority.

Council also recognises that if the Chancellor does not fully reimburse these costs that they will have a detrimental impact on the services the people of Scotland rely on, including here in Fife.”

Proposed by Councillor Craig Walker
Seconded by Councillor John Beare

Motion 4

“Fife Council notes the announcement by the Chancellor on 30th October that Agricultural Property Relief and Business Property Relief would, from 6th April 2026, only apply to the first £1 million of assets being passed to the next generation upon death of the owner.

Fife has a large number of farms producing high quality food for consumption across the UK. The food sector in Fife is a major employer, and farms are great contributors to preserving and enhancing the quality of our countryside. Only a small proportion of farms in Fife will have assets of less than £1 million given that farm assets include all land, buildings, equipment and livestock.

It has become clear from the large demonstrations which have taken place in London, Edinburgh, Dover and elsewhere in UK that the Chancellor and Treasury have failed to understand not only the public support for the farming community, but also the basic economics of farming, which requires a large amount of capital to produce a very modest amount of income. Family farmers regard themselves as temporary custodians of their farm before it is passed to the next generation, hopefully in a better state than before.

The changes proposed by the Chancellor which are due to take effect on 6th April 2026 leave insufficient time for elderly farmers to change their future planning under the 7 year rule. To do so they would have had to have gifted their farm before 6th April 2019. With the very real threat of insolvency some are suffering acute anxiety and contemplating desperate measures.

There is no precedent for such retroactive legislation in UK. While it may be proper to withdraw or modify APR and BPR relief on farms which may be bought in future by investors seeking to avoid inheritance tax, there should be no change to the inheritance tax regime affecting current owners, at least until 2032.

Fife Council, therefore, resolves to write to the Chancellor requesting that this change in APR and BPR be reconsidered and if not cancelled then its effect deferred until 2032 for any farm owner who acquired their farm before 1st November 2024.”

Proposed by Councillor Robin Lawson
Seconded by Councillor Kathleen Leslie

Motion 5

“Council notes proposed reductions by ScotRail to the opening hours of ticket offices of railway stations in Fife; these are Aberdour, Leuchars, Cowdenbeath and Cupar.

Council notes that there could be concerns amongst users of these stations in Fife's communities.

Council resolves to ask the Council Leader to write to the Scottish Transport Minister to request they intervene in order to protect this service.”

Proposed by Councillor Jane Ann Liston
Seconded by Councillor Jonny Tepp