

Cabinet Committee

Council Chamber, Fife House, North Street, Glenrothes /
Blended Meeting



Thursday, 3 April 2025 - 10.00 am

AGENDA

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1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTES**
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4. **ANNUAL UPLIFT IN PAYMENTS TO THIRD PARTY PROVIDERS AND SOCIAL CARE CHARGES FOR 2025-26** – Report by the Director of Health and Social Care. 13 - 20
5. **HOUSING ALLOCATION POLICY REVIEW UPDATE** – Report by the Head of Housing Services. 21 - 27
6. **HOUSES IN MULTIPLE OCCUPATION (HMO): OVERPROVISION POLICY UPDATE** – Report by the Head of Housing Services. 28 - 35
7. **HOUSING REGENERATION COMPENSATION POLICY** - Report by the Head of Housing Services. 36 - 42
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9. **STREET NAMING AND NUMBERING POLICY, PROCEDURES AND CHARGES** – Report by the Head of Property Services. 51 - 67
10. **SCOTTISH GOVERNMENT PLACE BASED INVESTMENT PROGRAMME FUNDING - FIFE'S PROPOSED PROJECTS 2025/26** – Report by the Head of Property Services. 68 - 86
11. **VACANT AND DERELICT LAND FUND - FIFE'S PROPOSED PROJECTS 2025/26** – Report by the Head of Property Services. 87 - 96
12. **FIFE TRANSIENT VISITOR LEVY** – Report by the Executive Director (Place). 97 - 103
13. **EV CHARGING INFRASTRUCTURE - REGIONAL PROCUREMENT** – Joint report by the Head of Roads and Transportation Services and the Head of Revenue and Commercial Services. 104 - 112
14. **CONSULTATION ON A LOCAL AUTHORITY GENERAL POWER OF COMPETENCE** - Report by the Executive Director (Finance and Corporate Services). 113 - 128

15. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES 129 - 130

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

27 March 2025

If telephoning, please ask for:

Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes
Telephone: 03451 555555, ext. 442238; email: Michelle.McDermott@fife.gov.uk

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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.

THE FIFE COUNCIL - CABINET COMMITTEE - BLENDED MEETING

Council Chamber, Fife House, North Street, Glenrothes

6 March 2025

10.00 am - 3.20 pm

PRESENT: Councillors David Ross (Convener), David Alexander, Lesley Backhouse (substituting for Councillor Brian Goodall), David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Linda Erskine, Derek Glen, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Allan Knox, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Mary Lockhart, Sarah Neal, David Ross, Alistair Suttie (substituting for Councillor Stefan Hoggan), Craig Walker and Jan Wincott.

ATTENDING: Ken Gourlay, Chief Executive; Elaine Muir, Head of Finance, Alison Binnie, Finance Business Partner, Helena Couperwhite, Committee Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services and Michelle Gunn, Manager, Business Technology Solutions, Finance and Corporate Services; John Mills, Head of Housing Services and Gavin Smith, Service Manager, Housing Services; Ross Spalding, Service Manager (Climate Change and Zero Waste) and Hugh Muschamp, Lead Officer (Climate Change and Zero Waste), Planning Services; Paul Vaughan, Head of Communities and Neighbourhoods Service, Sharon Murphy, Community Investment Manager, Communities and Neighbourhoods Service; Angela Logue, Head of Education, Craig Martin, Quality Improvement Officer and Hannah MacGregor, Principal Teacher, Education Service; John Mitchell, Head of Roads and Transportation Services, Lesley Craig, Lead Consultant and Duncan Sharp, Flooding, Shoreline and Harbours, Roads and Transportation Services.

APOLOGIES FOR ABSENCE: Councillors Brian Goodall and Stefan Hoggan.

338. CHANGE OF MEMBERSHIP

The committee noted that Councillor Stefan Hoggan was a newly appointed member of the Cabinet Committee.

339. DECLARATIONS OF INTEREST

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

340. MINUTE

The committee considered the minute of the Cabinet Committee meeting of 6 February 2025.

Decision

The committee agreed to approve the minute.

341. REVENUE MONITORING 2024-25

The committee considered a report by the Executive Director (Finance and Corporate Services) which provided members with a strategic overview of Fife Council's finances and reported on the current forecast position for 2024-25.

Decision

The committee:-

- (1) noted the high level financial position as detailed in the report;
- (2) noted that there were ongoing financial impacts and pressures which continued to be managed by Services with an element of protection from financial risk being accounted for centrally;
- (3) instructed Executive Directors to continue to mitigate overspends in order to manage within overall service budgets in the current year and ensure strong financial management;
- (4) noted that detailed monitoring reports would be submitted to the relevant Scrutiny Committees; and
- (5) requested that Scrutiny Committees ensured appropriate level of support and challenge in relation to financial reports.

342. CAPITAL INVESTMENT PLAN - MONITORING 2024-25

The committee considered a report by the Executive Director (Finance and Corporate Services) which provided a strategic financial overview of the Capital Investment Plan and advised on the provisional outturn for the 2024-25 financial year.

Decision

The committee:-

- (1) noted the projected outturn position and that the level of financial risk continued to be heightened due to the impact of inflation and supply chain challenges;
- (2) instructed Services to plan projects within the approved resource within the Capital Investment Plan;
- (3) noted that more detailed capital outturn reports for 2024-25 would be submitted to relevant Scrutiny Committees of the council;
- (4) noted that budget variances would be managed by the appropriate Directorates in conjunction with the Investment Strategy Group; and
- (5) noted the updated prudential indicators provided.

343. HOUSING EMERGENCY ACTION PLAN UPDATE

The committee considered a report by the Head of Housing Services outlining the impact, to date, of actions taken in response to the development of the Housing Emergency Action Plan (HEAP) and highlighted the areas where a more strategic approach was required to deliver change.

Decision

The committee:-

- (1) reviewed the progress made to date in improving housing supply and reducing homelessness; and
- (2) noted the next steps and further reporting in 2025 as outlined in section 3 of the report.

344. LOCAL HEAT AND ENERGY EFFICIENCY STRATEGY DELIVERY PLAN

The committee considered a report by the Head of Planning Services seeking approval of Fife Council's delivery plan for the Local Heat and Energy Efficiency Strategy.

Decision

The committee approved the Local Heat and Energy Efficiency Strategy Delivery Plan and agreed that this now be published.

345. SUPPORT FOR VOLUNTARY ORGANISATIONS

The committee considered a report by the Head of Communities and Neighbourhoods Service seeking approval of grants to voluntary organisations for the period 2025-2028 for the Directorates of Communities, Education and Place.

The committee were provided with an update to the report as follows:-

Appendix 2 (Housing) - The award recommendation for 2025/26 for the following organisations had changed as follows:-

Glenrothes Y	- £816,540.35 (an additional £8,006.84)
Trust in Fife	- £643,886.37 (an additional £6,497.65)
Auchmuty and Dovecot Tenants and Residents Federation	- £6,437.15 (an additional £182.19)

It was noted that the Housing Services total was now £12,564,899.29 and the overall amount recommended for approval for all Services was £27,840,909.29.

The meeting adjourned at 11.30 am and reconvened at 11.50 am.

Decision

The committee:-

- (1) approved recurring grant funding to voluntary organisations for the period 2025-2028 from core council budgets as detailed in Appendices 1, 2, 3 and 8 to the report, noting the updates to Appendix 2 as detailed above;
- (2) approved recurring grants to voluntary organisations from other external funding as detailed in Appendices 4, 5, 6 and 7 to the report;
- (3) noted that a 3% uplift for voluntary sector organisations had been included within the council's revenue budget and included in eligible awards;

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- (4) noted that Fife Council's Monitoring and Evaluation Framework would continue to be followed for the duration of these awards; and
- (5) agreed that a Working Group be established to agree the remit and principles for future scrutiny as appropriate.

346. NATIONAL BAN ON PAVEMENT PARKING

The committee considered a report by the Head of Roads and Transportation Services seeking agreement on Fife Council's approach for the implementation of the national ban on pavement parking, double parking and parking at dropped kerbs regulations.

Decision

The committee:-

- (1) noted the introduction of legislation prohibiting pavement parking, double parking and dropped kerbs parking as set out in the Transport (Scotland) Act 2019;
- (2) agreed that the formal enforcement of the ban on parking on pavements would commence from 1 September 2025;
- (3) agreed that an initial soft approach to enforcement would be adopted and an awareness raising campaign undertaken with leaflets and warning notices issued for a period of two months prior to formal enforcement; and
- (4) noted that any pavement parking ban exemptions would be progressed through existing Area Committee powers.

347. FIFE COUNCIL 20MPH STRATEGY

The committee considered a report by the Head of Roads and Transportation Services seeking agreement on the strategy for implementation of 20mph speed limits in Fife.

Decision

The committee:-

- (1) noted the extensive work that Fife Council had already undertaken since 2003 in implementing 20mph zones in almost all residential areas in Fife;
- (2) noted the Scottish Government's guidelines for the proposed implementation of 20mph roads as detailed in the report;
- (3) agreed to adopt 20mph as the recognised speed limit on appropriate roads through consultation and agreement with local communities; and
- (4) noted that Area Committees would approve any new 20mph roads through the Traffic Regulation Order process.

348. MANAGING FLOODING IN FIFE

The committee considered a report by the Head of Roads and Transportation Services providing an update on the management of flooding issues and measures in Fife (as per Motion 3 submitted to the Fife Council meeting on 16 May 2024).

Decision

The committee:-

- (1) noted the management processes and programmes in place within Roads and Transportation Services to deliver flood related services in Fife;
- (2) noted the focus on the development of digital solutions to help improve greater co-ordination and delivery of resources to locations of greatest need in line with customer needs; and
- (3) noted the pressure in recruiting specialist staff within Roads and Transportation Services to manage flood related matters and the measures in place to manage this in the short-term.

Councillor Rosemary Liewald left the meeting during consideration of the above item.

The meeting adjourned at 1.30 pm and reconvened at 2.00 p.m.

349. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES

Decision

The committee noted the list of outstanding remits from committees.

350. TRANSFORMING LEARNING FIFE: FULL BUSINESS CASE

The committee considered a joint report by the Executive Director (Education) and the Executive Director (Finance and Corporate Services) seeking approval on the implementation of Transforming Learning Fife Programme as approved as part of the council's Capital Investment Plan 2025-35 and General Fund Revenue Budget 2025-2028. As part of this, approval was sought to progress with device procurement and the deployment of 1:1 devices to all P6-S6 learners and all teaching staff, alongside the associated background work and the programme of upskilling teachers and learners to fully embed the Transforming Learning Programme in all schools.

Decision

The committee:-

- (1) noted the rationale of the Transforming Learning team's vision to Transforming Learning, Teaching and Assessment as detailed in the report and Appendix 3;
- (2) approved the communication plan as detailed in the report;
- (3) approved the deployment schedule detailed in the report and instructed officers to prepare for the deployment of almost 36,000 ipads to P6-S6 learners and teaching staff; and
- (4) noted that a separate report, to consider the business plan and financial implications, would be considered in a private, follow up report.

Councillor Judy Hamilton left the meeting during consideration of the above item.

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The committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following item of business on the grounds that it involved the disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

351. TRANSFORMING LEARNING FIFE - FULL BUSINESS CASE (PRIVATE REPORT)

The committee considered a joint report by the Executive Director (Education) and the Executive Director (Finance and Corporate Services) seeking approval of the full Transforming Learning Business Case with implementation following the model outlined in Option 3. Funding for Option 3 was approved as part of the council's Capital Investment Plan 2025-2035 and General Fund Revenue Budget 2025-2028.

Decision

The committee:-

- (1) approved the full Business Case and implementation of Option 3 outlined within the Business Case;
- (2) approved the purchase model as detailed within the report; and
- (3) instructed officers to prepare for the deployment of almost 36,000 ipads to P6-S6 learners and teaching staff as detailed in the report.

Councillor Mary Lockhart left the meeting during consideration of the above item.

THE FIFE COUNCIL - APPEALS SUB-COMMITTEE

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

27 February 2025

1.30 pm – 2.45 pm

PRESENT: Councillors Eugene Clarke (Convener), Alycia Hayes, Linda Erskine, Allan Knox and Derek Glen.

ATTENDING: Jacqui Cameron, Service Manager – Human Resources Service and Alison Higgins, Solicitor, Legal and Democratic Services.

Representing the Authority - Karen Marwick, Service Manager Home Care, Health & Social Care Services and Lee-Anne French, HR Business Partner, Human Resources Service.

Representing the Appellant – Katrina Currie, Unite Trade Union and the Appellant.

10. HEALTH AND SOCIAL CARE SERVICES – DISMISSAL APPEAL

The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

The Sub-Committee considered the written submissions by both parties and also heard both parties' oral representations, following which the Authority's representatives and the appellant and their representative withdrew from the meeting.

Decision

The Sub-Committee agreed that the grounds of the appeal had not been substantiated, and therefore the appeal had not been upheld.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION
APPOINTMENT COMMITTEE – GLENROTHES**

5th February 2025

2:00 pm – 4:00 pm

PRESENT: Councillor Alycia Hayes, Councillor Colin Davidson, Angela Logue – Head of Service, Sarah Else – Education Manager, John Wallace – Parent Council Chair and Vicki Amos – Parent Council Treasurer.

65. EXCLUSION OF PUBLIC AND PRESS

Decision

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

66. HEADTEACHER – Pittencrieff Primary School

The Committee interviewed 2 applicants on the short list for this post.

Decision

Agreed to recommend the appointment of one of the applicants.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION
APPOINTMENT COMMITTEE – GLENROTHES**

21 February 2025

1.00pm - 3.00pm

PRESENT: Councillor Kathleen Leslie, Councillor Colin Davidson, Angela Logue, Head of Service, Alan Cumming, Education Manager, Neil Bathgate, Chair, Parent Council, Jenny Gibbs, Parent Council.

67. **EXCLUSION OF PUBLIC AND PRESS**

Decision

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

68. **HEADTEACHER –KINGHORN PRIMARY SCHOOL**

The Committee interviewed one applicant on the short list for this post.

Decision

Agreed to recommend the appointment of the applicant.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION
APPOINTMENT COMMITTEE – GLENROTHES**

28 February 2025

12.00 - 2.00pm

PRESENT: Councillor Colin Davidson, Angela Logue, Head of Service, Mary Caldwell, Church Representative, Alan Cumming, Education Manager, Marie Oates, Chair, Parent Council, Sandra Jeka, Parent Council.

69. EXCLUSION OF PUBLIC AND PRESS

Decision

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

70. HEADTEACHER –ST AGATHAS PRIMARY SCHOOL

The Committee interviewed one applicant on the short list for this post.

Decision

Agreed to recommend the appointment of the applicant.

3 April 2025

Agenda Item No. 4

Annual Uplift in Payments to Third Party Providers and Social Care Charges for 2025-26

Report by: Lynne Garvey, Director of Health and Social Care

Wards Affected: All

Purpose

The purpose of this report is to provide the Council with information on the proposed uplift in payments to third party providers and charges of Social Care Services for financial year 2025-26.

Recommendation(s)

It is recommended that members: -

- a) note the proposed increase in the Free Personal and Nursing Care Allowance.
- b) note the proposed increase in hourly rates paid for service users in receipt of a direct payments, or for shared lives carers, to comply with the increase in living wage rate for 2025-26.
- c) note and approve the increase in rent charges for service users residing within staffed group homes or core and cluster services; and
- d) approve the revised charges for Social Care Services for 2025-26 (Appendix 1).

Resource Implications

The hourly rate for Direct Payments used to employ a personal assistant in line with the Scottish Living Wage will increase from £12.00 to £12.60 from 1st April 2025.

The hourly rate for Shared Lives Carers will increase in line with Scottish Living Wage, increasing from £12.00 to £12.60 from 1st April 2025.

Increasing the rates paid to meet the living wage requirement have been provided for in the 2025-26 revenue budget and will be covered with the service budget allocations within the Health & Social Care Partnership.

Legal & Risk Implications

There are no risks noted.

Impact Assessment

There is no requirement for an impact assessment in respect of this report as no change or revision to existing policies and practices is proposed.

Consultation

There is no requirement for consultation in respect of this report.

1.0 Background

- 1.1. The Health and Social Care Partnership provide and purchase a range of social care services from local, national, private and voluntary sector care providers to meet assessed need of service users in Fife Council.
- 1.2. The purpose of this report is to provide the Council with information on the proposed payments to these providers for 2025-26 and note the charges that will be applied for social care services.
- 1.3. Whilst charges are made for direct services such as meals on wheels, community alarm and respite care, these are a contribution towards the cost of the service. It should be noted that Fife Council's current policy position is that for non-personal care services which are provided by the Partnership, such as housing support, service users in receipt of these services are not charged.
- 1.4. With reference to the Public Bodies (Joint Working) (Prescribed Local Authority Functions, etc) (Scotland) Regulation 2014, Regulation 3 makes amendment to remove certain enactments from the schedule of the Act. The effect of these amendments is that the functions conferred by enactments removed from the schedule, which relates to the setting of charges for social care services, will **not** be able to be delegated by a local authority as part of the joint working arrangements prepared under the Act.

2.0 Issues and Options

2.1 Free Personal and Nursing Care Allowance

- 2.1.1 Personal Care or Personal and Nursing Care is free for people entering care. Service users who are not eligible for full funding because of the level of capital held are entitled to receive a weekly Personal Care or Personal and Nursing Care allowance.
- 2.1.2 The Scottish Government has agreed with local authorities that the weekly allowance made by local authorities towards the Personal and Nursing Care of people in Residential or Nursing Care Homes will increase in 2025-26 (Table 1):

Table 1	Personal & Nursing Care	Personal Care	Nursing Care
2025-26 *	£369.15	£254.60	£114.55
2024-25	£360.60	£248.70	£111.90

* subject to Parliamentary approval

2.2 Fife Council Residential Care Home Fee

- 2.2.1 As required by legislation, the standard weekly charge for Fife Council Residential Care homes for older people requires to be set to recover the full cost to the Council.
- 2.2.2 For 2025-26, the weekly charge will be £1,302.00 per week, an increase of £62.00 per week over the 2024-25 rate. The standard charge, net of Free Personal Care, will be £1,047.40 per week (£1,302.00 minus £254.60 per week).

2.3 Other Third Party Payments

- 2.3.1 In recognition that Direct Payments made to service users to purchase their own care are largely used to employ personal assistants, to increase the hourly rate paid to personal carers in line with the rise in the Scottish Living Wage.
- 2.3.2 The hourly rate for Direct Payments used to employ a personal assistant in line with the Scottish Living Wage will rise from £12.00 to £12.60 from 1st April 2025.
- 2.3.3 Shared Lives Carers provides family-based care in the homes of carers across Fife to adults, offering short and longer term delivered in the local community by the local community.
- 2.3.4 In recognition of the Shared Lives Carers support to service users, the hourly rate paid to the carers should be in line with the Scottish Living Wage. The hourly rate for Shared Lives Carers will increase in line with Scottish Living Wage, increasing from £12.00 to £12.60 from 1st April 2025.

2.4 Group Homes and Core and Clusters

- 2.4.1 Service users residing and receiving care and support in the community within a group home or core and cluster service are required to pay rental charge for their tenancy.
- 2.4.2 Rental charges are calculated on an annual basis. In April 2023 rental charges were aligned and the same rental charge applied to all service users regardless of the care provider who provides the care and support, whether services being provided by the Partnership's Adults Resources Service, or from an Independent Sector Commissioned care provider.
- 2.4.3 Table 2 below notes the current rental charge and the proposed rental charge for 2025-26. The uplift of 6% to the rental charge mirrors the increase applied by Fife Council's Housing Service for rental charges for tenants.
- 2.4.4 For most service users, their weekly rental charges are claimed through their Housing Benefits, except for a small number (less than 5) who have to pay their full weekly rental charge, as their capital and assets exceed the threshold for entitlement to Housing Benefit. Therefore, whilst the rental charges are increased, there is no impact on most service users due to the rental charge being covered through their benefits claim.
- 2.4.5 For those that are not entitled to receive Housing Benefit, when their capital and assets reach the upper threshold for entitlement to Housing Benefit, the Partnership will ensure these individuals are supported to make an application for their benefit entitlement.

Table 2	Rental Charge 2024-25	Rental Charge 2025-26
Adult Resources Group Home	£968.75	£1,026.88
Adult Resource Core & Cluster	£555.46	£588.79
Independent Sector Group Home	£968.75	£1,026.88
Independent Sector Core & Cluster	£555.46	£588.79

- 2.4.6 The Service Charge for service users residing with an Adult Resources Group Home or Core & Cluster will increase by 5%. The weekly service charge will increase from £26.46 per week to £27.78 per week from 7th April 2025.
- 2.4.7 The Service Charge was previously calculated based on Department for Work & Pensions rates and has not increased for the last four (4) years resulting in a short fall in contributions for service users towards the running costs associated with their service.
- 2.4.8 The current Service Charge is made up of DWP allowance for utilities which include heating, lighting and cooking only. The Partnership subsidise other costs for the provision of other services. These costs include telephones, water charges, grounds maintenance and waste management charges.

It is the Partnership's plan during 2025-26 to review and undertake a scoping exercise regarding the other costs that are attributed to operating and running these care services that should be paid, or could be contributed to, by service users. This work will also include consultation and consideration of the impact on service users within Adult Services Resources.

2.5 Charges for Social Care Services

- 2.5.1 Meals on Wheels, and Community Alarm services are self-referral services, and are not subject to a social work/care assessment. Due to the increasing number of service users who have a Meals on Wheels service and/or a Community Alarm, the criteria and self-referral process will be reviewed during 2025-26. Any proposed changes following the review will be for new service users only and no one who currently has a Meals on Wheel service and/or a Community Alarm will have their service removed.

Meals on Wheels

- 2.5.2 Meals on Wheels is delivered on a self-referral basis to anyone who requests the service. Currently, courses are charged on an individual basis to the customer with the Partnership subsidising the service. The most popular choice is for a two-course meal.
- 2.5.3 The proposal is to increase the flat-rate charge from £5.24 to £5.50 for a two-course meal. The proposed uplift is in line with agreed Fife Council uplift rate of 5%.
- 2.5.4 Some people opt for a three-course meal. We propose to increase the flat rate charge for three course meal delivery from £6.62 to £6.95. A very small number of service users order soup only and propose the cost increasing from £1.37 to £1.44 per delivery for soup only.

- 2.5.5 The Meals on Wheels provide a breakfast service. The service will deliver the selected breakfast when delivering the service users main meal option and will be left for breakfast the following morning. The current charge for the breakfast service is currently £2.62 and it is proposed to apply a 5% increase to this charge, making the cost for this service £2.75 per meal.
- 2.5.6 The Meals on Wheels service also provide an Afternoon Tea. The service delivers the afternoon tea when delivering the service user's main meal option and is left for the service user to have later that day. The current charge for an Afternoon Tea is currently £2.75 and it is proposed to apply a 5% increase to this charge, making the cost for this service £2.89 per meal.
- 2.5.7 The income from the increase in weekly charge, based on the current level of services, would be c£55,700 per annum.
- 2.5.8 It should be noted that the charges applied for the various meal options are subsidised by the Health and Social Care Partnership, as the current charges being applied does not cover the full cost of providing and delivering this service. The annual subsidy for the service by the Partnership is in the region of c£323,000, or 21.78%, of the cost.

Community Alarms

- 2.5.9 A Community Alarm is delivered on a self-referral basis to anyone who requests it and there is no assessment of need for this service. The current charge for 2024-25 in Fife is £3.09 per week.
- 2.5.10 It is proposed for 2025-26 that an increase of £0.15 per week will be applied for a Community Alarm, increasing the weekly charge from £3.09 to £3.24 per week. The increase would be a 5% uplift to the rate from 2024-25. The annual charge for a community alarm in 2025-26 will £168.48 per annum.

It should be noted that the charge for a community alarm is subsidised by the Health and Social Care Partnership, as the current charge being applied does not cover the full cost of providing and delivering this service. The annual subsidy for the service by the Partnership is in the region of c£484,000, or 28%, of the cost.

The cost of a community alarm would need to be £4.50 per week (annual charge of £234.00 per year) to cover the subsidy.

- 2.5.11 The income from the increase in weekly charge, based on the current level of services, would be c£57,500 per annum.

Telecare & Day Care Charges

- 2.6.1 Currently the Partnership provide both telecare and day care services to service users and there are no charges applied for those in receipt or accessing the services.
- 2.6.2 Telecare service support people to live within their own home who require some additional support or help to stay safe in their home. Whilst service users are currently charged for their community alarm, there are no charges applied for the provision of equipment linked to their alarm, which if activated, will be responded to by the Telecare Team.

The Partnership is proposing to introduce a charge for telecare equipment. A charge would be introduced and applied for the ongoing provision of telecare services, and would not be applied for the provision of, or replacement of, the telecare equipment.

The proposed charge for telecare services would be £1.00 per week for each piece of equipment within a service users' home. The number of pieces of equipment by service

user varies with some having one piece of equipment, up to having multiple pieces of equipment. It would be the Partnership's plan that charges would apply for up to a maximum of two (2) pieces of equipment.

Prior to implementation, the Partnership would undertake an engagement process with those service users where a charge would be applied. Service users would also be offered a review to ensure that the equipment was still required to meet their ongoing care and support needs.

The Partnership would also develop and create a Waivers & Exemption process for telecare equipment so that where someone is assessed as requiring equipment, but the charges being applied would create financial difficulties, the process would allow for an exemption to the charges to be applied. It should be noted that the Partnership would engage with our partners to support service users with welfare benefit maximisation, if identified or appropriate.

Charges would be introduced within 2025-26, from October 2025, following the engagement and review process, and it is anticipated that the Partnership would generate income of around £95,000 per annum within this financial year. The full year effect in future years would generate income in the region of £175,000. This is based on current level of pieces of equipment of 3,600 within service user's own home.

2.6.3 A number of service users attend day care services provided by the Health & Social Care Partnership however there is no charges applied for attendance at a day service. Whilst in attendance at a day care service, service users will have access to care and support including a range of activities, which may include transport, and be provided with hot and cold drinks.

2.6.4 The Partnership is proposing to introduce a charge for day care services. A charge would be applied for each day a service user attends a day service.

The proposed charge for day care service would be £10.00 per day. Some benchmarking has been completed against other Local Authorities, and the range of charges that are currently applied vary, such as £14.96 per hour, or £2.39 for a 3-hour day service.

Again, prior to implementation, the Partnership would undertake an engagement process with those service users where a charge would be applied. Service users would also be offered a review to ensure that their day service was still required to meet their ongoing care and support need.

By applying the daily charge of £10.00 per day to the current service users in attendance at day care, this would generate income of approximately £500,000 per annum. This is based on current level of attendance, with c900 day service sessions per week.

Contribution for Respite & Short Breaks

2.7.1 Respite and Short Break Care is a vital service to support both the cared for person, and in many cases unpaid carers. The Carers (Scotland) Act 2016 places a series of duties on the local authorities which include offering and providing an Adult Carers Support Plan (ACSP), to provide information and advice to carers that allows them to be aware of support available, and to waive charges where the service provided is to support the carer.

2.7.2 This criteria is applicable to a number of people in receipt of respite and short break services however for some people, the above criteria are not met and therefore a charge for respite and short break services should be applied.

- 2.7.3 Where a charge should be applied in relation to respite and short break care, the HSCP will ensure that the relevant charge is applied, and that service users and/or their representatives are aware of the charging criteria and rates.
- 2.7.4 Rates charged for respite and short break care are calculated using the applicable age-related Department for Work & Pensions rates less Personal Expenditure Allowance. The revised rates for 2025-26 are shown on Appendix One and will be applicable from 7 April 2025.

3.0 Conclusions

- 3.1 The increased rates proposed in relation to the fees and payments for Third Parties have been provided for in the 2025-26 revenue budget.
- 3.2 Committee is asked to note the intended benchmarking and scoping exercises, and further updates and reports will be presented back to this committee during 2025-26
- 3.3 A list of the updated charges to service users for Social Care Services is included at Appendix 1 of this report.

List of Appendices

1. Appendix One – Charges for 2025-26

Background Papers

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

- Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2002

Report Contact:

Alan Adamson, Service Manager
Fife Health & Social Care Partnership
6th Floor Fife House, Glenrothes
Telephone: 03451 55 55 55 - Ext 445977
E-mail: alan.adamson@fife.gov.uk

Social Work Service - Charges for Services 2025-26

	Price Increase	Percentage Increase	2024-25 per week	2025-26 per week	Effective from
Respite Care Adults aged 18 to 24 years (note 1)	£0.50	0.6%	£79.70	£80.20	7 April 2025
Respite Care Adults aged 25 to 64 years (note 1)	£1.30	1.3%	£98.50	£99.80	7 April 2025
Respite Care Older People (65+) (note 1)	£5.55	4.0%	£134.80	£140.35	7 April 2025
Service Charge – Accommodation Services	£1.32	5.0%	£26.46	£27.78	7 April 2025
Local Authority Residential Care Home	£62.00	5.0%	£1,240.00	£1,302.00	1 April 2025
Meals on Wheels for 1 course only (soup)	£0.07	5.0%	£1.37	£1.44	1 April 2025
Meals on Wheels for 2 courses	£0.26	5.0%	£5.24	£5.50	1 April 2025
Meals on Wheels for 3 courses	£0.33	5.0%	£6.62	£6.95	1 April 2025
Meals on Wheels Breakfast Service	£0.12	5.0%	£2.63	£2.75	1 April 2025
Meals on Wheels Afternoon Tea/	£0.14	5.0%	£2.75	£2.89	1 April 2025
Community Alarms	£0.15	5.0%	£3.09	£3.24	1 April 2025
Telecare Equipment (Per Piece of Equipment) (note 2)	-	-	-	£1.00	1 June 2025
Day Service (Daily Charge per session) (note 2)	-	-	-	£10.00	1 June 2025

Notes:

- 1) Respite Care charges are based on benefit rates set by the Department for Work & Pensions (DWP) applicable from 7 April 2025.
- 2) Telecare and Day Care charges would be introduced from 1st June 2025 subject to the outcome of the engagement and review process.

Housing Allocation Policy Review Update

Report by: John Mills, Head of Housing Services

Wards Affected: All

Purpose

The council's Allocations Policy Review was requested by the Cabinet Committee on 8 February 2024 prior to the declaration of the Fife Housing Emergency in March 2024.

This update report provides Cabinet Committee with interim proposals to amend the Allocation Policy for consideration and agreement. The proposals are aligned to the Housing Emergency but reflect the Group's consideration of the current policy environment.

A further stage of work by the Policy Review Task & Finish Group is to bring forward proposals for the simplification of the current points and prioritisation scheme to Cabinet Committee in the Autumn.

Recommendations

It is recommended that Cabinet Committee:-

- (1) approve interim measures detailed in section 2.5 of this report to be implemented as initial policy changes to mitigate the Housing Emergency; and
- (2) agrees to further develop a simplified points banding system detailed in section 2.6 of this report as the second stage of work for the Task & Finish Group with a report back to Cabinet in Autumn 2025.

Resource Implications

There are no direct resourcing impacts arising from this report

Legal & Risk Implications

The Council is required to review the Allocation Policy within the context of the relevant Housing (Scotland) Acts and intersecting legislation

Impact Assessment

An Equality Impact Assessment has been completed in relation to the proposed interim changes to the policy and is attached as appendix 1.

Consultation

There has been formal consultation with the two Tenants & Residents Federations. The Task & Finish Group has also been assisted by the Fife Housing Register Partnership (FHR) as consultees.

Following proposed agreement by the Cabinet Committee on the interim policy changes, the Council will need to consult with the public as required by the Housing Scotland Act 2001.

1.0 Background

- 1.1 The Allocations Policy Task and Finish Group's remit is to modernise the housing allocation policy based on a number of principles;
- Person Centred with self-service options.
 - Homeless Prevention and housing option focus.
 - Simplified outcome / assessment with a focus on 'No Wrong Door
 - Professional input and case management which is proportionate
 - Ensuring the best use of stock.
 - Integrated with wider support systems.
 - Improved access to housing options information and personal housing planning.
 - Reduced bureaucracy and administration.
 - Stock management linked to effective local lettings planning to respond to local needs.
- 1.2 The Group has worked through a number of evidence and review sessions to ensure understanding of the current policy and allocations system, generating views from Elected Members, Tenants and Residents Groups and FHR Partners. There have also been review sessions with contributions from Edinburgh, Falkirk and Highland Councils. A further session with Perth and Kinross Council is still being organised.
- 1.3 The proposal to move to a simpler system is based on views gathered through the Task and Finish Group engagement within political groups, as well as with tenants and residents. The Group has considered different approaches to needs and choice based letting but are recommending we focus on a simplification of the current prioritisation housing access model.

2.0 Options and Issues

Current Policy

- 2.1 The current Policy is a needs-based approach with the Common Assessment of Need providing 3 Application Categories – Homeless (those deemed statutorily homeless through delegated decision making by Housing Options Officers) / Transfer (existing FHR Partner tenants) / Housing List (those with no social tenancy and not deemed homeless). This is further broken down into 10 sub-categories including those with no points/need to move and those that can't be housed by Fife Council but are available to FHR partners.

Current Policy Overview

- 2.2 The main issue at present is high demand for affordable social housing and very limited supply due to turnover. As a snapshot of activities and pressure, in July 2024, there were 13,945 applicants on Fife Housing Register with an annual (Council) turnover of 2,267 council houses in 2023-24.
- 257 properties were allocated to general needs applicants, 1386 to homeless applicants and the remaining 638 were to transfer applicants.
 - There was a total of 105 moves through Best Use Stock (Area Managers applying controlled discretion to arrange transfers) recorded and 67 via Exceptional Circumstances which were authorised by the Service Manager.
 - 30% of housing list applicants have a social/medical need to move
 - This analysis does not include mainstream tenancies that were diverted to provide temporary accommodation which has a negative overall impact on tenancy creation / transfers but is needed to meet homelessness demand.
 - The council has a top quartile performance for refusal of housing offers and has very limited low demand housing.

- Tenancy sustainment rates for those with a homelessness and other backgrounds is also in the top quartile.

The following provides an overview of the applicant groups that benefit and those adversely affected by the current policy arrangements:

Current Policy & Groupings

- 2.3 The following provides a generic overview of the assessment framework with potential outcomes for those with housing needs in the primary category.

Category	Priority Award / Grouping	Which client groups benefit?	Points Awarded by:	Chances of being housed
Urgent Housing Homeless	100 points / homeless date order	Homeless applicants	Statutory Assessment by Housing Options Officers	Guaranteed fair offer - statutory duty
Urgent Homeless Medical	100 points + (20/40/60 medical points) / points order in that 160 points go to the top of the list (then in date order). 120/140 points are all in date order – the system does not define between the two points.	Homeless apps with medical needs	Statutory Assessment by Housing Options Officers. Medical assessed by OT/OTA	Guaranteed offer in time – statutory duty
Urgent Housing	100 points / application date	General/Transfer apps – used mainly for Estate Management / Severe Harassment / DA / Closure Orders	Safer Communities (estates & severe harassment) / Housing Options Officer (DA) / LO Regeneration	Transfers prioritised over general needs – UHT lists clogged with estate management re perpetrators/bail conditions etc. Regen applicants often forgotten about
Urgent Medical	100 points + (20/40/60 medical points) /status date	General/transfer apps – used for estate management / harassment / DA / closure orders	Safer Communities (estates & harassment) / Housing Options Officer (DA) / LO Regen. Medical assessed by OT/OTA	As above
Management Transfer	120 points – awarded once a property is identified	Transfers via Best Use of Stock / sole to sole / exceptional circs and general needs where the Common Assessment of Need does not reflect needs.	BUS/sole to sole – approved by area LO – points added by Housing Allocations. Exceptional Circs – approved by Housing Access Service Manager – points added by LO Allocations/Access	BUS not as utilised as much as it could be re heavy case management. Exceptional circs currently being used for estate management more than original purpose

Category	Priority Award / Grouping	Which client groups benefit?	Points Awarded by:	Chances of being housed
Social Medical	20/40/60 points / status date 15/30/50 20/60 20/60 10/25/40 10/30 20 10	Transfer/general needs Older Person Housing Supported Accommodation (move in/out of) Specific Needs (additional to main SM award) Personal Support / childcare Low/Medium level harassment Overnight access to children/foster care Respite care	Medical assessed by OT/OTA Safer Communities / HMO FHR common Assessment of Need	
Poor Housing	25 / 12 / 10 / 6 / 5	Transfer/general needs	FHR Common Assessment of need (with evidence where required)	
Lack of Security	75/25/5	General need – NTL / Armed Forces Discharge / time limited lease	FHR common assessment of need / evidence	

Who do we need to prioritise within a revised policy framework?

2.4 The following groups are defined in law underpinning housing allocations or related legislation implicating the local authority statutory housing function:

- Statutory Homeless (those receiving a statutory decision by the local authority)
- Prisoner leavers – subject to MAPPA / NASSO arrangements
- Young Care Leavers – Children (Scotland) Act
- Social Housing tenants to create movement with a specific focus on those under-occupying social rented homes
- Management Transfers / Exceptional circumstances – when common assessment of need doesn't cover need to move
- Complex/specific needs – usually related to hospital discharge or unsafe to occupy current home

Task & Finish Group First Stage of Work – Interim Proposed Changes to the Policy

2.5 Following discussion at the Housing Emergency Action Plan (HEAP) Board, FHR partners have provided contribution statements, pledges or commitments. These generally relate to the access system and the wider affordable housing development programme. In relation to the Access System the partners are in favour of the following policy changes being proposed as interim changes to the Allocation policy

- Single person households should be entitled to a 1 or 2-bedroom property as a matter of default
- Housing list and homelessness applicants should receive one fair / reasonable offer with a robust appeals process, this brings all application categories in line with statutory homeless households.

- To assist the transfer-led allocations approach, tenants should receive one further offer in recognition of the fact that a negotiation may be required to obtain a property to generate a further transfer chain or meet a specific need. This means the current policy will not change for existing tenants of any of the Fife Housing Register Partners. This is an indication of the commitment to continue to work together to make the best use of housing stock available and increase mobility and options for existing tenants.
- Continuing to focus on a transfer led approach to allocations to increase turnover with a resultant benefit to statutory homeless households and other priority groups through allocations quotas at Area level through refreshed Area Lettings Plans
- Housing Associations will continue to allocate all types of housing to any applicant (i.e. a homeless or housing list applicant may be allocated a new build property)

Some FHR Partners are willing to consider further discussion and impact assessment around a transfer-led approach to housing allocations and commonality in policy in the short term to increase turnover. The Council will continue to implement a transfer led approach meantime to continue to increase turnover rates and give the best deal to existing tenants.

Task & Finish Group 2nd Stage of Work - Developing a simpler system

- 2.6 The Task and Finish Group favours the concept of a clear prioritisation or banding system. This is organised in different ways by different landlords but could be set out as follows in Fife

Acute Needs (Time limited or action dependent)	Exceptional Circumstances, Management Needs, Best Use of Stock, Very Specific Housing Needs – potentially linked to a panel or procurement approach
Statutory Needs (Time limited or action dependent)	Statutory homeless households, high health or specific housing needs, Domestic abuse, abuse within the home or equivalent external harassment, Severe overcrowding, Social Rented Sector Under-occupancy, Below Tolerable Standard Housing, Discharge from institution or similar (hospital, prison, care setting) Regeneration/ Closure Order
Need to move (Time limited)	Notice to Quit or leave private rented or forces accommodation, Overcrowding, Independent Living from support or care programme
Social Needs	Support Needs, Caring factors – respite, kinship etc. Non violent or abusive relationship breakdown, childrens social needs
Current priorities that would be suspended	Medium - Lower level health and harassment issues, lacking playspace, shared facilities, travel to work, school, education, locally based support needs
<i>Waiting Time</i>	<i>QC opinion to be refreshed in relation to the application of waiting time as part of the housing needs assessment</i>
Suspensions Policy	No changes proposed
Eligibility	List is open to any household aged 16 or over unless immigration or other controls / restrictions apply
Bedroom Entitlement	No change other than single people can be offered 2 bedrooms by default

- 2.6.1 This approach would radically simplify the allocation system, putting a focus on priority housing needs while allowing for an element of landlord flexibility. The system would remove cumulative and area-based pointing which would mean that applicants would see points / priorities reduced.

- 2.6.2 It is envisaged that this could be linked to strengthened Area Letting Plans to make specific commitments to particular groups (e.g. Allocations Quotas for domestic abuse, care experience, etc.) which would also be a homeless prevention measure. This would mean that applicants in specific circumstances would not need to present as homeless to achieve a priority and could be linked to a form of Housing Options or Personal Housing Planning. This would support the further development and implementation of the Housing Advice Strategy.
- 2.6.3 The resultant system would also have a positive impact by reducing the number and complexity of related assessment systems (e.g. for health, harassment, support needs etc) affecting the application assessment. This would reduce administration within the housing application assessment and housing list maintenance functions, freeing up staff time across the partnership to focus on housing options advice and homeless prevention.
- 2.6.4 The impact of these changes would need to be tested with partners and subject to further and full consultation with a range of stakeholders, primarily tenants and residents with a further report brought back to Cabinet in due course. This approach would be adaptable to a need based, choice based or hybrid approach to housing allocations across the partnership, providing more flexibility in the choice of IT and support systems required to manage the policy. Further investigation of the benefits and impacts of a revised approach have still to be fully considered by the Task and Finish Group

3.0 Conclusions

- 3.1 The pressure on the housing allocation system reflects a range of general and specific needs supply side issues. The information above gives a sense of the priorities that are being registered on the system and the potential impacts of a revised approach. It is proposed that the Council will continue to adopt a transfer led approach to housing allocations to go some way to address the supply issues and that FHR Partners will support this within a common approach to allocations. However, it remains clear that allocations must focus on those most in need and go some way to address the imbalances. From this point, the Task and Finish Group can decide whether a choice or needs based approach would be the best implementation model.

John Mills
Head of Housing Services

List of Appendices

1. – EQIA Impact Assessment Summary Report

Report Contact

Gavin Smith
Service Manager (Housing Access)
Housing Services
Rothesay House
Email: gavin.smith@fife.gov.uk

Equality Impact Assessment Summary Report

<p>Which Committee report does this IA relate to (specify meeting date)?</p> <p>Cabinet Committee 3rd April 2025</p>
<p>What are the main impacts on equality?</p> <p>The proposed interim changes to the Allocations Policy will mainly favour single person households by opening access to more available 2-bedroom properties. The positive impact will be made to the Homelessness backlog which is 70% constituted of single people.</p> <p>The proposed change from two housing offers to a single offer of housing will have a negative and positive impacts;</p> <p>Negative- reduces the housing opportunity for tenants and first-time applicants by reducing number of offers</p> <p>Positive – increases the scope of tenants and applicants receiving an offer of housing.</p>
<p>What are the main recommendations to enhance or mitigate the impacts identified?</p> <p>In terms of mitigating the impact of this we will -</p> <ul style="list-style-type: none"> • Monitor the refusal rates from tenants and applicants • Monitor the number of tenants and applicants receiving their one offer of housing • Monitor the reduction in the homelessness backlog as part of action to mitigate the Housing Emergency
<p>If there are no equality impacts on any of the protected characteristics, please explain.</p> <p>Any impacts will be equally felt by all needs groups.</p>
<p>Further information is available from: Name / position / contact details:</p> <p>John Mills, Head of Housing Services – Housing Services. Contact Details – john.mills@fife.gov.uk</p>

Houses in Multiple Occupation (HMO): Overprovision Policy Update

Report by: John Mills, Head of Housing Services

Wards Affected: All

Purpose

This report provides members with an update on the operation of the HMO Overprovision Policy under Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011) within the defined HMO overprovision locality of St Andrews. While this policy was introduced strategically for Fife on 30 August 2018, it was applied to St Andrews from 11 April 2019.

Recommendations

Cabinet Committee is asked to: -

1. note the position with the operation of the HMO Overprovision Policy in maintaining a “no growth” position in relation to provision of HMOs in the settlement of St Andrews;
2. note the further work ongoing with The University of St Andrews to establish Housing Need and Demand in the settlement of St Andrews;
3. note that five additional HMO accommodation has been provided for a period of three years to accommodate students under the management of the University of St Andrews from September 2023 to address student housing pressures in St Andrews as approved at Cabinet in May 2023. One application currently pending; and
4. agree to discontinue the approach of the granting of up to fifteen licences under the management of University of St Andrews as this was considered as a short-term measure to accommodate students from September 2023. The University of St Andrews have been consulted and have no objection to this amendment.

Resource Implications

There are no additional resource requirements as HMO overprovision costs are managed within the ring-fenced HMO licensing budget. Fee charges cover a three-year period and there will be years where income is higher than others and any surplus or deficit in year is ringfenced and carried forward into future years. All current budgets are set in line with the current charging policy with income anticipated to cover costs over a rolling three-year period. Income and Expenditure are reviewed on an annual basis.

Legal & Risk Implications

Legal Services supports the implementation of the HMO Overprovision Policy to minimise the legal and risk implications to the Council, particularly when representations are made by individuals to the HMO Housing Decision Panel or the Regulation and Licensing Committee.

Impact Assessment

No Impact Assessment is required as there is no policy change.

Consultation

Extensive consultation was undertaken with stakeholders prior to the HMO Overprovision Policy being adopted in 2019 and subsequently when the Policy was reviewed in 2023. This included with the local Ward members in St Andrews, Protective Services and the Planning Service. A consultation survey with private tenants and landlords/agents was carried out in November 2022. Further consultation was carried out from December 2022 to January 2023 via a public survey. Consultees included residents, the Confederation of St Andrews Residents' Associations (CSARA), Ward members and the University of St Andrews. In preparation of this report, the following Heads of Service were consulted: Pam Ewen, Head of Planning, Nigel Kerr, Head of Protective Services and Lindsay Thomson, Head of Legal Services. The University of St Andrews were consulted on recommendation 4 of the report.

1.0 Background

- 1.1 In June 2000, a mandatory licensing scheme for Houses in Multiple Occupation (HMOs) was introduced under the Civic Government (Scotland) Act 1982. The licensing scheme sets safety standards for this type of rented accommodation and ensures that landlords and their agents are 'fit and proper' persons to hold a licence. HMOs are now licensed under Part V of the Housing (Scotland) Act 2006, an HMO licence being required for accommodation that is:
- occupied by three or more persons from three or more families;
 - occupied as a sole or main residence; and
 - providing shared basic amenities.
- 1.2 Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011) provides that the Council may refuse to grant an HMO licence where it considers that there is HMO overprovision in the locality in which the living accommodation is situated. Individual HMO applications within the context of an HMO overprovision policy must be decided on the basis of:
- whether there is an existing HMO licence for the property;
 - the number and capacity of licensed HMOs in the locality;
 - the need for housing accommodation in the locality and the extent to which HMOs are required to meet that need; and
 - the views of the applicant/s and any person living in the accommodation.
- 1.3 In August 2018, the former Community and Housing Services Committee agreed to introduce a strategic HMO Overprovision Policy for Fife and to form a Member Working Group to oversee the process of consultation with residents and stakeholders around the implementation of the policy in St Andrews. Following a survey of St Andrews' households, stakeholder organisations and students, Committee agreed in April 2019 to implement the policy in a defined boundary of St Andrews (Appendix 1). This was on the basis of 'no further growth' in HMO levels with a review of the policy position after three years.

- 1.4 In May 2023 the review of the HMO Overprovision Policy was considered at Cabinet Committee. The Committee:
- agreed to maintain the strategic HMO Overprovision Policy for Fife under Section 131A of the Housing (Scotland) Act 2006 (introduced by the Private Rented Housing (Scotland) Act 2011) within the defined HMO overprovision locality of St Andrews.
 - approved a targeted approach within the current HMO overprovision policy to tackle the issue of student homelessness in St Andrews, to grant up to fifteen new HMO licences for a period of three years to accommodate students from September 2023, managed by the University of St Andrews.
 - agreed that a further report to review the situation would be presented to the Committee at an appropriate time during 2024*
**Deferred from January 2025 to April 2025*
- 1.5 Legislation requires that the HMO Overprovision Policy is ‘reasonably applied’ and each application is considered on its own merit. Exemptions were agreed to the policy, including purpose-built student housing, specific needs housing, licences in process on the date of Committee, renewed licences and HMOs with a recent change of ownership.
- 1.6 An officer-led HMO Housing Decision Panel is established, supported by Housing Services, Protective Services and Legal Services, to determine HMO applications under the Overprovision Policy on behalf of the Regulation and Licensing Committee where the number of representations received is fewer than six.

2.0 Housing Need and Demand

- 2.1 The HMO Overprovision Policy review reported to Cabinet in May 2023 approved a targeted approach within the HMO Overprovision Policy to tackle the issue of student homelessness in St Andrews, to grant up to fifteen new HMO licences for a period of three years to accommodate students from September 2023, managed by the University of St Andrews. At this time there was capacity for 17 additional licences within the parameter of the 1,046 policy position in April 2019. The current capacity within the “no growth” policy position is now 7 licences, including 2 application pending determination.
- 2.2 The total number of applications received in relation to the agreed targeted approach was six with an overall occupancy of 21, at the time of writing this report five licences are granted with an overall occupancy of 15. It should be noted two applications were received in 2023/24 and four were received in 2024/25.
- 2.3 The additional accommodation made available through this approach is welcomed, however it is noted that operational aspects have to be managed. Legislative requirements including planning and mandatory licence condition requirements, and neighbour notifications meant that applications were not always able to be expedited quickly, and the outcome of applications cannot be guaranteed.
- 2.4 In addition to the six applications made for the university managed HMOs through the targeted approach, 22 additional applications have been received for student accommodation with a capacity to accommodate up to 83 residents. Fifteen applications are now granted, and seven recent applications are pending determination. As noted in section 1.5 these types of premises are exempt from the HMO Overprovision Policy and therefore excluded from the overall count of the measure for HMO Overprovision.

- 2.5 The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 came into effect on 1st March, 2022 introducing a requirement for local authorities to develop a licensing scheme for Short-term Lets (STLs). The Act introduced powers to manage high concentrations of secondary lettings by restricting or preventing Short-term Lets that affect the availability of residential housing and the character of the local community through STL Control Areas (STLCA). Authorities are not required to implement STLCAs and there are currently no areas designated in Fife. A separate report is being considered by Cabinet outlining a proposed process to take forward consideration of STLCAs including consultation requirements.
- 2.6 As part of the work to evidence any requirements for a STLCA in Fife, the relationship between STL and HMO licensing has been considered. It is clear that some premises are licenced for both uses. Beyond this it is still early to establish and evidence the wider impact of the introduction of the STL licencing scheme on local housing market conditions in St Andrews and how this interacts with HMO numbers. Both licences are for a duration of 3 years, and renewal patterns will be monitored to establish trends. The findings from the STL analysis for the settlement of St Andrews identified that 64 STLs are also HMO licenced.
- 2.7 The tenure of St Andrews varies compared to the rest of Fife. Table 1 shows the profile:

Table 1: Tenure Profile of Fife and St Andrews Settlement:

Area	FIFE COUNCIL LANDLORD	OTHER	OWNER / OCCUPIER	PRIVATE LET	REGISTERED SOCIAL LANDLORD	SECOND HOME	UNKNOWN
St Andrews	731	91	3,033	2,553	232	139	345
Fife	31,063	902	113,386	20,590	11,273	1,758	5,090
St Andrews %	10.26%	1.28%	42.57%	35.84%	3.26%	1.95%	4.84%
Fife %	16.88%	0.49%	61.60%	11.19%	6.12%	0.96%	2.77%

Key Points:

- Owner occupation in St Andrews is 42.5% compared to Fife with 61.6%
- Private lets in St Andrews is 35.8% compared to Fife with 11.2%
- Second homes in St Andrews is 1.95% compared to Fife with 0.96%

- 2.8 It is noted that a joint initiative is being taken forward by Fife Council and University of St Andrews to develop and deliver a strategic housing partnership approach for the St Andrews Local Housing Market Area which may help mitigate the Fife Housing Emergency. This will include a review the University housing capacity and need and findings will inform and shape University medium-term planning and Fife Council's medium and long-term housing strategy.

3.0 HMO Overprovision in St Andrews

- 3.1 The HMO Overprovision Policy continues to be successful in fulfilling its original objective of 'no growth' in the number of HMOs from the position in April 2019. Since the implementation the number of HMOs in St Andrews settlement has reduced by 7 properties with an occupancy reduction of 78. In March 2019 there were 1,046 HMOs and as of March 2025 this is now 1,039.

Table 2 shows the HMO numbers and occupancy levels in St Andrews from the policy being introduced in 2019 and each Committee update to 2025. Please note the current count of HMO licences includes the five University managed licences granted under the targeted approach. The total excludes applications pending determination.

Table 2: HMO Licences (In Operation) 2019, 2023 and 2025 (St Andrews Town)

HMOs in St Andrews 07/03/2019		HMOs in St Andrews 14/02/2023		HMOs in St Andrews 4/03/2025	
Total No HMOs	Total Occupancy	Total No HMOs	Total Occupancy	Total No HMOs	Total Occupancy
1,046	6,994	1,029	6,870	1,039	6,916*

*4,294 is the occupancy of student halls

HMO Summary Points:

- Flats and houses account for 62% HMO licences providing 38% occupancy level
- Student halls account for 37% of HMO licences providing 63% occupancy level
- 73% of flats and houses are for an occupancy of 3 to 5
- 83% of student halls are for an occupancy of 3 to 5
- 6.16% of HMOs are also STL licensed

3.2 The total number of HMO licences in the settlement of St Andrews is 1,039 and the council tax tenure as of September 2024 indicates there is 7,124 dwellings within the settlement of St Andrews. These figures would indicate by this measure that HMOs represent 14.5% of the stock in the area. However, it should be noted that not all HMOs are considered as residential housing stock, and this measure would reduce significantly to if student halls were excluded from this methodology.

3.3 The Officers' Housing Decision Panel (HDP) was established to assist the Regulation and Licencing Committee in dealing with the volume of applications being made to Committee. The HDP considers applications for new HMO licenses in terms of the Overprovision Policy. Since the policy was introduced, table 3 shows the overprovision cases the panel has determined.

Table 3: HMO Overprovision Cases & Outcomes

Overprovision Cases	Granted	Refused	Withdrawn	Awaiting Decision
51	42	3	4	2
100.00%	82%	6%	8%	4%

- Reasons licences were granted include, late renewal applications, best use of property as an HMO and the Overprovision Policy does not apply in some cases.
- The main reason for applications withdrawn are due to the sale of a property/owner deceased.
- The main reason applications are refused is representation could not show good reason the Overprovision Policy should not apply.

3.4 The figures demonstrate that Fife Council consider each case on its own merits and through 'reasonable application' of the HMO Overprovision Policy. It should also be noted that the policy has been considered through a judgement by the Dundee Sheriff Court and the policy was found to be legally competent.

4.0 Conclusions

4.1 HMOs are a key element of the private rented sector in Fife, which itself plays a significant role in meeting housing need. The demand for HMO accommodation is particularly high in St Andrews compared to other parts of Fife. A policy position was introduced in 2019 to ensure 'no further' growth in HMO numbers within St Andrews. This position has been reviewed and the 'no growth' position has been maintained.

- 4.2 The approach to tackling student homelessness within the current HMO Overprovision Policy of 'no growth' agreed at Cabinet in May 2023 has resulted in 6 applications for properties under the management of the University of St Andrews.
- 4.3 The joint work being taken forward by the Council and University of St Andrews to develop and deliver a strategic housing partnership approach for the St Andrews Local Housing Market Area will seek to mitigate the Fife Housing Emergency and help inform medium to long term housing strategy.

John Mills

Head of Housing Services

List of Appendices

1. HMO Overprovision Locality / Defined Settlement Envelope
2. St Andrews HMO Map

Background Papers

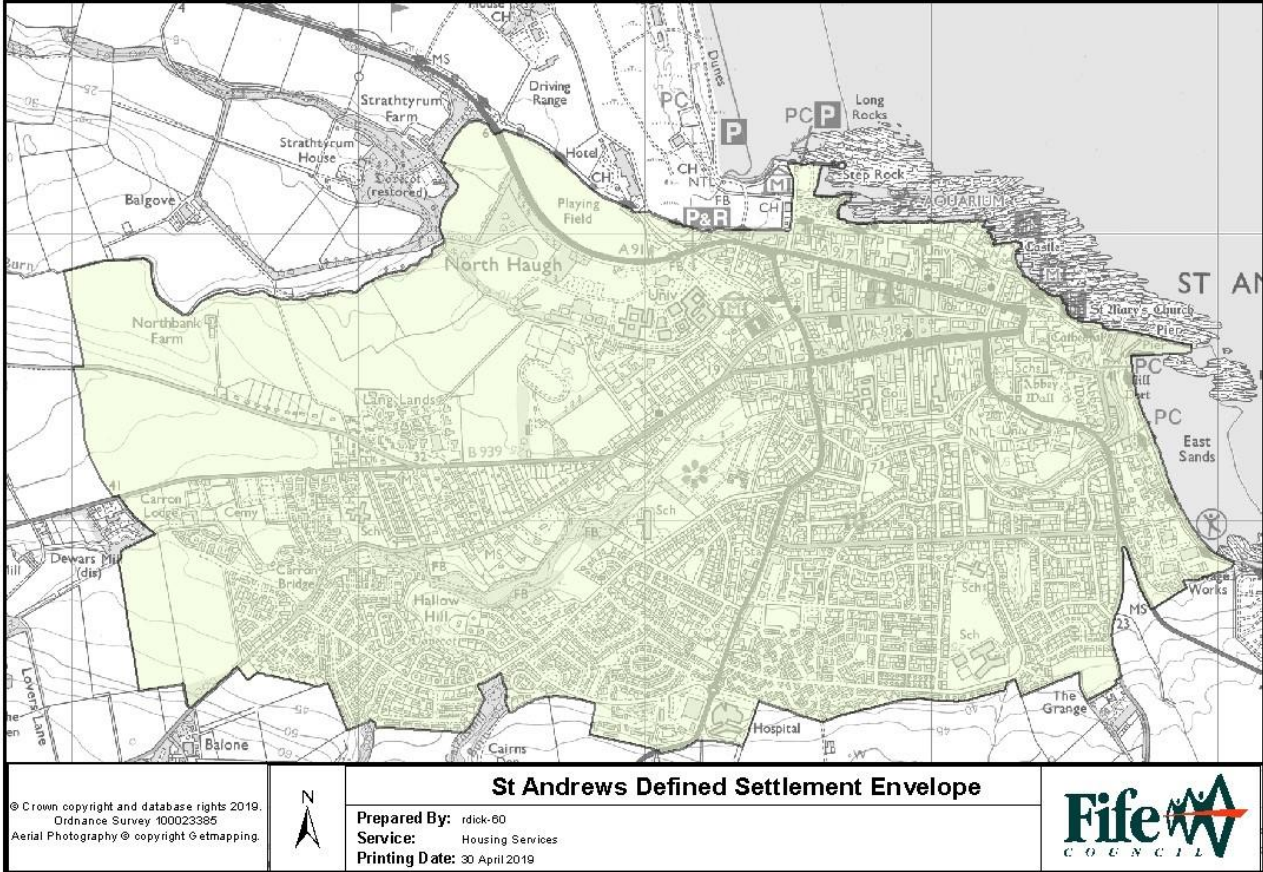
The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973:

- Housing (Scotland) Act 2006
- Private Rented Housing (Scotland) Act 2011 Licensing of Houses in Multiple Occupation: Statutory Guidance for Scottish Local Authorities (updated January 2012)
- HMO Overprovision Policy Statement
<https://www.fife.gov.uk/kb/docs/articles/housing/private-rented-sector/homes-in-multiple-occupancy-licence>

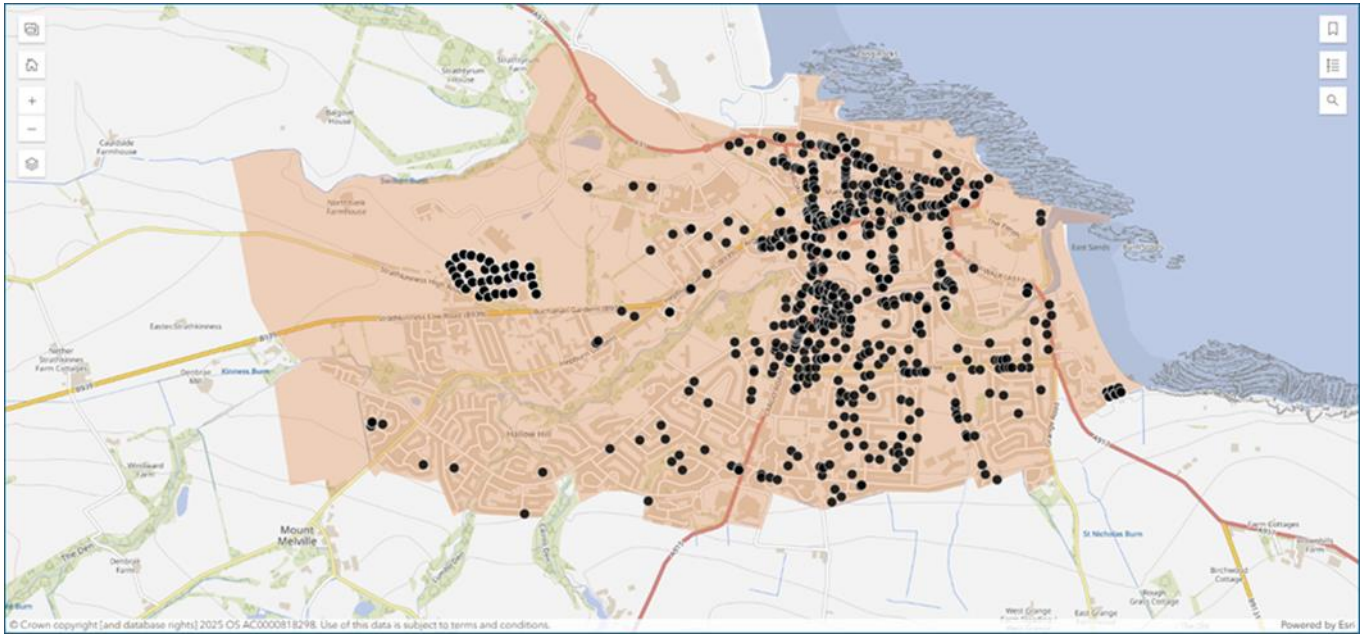
Report Contact

Mhairi Mullen,
Service Manager, Private Sector Housing
Fife House, Glenrothes
Email – Mhairi.mullen@fife.gov.uk

Appendix 1: HMO Overprovision Locality / Defined Settlement Envelope



Appendix 2: St Andrews HMO Map on 4th March 2025



Housing Regeneration Compensation Policy

Report by: John Mills, Head of Housing Service

Wards Affected: All Wards

Purpose

This report recommends the agreement and implementation of a revised policy for compensating those displaced by Housing Service regeneration projects from April 2025.

Recommendations

Members are asked to:

- (1) agree the proposed revised compensation policy for Fife Council tenants rehoused as part of regeneration projects;
- (2) agree the proposed revised compensation policy for private owners, private tenants and landlords whose properties the Council seeks to buy back as part of regeneration projects; and
- (3) agree Option 3 as the basis of the financial payments.

Resource Implications

It is estimated that the financial impact of implementing the revised policy on the HRA Capital Plan will be an additional £15,000. The additional sum will be funded within the existing budget in 2025/26.

Legal & Risk Implications

The Legal Service has been consulted and are content that the statutory obligations upon the Council are met. There are no risk implications arising from the proposed policy change.

Impact Assessment

An EQIA has been completed and is appended to this report (Appendix 1).

Consultation

Feedback has been considered from those residents displaced by regeneration projects in the preparation of this report.

1.0 Background

- 1.1 The current policy for awarding compensation to tenants and owners affected by regeneration projects has not been reviewed for more than 10 years.
- 1.2 There is very little explicit legislation or guidance relating to this type of compensation as part of a regeneration project approved by the local authority. Much of the legal guidance relates to compensating owners and landlords affected by a Compulsory Purchase Order. By offering the amounts set out in guidance by the Scottish government for CPO's, it is hoped that we will come to a voluntary agreement with owners rather than be forced into the time consuming and expensive CPO process.
- 1.3 The Land Compensation (Scotland) Act 1973 provides a framework on Home Loss Payments for tenants, stating that an amount of £1,500 should be paid. It also states that a disturbance payment "shall be equal to the reasonable expenses of the person...in removing from the land from which he is displaced".

1.4 Shelter (Scotland) guidance on Disturbance Payments states

"There is no maximum or minimum amount you can claim. However, you can only claim 'reasonable' costs for moving... you won't be able to replace all your old things with new, and then claim the money for them. Some councils offer a fixed lump sum payment in advance. The fixed sum should be enough for an average household to move."

Shelter provides a list of potential expenses which should be considered (Appendix 2).

1.5 Shelter also offer guidance on Home Loss Payments

"home loss payment is a form of compensation that you can claim if you are forced to leave your home in certain circumstances. It's designed to make up for the inconvenience, stress and upset caused by the move, not to cover the expenses of the move".

- 1.6 There is no specific national guidance on amounts due to private tenants.
- 1.7 The current payments made by Fife Council Housing Service to Fife Council tenants are as follows;
 - A £1,500 Home Loss Payment, which is subject to deductions for Council debts in line with the Corporate Debt Policy. In line with legislation, this is only paid where the tenant is moving on a permanent basis, and only where the tenant has been living in that residence for more than 12 months. If less than 12 months, £125 will be paid for every month of residence.
 - In addition, Fife Council tenants receive a discretionary £1,000 Disturbance Allowance intended to cover the costs of moving.
- 1.7.1 Where we buy back properties from resident owners, they receive a) Market value of property as established by independent surveyor b) Home Loss Payment (10% of purchase price) c) Disturbance Payment of £2,000 which includes legal fees
- 1.7.2 Where we buy back properties from private landlords, they receive a) Market value of property as established by independent surveyor and b) Disturbance Payment of £2,000 which includes legal fees

- 1.7.3 Private tenants displaced because of Fife Council buying back the property in which they currently live receive a Disturbance Payment of £500.

2.0 Issues and Options

- 2.1 The cost-of-living crisis and general inflation increases in the costs associated with moving home, such as flooring, window coverings and hire of vans, has meant that residents' expenses have increased significantly since the last time Fife Council reviewed the compensation payment policy.
- 2.2 Recent feedback from tenants being rehoused as part of regeneration projects has shown that most are struggling to cover all their moving expenses with the £1,000 Disturbance Payment. Several case studies are provided in Appendix 3, which give examples of residents negatively impacted by the enforced move. Where the Home Loss Payment is not paid, either in the case of Fife Council tenants who have arrears and have deductions taken, or in the case of private tenants who currently do not receive the Home Loss Payment, the Disturbance allowance is the only payment received. Those who have applied to the Scottish Welfare Fund for a Community Care Grant are usually rejected because they have received the Disturbance Payment.
- 2.3 In order to address these issues, three options are proposed to review the Disturbance Payment;
1. **Status Quo-** retain current rates but risk being challenged by tenants
 2. **Claim-Based Approach**
Rather than a fixed amount, we would ask tenants to make a claim based on their actual moving costs. However, this can be challenging as tenants would not receive their money in advance of the move and this approach also creates more work for staff in processing and assessing claims.
 3. **Sliding Scale Approach**
Retain advance payments but use a sliding scale based on size of the household and the property being allocated, considering additional expenses;
 - Single person moving to 1 bedroom property- £1,500
 - Couple/single person with kids moving to 2 bedroom property- £1,750
 - Larger households moving to 3 or 4 bedroom properties- £2,000These amounts have been calculated based on information provided by tenants and by carrying out independent research on current costs.
- 2.4 In financial year 2023-24, the Council spent approximately £26,000 on Disturbance payments to Fife Council and private tenants across 4 regeneration projects. The Council also paid £28,500 on Home Loss Payments, with £16,000 of this clawed back as deductions, paying back rent and Council Tax arrears and outstanding rechargeable accounts. It is estimated that by adopting the sliding scale approach, the additional costs per year would amount to £15,000 based on current projects.

3.0 Conclusions

- 3.1 Considering the length of time since the payment regime was reviewed, the significant increase in costs associated with moving home, and the group of people involved also being most affected by the cost-of-living crisis, it would appear to be the right time to review these rates and provide a consistent approach for Fife Council and private tenants.

- 3.2 A change to the approach would reflect the ambitions of the Plan for Fife around tackling poverty and preventing crisis, particularly around those on low incomes who are in work. Failure to do so will lead to increasing numbers being forced into debt because of Fife Council's actions.
- 3.3 The recommendation of this report is to retain the current rate of £1,500 for the Home Loss Payment and increase the discretionary Disturbance Payments to Fife Council tenants as outlined in the sliding-scale approach (option 3) and to bring private tenants in line with Council tenants. This will help all tenants meet the increased costs associated with moving home, as detailed in Appendix 2.
- 3.4 It is also recommended that the current compensation package offered to owners and landlords to purchase properties with a view to demolition should be retained so that the Council is offering an attractive incentive to owners to work with Fife Council as part of housing regeneration projects, avoiding the need to CPO properties..

List of Appendices

1. EQIA Summary
2. List of Expenses
3. Case Studies

Background Papers

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

- Executive Committee Corporate Debt Policy 21.4.15
- Scottish Government Compulsory Purchase in Scotland: A Guide for Property Owners and occupiers 22.2.24
- Land Compensation (Scotland) Act 1973 Part IV section 43

Report Contact

Deborah Stevens
Lead Officer (Area Housing Regeneration)
Email: deborah.stevens@fife.gov.uk

Appendix 1 - Equality Impact Assessment Summary Report

Which Committee report does this IA relate to (specify meeting date)?

Cabinet Committee 3rd April 2025

What are the main impacts on equality?

The Revised Housing Regeneration Compensation Policy provides help to people who must move to facilitate Council Housing Regeneration Projects as part of the HRA Capital Plan. The assessed impact of agreeing recommendations will have a positive impact of a range of council, private tenants and owners of affected properties.

What are the main recommendations to enhance or mitigate the impacts identified?

- The uplift in the payments will better assist affected tenants and owners to move home.

If there are no equality impacts on any of the protected characteristics, please explain.

n/a

Further information is available from: Name / position / contact details:

Deborah Stevens, Lead Officer for Housing Regeneration – Housing Services. Contact Details – Deborah.stevens@fife.gov.uk

List of Moving Expenses

Itemised List of Expenses when Moving Home

Item	Estimated cost	Notes
Redirection of mail	£36- 3 months £53- 6 months	Via Post Office
Removal expenses- includes packing service	Average £550	Dependent on how far you are moving and amount of items to move
Redecoration expenses to bring new property up to standard of the old	Paint Pack- may involve additional costs	Dependent on size of property and requirements
Disconnection and reconnection of appliances ie cookers/washing machine	£100 per appliance	Depends if this is gas/electric
Buying new carpets/flooring, curtains or blinds where existing are not suitable	£1,000-£2,000	Depends on number and size of rooms/windows
Disconnection and reconnection of phone/broadband	Possible connection fee of £70 if new line required	Depends on your provider
Administrative costs in changing address ie driving licence/passport etc	Approx. £60	
Loss of earnings	Variable	Time taken to view property/sign tenancy agreement/move home
POTENTIAL TOTAL	APPROX £2,500	

Case Studies

Case Study 1

A private tenant who was rehoused in order that Fife Council could buy back her landlord's flat moved to a property in the same town and received £500 Disturbance allowance. She moved from one 3-bedroom property to another, and sometime after she moved home, she wrote to me and advised that she had been forced to borrow from family to ensure her new property was comfortable for her children. She had to buy new carpets and flooring throughout as well as buy new curtains and blinds because her old ones did not fit the new windows, costing her more than £1,500. She had applied for a Community Care Grant through the Welfare Fund but had been declined because we had already awarded her the £500 payment.

In this case we paid a further disturbance allowance to the tenant as she was able to evidence her expenditure.

Case Study 2

A Fife Council tenant; a single woman, accepted another property and received the £1,000 Disturbance allowance, but had existing rent and Council Tax arrears, so was aware that she would not receive the Home Loss Payment. As she had very limited funds to help her move home and did not have friends or family to assist her, she extended her existing tenancy to allow additional time to organise the move, which further increased her existing rent arrears, and caused arrears to accrue at her new tenancy before she had moved in.

Case Study 3

A Fife Council tenant; a single elderly man with complex medical needs moving to a new build retirement bungalow, received the £1,000 Disturbance Allowance. He had arranged for the carpets from his current flat to be lifted and repurposed at his new home to save some money, however, when the carpet fitter started work, they found that the carpets could not be re-used as too small. Therefore, the tenant had to find £1400 for new flooring throughout his new home at very short notice, by borrowing from family. He recouped some of this when he received his Home Loss Payment, but he found the situation very stressful.

Case Study 4

A private tenant; a single woman who had lived in the property for over 10 years, and had medical and addiction issues, was rehoused by Fife Council and received £500 Disturbance allowance. However, the private let was in a poor condition and none of the white goods were in good condition, so she had to replace these when moving. She applied for a Community Care Grant and was successful but had to wait for several weeks after moving to receive this. In the meantime, she had to borrow from friends to afford to buy a fridge and washing machine and wait on the Community care grant to come through before arranging flooring.

3 April 2025

Agenda Item No. 8

Short Term Let Control Areas: Process and Options

Report by: Pam Ewen, Head of Planning Services

Wards Affected: All

Purpose

Following the decision of the Cabinet Committee of 9 January 2025, this report sets out the additional research and information and the proposed public consultation process to provide additional evidence for the council thereafter to consider whether to promote the designation of Short Term Let Control Area(s) (STLCA) in Fife. Furthermore, the report considers the governance process.

Recommendations

Members are asked to:

- (1) agree the scope of the further research and data analysis to be used to inform a report considering whether to promote the principle of the designation of a STLCA as set out in Section 2 of this report;
- (2) agree the approach in terms of public, community and business consultation to inform the wider context of the principle of promoting a STLCA. As set out in Section 3 of this report;
- (3) note the risks and benefits of the governance processes set out in Section 4 of this report;
- (4) agree the proposed timescale to undertake additional research, and public consultation as set out in Section 6 of this report; and,
- (5) note that a full assessment and evaluation of the risks and benefits of designating a STLCA in Fife was set out in the report presented to Cabinet in January 2025. A report to Cabinet in December 2025/January 2026 will further comprehensively address the risks and benefits of promoting a STLCA in Fife, following the public consultation process on the principle and the assessment of additional information as set out in this report. That report will consider whether to promote a STLCA in Fife, or not.

Resource Implications

There are no direct cost implications arising from the recommendations in the report; resources will however be required in staff time diverted from other work streams, where possible, to collate data and undertake the public consultation to implement the recommendations in this report.

Legal & Risk Implications

As this report relates to the agreement of a proposed process to undertake further research, identify data sources, approach to public consultation and governance structure there are no legal or risk implications.

Impact Assessment

An EqIA is not required because the report does not propose a change or revision to existing policies and practices. An environmental assessment is not applicable for this report because it does not directly impact the environment. An assessment using the Fife Environmental Assessment Tool (FEAT) is not required as it is not directly a recommendation to change policy.

Consultation

The Head of Housing, Head of Legal and Democratic Services and the Head of Finance have been consulted in the preparation of this report.

1.0 Background

- 1.1 A report reviewing the implementation of the Short-Term Licensing Scheme and the proposed approach to STLCA's was discussed at the meeting of the Cabinet Committee on 9 January 2025. The Cabinet Committee approved the report subject to an amended decision which agreed the information presented on the review of the implementation of the STL licensing scheme, but requested a further report be prepared for discussion at the Cabinet meeting in April 2025 on the principle of promoting the implementation of a STLCA. The Cabinet decision included:

"...(5) Cabinet notes that in advance of any proposal for submission in support of the designation of the STLCA to Scottish Ministers, a systematic approach to gathering evidence and assessing material considerations, together with appropriate public consultation would be required. Cabinet Committee agrees that, before any more work is undertaken, a paper is prepared for Cabinet in April 2025, setting out a proposed process to take forward the consideration of the need for a STLCA. This report should also cover the associated benefits and risks of designating a STLCA; and

(6) Cabinet notes that changes proposed to 7.3.6 of 'Committee Powers' in respect of Area Committees to allow a procedure to promote the designation of Short-term Let Control Areas to be delegated to the Council's seven Area Committees, which would allow for appropriate consultation within each area will be considered (if agreed by Cabinet in April 2025) at full Council in May 2025".

- 1.2 This report sets out a proposed systematic approach to gathering evidence and the public consultation process which could be implemented as part of the process for considering the principle to promote a STLCA. The report does not determine whether there is a need for or otherwise specify where an STLCA should be designated but rather in line with the decision of the Cabinet meeting as above it sets out the process which could be implemented to provide further evidence to inform the council's decision on whether to proceed to promote a STLCA by the relevant committee.
- 1.3 This report sets out the information and data sources which are available or required which can be used to inform consideration of the principle to promote a STLCA. The options related to wider public engagement and the potential governance process and associated risks and benefits of those processes are also set out.
- 1.4 The [Cabinet Report of 9th January 2025](#) included extensive detailed analysis on the operation and implementation of the STL licensing scheme. The data referenced in that report is relevant as sources of information to inform a future decision on whether the Council proceeds to consider promoting the principle of a STLCA. Section 7 of that report set out the planning legislative context of the establishment of a STLCA and the planning purpose which such a designation needs to deliver to meet the legislative tests for doing so.

- 1.5 The powers to designate a STLCA within the administrative area of the council, as statutory planning authority, are set out in legislation (see the Background Papers section of this report). The legislation sets out the scope and process for designation; [Planning Circular 1/2023: Short-term Lets and Planning](#) sets out guidance on establishing a control area indicating factors that planning authorities may wish to consider when assessing the need for a control area. Authorities are not under a duty to designate control areas and may decide not to do so. The establishment of a STLCA is a discretionary planning power. The legislation provides the mechanism to designate one or more STLCA's if the local planning authority considers it is necessary to meet the objectives set out in the planning legislation and that the legal case for doing so can be demonstrated based on evidence and relevant statistical analysis.
- 1.6 Section 7 of the January Cabinet report references the information and statistical data already available to determine the wider planning basis for justifying the need, and consequentially to help define any benefits which could arise from designating a STLCA in Fife. It also emphasises that it is essential that any control area policy framework balances the current contribution of Short Term Lets (STLs) to the tourism sector and local economies, against the potential adverse impacts on the character and amenity of areas and the impact of further reducing the supply of permanent housing for local people. In considering the impact of designating a STLCA it is critical that the process is informed by establishing the facts in relation to the number of STLs and what planning objectives designating one would seek to achieve.

2.0 Evidence

- 2.1 A systematic approach is required to gathering evidence. Substantial evidence was gathered and analysed to inform the report to Cabinet in January 2025, as requested by Cabinet Committee, officers have considered what further evidence could be beneficial to inform a Council decision on whether to proceed to consider promoting a STLCA in Fife. The Cabinet Committee's decision of January 2025 provides a mandate for public consultation on the principle of promoting a STLCA in Fife. Engaging a wide range of views through a public consultation, as set out below in Section 3, will help inform whether the Council should proceed further to consider promoting a STLCA or not.
- 2.2 Data analysed and presented in the report to Cabinet Committee in January across the whole of Fife, identifies that STLs are most prevalent in the Largo and East Neuk (8.13%), with a particular concentration in Elie and Earlsferry, and St Andrews (5.41%) LHS Areas.
- 2.3 Further data can be analysed covering the following areas:
- Trend analysis over time from introduction of STL Licensing to provide greater details of any changes in the number of non-residential uses to Autumn 2025, to assist in identifying any impact on housing stock and tourist accommodation; and,
 - Correlate STL licenses issued for premises with planning permissions and Certificates of Lawful Use.
- The output of this will be provided as part of the overall evidence to a committee at a later date for consideration on whether to proceed to promote STLCA(s) in Fife.
- 2.4 In terms of the context for considering the principle for the designation of a STLCA this further information would help to establish pressure points on housing stock in Fife. Areas with higher numbers of second and holiday homes are widely known, with the East Neuk and St Andrews the main areas of tourist accommodation.

- 2.5 In assessing the effect of a STLCA in Fife, it would be beneficial to consider the number of Certificates of Lawful Use issued by Planning Services and cross reference these against STL licences to determine the number of entirely new premises being applied for and the extent to which new STL licences have been issued to regularise existing properties. Planning legislation makes provision for uses which have been operating, or in existence for 10 years or more to apply for a document which provides formal proof of the established planning use of a property. It also needs to be stressed that some premises which need a STL licence do not require planning permission, such as some bed and breakfast accommodation in a domestic property. It is also the case, particularly in St Andrews that properties which are let out to students during term time may also operate as STLs during the summer holiday period and therefore are both HMOs and STL. This context therefore means that while the statistics appear to capture additional or new STLs, in planning terms the number of licences is not directly related to the loss of existing or potential residential premises.
- 2.6 While the above information will provide details on the changes or otherwise of the availability of housing stock of different tenures, a further aspect of the STLCA needs to be considered. The report to Cabinet in January (para 7.11) discussed in some detail the wider context of how important the tourism industry is to Fife's economy and while the context of the Housing Emergency needs to be taken on board and actioned in the context of considering the principle of whether to progress to promote a STLCA, the potential impact on a key sector of the Fife economy must also be taken into consideration to avoid any unintended negative economic consequences. The existing data sources and reports set out in the January Cabinet Report will inform this context.
- 2.7 Appendix 1 of the [Cabinet Report of 9th January 2025](#) provided a snapshot statistical analysis of the available housing data to illustrate the percentage of housing stock lost to tourism accommodation. With the basic benchmark data established at October 2023, it would be possible to re-run the same analysis for 2024 and in Autumn 2025 to give an indication of the change across this time frame. It would help to show any moves in the tenure profile of housing stock and any movements in terms of increases in properties lost to tourism accommodation. It may also enable a financial assessment to be made using existing data sources and reports to analyse any year-on-year impact on the tourist economy through the loss of self-catering accommodation.

3.0 Public Consultation

- 3.1 The Scottish Government undertook some research on various areas of Scotland for a paper produced in 2019: [People, Communities and Places: Research into the Impact of short term Lets on Communities Across Scotland](#) which included the East Neuk of Fife as a case study. This did not specifically assess defined STLs but looked at "Airbnb" listings data. It should be noted for context that "Airbnb" is a brand name and not a defined use in planning terms. Nevertheless, at the time the correlation between the two was helpful in assessing a trend and implications arising from the concerns expressed from an apparent increase in the hire of whole houses/flats as short-term holiday accommodation in some areas and cities in Scotland. The research undertaken sought the views of the communities where there was perceived to be pressure from the number of STLs. It also involved the tourism businesses to ensure that the consideration of the impact arising from the prevalence of STLs in a community also reflected the fact that the existence of the STLs derived from the attractiveness of the settlement or area to tourism. As noted above, the tourism business is a major driver of the Fife economy so any consideration of the principle to proceed to promote a STLCA needs to ensure that there is effective consultation with all parties potentially impacted.

3.2 Having reviewed the Scottish Government research process and benchmarked against other local planning authorities where a STLCA has been implemented, a Fife-wide public consultation on the principle of designating a STLCA could be undertaken to allow any interested party to make their views known. As part of this consultation, relevant organisations and groups would be directly contacted, together with publicity on the consultation to raise awareness. To ensure that as fully a representative cross section of the community can participate in the process, this would include but not exclusive to organisations such as:

- Community Councils
- Fife Tourist Association
- Association of Scotland's Self Caterers
- Visit Scotland
- Area Resident Associations and Community Groups (where these exist)
- Commercial Operators such as Booking.com, AirBnB/Booking.com for example
- Scottish Association of Landlords
- Scottish Property Federation
- Scottish Bed and Breakfast Association
- Academic institutions where relevant

The following activities can be used to raise awareness and encourage people to have their say during the consultation period:

- Questionnaire published online on Fife Council website
- Issue press release on start date of consultation
- Social media publicity used to raise profile of consultation
- Notification to key stakeholders by email

3.3 Other councils have undertaken a 12-week consultation process which enabled all potentially interested members of the community, business organisations and community groups to participate and express their views. It is considered this would be the minimum length of period appropriate to provide a reasonable period for all parties and organisations to effectively feed into the consultation process. Detailed analysis and assessment of the views of residents, the community and the financial implications and viability of the tourism sector relative to the analysis of the effect on the housing market and access to home ownership will be set out in a future report to the appropriate committee. The table in Section 6 below provides a proposed timescale for the public consultation and collating additional data to bring a report back to Cabinet in December 2025/January 2026. It should be noted that a further comprehensive public consultation process would be undertaken following any future decision to formally propose to promote a STLCA in Fife.

4.0 Governance Process

- 4.1. In terms of governance the Cabinet committee would take a policy decision, at a later date, on whether to promote a STLCA or not.
- 4.2 Given the discussion at the Cabinet meeting in January on whether that governance could change, the benefits and risks associated with potential different governance approaches are set out below. The Cabinet committee does allow for the considered view of the council on whether to proceed with promoting any STLCA's, taking into account the systematic evidence gathered to inform that decision.

Cabinet Committee:

Benefits

- A consistent approach to considering whether to promote STLCA or not, taking account of evidence including community and organisation's views from across Fife.
- Can consider and assess strategic implications across Fife.
- Could consult and liaise with Area Committees to reflect local community concerns.
- Manage staff resources effectively through one committee.
- Single committee process would expedite consideration on whether to promote STLCA or not.

Risks

- May be perceived to not prioritise local issue highly enough.

Area Committee:

Benefits

- Able to reflect local concerns.
- Single committee process may expedite designation process.

Risks

- Impact on officer workload if multiple proposals to designate STLCA promoted at Area Committee level.
- Competing priorities from 7 different Area Committees.
- Potential lack of prioritisation across Fife.

Planning Committee:

Referral to the Planning Committee was considered but this would introduce the consideration of planning policy matters to the remit of the Planning Committee. The committee was established to focus on determining significant national planning applications which would otherwise require to be considered at Full Council. Progressing the approach to STLCA through the Area or Cabinet Committees would reflect the established processes relating to the consideration and adoption of planning policy matters and planning guidance.

5.0 Benefits and Risks of Designating a STLCA

- 5.1 In considering whether to progress with a STLCA, Appendix 1 of the January Cabinet report set out a detailed assessment of the risks and benefits of designating a STLCA in Fife. Subject to approval of this report the subsequent report to be presented to Cabinet in December 2025/January 2026 will fully consider the benefits and risks associated with promoting a STLCA in Fife in the context of the additional research and the analysis of the feedback from the public consultation process as set out in Section 3 of this report.

6.0 Timescales

- 6.1 The table below sets out a proposed timescale to take forward public consultation on the principle of promoting a STLCA and report back to the appropriate committee in December 2025/January 2026. It is possible that the public consultation process may result in a considerable response and sufficient time is required between the end of the consultation and the preparation of the subsequent report to ensure responses can be analysed in detail and a comprehensive report of the evidence prepared. The proposed timescales are:
- Undertake pre-consultation preparation and develop questionnaire using Citizen Space public consultation software by end May 2025.
 - Public consultation for 12 weeks commencing in June 2025.
 - Collate additional information as set out in para 2.3 above by June/July 2025.
 - Analyse consultation responses and additional evidence collated by October/November 2025.
 - Report to the appropriate committee to consider whether to promote STLCA(s) in Fife in December 2025/January 2026.
- 6.2 The proposed timescale above reflects that this work is being built in alongside other workstreams, particularly the ongoing review of the Fife Place Plan (the Local Development Plan).

7.0 Conclusions

- 7.1 This report details the additional research required to be undertaken over and above that presented in the previous report to Cabinet in January 2025 and sets out how that information will inform the context of the consideration of further work to consider the principle to promote a STLCA in Fife. The report also sets out a proposed process for undertaking public and business engagement to gather a broad range of views and opinions in relation to the consideration of the principle of promoting a STLCA in Fife.
- 7.2 With regard to the proposed governance relating to promoting a STLCA, Section 4 of this report sets out a summary of the potential benefits and risks associated with different committee options. Section 5 of this report advises that a full assessment and analysis of the potential risks and benefits associated with the principle of promoting a STLCA will be addressed in full in the report to Cabinet in December 2025/January 2026. A timeline for undertaking the additional research and public consultation and to deliver the above noted report to Cabinet in December 2025 or January 2026 is also set out in Section 6 of this report.

Background Papers

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

- [National Planning Framework 4](#)
- [Town and Country Planning \(Scotland\) Act 1997](#)
- [The Town and Country Planning \(Short-term Let Control Areas\) \(Scotland\) Regulations 2021](#)
- [The Town and Country Planning \(Short Term Let Control Areas\)\(Scotland\) Amendment Regulations 2022](#)
- Scottish Government [Planning Circular 1/2023: Short-term Lets and Planning](#)
- [People, Communities and Places: Research into the Impact of short term Lets on Communities Across Scotland](#)
- [Cabinet Committee Papers 9th January 2025](#)

Scottish Government Short-term Let Guidance 2024

- Part 1 <http://www.gov.scot/ISBN/9781836017370>
- Part 2 <http://www.gov.scot/ISBN/9781836017394>

Fife Council Short-term Let Policy and publications:

- [Short-term Lets Licence | Fife Council](#)

Report Contact

Alastair Hamilton
Service Manager
Planning Services
Fife House

Email: alastair.hamilton@fife.gov.uk

3 April 2025
Agenda Item No. 9

Street Naming and Numbering Policy, Procedures and Charges

Report by: Alan Paul, Head of Property Services

Wards Affected: All

Purpose

The purpose of this report is to seek approval for the revised Street naming and Numbering Policy, Procedures and Charges.

Recommendations

It is recommended that Committee approve:-

- (1) the revised Street Naming and Numbering charges as set out in Table 1; and
- (2) the revised Street Naming and Numbering Policy and Procedures set out in Appendix 1.

Resource Implications

There is an expected small increase to annual service income by moving to a sliding scale approach to Charging. The revised Policy and Procedures are being recommended to increase the efficiency and efficacy.

Legal & Risk Implications

Under Section 97 of the Civic Government (Scotland) Act 1982, the Council is the responsible authority for the naming of streets, and numbering of properties. Addressing complies to the British Standard (BS7666).

Impact Assessment

The revision of the Street naming and Numbering Policy and Procedures has been considered against the socio-economic duty placed on Fife Council. An Equalities Impact Assessment has not been completed and is not necessary for the following reason: The updated street naming and numbering policies and procedures defines the process for naming and numbering new streets in Fife. The policy does not impact the public's protected characteristics.

Consultation

There has been consultation with the Head of Legal and Democratic Services, Head of Finance and the Head of Revenue and Commercial Services have been consulted in the preparation of this report.

1.0 Background

- 1.1 Under Section 97 of the Civic Government (Scotland) Act 1982, the Council is the responsible authority for the naming of streets, and numbering of properties. Street naming and numbering is integrated fully with the management of the Fife Property Gazetteer carried out by Business and Employability Services (temporarily reporting to Property Services). The current Street Naming and Numbering Policies and Procedures were approved at the Economy, Tourism, Strategic Planning & Transportation Committee on 15th November 2018.
- 1.2 Street naming and numbering services currently include:
- Add or change a property name.
 - Amend an existing address format (not to confirm residence or ownership details).
 - Register new properties.
 - Request street name(s) for new housing developments.
 - The provision of documentation to confirm official address details.
- 1.3 As part of historic budgetary savings, an administration charge was introduced for the street naming and numbering service. Charges reflect the administration costs associated with provision of the street naming and numbering service. However, they are reviewed against other Scottish local authorities. The charge varies depending on the type of request and the number of addresses required by the applicant. A link to the existing charges can be found here [Street naming and numbering | Fife Council](#), the Policy and Processes here [Street Naming Numbering Policy and Procedures](#).
- 1.4 The administration costs are primarily the salary costs of one Property Gazetteer Officer, an FC7. The application process uses online forms. During 2023/4 and in the current year, the Officer has been supplemented by further human resources to assist with invoicing and other administrative tasks. For context, the budget for Street Naming and Numbering Services income in 2024-25 is £8,023.

2.0 Issues and Options

- 2.1 Street Naming and Numbering is a chargeable service primarily provided to developers. Therefore, the timescales set at the outset of the consultation need to be met. Delays in the process impact on the delivery of this service to the developer and have financial implications for them. Consultation for the required street names will be carried out in accordance with the revised process map in Appendix 1 (Section 3 of the revised policy).
- 2.2 The new Street Naming and Numbering Policy will cover the following changes:
- A new street naming criteria will clarify that where proposed street names could be construed as offensive or alarming (Appendix 1, Section 2.10 of the revised policy), Fife Council reserves the right to not consider these proposals. Bringing the street naming criteria in line with that of Property Names in Appendix 1, Section 7.4 of the revised policy.
 - The Policy will make more explicit that street naming and number is not available for temporary use of residential or business premises. For example, Caravan Sites where their Planning conditions do not permit permanent residential use (Appendix 1, Section 5.3 of the revised policy).

2.3 The following changes to charges are recommended:

- To remove a charge for 'Request to amend address format' (changes to property names/business names etc) – the low cost of this item means it is not financially beneficial for Revenue & Commercial Services to pursue payments and results in an overall loss to the council. Only three Local Authorities currently charge for this service.
- To remove a charge for 'Request for confirmation of official address details' - again this low cost of this item means it is not financially beneficial for Revenue & Commercial Services to pursue payments and results in a loss to the council. The Council rarely receives this specific request.

2.4 The Council's Budget in February 2024 approved increases in all Charges by 5%. However, the charges for Street Naming and Numbering Services have had no increase since 2017. A benchmarking exercise was carried out on the charges against other Local Authorities who have adopted a sliding scale approach to charging.

2.5 The adoption of a sliding scale approach would bring Fife Council in line with other Council's. Under the charges in Table 1, the potential annual income increase will be 30% of £8,023, which amounts to £2,410.

Table 1: Proposed Charges from 01/04/2025:

Service	Current Charge (£)	Proposed charge (£) from 01/04/2025 (approx. 30%)
	<i>(per plot method)</i>	<i>(sliding scale method)</i>
Register new properties / addresses		
Charge per additional plot	8	n/a
1 new address	48	62.40
2-10 new addresses	56-120	104
11-25 new addresses	128-240	260
26-50 new addresses	248-440	520
51-75 new addresses	448-640	780
76-100 new addresses	648-840	1040
100+ new addresses	1040 <i>(based on 125 units)</i>	1300 <i>(based on 125 units)</i>
New street name(s)	200	260

3.0 Conclusion

- 3.1 The revised street naming and numbering policy and procedures incorporate changes which will streamline the street naming process and remove areas of ambiguity or potential confusion as detailed above.
- 3.2 The changes to the charges for services will bring Fife into line with other Councils, recognising that there has been no increase to these since 2017. The revised charges will come into effect from 1 April 2025.

Appendices

1. Revised Fife Council Street Naming and Numbering – Policy and Procedures

Background Papers

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

- The Civic Government (Scotland) Act 1982, Section 97
- [15th November 2018 Economy, Tourism, Strategic Planning & Transportation Committee Agenda Pack](#)

Report Contacts

Morag Millar
Service Manager – Place Programmes & Policies
Fife House West, Glenrothes
Email: morag.millar@Fife.gov.uk

Carlene Simpson
City Region Deal Project Manager
Fife House West, Glenrothes
Email: Carlene.Simpson@Fife.gov.uk

Ryan McQuade
Property Gazetteer Officer
Fife House West, Glenrothes
Email: Ryan.McQuade-EH@Fife.gov.uk



Fife Council
Street Naming and Numbering
Policy and Procedures

April 2025

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1. Introduction

- 1.1 Fife Council is legally responsible for the allocation of statutory addresses and the assignment of street names within the local authority boundary.
- 1.2 This document outlines Fife Council's policies and procedures for street naming and numbering. Fife Council is committed to maintaining a corporate address gazetteer (the Fife Property Gazetteer) that forms part of Scotland's national address gazetteer (the One Scotland Gazetteer).
- 1.3 The power to name and number streets, to alter these, and to require owners of properties to display the number on their premises is given to the Council under the Civic Government (Scotland) Act 1982, Section 97.
- 1.4 Fife Council adheres to British Standard 7666:2006 for addressing.
- 1.5 Royal Mail is responsible for allocating postcodes and post towns to any property that they deem able to receive mail. Fife Council works closely with Royal Mail to ensure that they are aware of all new addresses so that postcodes are allocated in a timely manner.
- 1.6 Fife Council directly informs the Electoral Register and the Scottish Assessors of new or amended address information. Fife Council uploads its address data to the One Scotland Gazetteer (which is hosted and maintained by the Improvement Service) daily. Address data held in the One Scotland Gazetteer is shared with third parties including the emergency services, National Records for Scotland and Ordnance Survey.
- 1.7 There is an administration charge associated with the provision of the street naming and numbering service. A full list of street naming and numbering services and associated fees can be found at www.fife.gov.uk/addressing.

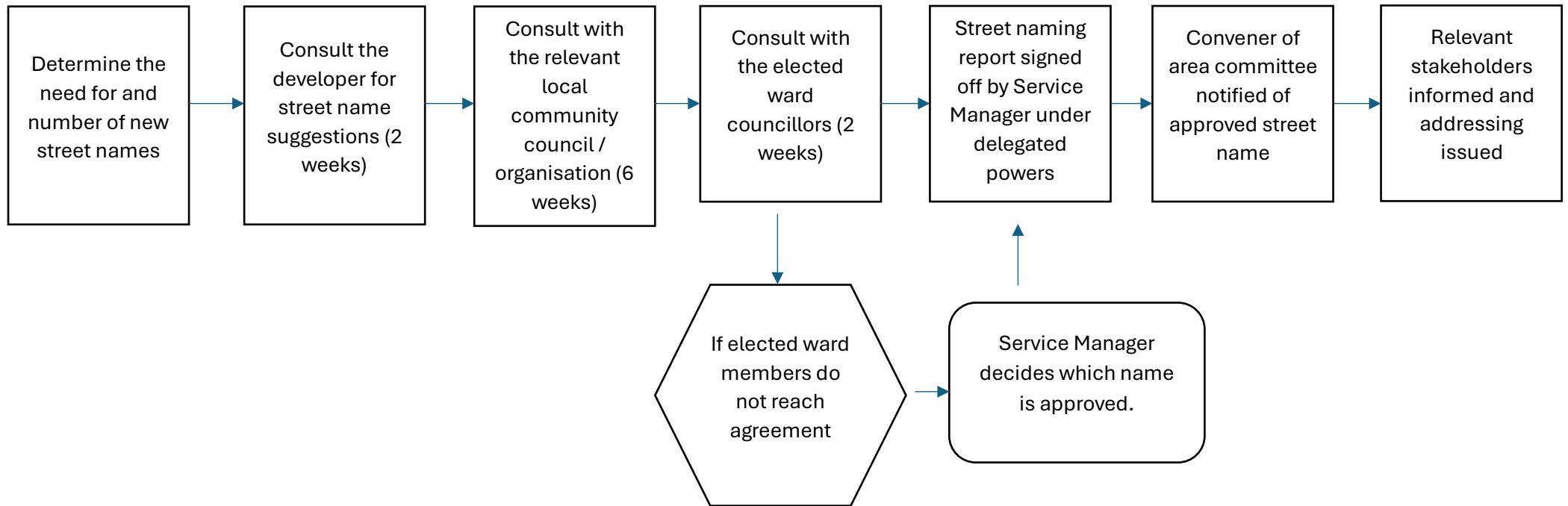
2. Street Naming

- 2.1 Fife Council's Property Gazetteer Officer will determine the need for, and the number of new street names required, with reference to site plans submitted with planning applications that have received full planning approval.
- 2.2 In determining the need for and the number of new street names required, the most important consideration is to provide clear and unambiguous addressing.
- 2.3 Consultation for the required street names will be carried out in accordance with the process map in section 3.

- 2.4 Street naming consultation timescales are clearly defined in section 3 and any representations received beyond these timescales may not be considered.
- 2.5 Where there is no active community council, the Area Community management team will be asked to provide an alternative relevant community organisation to consult with. If the Area Community management team do not provide an alternative, the consultation will be progressed to the next stage.
- 2.6 Elected ward members can propose their own street name suggestions during their two-week consultation period. These proposals should be circulated to all ward councillors.
- 2.7 If no response is received from an elected ward member during the consultation period, their support for any suggestions is assumed.
- 2.8 All proposed street name suggestions should be accompanied with a justification which references the street name criteria set out in sections 2.9. and 2.10.
- 2.9 New street names should meet one of the following criteria:
- Commemorate local history and culture
 - Honour noteworthy persons local to the area or to Fife
 - Celebrate cultural diversity in Fife
 - Commemorate national and international events
 - Strengthen neighbourhood identity
 - Recognise native wildlife and natural features of the area
- 2.10 The following criteria should not be accepted due to the potential confusion and / or reputational damage to Fife Council:
- Street names duplicating existing street names in the vicinity.
 - Street names very similar to existing street names in the vicinity.
 - The use of punctuation or abbreviations (except for St for Saint).
 - Marketing names (those used by developers may not refer to the official street names approved by Fife Council. Developers should advise potential purchasers of the official street name).
 - Street names that could be construed as offensive or alarming.
 - Names of living persons or persons who have been deceased for less than five years (alternative methods of commemoration such as plaques should be considered).
- 2.11 The Property Gazetteer officer will advise consultees when a street name suggestion does not meet the above criteria and will seek an alternative proposal.

- 2.12 If street names are suggested to commemorate a deceased person, the party suggesting the street name must provide evidence of consent from an appropriate relative before the suggestion is brought forward. If consent is not obtained, the suggestion cannot be taken forward.
- 2.13 The Property Gazetteer officer will apply appropriate suffixes to street name suggestions with reference to the guidance below:
- a. Generally avoided suffixes: End, Cross, Burn, Stream.
 - b. Suffixes appropriate for the particular road layout or areas:
 - Crescent: for crescent or looped shaped roads.
 - Avenue: tree lined roads.
 - Lane, Grove, Close, Wynd, Court, Place: small streets and cul-de-sacs.
 - Square: for squares only. Circus: for roundabouts or squares only.
 - Hill, Brae, Heights, Mount, Rise, Knowe: roads on a gradient or on a hill.
 - Terrace or Row: streets that are terraced.
 - Promenade, Esplanade, Wharf, Docks, Moorings, Quay: harbour or shore side streets.
 - Green, Gardens, Park: areas dominated by green space.
- 2.14 When the elected ward members have agreed upon the street name to be taken forward, the Convener of the local Area Committee will be notified of the street name selected for approval.
- 2.15 If elected ward members do not unanimously agree on the street name to be taken forward, the name that has gained majority support will be presented to the Service Manager for approval, in accordance with the Fife Council Governance Scheme Part 3 List of Officer Powers.
- 2.16 After consultation has taken place a report will be compiled detailing the new street name/s. This report will be passed to the relevant Service Manager for their signature of approval.
- 2.17 Following the approval of the street naming report, the addressing for any new properties will be issued.

3. Street Naming Consultation Process

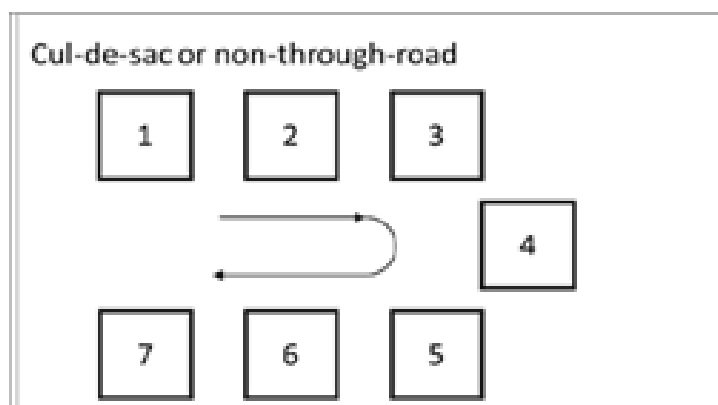
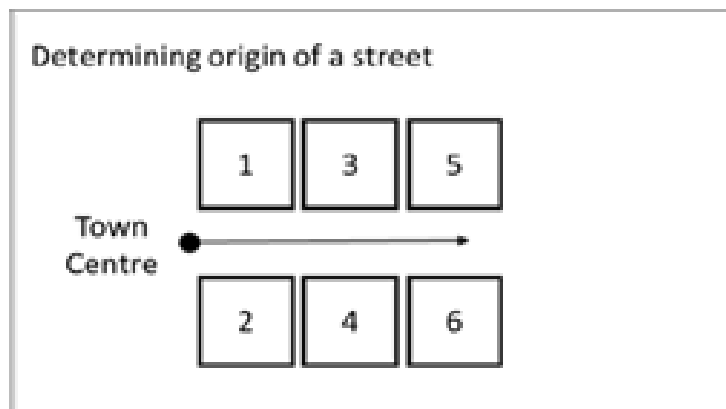


4. Street Re-naming

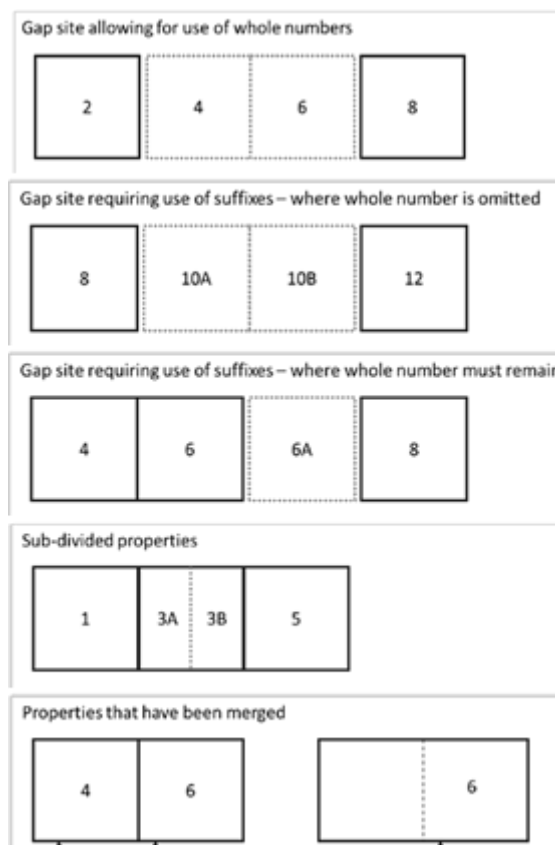
- 4.1 Fife Council will only consider any proposal to alter the name of an existing street in exceptional circumstances. Such circumstances could include the major redevelopment of an area, or where existing street names are creating confusion, ambiguity or poor public perception.
- 4.2 If community groups, developers or members of the public apply to re-name a street they need to provide the following:
- A clear case for re-naming the street.
 - Proof that all affected residents or property owners have been contacted.
 - Provide a summary of the majority opinion of existing residents who are to be affected by any proposed change of street name.
- 4.3 This information will be passed to the elected ward councillors who must agree that a new street name is necessary before consultation begins on re-naming a street.
- 4.4 If it is agreed that street re-naming is to take place, Fife Council will directly consult with existing residents on the affected street to advise them any changes.
- 4.5 Statute requires a period of 28 days within which representations can be made, following advertisement in the local press. Fife Council will endeavour to minimise inconvenience and will consider all representations made to them before any final decision is reached.
- 4.6 Properties accessed by the re-named street will have their address details revised to include the new street name, This and a new postcode as assigned by Royal Mail. Properties may also be allocated a new house number if required. In all cases property owners will be advised of the new statutory address details by Fife Council.
- 4.7 A minimum of 8 weeks will be given before new statutory addresses take effect, allowing owners to transfer title deeds and contracts over to their new address. Fife Council will work closely with Royal Mail to ensure any inconvenience is minimised.
- 4.8 Due to the inconveniences and costs (to the residents) that can be associated with changing address details, we endeavour to re-name streets only if no other option is viable.

5. Numbering Properties

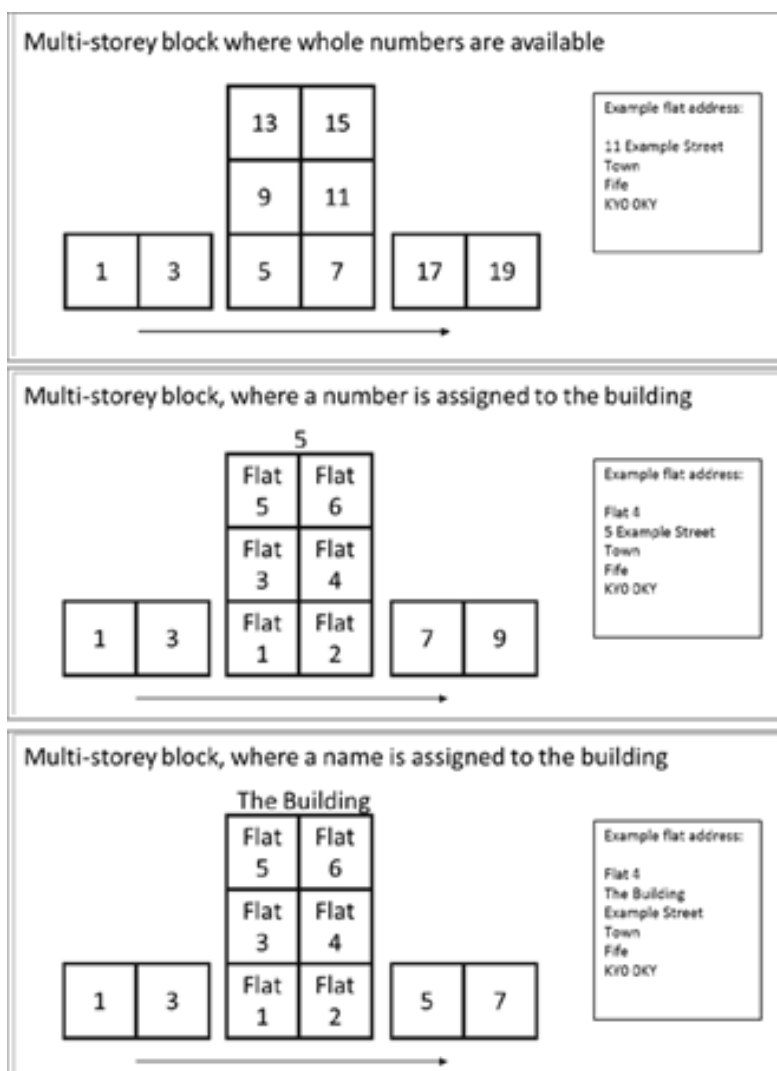
- 5.1 The Property Gazetteer officer will determine the need for property numbers and / or property names and any additional lines within the statutory address, the most important consideration is to provide clear and unambiguous addressing.
- 5.2 The Property Gazetteer officer will assign the numbering for new properties.
- 5.3 Properties will only be assigned names or numbers when the relevant planning and / or building warrant permissions have been approved. This includes caravans that have obtained permits for permanent residential use. If no permit has been granted, postal addresses will not be registered.
- 5.4 The Property Gazetteer officer will determine the origin of the street and allocate property numbers to increase in the direction leading away from the origin. The general rule is odd numbers on the left side of the street and even numbers on the right.



- 5.5 In some circumstances, for example in a cul-de-sac or where it is unlikely a street will ever be extended or made a through road, consecutive numbers may be allocated commencing with Number 1 on the left and numbered clockwise.
- 5.6 A property's use (commercial or residential) does not change the numbering allocation procedure.
- 5.7 No numbers will be omitted from the numbering scheme (for example 13) except where there are gap sites (a vacant site between properties) where there may be potential for development of new properties at a later date that may require addresses.
- 5.8 Where a gap site is being built upon, new properties will be allocated individual numbers wherever possible. In cases where this is not possible suffixes are used, for example 6A, 6B. Where suffixes are required, it is preferable (although not always possible) to omit the whole number – for example 10A and 10B rather than 10 and 10A.
- 5.9 When a property is being sub-divided suffixes will also be used, for example if the property at number 3 is divided to form two separate properties these become 3A and 3B, with the number 3 removed from use.
- 5.10 Properties formed by merging two or more former properties are allocated numbers based on the retained access to the newly formed property.



- 5.11 For multi-storey blocks, if the existing numbering scheme allows, each flat will be addressed using whole numbers followed by the street name.
- 5.12 Where the existing numbering scheme does not allow each flat to be assigned a whole number, the entire building will be assigned a number. If a whole number is not available to assign to the building, the property should be named, responsibility for this will lie with the owner (the developer) in accordance with section 8. In both instances, the individual flats within the building will be addressed as 'Flat 1' followed by the building number or name.
- 5.13 The above examples are not exhaustive, and existing or precedent address formats will be given due consideration when creating a new address.



6. Re-numbering Properties

- 6.1 The re-numbering of properties is only considered in exceptional circumstances such as: major redevelopment of an area; issues of confusion and ambiguity regarding the existing numbering; or postal / delivery difficulties experienced by residents which can only be resolved by a new numbering scheme.
- 6.2 Any alterations to an existing numbering scheme will follow the same principals set out in section 5.
- 6.3 Alternatives to re-numbering should be considered first to avoid inconvenience to the public.
- 6.4 All occupants of properties affected will be notified of the intention to re-number properties and will have 28 days to supply feedback.
- 6.5 A minimum of 8 weeks will be given before new statutory addresses to take effect, allowing owners to transfer title deeds and contracts over to their new address. Fife Council will work closely with Royal Mail to ensure any inconvenience is minimised.

7. Property Names

- 7.1 Property names are not covered by the Civic Government (Scotland) Act 1982, and responsibility for a name lies with the property owner. For example, this will include privately owned caravan parks and care / nursing homes.
- 7.2 Where Fife Council have not numbered a property, the property name forms part of the statutory address.
- 7.3 Where numbers have been applied property names can be added but only in addition to the allocated number, this is because property numbers remain the primary identifier for the property and should be displayed upon the property in a visible location.
- 7.4 Where property names could be construed as offensive or alarming, Fife Council reserves the right not to use or add them to the statutory address.
- 7.5 Should a suggested property name result in the duplication of an existing statutory address this will not comply with BS7666:2006 and Fife Council will be unable to incorporate the property name into the applicant's statutory address. The applicant will be asked to choose a different name for their property.

- 7.6 Where property name suggestions duplicate an existing property name but do not result in the duplication of the statutory address the Property Gazetteer Officer will assess the proximity of the existing property and may recommend that the applicant choose a different property name. Should the applicant not follow advice from the Property Gazetteer Officer the applicant will be responsible for any disruption to service delivery to either property.
- 7.7 The Property Gazetteer Officer will provide advice on suitable property names to help avoid confusion.

Contact Details:

Email: property.gazetteer@fife.gov.uk

Complaints:

In the first instance, complaints should be made to the Property Gazetteer Officer responsible for Street Naming & Numbering.

However, should the complaint not be resolved to the complainant's satisfaction, Fife Council operate a formal complaints procedure, the details of which are available at any Fife Council office, or [online](#).

Other contacts:

Street nameplates are maintained by Transportation Services, and initial contact should be made using their contact forms on [Fife Council's website](#).

Royal Mail maintains the [Postal Address File](#) and allocates postcodes to addresses in the UK. [Please refer to their website for contact details](#).

You can view addresses listed in Fife Council's address database using the [One Scotland Gazetteer](#) address search.

3 April 2025.
Agenda Item No. 10

Scottish Government Place Based Investment Programme Funding – Fife’s Proposed Projects 2025/26

Report by: Alan Paul, Head of Property Services

Wards Affected: All

Purpose

This report seeks agreement for the prioritisation of Fife’s allocation of the final year of the Scottish Government’s Placed Based Investment Programme (PBIP) Funding.

Details of the 2025/26 award to local authorities has not yet been released by the Scottish Government. However, in previous correspondence £1.915m has been indicated by officials.

As with previous rounds of funding, Scottish Government are expected to set rigid timescales and conditions to which Fife Council must adhere. These are likely to include that grants are to be legally committed and/or spent, or projects commenced within financial year 2025/26, with an expectation that all projects will be completed by 30 September 2026.

There is a clear message from officials, that where projects fail to become legally committed within these timescales, or projects are cancelled, for whatever reason, repayment of any unspent funds will be expected.

A brief update on the projects, previously funded through the Town Centre Capital Fund and Place Based Investment Programme, is also provided at appendix 3.

Recommendations

It is recommended that committee:-

- (1) note the background to the Place Based Investment Programme funding, the likely funding conditions and timescales to deliver projects;
- (2) approve the projects in Table 2 to receive PBIP investment in 2025/26, *subject to final confirmation of funding to be made available by the Scottish Government*. These are reserve projects that Cabinet Committee agreed could be rolled forward into 2025/26 when approving the expected allocation for 2024/25; and
- (3) agree that the Executive Directors Place and Finance and Corporate Services be granted delegated authority to finalise the investment for the agreed projects.

Resource Implications

Financial - the grant is for capital expenditure which is additional to that which is already or would otherwise be allocated to the 2025/26 budget and must not be used as substitute for existing allocated spend or be transferred to Fife Council’s Capital Fund.

It is anticipated that through the proposed investment programme there will be elements of spend to save, improving both urban fabric and infrastructure, therefore reducing ongoing maintenance costs. In addition, an allowance has been made, in each project budget, to mitigate against further cost inflation due to any material supply, labour and cost difficulties that may result.

Any revenue consequences arising from the delivery of projects using this funding, must be manageable and/or mitigated against.

Legal & Risk Implications

It is expected that project work will be completed and/or contracts signed, legally committed to and/or commenced within 2025/26. Any unused portion of the PBIP funding, if not re-profiled by the local authority to other eligible projects that meet the conditions of the fund, is repayable to the Scottish Government unless prior written agreement by Scottish Ministers.

The PBIP funding is capital, and it is expected to be used to finance local authority capital investment for projects in places, that meet the needs and aspirations of communities and fulfil the Scottish Government's Place and Wellbeing outcomes.

The PBIP funding may also be used to fund, subject to stringent conditions, third party place-based capital expenditure, either directly or through the provision of grants to third parties (public sector bodies, private sector, third sector bodies or individuals) which would, if incurred by the local authority, be considered as capital expenditure. Any use of the funding must comply with the Subsidy Control Act 2022.

Impact Assessment

An Equalities Impact Assessment has been conducted as part of the business case for each project proposed for funding.

The Fairer Scotland Duty, which came into force on 1 April 2018, requires the Council to consider how it can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. Both the Plan for Fife and Fife's Economic Strategy align with this Duty in their commitment to working towards achieving thriving places in Fife's towns and the City of Dunfermline.

Consultation

The Head of Legal and Democratic Services, the Head of Finance and the Area Committee Conveners have been consulted during the preparation of this report.

1.0 Background

- 1.1 The Scottish Government has previously made the allocations of Place Based Investment Programme (PBIP) funding, contained in Table 1 below, to Fife Council.

Table 1 Previous Allocations of Place Funding to Fife Council

Year	£m
2019/2020	4.335
2020/21	1.560
2021/22	3.163
2022/23	2.748
2023/24	1.915
2025/26 (reduced allocation see 1.2)	0.900
Total	14.621

The PBIP funding aims are to enable local authorities to stimulate and support place-based economic investments, which encourage town centres and places, to diversify and flourish, creating footfall through local improvements and partnerships.

- 1.2 In July 2024 Scottish Government made the decision to pause the Place Based Investment Programme for 2024/25. This impacted on the projects to be delivered that year, as approved by Cabinet Committee in April 2024. Officers were able to make a case, to Scottish Government, over the summer 2024 to retain a portion of the funds (£0.9m) to invest in projects legally committed and in delivery as set out in Table 1a below). This was not enough to advance two projects (Cowdenbeath Town House and Dunfermline Gap Site (City Square) and these were put on hold, pending alternate funding being sourced.

- 1.3 **Table 1a : Projects receiving investment in 2024/25** were:

Project	PBIP Contribution £m	Project Cost £m	Expected Completion
Inverkeithing Heritage Renewal Programme	0.35	4.60	Spring 25
Silverburn Flax Mill	0.25	8.40	Summer 26
Riverside Park Glenrothes	0.30	5.50	Spring 25
Total	0.90	18.50	

- 1.4 Fife Council expects to receive an allocation of £1.915m from the Scottish Government's Place Based Investment Programme in April 2025. This funding is part of a wider Regeneration Capital Grant stimulus package, aimed at supporting place-based projects that are shaped by the needs and aspirations of local communities and accelerate the Scottish Government's ambitions for places. The grant has, to date, been flexible and may be allocated, at the discretion of local authorities, within the context of national and local commitments to place and including: The Town Centre First Principle; The Town

Centre Action Plan (2022); and the Place Principle. However, the key condition is that **all grant expenditure must be completed by 31 March 2026**. The Scottish Government define expenditure as follows: “It is expected that work will be completed; or at least work or contracts signed or commenced within the financial year.” The expectation will be that all projects are completed by the end of September 2026, although Scottish Government officials have previously applied a degree of flexibility, recognising the substantial challenges being experienced in the delivery of capital projects.

1.5 The Scottish Government funding criteria stipulates that projects should be aimed at supporting local solutions, shaped by the needs and aspirations of communities and accelerate the Scottish Government’s ambitions for:

- Place
- 20-minute neighbourhoods
- Town centre action
- Community led regeneration
- Community wealth building

Whilst meeting Place and wellbeing outcomes which are designed around:

- Movement - including active travel, public transport, traffic and parking.
- Spaces – including streets and spaces, natural spaces, play and recreation.
- Resources – including work and economy, housing and community, services and support.
- Civic – including identity and belonging and feeling safe.
- Stewardship – including care and maintenance, influence, and control.

1.6 The PBIP funding can be invested as grants to third parties for capital works. These may include small businesses, third sector organisations, private individuals and other public bodies, but are subject to the terms and conditions and compliance with the Subsidy Control Act 2022.

1.7 2025/26 is the last of a five-year programme of Place Based Investment funding. It is hoped that some form of place related funding will be available in future years.

2.0 Issues and Options

2.1 The Scottish Government intends to award Fife Council a further capital grant in 2025/26, the last year of the programme. This is likely to be £1.915m. However, as with the previous allocations, the Scottish Government will expect that all expenditure will be completed within tight timescales, so low risk of deliverability is critical.

2.2 The projects listed below in Table 2 are, to some degree, “in flight” with business cases, approvals in place and/or projects where it is felt that the council can provide additionality by investing. These were prioritised in 2024/25 but not funded due the reduced allocation.

2.3 The investment of this grant by Fife Council, has been considered in the context of:

- previous rounds of Scottish Government funding for place-based and capital regeneration initiatives
- the unsuccessful bids to the UK Government’s Levelling Up Fund
- projects that could not be funded through the UK Government’s Shared Prosperity Funding
- the Plan4Fife 2017-27 focus for investment in mid Fife

- the continued effects on construction inflation, availability of labour and material supplies
- the limited time to plan, develop and procure new project streams to achieve spend within the timescales available.

2.4 **Table 2** below provides the recommended projects for PBIF investment in 2025/26. A prioritisation assessment has been conducted on each of the projects. This includes cost, leverage of match funding, deliverability risks (stage of development), impact and alignment with Scottish Government Place and Wellbeing Outcomes (see **Appendix 1**). The projects listed as priority 1 are those recommended to be progressed and funded. Further, details of each project can be found in **Appendix 2**. Should the funding provided by Scottish Government exceed the expected allocation of £1.915m, then it may be possible to advance other projects that meet these criteria.

2.5 In assessing the projects in Table 2, the following has also been considered: -

- Whether there are shortfalls in funding for existing projects/programmes
- Whether the proposed projects can meet both the ambitions and conditions of the PBIP and in the timescales available
- Existing projects with approved business cases and consents
- Contribution to the Plan4Fife priorities 2024-27
- Any links to the Mid Fife Economic Action Plan and Investment Prospectus
- Whether projects are aligned to local priorities set out in Local Community Plans and likely to create transformational change at a local level
- Whether the project aligns with the priorities identified in the Scottish Government's Town Centre Action Plan
- Contribution to an adopted Town Centre Design and Development Framework, Masterplan, or identified through a community led Charrette or Place Plan
- Risk to Fife Council, taking into consideration multiple factors which may delay delivery and completion of projects and the impact of any future revenue liabilities
- Investment available from other funding Programmes

Table 2 Proposed Projects to be funded from PBIP funding 2025/26

Project	Total Cost £	PBIP Ask £	Leverage £ Score	Deliverability Stage of development Score	Impact Score	Place and Wellbeing outcomes	Notes
			1-3	1-3	1-3	1-3	
Cowdenbeath Town House (Priority 1) Refurbishment and CAT to BRAG for Community Use. (Priority 1)	£2.361m	£1.200m	£1m RCGF (tbc) £0.126m residual funds £0.035m CRF	Spatial coordination and Technical Design completed		Spaces Civic Resources Stewardship	Full Business Plan available from potential operator (BRAG) Community Asset Transfer process started.
Scores			2	2	3	3	10

Project	Total Cost £	PBIP Ask £	Leverage £ Score	Deliverability Stage of development Score	Impact Score	Place and Wellbeing outcomes	Notes
			1-3	1-3	1-3	1-3	
Riverside Park Glenrothes – Phase 2 Pavilion – Destination Hub to support international scale Pump Track and events. (Priority 1)	£5.295m	£0.315m	£4.980m	Modular/or similar unit to replace existing Pavilion.		Spaces Civic Resources	The provision of a new pavilion building with operator will increase the benefits achieved from the wider project by providing more reason to use the Park.
Scores			3	2	2	3	10
Silver Sands - Aberdour. Tourism Destination Facilities (Priority 1)	£1.30m	£0.40m	£0.90m Rural Tourism Development Fund application submitted 28/02/25 £0.15 UKSPF	Feasibility and Design options completed		Resources Movement Spaces	Council owned facility improved for longer seasonal use. No Planning required
Scores			2	2	3	3	10
Kirkcaldy – Better Connections and Storytelling (Reserve)	£0.60m	£0.45m	£0.15m	Designs not finalised. Business case to be finalised			Planning Required. Existing funds could be used to progress feasibility/ Design putting the project in a better place for future funds. Opportunity to link to new signage planned for the Coastal Path and Pilgrims Way.
Scores			1	2	2	2	7
Total	£9.556m	£2.365m					

Update on Previous investment of funds from the Scottish Government

- 2.6 Since April 2019, Fife Council has received over £14m of place funding from the Scottish Government, including the Town Centre Capital Fund, and latterly the Place Based Investment Programme. This funding has been used to support 39 projects, including creation of enterprise space, public realm improvements, site enabling works, building investment and improvements and development of site opportunities.
- 2.7 Many of the projects have been challenging to deliver with cost inflation, material supply chain issues, contractor availability, poor weather conditions and reliance on third party action, delaying progress. **Appendix 3** provides an update on the projects that have received place funding. An extension of time has been sought and received from the Scottish Government to allow some projects that are experiencing substantial delays to reach completion.

3.0 Conclusions

- 3.1 The Scottish Government has allocated a total of £23m of capital funding to local authorities, from the Place Based Investment Programme to be spent or legally committed in the financial year 2025/26. Fife is likely to receive an allocation of £1.915m.
- 3.2 Officers have identified three projects that could be delivered within the PBIP timeframes. The proposed investment of PBIP funds outlined in Table 2 delivers on local and Scottish Government's priorities. Timescales for delivery are challenging, although the projects identified are deliverable.
- 3.3 To reduce the council's exposure to ongoing revenue streams, enhancing existing projects/ facilities and working with third party end users/ beneficiaries is the most effective use of these funds.

List of Appendices

1. Place and Wellbeing Outcomes (Improvement Service)
2. Further information on Prioritised Projects for the 2025/26 PBIP Programme
3. Summary of projects funded by the Town Centre Capital Fund and Place Based Investment Programme

Background Papers

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

- [Cabinet-Committee-Public-Agenda-Pack-4-April-2024.pdf](#)
- [Agenda-and-Papers-for-Meeting-of-Cabinet-Committee-of-6-April-2023.pdf](#)
- Scottish Government Town Centre Action Plan 2 (2022)
- Scottish Government Town Centre Toolkit (2015)
- Scottish Government - Town Centre Action Plan Review Group, Chaired by Professor Leigh Sparks - A New Future for Scotland's Town Centres (2021)

Report Contacts

David Grove

Lead Officer – Town Centre Development - Place Programmes & Policies

Email – david.grove@fife.gov.uk

Morag Millar

Service Manager – Place Programmes & Policies

Email – morag.millar@fife.gov.uk

Scottish Government - Place and Wellbeing Outcomes (Improvement Service)

The Place and Wellbeing Outcomes provide a consistent and comprehensive focus for where place impacts on the wellbeing of people and planet.

They are also key features for delivering Scotland's local living and 20-minute neighbourhood ambition.

The Place and Wellbeing outcomes are as follows:

- **Movement** - including active travel, public transport, traffic and parking.
- **Spaces** – including streets and spaces, natural spaces, play and recreation.
- **Resources** – including work and economy, housing and community, services and support.
- **Civic** – including identity and belonging and feeling safe.
- **Stewardship** – including care and maintenance, influence, and control.

The Place and Wellbeing Outcomes are underpinned by three principles:

- **Equitable outcomes for all** - Each Outcome takes account of the needs of different populations and geographies and is applied in a way that ensures they achieve equitable outcomes for all. The impact of policy and practice on the experiences of these different populations within Scotland must be considered. Population groups such as those at the end of the table.
- **Achieving net zero, sustainability and biodiversity** - Each Outcome takes account of climate impacts in Scotland and globally. They also consider the need to achieve net zero greenhouse gas (GHG) emissions as well as enhancing broader environmental sustainability and biodiversity and are applied equitably in a way that contributes to both greater climate resilience and reduced GHG emissions.
- **Supporting the system** - Each Outcome becomes embedded in the right policies and plans both nationally and locally.

Further information on the Place and Wellbeing outcomes is available at <https://www.improvementservice.org.uk/>

2025/26 Proposed Projects

Project	Scope
<p>Cowdenbeath Town House</p>	<p>This Category C Listed and Common Good Building has remained unoccupied since Fife Council declared it surplus to operational requirements, around 8 years ago. It has been a local priority to find a sustainable use for the building on the intervening time. Since its closure, the Town House building fabric is showing signs of decay. Several tentative ideas have been explored, including the community supermarket, without any tenable or sustainable proposals being developed to business plan stage.</p> <p>A building condition survey carried out by Hardies in 2019 highlighted several urgent concerns with the building fabric. Of particular concern was the main roof, the flat roof, on the rear extension and internally the building electrics. In 2019 and 2020, Fife Council were in receipt of an allocation of Scottish Government “Town Centre Capital Funding”. Agreement was reached to invest £0.5m of this funding, over two financial years, to address the urgent concerns with the building fabric, in preparation, for a yet to be identified community use, or to be marketed for sale.</p> <p>Around the same time the Coalfields Regeneration Trust (CRT) were developing a proposal for a community supermarket and community use space in Cowdenbeath. CRT expressed interest in re-developing the Town House for these purposes, with the community supermarket to be located on the ground floor and community space on the upper level. Following local concerns, the CRT proposal was withdrawn and work on the building was stopped in the autumn of 2021. At that point the building had been made wind and watertight (£330k and around £60k) invested in tackling the interior issues.</p> <p>Since its closure, the Town House building fabric is showing signs of decay. Several tentative ideas have been explored, including the community supermarket, without any tenable or sustainable proposals being developed to business plan stage.</p> <p>During 2023, BRAG Enterprises expressed an interest in taking the building on, subject to securing funding, to develop “A People’s Centre”. This has been the only realistic proposal for the building. BRAG is an established and well-regarded social enterprise with a track record of working with disadvantaged communities and in the regeneration field, for over 30 years. The organisation has successfully delivered several community building-based projects, including Cross Hill Business Centre, Thomson House Leven and the Together Leven High Street Community Hub.</p> <p>The proposal from BRAG has been well received by Local Elected Members, the Community Council and Members of the public. There is strong local support for the sale of this Common Good Asset, with the recognition that this proposal offers a tenable future for the building.</p>

Project	Scope
	<p>This project will run in tandem with the proposed community asset transfer process and a back-to-back agreement with BRAG will be put in place for the sale of the building at an agreed value.</p> <p>Deliverables</p> <ul style="list-style-type: none"> • Community meeting space and small-scale, low-cost incubation units have been identified as a need within the Cowdenbeath area • The addition of a community style cafe will add to the offer in Cowdenbeath high Street, particularly towards the northern end, where there is little to attract people, and will help subsidise other uses within the building • Community (bookable) meeting space • Employability Services will be housed in the building alongside other community advice services • Potential Community Radio Station. <p>Fife Council agreed a new asset management strategy in August 2023 following a report to the Finance, Economy and Corporate Services Scrutiny Committee. One of the main themes of the report covered the need to divest the Council of vacant, non-operational buildings.</p> <p>The proposal for Town House aligns with several policies and strategies, such as 20-minute neighbourhoods, Community Wealth Building, Community ownership and provision of facilities, the Place Standard and the Scottish Governments Town Centre Action Plan (2022).</p> <p>BRAG have developed a Business Plan and following a competitive tender process commissioned Inch Architecture and Design to undertake the feasibility and design stage – RIBA Stages 1 & 2.</p> <p>Match funding of £1m has been sought from the Regeneration Capital Grant Fund and this project will build on an earlier phase of works to make the building wind and watertight.</p>
<p>Silver Sands Aberdour</p>	<p>Aberdour Silver Sands is an area of Fife which suffers from overtourism at peak times with motorhome parking and inadequate infrastructure and facilities being particular problems. The area of concern lies on the Fife Coastal Path, a key tourism asset for the area which is managed by Fife Coast and Countryside Trust.</p> <p>A sizeable increase in footfall and demand for parking and facilities has meant that levels of visitation are likely to exceed site capacity, at peak times, causing problems with illegal parking and other antisocial activities.</p> <p>An options and feasibility appraisal for the area has been created, showing all the work required to make the area a safe, well managed and desirable destination. This has been split into phases in order of priority. For the purposes of this application, the work would include everything in the ‘Silver’ package:</p> <ul style="list-style-type: none"> · Resurfacing of access road with drainage works · Resurfacing of main car park and official designation of car parking spaces · Installation of EV charging points · Installation of cycle racks

Project	Scope
	<ul style="list-style-type: none"> · Construction of DDA compliant wooden ramps to beach · Construction of new stairs and handrails from main car park to beach · Furniture, signage and bins · Toilet / facility upgrades including creation of a changing places toilet facility · Additional footpath to better connect area to the coastal path <p>Designs have been advanced, and an application has been submitted to the Rural Tourism Infrastructure Fund (RTIF), for which match funding (PBIP) is required.</p> <p>A decision on funding is expected early April 2025.</p> <p>In 2018 the Scottish Government established the Rural Tourism Infrastructure Fund (RTIF). VisitScotland managed this fund which aims to improve the visitor experience in rural parts of Scotland that are experiencing visitor management issues as a result of additional visitors. In particular it aims to help address pressure on local infrastructure or any negative impacts on communities.</p> <p>In 2023 the terms of the fund were updated, requiring local authorities to produce a Strategic Tourism Infrastructure Development Plan, identifying locations that could benefit from RTIF projects. Further rounds of funding would only be eligible for those projects that were included in the Strategic Plan. Fife's Strategic Plan included six priority projects, of which Aberdour Silver Sands was one. Having evaluated the projects and checked eligibility with VisitScotland it was decided that Aberdour Silver Sands was the most appropriate project to seek funding for, given the impact that improvements could make on the location and the local community, and the scale of the improvements that could be made given the available budget.</p>
<p>Riverside Park Glenrothes</p>	<p>The project will deliver a phase 2 of works to provide a new pavilion building. This building will act as the hub for activity and events in Riverside Park, based around the international sized Pump Track and Destination Play Park, and will provide cafe facilities. The existing pavilion building, which is not fit for purpose, will be removed and replaced with a modular building. It is proposed that the new facility will be leased to an operator, via a competitive process.</p> <p>This new facility will add to the investment already made in regenerating Riverside Park, offering a central hub to host a wide range of events, provide a usable space for connecting communities, and establish a cafe to promote social engagement, enhance natural security of the park, and help increase footfall.</p> <p>Riverside Park received £4.98m as part of the UK Government's Levelling Up Fund award to help restore and maintain Riverside Park to its 3-star visitor attraction, as given by Visit Scotland. The current programme of works are on schedule to be completed by the end of March 2025.</p> <p>This project aligns with Fife Council's strategic priorities for community regeneration, economic development, and health and wellbeing. By creating a dynamic, inclusive, and sustainable community space, the project will:</p> <ul style="list-style-type: none"> • Support the economic viability of Riverside Park by encouraging increased footfall and visitor engagement. • Provide a flexible events hub, enabling a variety of cultural, social, and recreational activities.

Project	Scope
	<ul style="list-style-type: none"> • Encourage social interaction, fostering a stronger sense of community and place. • Improve security and safety within the park through natural surveillance and an active, well-used facility. <p>The project also aligns with the Place Based Investment Programme objectives of bringing the Place Principles to life https://www.ourplace.scot/about-place/themes/place-based-investment/place-based-investment-infrastructure</p>
<p>Kirkcaldy Signage and Storytelling</p>	<p>The project will capitalise on existing assets and new developments within Kirkcaldy Town Centre helping to connect people to physical assets as well as telling the story of people and place through interpretation both physical and digital, improved wayfinding, lighting and public art. It will help provide links and trails in and around the town centre complementing the retail offer, encouraging family activity, intergenerational events and promoting town centres as a place to visit and spend time. This is a place making approach to encourage economic development and support sustainable communities. Place making helps build communities that attract and retain talent, improve walkability, promote entrepreneurship and attract and encourage investment. Creating and reinforcing key gateways into the town centre enhancing the sense of arrival and identity</p> <p>The project will be in tandem with the digital project funded through the Community Recovery Fund with the wayfinding, interpretation and public art acting as activation points for the proposed Kirkcaldy Place/Tourism app.</p> <p>To be viable going forward the town must improve its offer for a wider demographic - attracting younger people into the Town Centre but also encouraging families and providing a safe and attractive environment for people to visit and stay. It must provide spaces and activities that are experiential rather than functional. Making better use of the assets it has and ensuring these assets are better linked by increasing the ease of movement and the stories of these assets told.</p> <p>Kirkcaldy has the capacity to become a vibrant multi-functional town centre but faces competition from nearby centres. It has a rich industrial heritage, a wealth of famous sons and daughters and a fantastic catalogue of stories which will all add to the town offer and develop, enhance and improve the sense of place. These stories need to be told to enhance the sense of place, and the tourism offer.</p> <p>Telling of stories helps define the uniqueness of place and provides an important narrative for both locals and visitors. Stories engage people at every level – not just in their minds but in their emotions, values and imaginations, which are the drivers of real change. Stories illuminate the importance of culture and history, including language, customs, and physical locality. Storytelling is a means of transmitting knowledge and history, teaching and learning, connecting generations, creating, and strengthening community – all of which helps us to understand place.</p> <p>Installation and improvement of wayfinding and visitor signage is a key element of creating a sense of place and is a key part of destination marketing and management. Signage provides many benefits – attracting visitors, provide direction and wayfinding, inform, and educate and tell the stories of towns. Its</p>

Project	Scope
	helps both residents and visitors to identify and link to the towns offer and experiences. To ensure that towns get the benefit of visitor numbers, there needs to appropriate directions to locate attractions, amenities, and services easily. Ensuring that key gateways into the town centre are established with a clear sense of arrival.

**Scottish Government Town Centre Fund and Place Based Investment
Programme 2019 – 2025 Summaries**

Project and allocation of Funds	Brief Description	Current Status
Cowdenbeath		
Cowdenbeath Town House £0.5m	Renovation of the prominent Town House building on Cowdenbeath High Street, which had lain vacant for years. The funding is being used to bring the building up to a standard ready for the next phase of works and an identified end use. Works on the building are on hold, pending decisions on future use, with the limited remaining budget to be used to support a second phase project, currently being developed with BRAG Enterprises.	Phase 1 works complete
Former DSS Building Cowdenbeath £0.24m	Purchase and demolition of the former DSS building in Cowdenbeath town centre. The site clearance has paved the way for the neighbouring council-owned land to be redeveloped into a mixed-use affordable housing and commercial development, in partnership with Kingdom and Ore Valley Housing Associations. Site clearance is complete, and the build scheduled to commence during 2023.	Complete
Lochgelly Town House Square £0.44m	SG funding was used to enable the creation of town house square on a section of land that was sandwiched between two anchor buildings, and which were vacant and derelict and targeted for re-use following the Scottish Sustainable Communities Charette held in March 2010. The former Town House (Category B listed) was repurposed to create town centre living, and the former St Andrews Church, which has been redeveloped, over several phases, pending a final decision on use.	Complete
Energy Efficient Enterprise Estate - Lochgelly Business Park £0.3m	Works to upgrade 12,000 sq. ft of enterprise estate within Lochgelly Business Park, across 9 units. Scope of works reduced.	Complete
North East Fife		
Cupar Inner Court/ Bonnygate £0.85m	An ambitious project involving the repurposing of brownfield land and derelict buildings situated in the heart of Cupar's historic conservation area. The project is a partnership involving Kingdom Housing Association (KHA) and Fife Council. The proposal for the 23 affordable residential units and a commercial unit received Full Planning Consent in June 2021 with a further application for non-material	Active/ Underway

Project and allocation of Funds	Brief Description	Current Status
	<p>variations to planning conditions approved in September 2021, and Conservation Area Consent for the demolition of the derelict buildings agreed in October 2020. KHA will be the landlord of 13 mid-market rent properties and Fife Council landlord of 10 social rent properties and the commercial unit. Site assembly has proved problematic, alongside other issues, causing delays. However, these are largely resolved, with demolitions and site clearance work, followed by community archaeological investigations, scheduled to begin imminently.</p>	
City of Dunfermline		
Dunfermline Gap Site (City Square) £0.8m	<p>Development of the gap site was one of the key projects contained in the unsuccessful Dunfermline and West Fife constituency bid to the UK Govt Levelling Up Fund.</p>	Active
Maygate Exchange Dunfermline £0.3m	<p>This project has transformed a vacant Fife Council building in the heart of Dunfermline town centre into a modern Enterprise Hub where entrepreneurs can hire space, grow, and collaborate. The creation of collaborative space was identified as much needed through the Design Dunfermline Charette in 2018.</p> <p>The Hub was designed with enhanced Covid safety measures, including remote management and keyless access.</p> <p>The building is fully occupied.</p>	Complete
St Margaret's House Dunfermline £0.430m	<p>Phase 1 works to make the building wind and watertight whilst addressing some of the interior damaged caused by burst pipes.</p> <p>Phase 2 of works were subject to the unsuccessful bid to the UK Govt LUF and now determining a final use for the building</p>	Complete
Abbot House Dunfermline £0.205m	<p>The A-Listed Abbot House, which operated as a heritage centre, has been vacant and closed to the public since 2015. Since the formation of Abbot house SCIO in 2017, works have been undertaken in a phased manner to refurbish and reconfigure the building's interior to provide a modern café, restaurant, meeting rooms and suites which will serve the local community and can be used for a variety of purposes. The SG town centre funding of £205,000 has enabled the final phase of internal and external works to be undertaken with the building now fully re-opened to the public.</p>	Complete
Glenrothes		
Riverside Park Glenrothes 2024/25 £0.3m	<p>Contribution towards £1m destination playpark as part of the wider improvements to Riverside Park</p>	Active

Project and allocation of Funds	Brief Description	Current Status
Glenrothes Signage, Routeways and Cycleways £0.07m	This project has capitalised on existing assets, and new developments, within Glenrothes town centre, which will help to connect people and places. Upgrades to the routeways and signage within the town centre include a new path connecting Kingdom Avenue with Riverside Park, and improvements to the pedestrian and cycling footways.	Complete
Development of Glenrothes Town Centre Sites £0.498m	The development of key sites within Glenrothes town centre has created a more distinctive and integrated town centre, which will enhance the future role, function, attractiveness, and success of Glenrothes Town Centre. In conjunction with the projects included in, Glenrothes Routeways and Signage, the individual site improvement projects have created a better perception of the town centre and have improved connectivity within the town centre. Improved access to and from key town centre assets. Site improvements included: <ul style="list-style-type: none"> • Improvements to facilities in Riverside Park • Increased seating, shelter and improvements to lighting have made the town centre a more attractive and welcoming social hub, where people can gather and spend time. • New areas of green space, such as the former Kingdom House site. 	Complete
Glenrothes Town Centre Master Plan £1m	Facilitated works at Glenrothes Bus Station to improve the sense of arrival with new surfaces, shelters and signage.	Complete
Public Realm at Kino Cinema Glenrothes £0.29m	Project to replace public realm outside the Kino Cinema and link up with works at Glenrothes Bus Station.	Complete
Glenrothes Enterprise Hub £0.1m	Investment to reconfigure and refurbish flexible town centre enterprise space in response to market demand following Covid 19.	Complete
South West Fife		
Inverkeithing Heritage Renewal Programme 2024/25 £0.35m	Contribution towards the £4.6m heritage programme in Inverkeithing. The money allocated is being used to complete the Inverkeithing Town House regeneration, prior to the community trust occupying the building, and as a contribution to the public realm works currently on site. The programme has overrun; however, completion is expected during summer 2025.	Active
Inverkeithing South Gateway £0.2m	As part of the wider heritage regeneration of Inverkeithing town centre, this project has created attractive and useable civic space in the heart of the town centre and has extended the benefits and impact of the public realm scheduled for the adjacent Conservation Area. Inverkeithing Community	Complete

Project and allocation of Funds	Brief Description	Current Status
	Council now use the enhanced space to hold a Christmas Market and Community Networking Event each December. A local café business is also interested in using the space as outdoor seating for its customers.	
Rosyth Community Facilities DAFC £0.2m	To support the development of multigenerational community facilities, alongside the new DAFC training facility at Rosyth. This will support employment, training, and education streams.	Complete
Kincardine Streetscape works £0.6m	Programme of works led by CRT and Sustrans delivering on one of the long-term actions identified during the Go Forth Kincardine Community Charrette. The project has been hit by cost escalation and difficulties in securing match funds	Cancelled
Kirkcaldy		
Kirkcaldy Car Parking, Public Realm and Gateway £0.18m	Improvements across Kirkcaldy Town Centre, including public realm to two wynds which connects people from the High Street to the Waterfront, the west end of the High Street (Olympia Arcade), and Gateway improvement work within the Adam Smith Merchants Quarter including artistic mural work, and the installation of a sundial as a tribute to Sir Sandford Fleming. Car parking improvements have been slower, however work has been done to close off the pedestrianised area of the High Street to vehicles, out with permitted times, with the use of temporary planters, so that people can enjoy car free space more often and for longer.	Complete
The Postings Steps, Kirkcaldy £0.3m	Access to The Postings (latterly the Kirkcaldy Centre) shopping centre was in dire condition, with the steps and access ramps unusable in some places and hazardous to those with mobility issues. The reconstruction of The Postings steps and ramp (completed in September 2020) has transformed a key route which links Kirkcaldy Bus Station with Kirkcaldy town centre. The steps are now DDA compliant, and by using a similar granite to the High Street, the look and feel of this key gateway to Kirkcaldy town centre has been enhanced. The associated lighting and artwork have improved the look and feel of the area, and enhanced safety and security.	Complete
Kirkcaldy Waterfront £0.35m	The Kirkcaldy Waterfront project is a major infrastructure project to re-imagine Kirkcaldy's waterfront, with the works to be undertaken in three phases. The Scottish Government funding provided an enhancement to the existing works and was used specifically for the upgrading of the public realm, including new viewing platforms and art lighting.	Complete (Phase 1)
Adam Smith Theatre Cultural Hub (Kirkcaldy)	SG funding was allocated to progress the enhancement of the Adam Smith Theatre auditorium, which was phase 1 of a £4.71m programme of cultural and arts regeneration at the Theatre. The auditorium works which includes new seating,	Complete

Project and allocation of Funds	Brief Description	Current Status
£0.4m	decoration, and a new sound system, will bring a modern and comfortable theatre/ cinema experience to Kirkcaldy town centre. Final work at the theatre is due to complete May 2023	
Acquisition of Buildings in Kirkcaldy's Merchants Quarter £0.4m	Funding from the SG has enabled the acquisition of two neighbouring vacant sites in Kirkcaldy High Street. This has allowed the progression of a £6.1m affordable housing development to progress. The development includes 39 residences with commercial units at ground level providing new modern business space. The commercial space will be used to create a Home Adaptations One Stop Shop.	Complete
Kirkcaldy Waterfront Phase 3 £1m	Building on the Phase 1 works to make Kirkcaldy waterfront an attractive, active space for the community to use and enjoy for leisure and recreation. Due for completion April 2023.	Complete
Kings Theatre Kirkcaldy Phase 1 at 9 Esplanade £0.29m	Project to develop artists workspace as part of a multi-phase approach to redeveloping 9 Esplanade Kirkcaldy	Complete
Kirkcaldy Town Centre Site Enabling £0.36m	This key investment will accelerate enabling work for a prominent development site within Kirkcaldy town centre. Demolitions are underway with completion due August 2023, or earlier.	Complete
Volunteers Green Kirkcaldy £0.3m	This key investment will accelerate works to provide a multifunctional community space at Kirkcaldy waterfront, allowing for pop up business space, events and family friendly activities.	Complete
Kings Theatre Phase 2 at 9 Esplanade £0.15m	Contribution towards Phase 2 focussing on works around the former ballroom (including electrical and heating works) and replacement of windows.	Complete
Adam Smith Theatre Outdoor Space Kirkcaldy £0.2m	External works to improve the exterior of the facility, enhance the landscaping, and provide additional operational service opportunities for FCT to promote this usable space for the benefit of the community. The use of the space co-located next to memorial park will be a natural extension of the town centre green space.	Complete
Levenmouth		
Silverburn Flax Mill, Leven 2024/25 £0.25m	Contribution towards the £8.4m restoration of the Silverburn Flax Mill. Once completed (target Summer 2026) the building, which will be subject to Community Asset Transfer, will be occupied by Fife Employment Access Trust (FEAT)	Active

Project and allocation of Funds	Brief Description	Current Status
Acquisition of Buildings in Levenmouth £0.362m	Fife Council has been working with Benarty Regeneration Action Group (BRAG), to help achieve their vision of creating a community hub and visitor destination, enhancing the work of Levenmouth Together. The SG funding was used as a grant to BRAG to facilitate the purchase and redevelopment of the former WH Smith building, a prominent vacant and derelict building in the centre of the High Street, which has lain empty for years. The redeveloped includes a community café, a shopfront/display area for community use and links to other regeneration activity, such as the Levenmouth Reconnected Rail Link and the former Flax Mill at Silverburn Park.	Complete
2nd Phase Town Centre Regeneration (Leven) £0.45m	The funding was used to make the town centre more attractive and accessible for all, to improve the external perception of the area, and instil an internal pride of place within the community. Upgrades were made to cycle routes and pedestrian dominated areas to improve access and encourage more people to make journeys into the town centre by foot or by cycling.	Complete
Leven Station Place Making £0.5m	Improvements to the area between the new railway station and bus station, including stronger links to Leven town centre. Due for completion June 2024. A second phase of works are due to take place during 2025/26	Complete
Leven High Street Public Realm Improvements £0.315m	A contribution to revamping the public realm, street furniture and community space, following the high street fires in late 2022 and ongoing disruption.	Complete
Fife-wide investment		
Building Improvement Grant 2020/21 £0.2m	A Town Centre Building Improvement Grant was launched in 2020 with Scottish Government funding of £200,000 and a Fife Council contribution of £62,000, for the purpose of shop front improvements, internal refit works, or upper floor conversions. 33 businesses supported.	Complete
Fife Wide Building Improvement Grant 2021/22 £0.25m	30 businesses supported with Shopfront improvements, Building Repair and Upper Floor conversions-A maximum grant of £10K or 90% of total project costs available to town centre businesses across Fife.	Complete
Fife Wide Building Improvement Grant 2022/23 £0.2m	<u>Shopfronts, Building Repair and Upper Floor conversions</u> - A maximum grant of £10K or 90% of total project costs available to town centre businesses across Fife.	Complete
Fife Wide Building Improvement Grant 2023/24 £0.2m	<u>Shopfronts, Building Repair energy efficiency and Upper Floor conversions</u> - A maximum grant of £10K or 90% of total project costs available to town centre businesses across Fife.	Complete

Vacant and Derelict Land Fund – Fife’s Proposed Projects 2025/26

Report by: Alan Paul, Head of Property Services

Wards Affected: All

Purpose

This report seeks approval for the recommendations for the investment of the Council’s allocation of Vacant and Derelict Land Fund in 2025/26 subject to approval by Scottish Government of the Delivery Plan.

An update on current and previous projects is also included in this report.

Recommendation(s)

It is recommended that committee:-

- (1) note the criteria for the Vacant and Derelict Land Fund and its role in unlocking other sources of funding for land remediation and preparation projects across Fife;
- (2) approve the recommendations for its use in Fife, subject to Scottish Government approval to secure release of the funds in 2025/26; and
- (3) delegate to the Executive Directors (Place) and (Finance and Corporate Services) to finalise the investment for the agreed projects prior to seeking Scottish Government Ministerial approval to secure release of funds within 2025/26.

Resource Implications

The Vacant and Derelict Land Fund is a ringfenced element of the Local Government Settlement that can only be utilised in support of the reuse of long-term vacant and derelict land which is on the Fife Council Vacant and Derelict Land Register. Long-term is defined as having been registered as vacant/derelict for around 15 years.

The objectives of the fund are agreed between the Scottish Government and COSLA. In any given financial year five local authorities have an allocation based on a formula developed by the Scottish Government’s Statistical Services Division. Fife has been a recipient since 2015/16 but, year to year, this status cannot be guaranteed.

In 2025/26 the allocation of £1,709,020 will be invested in the projects recommended in this report provided the Delivery Plan is approved by the Scottish Government prior to the release of funds.

The short-term revenue consequences can be covered within existing budgets.

Legal & Risk Implications

There are no legal and risk implications associated with this report at this stage. The proposed projects comply with the criteria for use of the Funding.

Once use of funding has been approved by Scottish Government, an Offer of Grant Letter is issued to the Council and the legal and risk implications tied to its conditions are then confirmed.

Use of funding must comply with the Subsidy Control Act 2022.

Impact Assessment

Equalities Impact Assessments are carried out as part of the business case for individual projects. The Fairer Scotland Duty, which came into force on 1 April 2018, requires the Council to consider how it can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. Both the Plan for Fife and Fife's Economic Strategy align with this Duty in their commitment to working towards achieving thriving places and the re-use of Vacant and Derelict Land is consistent with this duty.

Consultation

The Head of Legal and Democratic Services and the Head of Finance have been consulted in the development of this report.

1.0 Background

- 1.1 Vacant land is previously developed land that is available for redevelopment. Derelict land is previously developed land which has a physical constraint caused by its previous use that hampers its redevelopment or naturalisation. Reducing the amount of vacant and derelict land is a priority for Fife and is part of the Single Outcome Agreement between Fife Council and the Scottish Government.
- 1.2 In 2018 a Vacant and Derelict Land Taskforce was set up, supported by the Scottish Government and chaired jointly by the Scottish Land Commission and SEPA. Ryden were commissioned by the Taskforce to analyse vacant and derelict land in Scotland and the barriers to its reuse. This informed the Taskforce recommendations published in 2020. A detailed progress report was published in Autumn 2024¹. Fife Council officers were consultees in the production of both reports and a range of Fife-based case studies were included in the report.
- 1.3 The Council produces an annual Vacant and Derelict Land Audit. [Planning information and land use audits | Fife Council](#) The 2024 Audit was published in February 2025. This feeds into a National Scottish Vacant and Derelict Land survey which is published by the Scottish Government in June of each year. Eligible sites can be added each year.
- 1.4 Policies and guidance for the use of the Vacant and Derelict Land Fund include:
 - The National Planning Framework 4 encourages and promotes the reuse of vacant and derelict land and properties, as a means of contributing to climate change targets and sustainable economic growth.
 - The Plan for Fife 2017-2027 sets out the Council's vision for a Fairer Fife with the ambition to develop thriving places with the reuse of derelict land and buildings forming part of the focus to invest in key town centres.
 - The Fife Economic Strategy 2023-2030 aims to grow a stronger, greener and fairer economy for Fife, ensuring that more wealth is generated, circulated and retained in Fife and its communities for the benefit of all. One of its priorities is to develop

serviced employment land sites and bring vacant and derelict land and buildings back into productive use and another to deliver place-based investment to revitalise and repurpose Fife's key town centres.

- Reuse of Vacant and Derelict Land is an important element of delivering the objectives of the 'Land and Property Pillar' within the Council's Community Wealth Building Strategy.

1.5 The Scottish Government/COSLA agreed that the Vacant and Derelict Land Fund aims to tackle long-term vacant and derelict land in the areas of greatest need across Scotland. Its objectives are:

- to stimulate economic growth and to create jobs
- to promote environmental justice and improved quality of life
- to support communities to flourish and tackle inequalities.

1.6 Key criteria for the use of the Vacant and Derelict Land Funding include:

Vacant Land must be within a settlement boundary and "without constraint and indicated by the Planning Authority as currently available for redevelopment". The land must either have had prior development on it or preparatory work has been undertaken in anticipation of future development. It must have a new use intended for it.

Derelict Land "is land which has been so damaged by development that it is incapable of development for beneficial use without rehabilitation. Land also qualifies as derelict if it has an un-remedied previous use which could constrain future development. Derelict sites can be located anywhere in Fife (both within and out with a settlement boundary).

In all instances land must be:

- at least 0.1 hectares in size (this is roughly equivalent to 4 tennis courts)
- it must have been previously developed
- it must not be in use (except as temporary open space).

There is a further category entitled **Vacant Land and Buildings** but this "should only be used if it is not possible to identify a plot of vacant land on its own without including some associated non derelict buildings which are subject of further conditions."

1.7 The 2024 Fife Vacant and Derelict Land audit identified 200 sites across Fife amounting to 703 hectares. This is a reduction of 10 hectares from 2023. 151 sites, (594 hectares) are derelict land, 43 sites are vacant land (86 hectares), and the remaining 6 sites (23 hectares) are Vacant Land and Buildings. The total amount of vacant and derelict land across Fife has been fairly consistent over the last 5 years.

1.8 The vast majority of Vacant and Derelict Land in Fife is out with council ownership and control. In 2022 around 10% of sites were in full council ownership, but this accounted for less than 4% of Vacant and Derelict Land by area. Often Vacant and Derelict Land which is re-used and removed from the register is as a result of market forces or owner intervention without the need for public funding through the Vacant and Derelict Land Funding. The most common reuse of sites in Fife, and Scotland more generally, is for residential. Land can also, on occasion, be removed from the register if it has re-naturalised to the point where it is very unlikely to be brought back into any other identified use.

1.9 The allocations of Vacant and Derelict Land Fund made to Fife Council since 2015/16, are set out in Table 1 below. It includes 2024/25, the current year, and 2025/26 which is subject of this report and approval by the Scottish Government.

Table 1: Allocations of VACANT AND DERELICT LAND FUND to Fife Council

Year	£m
2015/16	1.316
2016/17	0.915
2017/18	1.515
2018/19	1.486
2019/20	1.772
2020/21	1.313
2021/22	1.451
2022/23	1.451
2023/24	1.621
2024/25	1.111
2025/26	1.709
Total	15.660

2.0 Issues and Options

- 2.1 Sites which can benefit from Vacant and Derelict Land Fund investment must have been long-term vacant/derelict and negatively impact the places and people in close proximity to them. The Vacant and Derelict Land Fund, with Scottish Government approval, is used to lever in more substantial development funding so that they become an opportunity rather than a liability.
- 2.1.1 Due to the previous industrial use of many sites on the register, there is a legacy of ground contamination and, particularly in former mining areas, stability issues. To plan and deliver ground remediation in advance of future redevelopment can take many years to complete. The Vacant and Derelict Land Fund presents a much-welcome form of ‘patient’ capital funding to do so.
- 2.1.2 Even small Vacant and Derelict Land sites can have multiple ownership interests. This can delay or block progress on future plans being brought forward. The potential to use Compulsory Purchase Orders exists but can add significant time, expense and uncertainty to projects.
- 2.1.3 Appendix 1 sets out current and historical use of the Vacant and Derelict Land Fund to help build a ‘pipeline’ of future projects. This ensures that when more substantial sources of funding become available that the sites are well placed to attract further investment. This pipeline includes feasibility studies to determine future uses to help implement the Climate Fife strategy e.g. looking at potential community renewables initiatives such as ground-mounted solar Photovoltaics, and the potential use of sub-surface mine water in district heat networks.

- 2.1.4 Long-term, and highly complex initiatives in Cupar, Cowdenbeath and Lochgelly town centres aim to deliver mixed-use development including affordable housing. This contributes to the response to the housing emergency declared by the council in 2024.
- 2.2 Beyond 2025/26, there is uncertainty about the future of the Vacant and Derelict Land Fund. For this reason it is proposed to utilise the 2025/26 funding award to bolster and complete projects with existing approvals in place. This also responds to ongoing turbulence regarding the costs of existing projects tied to inflationary pressures etc. Ground Remediation costs are particularly volatile as the findings of ground investigations cannot be pre-costed with full confidence.
- 2.3 While the final Vacant and Derelict Land Fund allocations are still being determined by project leads, it is proposed that the following programmes/projects will benefit from the £1.709m in 2025/26:
1. Further urgent/priority repair and access works at the **Dutch Village in Craigtoun Country Park by St Andrews**. The Dutch Village remains in the ownership of Fife Council who continue to work closely with The Friends of Craigtoun who manage the rest of the country park.
 2. Ground remediation/preparation works at the **ORP Orzel site at the junction of Ferrytoll/Castle Roads in Rosyth**. This was acquired by the Council in 2024. It is the proposed location of a significant public artwork and memorial garden focussed on the WW2 Polish Navy Submarine 'ORP Orzel' and Royal Navy destroyer HMS Valorous depicting their October 1939 rendezvous at the Isle of May just off the Fife coast. In May 1940 the ORP Orzel departed from Rosyth, being formally declared lost in early June with the loss of 58 lives.
 3. To further bolster industrial estate regeneration through the Fife i3 programme funded by Edinburgh and South East of Scotland City Region Deal, the Levenmouth Reconnected Fund and previous Vacant and Derelict Land Fund investments including:
 - Contribute to the extension of **Mountfleurie Industrial Estate, Leven** through the remediation/stabilisation of ground conditions and the creation of a new site access road.
 - **Levenmouth Business Park, Buckhaven** (Muiredge) - ground works to open access to remainder of site.
 - **Flemington Road, Glenrothes** - contribute to the regeneration of the former Q7 building site to unlock City Region Deal funding to progress with newbuild business units, a further step in regenerating the Queensway Technology and Business Park. Vacant and Derelict Land Fund will provide additional contingency for the Q10 building project such as on asbestos removal.
 - **Former Skatepark site, Hillend Industrial Estate, Dalgety Bay** – to remove hardstanding, carry out ground investigation, and contribute toward any required ground remediation works. This will help unlock private sector investment in the site to deliver new-build industrial units for small business start-ups.
 4. **Kirkcaldy Town Centre**, former swimming pool site - to contribute to a review of various town centre sites including the two existing multi-storey car parks. Note that complementary preparation work is taking place to advance early demolition of the car parks, and the Council expects to shortly apply for the statutory consents. However, only the swimming pool site is included on the Vacant and Derelict Land Register. The review will identify any development viability issues in bringing forward town centre development, the extent of any development funding gaps and delivery options to support the regeneration of Kirkcaldy town centre.

5. **Land at Falkland Gate, North Street, Glenrothes** - a contribution towards detailed feasibility and design work to deliver enhanced public realm works on an area of green space. This site is included in the Vacant and Derelict Land Register as the site of a former office building which was demolished some years ago.
6. **Housing-led projects in Cupar, Lochgelly and Cowdenbeath** - Contingency to support delivery of affordable housing. Funds may also be used to support, alongside colleagues in Housing Services, feasibility work to identify any new sites for affordable housing particularly, though not exclusively, in town centre locations as a further contribution towards dealing with the declared housing emergency.

2.4 The provisional allocation of Vacant and Derelict Land funding for 2025/26 is set out in Table 2. In the event that project spend is not concluded by March 2026 Ministerial approval will be sought to carry forward.

Table 2: Provisional allocation of Vacant and Derelict Land funding for 2025/26

Project	Provisional Allocation £m
Dutch Village, Craigtoun Country Park by St Andrews.	0.250
ORP Orzel site at the junction of Ferrytoll/ Castle Roads in Rosyth	0.450
Mountfleurie Industrial Estate, Leven	0.250
Levenmouth Business Park, Buckhaven	0.080
Flemington Road, Glenrothes	0.400
Former Skatepark site, Hillend Industrial Estate, Dalgety Bay	0.030
Kirkcaldy Town Centre Feasibility	0.025
Land at Falkland Gate, North Street, Glenrothes	0.050
Housing-led projects in Cupar, Lochgelly and Cowdenbeath	0.174
Total	1.709m

3.0 Conclusion

- 3.1 The Scottish Government, in association with COSLA, has allocated a total of £7.6m of ringfenced capital funding to 5 local authorities, including Fife, from the Vacant and Derelict Land Fund for 2025/26. Fife Council's allocation is expected to be £1.709m.
- 3.2 In light of uncertainty relating to the Vacant and Derelict Land Fund and broader regeneration-focussed funding beyond 2025/26, it is proposed to bolster existing projects which already have Ministerial approval in place from previous years' allocations. This will provide further required contingency for these projects. It reduces potential exposure to seeking alternative funding from other sources in future years if the Vacant And Derelict Land Fund ceases to exist. Funding will also support feasibility work to enhance the 'pipeline' of future projects within Fife.

List of Appendices

1. Selection of Currently Approved Vacant and Derelict Land Fund Projects – Fife Council Vacant and Derelict Land Audit Report 2024
2. Outline of Vacant and Derelict Land Fund Eligible Costs 2025/26 – Confirmed by Scottish Government – February 2025

Background Papers

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

1. [Vacant and Derelict Land Reuse: Progress Report 2024](#) – Scottish Land Commission
2. [Planning information and land use audits | Fife Council](#) – including links to VACANT AND DERELICT LAND Audit Reports and interactive map of sites
3. [Scottish Vacant and Derelict Land Survey - site register - gov.scot](#) – Scottish Government
4. [Supporting documents - Scottish Vacant and Derelict Land Survey 2023 - gov.scot](#) – Scottish Government
5. [Scottish Vacant and Derelict Land Survey and Map | Our Place](#) – Our Place Website
6. [The Larick Centre | Our Place](#) – Our Place Website
7. [0165-Factsheet_Larick Centre.pdf](#) – Community Ownership Support Service

Report Contacts

Morag Millar
Service Manager – Place Programmes & Policies
Fife House West, Glenrothes
Email: morag.millar@Fife.gov.uk

Ian McCrory
Lead Professional – Economic Regeneration
Business & Employability
Telephone: 07713088434
Email – ian.mccrory@fife.gov.uk

Selection of Currently Approved Vacant and Derelict Land Fund Projects

Extracted from Fife Council Vacant and Derelict Land Audit Report – 2024 (published in February 2025). Note that the mounts presented here are those as awarded.

- Fife i3 Programme:** Since 2019, £3.3m awarded to bolster Industrial Estate regeneration across Fife. This is unlocking several other sources of funding including Edinburgh & South East of Scotland City Region Deal investment, Levenmouth Reconnected Fund and UK Government Funding. The programme includes sites at Hillend and Donibristle (Dalgety Bay), Muiredge, Mountfleurie (both in Levenmouth), The Avenue (Lochgelly) and Queensway Industrial Estate/Flemington Road in Glenrothes.
- Fife Town Centre Regeneration Programme:** - Around £3m awarded in town centre sites to support proposed mixed-used development including affordable housing and commercial space working with the Fife Housing Partnership. The partnership with Kingdom Housing Association includes sites in Cupar (Bonnygate/Inner Court), Cowdenbeath (High Street/Factory Road. and Lochgelly (High Street/Hall Street former Fabtek Factory site). The Vacant and Derelict Land Fund is helping to deliver ground investigations, demolition of derelict buildings, ground stabilisation and remediation across these sites in advance of proposed end-development.
- Levenmouth Blueprint:** Around £1m awarded for sites within the Levenmouth area. This delivers a combination of feasibility, site investigation, ground stabilisation and remediation works. Complex ground investigations commissioned by Fife Council and SEPA (in support of the Leven Programme) carried out by RSK Geosciences on a site in Levenmouth won a National (UK-wide) Brownfield Award announced at a ceremony in London in October 2022. The council are also negotiating purchase/lease of a long-derelict site at Chemiss/School Road in Methilhill. The aim is to invest Vacant and Derelict Land Fund to stabilise the undermined ground in support of community-led nature-based learning provision for young people in the area.
- Ravenscraig Walled Garden, Kirkcaldy:** - £750k Vacant and Derelict Land Fund awarded to support the future re-use of derelict land (including listed structures) on entry to the well-used community growing space. There are two adjacent projects. Rural Skills Scotland have leased part of the site to transform into a skills hub and their main base. This project secured £491k of Vacant and Derelict Land Investment Programme funding, now matched by an additional £150k awarded by the Vacant and Derelict Land Fund. The other project awarded around £600k of Vacant and Derelict Land Fund, is being led by Fife Historic Buildings Trust. This is for land leased to the Kirkcaldy Community Gardens and Allotments group. It aims to make the buildings at the entry to the site wind, watertight and structurally sound to support future funding bids to secure their re-use.
- Dutch Village, Craigtoun Country Park by St Andrews** - £300k awarded to match £250k of Fife Council Capital funding to assist in the regeneration of the site. It has been closed off on public safety grounds. The Vacant and Derelict Land Fund contributes to making the structures more wind/watertight and structurally sound. This ensures that the project to restore the Dutch Village is more likely to secure the investment required to deliver it's full regeneration and fully re-open the site for public use.

- **Orzel Memorial, Rosyth:** Vacant and Derelict Land Fund is supporting the acquisition, ground remediation and preparation of a site for a memorial to the Polish Navy World War II submarine, ORP Orzel, which was lost on patrol in the Second World War while operating out of Rosyth. The Council is working with several partners including the Polish Consulate in Edinburgh and Babcock to deliver the project.
- **Former Waste Transfer Site in Kirkcaldy:** Vacant and Derelict Land Fund will support the acquisition and remediation by the Council. Heads of Terms have now been finalised with the current site owner. However, the acquisition is subject to the outcome of further intrusive site investigation works.
- **Climate Fife Plan and its associated Sustainable Energy Action Plan (SECAP):** Awarded £1.5m to support implementation. Vacant and Derelict Land Fund will deliver feasibility studies leading on to the ground remediation works across a number of sites. It is intended that the funding to deliver specific sites will be bolstered through future Vacant and Derelict Land Fund awards.
- **Community Renewables Initiative:** The Council are supporting the Fife Communities Climate Action Network (FCCAN) to deliver a feasibility assessment, across a number of derelict sites, for a Community Renewables Initiative. This is mainly focused on installation of ground-mounted solar PV arrays. The award of £30k of Vacant and Derelict Land Fund is matched by funding from the Scottish Government's 'Community and Renewable Energy Scheme (CARES)'.
- **Mine water geothermal projects:** The Council are working with the Mining Remediation Authority (formerly known as the Coal Authority) to assess the potential of vacant and derelict land for geothermal projects. These could provide a renewable, low-carbon source of heating for homes and commercial premises. An Opportunities Map has been produced. This sets out areas with potential for such activity. Further feasibility and options appraisal work will be carried out in 2025/26.

Outline of Vacant and Derelict Land Fund Eligible Costs 2025/26

Note that these are subject to confirmation in the grant offer letter for 2025/26.

1. The Vacant and Derelict Land Fund can be used to cover a range of capital costs associated with the remediation of vacant and derelict land e.g.
 - Feasibility costs.
 - Professional fees.
 - Acquisition costs associated with packaging land in multiple ownership. However, delivery plans have to demonstrate that the benefits of increased land value remain within the communities or the areas where land remediation work is being carried out and does not leak away from these areas if land is sold on to third parties.
 - Maintenance costs associated with the greening of sites that are unlikely to be developed in the short/ medium-term.
 - Demolition costs.
2. While purchase costs are eligible, they should not represent 100% of a project's Vacant and Derelict Land Funding.
3. The Vacant and Derelict Land Fund can consider a range of project types which meet the key place-based objectives and contribute to the wider social and economic regeneration outcomes of the fund. This could now include projects which involve affordable housing and public realm improvements, which can demonstrate and that they contribute to a wider place plan which:
 - support place policy ambitions such as town centre revitalisation, community led regeneration, 20-minute neighbourhoods and Community Wealth Building and the project forms part of a wider place-based development e.g. an affordable housing development alongside community provision;
 - demonstrate that all place-based investments are shaped by the needs and aspirations of local communities;
 - accelerate our shared ambitions for net zero, wellbeing and inclusive economic development, tackling inequality and disadvantage including child poverty, community involvement and ownership.
4. The Vacant and Derelict Land Fund is not intended be a primary source of funding for:
 - Projects focussed on housing or non-social/affordable housing which do not contribute to a wider place plan.
 - Major infrastructure projects relating to transport.
 - Purchase of moveable infrastructure, furniture and fittings.
 - Projects relating solely to hotel or retail developments are unlikely to be supported if there are no clear regeneration outcomes.
 - Projects that focus solely on public realm improvements, new roads / paths or upgrades are unlikely to be funded where these are not part of a wider regeneration project and will not contribute to regeneration outcomes.
 - Flood protection/work/upgrades are not eligible.
 - Staffing Costs.

3 April 2025

Agenda Item No. 12

Fife Transient Visitor Levy

Report by: Carol Connolly, Executive Director (Place)

Wards Affected: All

Purpose

The purpose of this report is to give members an overview of the Scottish Government Transient Visitor Levy legislation and to seek committee approval to commence early engagement on a potential visitor levy scheme for Fife, recognising the importance of tourism on the local economy and the need for engagement with relevant parties.

Recommendation(s)

It is recommended that Committee:

1. Note how the Visitor Levy (Scotland) Act 2024 and the powers granted to local authorities could be applied in Fife, and the process for considering this;
2. Note that Council agreed in the budget meeting on 20 February 2025 to ask officers to investigate the possibility of introducing a visitor levy for Fife and to undertake the necessary consultation
3. Acknowledge the importance of tourism to the local economy and the need for engagement with interested parties and
4. Note that a draft levy scheme will be developed using the intelligence gathered from early engagement and information gleaned from early adopter councils such as City of Edinburgh, which will then be brought back to the Cabinet Committee for approval before being subject to statutory consultation.
5. Approve the approach and timeline set out in Table 1.

Resource Implications

It is proposed that the cost of the development and implementation of the Levy would be pursued from the Change Fund.

A full time fixed term post will be recruited for a 12 month period in the first instance and will be responsible for the consultation stage and financial modelling of the Visitor Levy.

If the decision is taken to introduce a levy, this post can be extended to cover the implementation period, with costs being recouped from levy income once introduced.

Existing internal resource will be allocated from the Place, Programmes and Policies team, Revenue and Commercial, Finance and Legal Services. A working group has been established with representatives from these teams along with VisitScotland and Fife Coast and Countryside Trust. Support will also be required from other services such as Communications.

Other internal, external or specialist resource may be required throughout the process of consultation and implementation, if approved, and will be more clearly defined when a complete project plan is in place.

Legal & Risk Implications

The Visitor Levy (Scotland) Act 2024 (The Act) gives local authorities the power to impose a levy in respect of persons staying in certain types of accommodation overnight.

Early investigation into the potential of introducing a visitor levy in Fife, including the full consultation process, maximises potential revenue, especially when considering the long lead in time involved in introducing the levy, if approved.

Lack of meaningful and extensive engagement and consultation with the community, local businesses and other stakeholders risks non-fulfilment of statutory duties and could result in lack of support from residents and the local business community for the final decision made.

A risk register will be established for this project and will be maintained by the internal working group.

A final decision on introducing a Visitor Levy will require Cabinet Committee approval.

Impact Assessment

The contents of this report were assessed under the council's Equality and Socio-economic Impact Assessment (EqSIA) process. It was determined that an Equality and Socio-economic Impact Assessment was not required as the present project is information-gathering only and does not at present recommend introduction of the levy.

This report has no direct impact on climate change, sustainability, or the environment. It is noted that, should the levy be introduced, some revenue may be dedicated towards sustainable tourism goals to meet the sustainability priority in the Fife Tourism Strategy and to meet the council's requirements as a signatory of the Glasgow Declaration on Climate Action in Tourism.

Consultation

Engagement and consultation is a key element of this project. If approved, this project will take a multi-phase approach to engagement, to collect and consider the views of the public, local businesses and organisations, community councils and relevant internal stakeholders. The first phase of engagement will seek to understand public opinion on the visitor levy and to identify preferred routes of implementation, if approved, such as appropriate percentage, potential exemptions, etc. The second phase is a statutory consultation which will present the proposed draft scheme, drafted based on the findings of the first phase.

1.0 Background

- 1.1 The Visitor Levy (Scotland) Act 2024 enables local authorities to establish a levy scheme that charges a percentage rate on accommodation within the scheme's area. There is flexibility over whether the charge applies to all or part of the local authority area, whether it is charged for all or part of the year and can vary by trip purpose, but cannot vary by accommodation type. The local authority can specify a maximum number of nights to apply the levy and can introduce its own exemptions. However, learning from early adopter sites has shown that there is an administrative need to keep additional exemptions to a minimum. Local authorities may also act jointly to create a visitor levy scheme.

- 1.2 The objectives set by the scheme, if approved, must relate to developing, supporting, or sustaining facilities used by, or substantially for the benefit of visitors, including leisure and business visitors. This leaves scope to use revenue for a wide range of services including, for example, the provision of adequate infrastructure and facilities for visitors including car and bus parking, public toilets and motorhome provision; the development of new tourism assets in Fife including visitor attractions; investment to attract major events to the area; town centre regeneration; or participatory budgeting, with a fund for local community tourism projects. It can also be used to protect existing tourism services, support and investment through ringfencing future budget to maintain current levels of service.
- 1.3 VisitScotland guidance requires alignment with a local or regional tourism strategy ([Visitor Levy Guidance | VisitScotland.org](#)). The Fife Tourism Strategy 2023-30 lays out priorities for the local visitor economy under the headings of Place, People, Businesses and Sustainability ([Strategy - Welcome to Fife For Industry](#)). This provides a clear vision for tourism in Fife and can be used as the basis for decision making as part of the scheme development, along with Local Development Plans to ensure the Levy supports the strategic direction for the council in relation to the visitor economy.
- 1.4 In order to introduce a scheme, the local authority must first undertake early engagement with businesses, residents and other relevant stakeholders before taking a decision to draft a scheme in alignment with legislative requirements. This draft scheme must then be agreed by committee before commencing a 12-week statutory consultation and making a decision on implementation based on the outcomes of that consultation. It should be noted that if a decision is taken to introduce a scheme, the levy is subject to a minimum of an 18-month period between announcement and the scheme coming into effect. The earliest possible implementation date, at present, would therefore be April 2028. The decision making timeline set out in Table 1 sets out the steps to be taken with indicative timescales.

Table 1: indicative time line for implementation

Early Engagement Period Incorporating forecasting research work and development of draft visitor levy scheme	April – December 2025
Committee Meeting Consideration of feedback from early engagement Decision on whether to proceed with statutory consultation	March 2026
Formal consultation period	12 weeks
Committee Meeting Consideration of feedback from formal consultation Decision on implementation of the levy	August 2026
Implementation period	18 months
Launch of visitor levy scheme If implementation is agreed	April 2028

- 1.5 A more detailed briefing note on the legislation is available at Appendix 1.
- 1.6 Early research into bedstock in Fife indicates that a Visitor Levy Scheme charging 5% (as an example, in line with City of Edinburgh Council) would attract between £3.4m and £8.2m per annum. This is a very wide range due to lack of robust occupancy data and differing data collection methods. The Moffat Centre has been contracted by Tay Cities partners to undertake detailed research for all four member local authorities. The results will give a more accurate forecast of likely income. However, these figures will be based on historic data and are subject to significant revision subject to the rate charged, fluctuations in occupancy and bed supply.
- 1.7 If the scheme were to proceed, some of the income raised could be utilised to support accommodation businesses in Fife with set up costs for administering the scheme (as is proposed in the City of Edinburgh scheme).

2.0 Issues and Options

- 2.1 The primary goal of this project is to draft, consult on, and enable a decision to be made by Fife Council on whether it should establish a visitor levy scheme.
- 2.2 It will do this by:
 - 2.2.1 Conducting extensive early engagement with residents, local businesses and other stakeholders to establish a draft Visitor Levy Scheme, in compliance with legislative requirements.
 - 2.2.2 Statutory consultation on the resulting draft Scheme.
 - 2.2.3 Preparing a report on the outcome of the second phase of consultation to present to Cabinet Committee in March 2026 for a decision on whether to implement the scheme.
- 2.3 A detailed project plan, including stages and milestones is being developed. This plan will be discussed with colleagues at VisitScotland to ensure that it is in line with their expectations regarding the legislative process to introduce the Levy, if approved.
- 2.4 This report does not seek a decision on implementation, only at this stage to undertake early engagement with businesses, residents and communities on such a proposal. However, it should be noted that potential benefits include a sustainable, year on year, source of revenue; an enhanced visitor offering; physical and cultural improvements to local areas; and increased funding opportunities for community-led tourism projects.
- 2.5 Potential drawbacks include increased administrative burden on the council and accommodation providers. It should also be noted that consideration be given to price competitiveness and electing to add more cost on to a visitor's bill comes with risk, especially as Scotland is already considered to be an expensive destination.
- 2.6 Although local authorities are at different stages in the tourism levy process, there is the opportunity to learn from other areas who are leading the way. Edinburgh City Council were the first to approve the implementation of a levy. It is proposing a percentage rate of 5% on the first five nights of an overnight stay, with very little in the way of exemptions beyond those included in the legislation. The estimated level of income is £50m per annum, starting in July 2026. The cost so far in considering and implementing the scheme has been high, but this includes the development of a national platform for collection of the levy, which all local authorities can buy into. There will be more learning opportunities over the coming months from early adopter local authorities.

- 2.7 The allocation of revenue generated will need to be carefully considered by the council and a framework for this will need to be developed prior to the Levy coming into effect, if approved, and in line with the outcome of the consultation process.
- 2.8 A dedicated Project Manager will recruited on a one year fixed term contract to cover the early engagement process, and development of a levy scheme if applicable. This post could be extended to oversee the statutory consultation process and initial implementation should a levy be introduced.
- 2.9 The legislation allows local authorities to work together on the development of a levy scheme. As City Region Deal Partners (Tay Cities and Edinburgh & South East Scotland) are at different stages in the process, it is difficult to find synergy at this point. Tay Cities partners are jointly undertaking scenario setting / forecasting and there may be opportunity to work with partners in the future on joint systems for collection of the levy and management of the process. This will need the agreement of the other local authorities and will depend on our and their approach to the levy.

3.0 Conclusions

- 3.1 A visitor levy would provide annual funding allowing multi-year investment for tourism infrastructure and projects over the short, medium and long term. A local scheme could create significant opportunities for Fife Council.
- 3.2 It is recommended that committee approves work to explore a potential Fife Visitor Levy Scheme, commencing early engagement to ensure that the views of local businesses, residents and other relevant stakeholders are incorporated in the development of a draft scheme if the decision to proceed is taken. A report will be brought back to Cabinet Committee in January 2026 for a decision on whether or not to progress.

List of Appendices

1. Visitor Levy Briefing

Background Papers

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

- VisitScotland Visitor Levy Guidance - <https://www.visitscotland.org/supporting-your-business/advice/visitor-levy>

Report Contact

<p>Morag Millar Service Manager Place, Programmes and Policies Telephone: 0795 664 6068 Email: morag.millar@fife.gov.uk</p>	<p>Hilary Roberts Lead Officer - Tourism Place Programmes and Policies Telephone: 07926 070926 Email: hilary.roberts@fife.gov.uk</p>
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Visitor Levy Briefing Note

What is the Transient Visitor Levy?

The Visitor Levy (Scotland) Act 2004 enables local authorities to apply a levy on overnight stays with money raised to be reinvested in services and facilities largely used by tourists and business visitors.

VisitScotland has published Guidance for use by local authorities looking to develop proposals for a Transient Visitor Levy (TVL) in their area.

The TVL is a percentage levy applied to any visitor accommodation within Fife that is paid to the Council for reinvestment.

Requirements for the TVL include:

- It must be a percentage rate – the local authority set this.
- It is only chargeable on the accommodation part of an overnight stay.
- The local authority has discretion to only introduce this in certain areas or certain times of year, and to introduce exemptions.
- The investment of the net proceeds of the TVL must align with the objectives of the Act and the local tourism strategy. It must support and sustain facilities and services used by visitors to the area for leisure or business purposes.
- Separate accounts must be kept for the TVL scheme. An annual report must be published to show how the net proceeds have been invested.

Steps towards the introduction of a TVL in Fife

There are a number of statutory steps that must be followed before introducing a TVL. The whole process is estimated to take at least two years. These steps include:

- Early engagement with stakeholders, forecasting the TVL income (6-12 months)
- Develop objectives for the TVL scheme. Carry out Impact studies as required
- Full consultation (12 weeks)
- Analysis of consultation findings
- Cabinet Committee approval
- Formal public announcement of a TVL
- Establish a TVL Forum
- Implementation (must be a minimum of 18 months after the Formal public announcement of the TVL scheme)

This will be an intensive process that will require dedicated officer resources.

After the decision to implement the levy, the local authority must notify Scottish Ministers as soon as practicable, and publicise the decision and enforcement date. Within six months of the decision being made, the local authority must establish a Visitor Levy Forum, which must meet at least twice a year. The forum will:

- Discuss and advise the local authority and other relevant parties on matters relating to the scheme.
- Discuss and respond to consultations on any modifications and on the use of proceeds.
- Discuss and make representations relevant to the annual report, and the findings of any review of the scheme.

Membership of the Forum must include representatives of communities and/or tourism businesses in a reasonable balance. The local authority may have members on the forum, provided these members do not constitute a majority.

The local authority must keep an account for the scheme which is to be credited with all levy proceeds, and debited for scheme expenses. Ministers may require the authority to publish a statement of account. An annual report must be produced that includes the amount collected, how the proceeds were used and the performance in relation to scheme objectives.

The scheme must be reviewed before the end of the three year period after the first enforcement date and thereafter every three years.

What the TVL income could be used for

- The TVL must be directed to achieve the scheme's objectives, i.e. to develop, support and sustain facilities and service for or used by visitors to Fife for leisure or business purposes.
- A proportion of the income can be used to cover the costs of administering the scheme. Businesses can also be paid some of the proceeds to cover their collection costs. Any set up costs can be offset against future revenues.
- TVL income does not have to be spend in the same financial year – there is no time limit for its use.
- Local authorities must keep separate accounts for the TVL scheme to provide complete transparency as to what TVL income are invested in.
- Regular reporting must be made regularly, but local authorities can decide the frequency. A national digital platform is being developed to assist with this.
- A short life officer group has considered several ideas for use of the TVL income in Fife. These include (it is not an exhaustive list):
 - Providing adequate infrastructure and facilities for visitors including car and bus parking, public toilets, and motorhome provision;
 - To undertake a participatory budgeting exercise, with a fund for local community tourism projects;
 - Creation of a Destination Management Organisation to manage the delivery of the Fife Tourism Strategy;
 - To develop new tourism assets in Fife including visitor attractions; or investment to attract major events to Fife.

Full details of the Local Authority Guidance regarding the Transient Visitor Levy can be found here: [Visitor Levy Guidance | VisitScotland.org](https://www.visitScotland.org.uk/visitor-levy-guidance)

EV Charging Infrastructure – Regional Procurement

Report by: John Mitchell, Head of Roads and Transportation Services and
Les Robertson, Head of Revenue and Commercial Services

Wards Affected: All

Purpose

The purpose of this report is to seek committee approval for Fife Council to collaborate in a contract anticipated to involve eight Scottish local authorities to procure, manage and expand the public electric vehicle (EV) charging network across the South East and South West of Scotland.

Recommendation(s)

It is recommended that committee:

- (1) approve the ongoing participation of Fife Council in a collaborative procurement process to engage a commercial partner via a concession-type contract through partnership with the regional local authorities listed in section 1.4;
- (2) agree, in principle, to entering into an Inter-Authority Agreement (IAA) with one or more of the partnership authorities in relation to the service delivery period of the proposed contract and delegates authority to the Heads of Roads and Transportation Services and Revenue and Commercial Services, in consultation with the Head of Legal and Democratic Services, to negotiate and agree the terms of the IAA;
- (3) delegate authority to the Head of Roads and Transportation Services and Head of Revenue and Commercial Services for the commercial decisions relating to the commencement and conclusion of the procurement process which shall be led by City of Edinburgh Council as a collaborative contract; and
- (4) note that the outcome of the procurement will be considered (in private) by Cabinet Committee for approval prior to award.

Resource Implications

Fife Council's contribution to this regional work is estimated at £65,822 which will be funded from the remaining balance of the Scottish Government's EVIF Grant allocation to Fife Council.

Grant funding from each partner local authority will provide £330,000, which is made up from combining the remaining funding regional partners have already been allocated from Transport Scotland. This will fund external project management, technical and legal support and employee time from the City of Edinburgh's Commercial and Procurement Services up to contract award.

Fife Council's staff costs to support this work will be met from existing Service budgets.

Legal & Risk Implications

The main legal requirement is the establishment of an Inter-Authority Agreement (IAA) that allows one local authority to act as lead in the process to procure and contract with a commercial partner on behalf of the other authorities. City of Edinburgh Council has agreed to undertake this lead role.

The steps to guide negotiations on the terms of the IAA, and to mitigate any risk associated with its terms are detailed in section 2.11.

Other legislative considerations will include The Concession Contracts (Scotland) Regulations 2016.

There is a risk that a transition from the current ChargePlace Scotland (CPS) back office will not be completed prior to the CPS contract ending 31 December 2025. Fife Council is investigating a short-term contract to ensure a continuity of service for Fife Council EV customers (public and fleet) in the event that the CPS contract cannot be extended sufficiently.

Impact Assessment

An Equalities Impact Assessment and a Fife Environmental Assessment Tool (FEAT) have not been completed because the report does not propose a change or revision to existing policies and practices at this time.

Consultation

Fife Council's Roads and Transportation, Procurement, Finance and Legal Services have contributed to the development of this report. Consultation continues with Scottish Futures Trust, SEStran and Transport Scotland.

A workshop was held on 11 March 2025 with members of this committee.

1.0 Background

- 1.1 In June 2024, committee agreed that Fife Council explore joint working and procurement with other local authorities as part of Edinburgh and South East Scotland City Region Deal (ESES CRD) EV Regional Strategy (2024.CC.138 para. 258 refers).
- 1.2 In January 2022, the Scottish Government launched the Electric Vehicle Infrastructure Fund (EVIF) with the objective of unlocking private sector investment to expand the current network, in particular to locations that may be less commercially viable. Transport Scotland engaged Scottish Futures Trust to support local authorities in the development of Electric Vehicle Strategies and Expansion Plans (SEPs) and is supporting regional approaches to deliver that expansion. Fife Council's EV strategy was approved at committee on 10 October 2024 (2024.CC.156 para 295 refers) and can be found here, [Fife-Council-EV-Strategy](#). The EVIF grant for network expansion must be drawn down by end of the financial year 2029/2030.
- 1.3 Transport Scotland has encouraged local authorities, where possible, to work collaboratively with a view to combining funding and resources to avoid duplication of effort and provide more commercially attractive tender packages for Charge Point Operators (CPOs).

- 1.4 Regional working has progressed with the development of the South of Scotland Electric Vehicle Charging Infrastructure Partnership (SoS-EVCIP) which includes regional partners of the South East of Scotland Transport Partnership (SEStran) including members of the Edinburgh and South East Scotland City Region Deal (i.e. Clackmannanshire Council, City of Edinburgh Council, Falkirk Council, Fife Council, Midlothian Council, Scottish Borders Council and West Lothian Council). Dumfries & Galloway Council is also part of the SoS-EVICP.
- 1.5 Senior officers from each of the relevant authorities within the SoS-EVCIP agreed to the principal of a collaborative approach with a single contract to cover the region. This would include the common general requirements of each authority to EV charging infrastructure to create a larger single requirement and allows for the combining of resources for procurement and contract management.
- 1.6 A Memorandum of Understanding (MoU) has been agreed to cover the roles and responsibilities and governance arrangements of collaborative working throughout the procurement process. Fife Council may terminate its involvement in this project and the MoU if committee decide not to proceed with the collaborative procurement.
- 1.7 The MoU will be superseded by an Inter Authority Agreement (IAA) to cover the roles and responsibilities and governance arrangements post contract award. An IAA will be drafted to determine the relationship between the authorities under the contract. The IAA will come into effect upon contract award with the new CPO and cover post contract activity and govern the practical operations.
- 1.8 The commercial contract is expected to last up to twenty years. Any surplus income is dependent on the outcome of a commercial exercise and market forces over the contract lifetime but it is not expected to be significant. Should there be any, this surplus income would be distributed among the local authorities based upon a formula agreed with the successful CPO.
- 1.9 A project management team is expected to be created to oversee the contract on behalf of all partner authorities, with costs met from income generated through the concession contract.
- 1.10 Although there remain significant risks around the project timescales and future management and administration obligations, officers from across the Council will continue to work closely with SEStran, Transport Scotland and other stakeholders to mitigate these risks wherever possible.
- 1.11 In addition, governance arrangements have been developed to progress a regional approach, chaired at all levels by SEStran and attended by all authorities: an EV Oversight Group, a Steering Group including Transport Scotland and a working group.

2.0 Issues and Options

- 2.1 The aim of the collaborative approach is to lever private sector investment so that no capital investment is required from Fife Council or other local authority partner to deliver the expansion of EV charging infrastructure. The benefits from this approach include the ability to go to market; reduced duplication of effort; and economies of scale. It is expected that there will be benefits and potential savings (revenue share) under the Lead Authority arrangement associated with the centralised long-term contract management. More detail is contained in Appendix 1. The outcomes from the regional EV charger network expansion include:

- A resilient, accessible, customer-focused network, ensuring that all communities are included in the development of the EV network;
- Community and supply chain benefits, including the network acting as a catalyst for sustainable and inclusive local economic development;
- Wider benefits, including contributing to the just transition to net zero targets.

2.2 It is proposed that the City of Edinburgh Council takes the “lead authority” role with regards to the procurement exercise and contract management. The City of Edinburgh Council would provide the legal lead with external support where required. It is anticipated that there will be a new contract / project management team created to oversee the contract on behalf of all partner authorities. The cost of this team is to be covered by the income generated from the concession contract. It is expected that Fife Council, along with all the authorities will also contribute Roads and Transportation, Procurement and Legal Services officer support to satisfy internal governance, local implementation and installation requirements.

2.3 The proposed route to market for this collaboration is via a Competitive Dialogue (CD) / Competitive Procedure with Negotiation (CPN) / Open or Restricted Procedures. The CD or CPN routes are broadly similar and allow for evaluation, clarification and resubmission of bids. The Open and Restricted Procedures do not allow this. The CD / CPN route is most suited to procurements which require the ability to define how the needs of the authorities can be met technically and/or the ability to specify the legal or financial requirements of the contract.

2.4 The SoS-EVCIP partnership authorities have developed EV strategies and expansion plans, which detail current and future charging projections. These have been used to estimate investment costs and EVIF funding applications for the proposed network. The projection for a shared regional network anticipates nearly 1800 new chargepoints, of which 228 would be located in Fife, as shown in Table 1 below. It is anticipated that a shared regional approach to contract delivery would attract more stable, established CPOs.

Local Authority	Existing no. of EV Chargers	No. of EV Chargers identified in expansion plan	Total no. of EV chargers
City of Edinburgh	173	464	637
Dumfries & Galloway	183	108	291
Clackmannanshire	36	80	116
Falkirk	85	177	262
Fife	92	228	320
Midlothian	112	167	279
Scottish Borders	27	252	279

Local Authority	Existing no. of EV Chargers	No. of EV Chargers identified in expansion plan	Total no. of EV chargers
West Lothian	35	294	329
Total	743	1770	2513

Table 1: Current and planned number of EV Chargers

- 2.5 As part of this collaborative process, it is forecast that the total investment cost would be in the order of £28m with around 80% of the capital investment to be financed by the private sector. The grant application for this collaboration is being finalised with Transport Scotland.
- 2.6 In May 2024, initial pre-market engagement was undertaken by City of Edinburgh Council. From this, 64 notes of interest were received and 20 operators returned questionnaires. City of Edinburgh officers met with all 20 operators who returned questionnaires.
- 2.7 In December 2024, further market engagement was undertaken with the initial Prior Information Notice (PIN) responses on a proposed regional approach and feedback has suggested that there would be a high level of interest. A new PIN has been issued by City of Edinburgh Council. It also identified that consideration should be given to lotting, price/quality ratios and the management of the contract as a genuine regional approach. Officers from the City of Edinburgh Council, in collaboration with the other local authorities, will continue to engage with the marketplace.
- 2.8 Tender documentation is being developed. The current proposal is for a single CPO to operate across all local authorities within the SoS-EVCIP. It is proposed that the procurement exercise will include community benefits and Fair Work First (including payment of the real Living Wage). This aligns with Fife Council's Procurement Strategy (2025 – 2030) and strategic drivers such as Community Wealth Building, incorporating sustainable procurement (environmental, economic, social and ethical considerations), compliance and supporting the Council's financial challenges.
- 2.9 A proposed summary procurement programme is contained in Appendix 2. Each authority within the SoS-EVCIP is seeking approval to proceed with a collaborative approach in-line with respective governance procedures. It is expected that this process will be completed by mid-April 2025.
- 2.10 The key decision points for committee are below:
- Agree to exploring joint working and procurement with other Local Authorities as part of Edinburgh and South East Scotland City Region Deal - Cabinet Committee approved 6 June 2024
 - Secure partnership authority agreements to proceed with Lead Authority procurement - Sought from this Committee (3 April 2025)
 - Evaluation, approvals and standstill - Will seek approval from this Committee prior to tender award - to be considered in private (estimate mid/late 2026)

- 2.11 The full terms of an IAA would only be available once the commercial details have been established during the procurement. However, measures would be included within the IAA to help mitigate/manage risk. These include:
- It is proposed to use a template obtained from the Scottish Future Trust as the basis of the IAA. This template has been reviewed by Legal Services and is broadly suitable for its purpose.
 - The first draft of the IAA is expected to be issued shortly which will confirm it will be as expected or at least identify any issues at an early stage.
 - The IAA should be in line with the description of the project as outlined in this report.
 - The authorities have collectively engaged an external legal specialist to advise on the terms of the Agreement and to negotiate on their behalf.
 - The procurement will seek to transfer all of the commercial risk to the CPO, or at least as much as can be negotiated. Any residual risks or liabilities should be shared fairly and proportionally by the participating authorities.

3.0 Conclusions

- 3.1 The development of a regional EV network would appear to be a logical approach to realise economies of scale and co-ordination of network provision. The procurement of this is expected to commence in April 2025 and concluded by mid/late 2026.
- 3.2 The procurement options appraisal and analysis will be used to inform the regional procurement strategy and route to market including determination of the appropriate procedure to be utilised, i.e. Competitive Procedure with Negotiation or Competitive Dialogue.
- 3.3 The outcome of the procurement will be presented to this committee for approval prior to award. It is expected that this will be considered in private.
- 3.4 A member briefing has been held and further briefings would be undertaken as required.

List of Appendices

1. Procurement Options Appraisal (SWOT Analysis and Procurement Process)
2. Summary of Procurement Programme

Report Contacts

Jane Findlay,
Lead Consultant – Climate Change & Partnerships
Bankhead Central
Telephone: 03451 55 55 55 + VOIP Number 444407
Email: jane.findlay@fife.gov.uk

Susan Keenlyside,
Service Manager - Sustainable Transport & Parking
Bankhead Central
Telephone: 03451 55 55 55 + VOIP Number 444442
Email: susan.keenlyside@fife.gov.uk

Procurement Options Appraisal

SWOT Analysis (Note: ChargePlace Scotland replacement required for both Public and Fleet networks)

		Strength	Weakness	Opportunities	Threat
1	Do nothing ChargePlace Scotland (CPS) shuts down and eFife public network has no back office for public or fleet users	Short-term saving to the Fife Council. No longer funding and maintaining eFife public network	The existing eFife network would eventually fail. No longer have a back office, with no way to collect public tariff, provider customer service or co-ordinate repairs to network. Fleet would no longer be able to charge EVs.	No longer investing in public or fleet network, would give a temporary budget saving	The eFife charging network would fail. Detrimental to the reputation of Fife Council and ability to carry out services with fleet vehicles.
2	Fife Council tenders for CPO & back office for eFife public & fleet network	One CPO for Fife, easier to monitor fleet and public use. Fleet can use public network easily (uses same back office).	Different back office to rest of SEStran area, potentially leading to customer dissatisfaction. One LA alone may be less attractive commercially for a CPO to invest. CPO may not invest in local engineers to maintain network.	Fife Council has more direct say on service provided. Opportunity to share back office with Fife Partnership and other businesses /communities.	If no offers from CPO made, eFife public and fleet network would be left with no back office. May not be able to migrate to new back office before CPS ceases.
3	SoS-EVCIP tender for back office for eFife public network, with addition of CPO to look after the Fife Fleet network	Ability to go to market. Same CPO and back office across SEStran region. CPO has local engineers leading to better service. One CPO for Fife. One back office for Fife.	One back office and CPO. On-going cost to Fleet Services could be reduced with the shared support services.	Consortium developed to deliver ask. Potentially better service. Revenue share	Process to award tender not completed in time to migrate to new back office before CPS ceases. No offer made

Procurement Process

Option 1: Single-Supplier Framework		Option 2: Multi-Supplier Framework		Option 3: Lead Authority Agreement		Option 4: Direct Agreements	
Benefits	Disadvantages / Risks	Benefits	Disadvantages / Risks	Benefits	Disadvantages / Risks	Benefits	Disadvantages / Risks
<p>All LAs able to participate in evaluation stages</p> <p>All LAs able to collaboratively develop contract terms</p> <p>Call-off contract content can be discussed with prospective suppliers during competitive dialogue</p> <p>PM and technical support led or secured by framework commissioning body</p>	<p>Regional reliance on one supplier to deliver all call-offs</p> <p>No mandatory requirement for the single supplier to accept call-off</p> <p>May require some compromise between authorities to agree terms</p> <p>Single supplier may not be the most “appropriate” supplier for all areas</p> <p>May crowd out “smaller” CPOs and new entrants</p>	<p>LAs to participate in evaluation stages</p> <p>Call-off contract content can be discussed with prospective suppliers during competitive dialogue</p> <p>More options to choose from can lead to better fit for different needs or projects</p> <p>Reduces the risk associated with relying on a single supplier</p> <p>PM and technical support led or secured by framework commissioning body</p>	<p>More suppliers requires administrative burden to setup and increased time pressure to run mini-competition</p> <p>Variability in supplier performance can lead to inconsistency in service delivery across the region (KPIs will mitigate this to an extent)</p>	<p>Reduces significantly the procurement workload for participating authorities</p> <p>Single supplier across multiple authority areas</p> <p>Guarantee awarded supplier must deliver requirements for all LAs.</p> <p>PM and technical support led or secured by lead authority</p> <p>Different suppliers across the region promoting competition</p>	<p>May require some compromise between authorities to agree terms</p> <p>Single supplier may not be the most “appropriate” supplier for all areas</p> <p>May crowd out “smaller” CPO’s and entrants</p>	<p>Allows each authority to control full procurement timelines</p> <p>Each LA able to fully set their own legal and technical terms</p> <p>PM and technical support led or secured by each authority offering bespoke solution</p> <p>Faster procurement process without the need for extensive dialogue</p> <p>Different suppliers across the region promoting competition</p>	<p>Duplicates procurement effort across authorities</p> <p>All authorities competing against each other may reduce competitive value of individual contracts and bids across the board</p> <p>PM, technical, legal and commercial support led or secured by each local authority (high resource need/resources)</p>

The above table represents the regional options available and the agreement of the Steering to progress with Option 3: Lead Authority Agreement, using a Concession Contract and potential routes via a Competitive Dialogue or Competitive Procedure with Negotiation. The use of a Concessions Contract is a requirement of the grant funding.

Summary of Procurement Programme

	Open Tender	Restricted Tender	Competitive Procedure with Negotiation	Competitive Dialogue
Apr-25	Publish Tender	Publish SPD	Publish SPD	Publish SPD
May-25		Evaluate SPD	Evaluate SPD	Evaluate SPD
Jun-25	Evaluate	Invite shortlisted tenderers to submit	Invite shortlisted tenderers to submit	Invite shortlisted tenderers to submit
Jul-25				
Aug-25	Clarifications	Evaluate	Evaluate	Evaluation
Sep-25	Award Recommendation			
Oct-25		Clarifications		
Nov-25		Award Recommendation	Negotiation	Dialogue
Dec-25	Standstill and Award			
Jan-26	Contract Start	Standstill and Award	Resubmission	Resubmission
Feb-26	Contract Start			
Mar-26			Evaluate	Evaluate
Apr-26				
May-26			Clarifications	Clarifications
Jun-26				
Jul-26			Award Recommendation	Award Recommendation
Aug-26				
Sep-26			Standstill and Award	Standstill and Award
Oct-26				
Nov-26			Contract Start	Contract Start

3 April 2025
Agenda Item No. 14

Consultation on a Local Authority General Power of Competence

Report by: Eileen Rowand Executive Director (Finance and Corporate Services)

Wards Affected: All

Purpose

The report seeks elected member comment on Fife Council's draft response to the current Scottish Government consultation on a general power of competence for local authorities.

Recommendations

It is recommended that Cabinet Committee:-

- (1) consider and comment on the draft consultation response; and
- (2) delegate authority to the Head of Legal and Democratic Services to finalise the council's response and submit the consultation document.

Resource Implications

There are no direct resource implications to responding to the consultation.

Legal & Risk Implications

The consultation considers whether legislative amendments might be required to facilitate local authorities undertaking new approaches by allocating local authorities new powers.

There is a risk that local authority ambition, particularly with reference to transformation activity, may not be achievable within the current legal framework. There is also risk that current legal powers are interpreted narrowly by the courts, resulting in council initiatives being ruled as outwith the council's powers.

However, it must also be recognised that there is a possibility that the granting of new powers may result in Scottish local authorities increasing their exposure to risk by embarking on commercial projects which are inherently more risky. This has been the experience of several councils in England where there has been a link between the commercial activities of those authorities and the financial challenges they face.

Impact Assessment

There has been no impact assessment carried out at this time as the paper is concerned with a consultation. Should the Scottish Government decide to implement any new statutory framework, there will be an impact assessment carried out at that stage.

CET has been consulted in the preparation of this report. It is anticipated that there will be responses to the Scottish Government consultation provided by COSLA, SOLAR and the Directors of Finance as well a number of Scottish authorities and other interested individuals.

1.0 Background

Consultation on a Local Authority General Power of Competence

- 1.1 The Scottish Government opened its consultation response in January 2025 to consider a local authority general power of competence (GPC). The consultation states that GPC is commonly defined as a statutory power to do “anything that individuals may generally do” and is currently available to local authorities in England, Wales and Northern Ireland. The consultation also notes that, currently, local authorities may do only those things which statute empowers them to do and that anything else is ultra vires.
 - 1.1.1 The consultation reflects on the approach in England, Wales and Northern Ireland, noting that, despite the existence of a GPC in England, Wales and Northern Island, many local authorities in those areas continue to be reluctant to use that power to explore activity beyond those functions explicitly set out in statute, due to concerns as to potential legal challenge and interpretations by the courts of the limitations of the scope of this power.
 - 1.1.2 The consultation sets out that it seeks to establish what functions, beyond those already conferred by statute, local authorities in Scotland may wish to pursue and whether new legislation or amendments to existing legislation would be required to deliver those additional functions.
 - 1.1.3 The content of the consultation is relatively technical as it summarises the existing statutory framework and its limitations. The key statutory provisions it covers are the Local Authorities (Goods and Services) Act 1970, Local Government (Scotland) Act 1973 Local Government in Scotland Act 2003 (power to advance wellbeing). There is also a summary of the case law, particularly in relation to the power to advance wellbeing, which has been interpreted very narrowly by the courts, leading to a reluctance on the part of local authorities to use this power given the possibility of new schemes being struck down as unlawful. The consultation also covers the powers to borrow and invest money and the current guidance that the council operates within – including the CIPFA Prudential and Treasury Management Codes of practice.
 - 1.1.4 There is then a comparative analysis with the powers in England, Wales and Northern Ireland, focussing on the Localism Act 2011 and the boundaries on their GPC. The detail of the consultation can be reviewed here. [Local authority - General Power of Competence: consultation - gov.scot](#).
 - 1.1.5 Please note that the deadline for response has been set as 31 March 2025 but a short extension to 4 April has been sought to facilitate Cabinet Committee consideration.

Fife Council’s previous approaches to the power of wellbeing

- 1.2 It is understood that Fife Council were initially a keen adopter of opportunities under the Power to Advance Well-being opportunity provided by the Local Government in Scotland Act 2003. In particular, it set aside budgets which were delegated to Heads of Service to use to advance well-being of the area or the residents of the area. A register was kept of

the uses of the budget and it appears that the categories of use were strategic/partnership uses, recurring uses, single project uses and pending projects. It was noted in a report in September 2006 to the Central Area Services Committee that strategic/partnership uses had been limited. It appears that many of the uses related to economic development grants, the “worst cases” of untidy gardens and a zero tolerance of graffiti.

COSLA position

- 1.3 This issue was considered by COSLA Leaders at its public meeting on 28 February 2025. Leaders were advised that the Scottish Government consultation had come forward as a result of concerted lobbying on the part of COSLA and local government. The concept of a GPC was considered through the Local Governance Review where there was an ambition expressed to have a new power to replace the Power to Advance Wellbeing. It was accepted that there was a need to have a better understanding of what might be possible in terms of a GPC and how this would sit alongside the European Charter of Local Self-Government.
- 1.3.1 COSLA is of the view that there is a need to understand what the existing barrier are to advancing new approaches and how new powers would allow those barriers to be overcome. It was also considered important to collate examples of where local government was constrained by existing powers to do new things.
- 1.3.2 COSLA’s primary position is that Local Government “should be empowered, as far as possible, to allow local authorities to act in the best interests of, and deliver in a way that is most appropriate for, the communities they serve.” On this basis the COSLA response is being developed around the themes of empowerment and flexibility, innovation and creativity and fiscal empowerment.
- 1.3.3 The outcome of the discussion on 28 February was that COSLA Leaders:
 - a. Confirmed support to continue to pursue a General Power of Competence.
 - b. Provided comments on the proposed approach, position and key themes which will help inform COSLA’s response to the consultation.
 - c. Provided examples of how their local authorities may benefit from the introduction of the General Power of Competence, for inclusion in COSLA’s response to the consultation
- 1.3.4 There will be a final consultation response considered by the Leaders convention in March 2025.

The need for transformation

- 1.4 The Council recognises that it faces significant budget challenges and this was reflected in recent setting of the budget on 20 February 2025. The key transformation activities are regularly reported to Cabinet and are currently focused on No Wrong Door, Digital, Place and Transforming Learning.
- 1.4.1 In addition, in a Best Value report published on 25 February 2025, the Accounts Commission recognised that Fife Council has “demonstrated competent financial management over the years and has achieved a positive outturn position without having to make significant savings. But the council has reached a turning point and is now managing significant in-year pressures and forecasting a cumulative gap of £46.5 million by 2027/28”. It may be that the GPC would provide additional scope to allow the council to respond to this turning point within the framework of best value and following the public pound.

- 1.4.2 Other authorities consider that a GPC could allow councils to become enablers, delivering on social aims and responding to climate challenges. It may allow consideration of shared services, regeneration, inward investment and renewable energy. There could be opportunities for fresh housing initiatives or infrastructure funding. Should new powers be provided, all of these options would need detailed consideration through the business case process with a firm consideration of best value and risk.

2.0 Issues and Options

Draft Consultation response

- 2.1 As noted above much of the consultation is technical in nature. Leaving aside the statutory interpretation elements, there are essentially three approaches that the Council could adopt in responding to the consultation.

Option 1 - seek no changes to the current legislative arrangements

This may be appropriate given that there have not been any particular approaches that Fife Council has wished to pursue recently that have been considered to be ultra vires under the current framework. However, this is perhaps reflective of the cautious approach to new initiatives that many Scottish local authorities have adopted in the absence of a specific and unequivocal power to undertake those activities.

Option 2 - seek amendments to the current statutory frameworks

This may be an appropriate option to consider and it would involve a full scale review of the current framework, perhaps using the power to advance wellbeing in a way in which was originally intended. It is recognised, however, that the power to advance wellbeing has not operated as anticipated and there may be a risk that a review of existing powers would not achieve the level of change that is sought.

Option 3 - seek a new power of general competence

This is the approach that has been adopted in the draft consultation but it is a cautious welcome for the approach in the absence of being able to comment specific provisions around matters such as income, cost-recovery and local tax raising powers.

3.0 Conclusions

- 3.1 Cabinet Committee is invited to consider the draft response that has been prepared for the consultation. This paper summarises the current legal position and how Fife has approached the power to advance wellbeing in the past. It also summarises the view of the COSLA and the need for transformational change in the local government sector.
- 3.2 Finally, it proposes three options to respond to the consultation recommending a cautious welcome of a new power of general competence. Should that approach be recommended to Scottish Ministers following the consultation analysis, it is likely that further draft policy proposals will be published in July 2025.

List of Appendices

1. Draft consultation response

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

Lindsay Thomson
Head of Legal and Democratic Services
Fife House, Glenrothes
Email: lindsay.thomson@fife.gov.uk

Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Fife Council

Phone number

03451 555 555

Address

Fife House, North Street, Glenrothes, Fife

Postcode

KY7 5LT

Email Address

Lindsay.thomson@fife.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

Questionnaire

Power to Advance Wellbeing

Question 1

What are the perceived barriers and risks to fully exploring the scope of the 'Power to Advance Wellbeing' contained in section 20 of the Local Government in Scotland Act 2003?

These barriers have been well articulated in the consultation document. The Council agrees that the Act does not enhance the ability of local authorities to enter into commercial agreements or agreements to provide services. It is also restricted to a particular "area". There is no power to raise money. These issues present as barriers.

As noted, this provision has also considered by the courts and interpreted restrictively. Therefore, there is a risk in relying on such powers where the activity may be struck down as ultra vires. In cases where the proposed activity is an essential part of a transformation plan, the risk (and attendant costs) in proceeding without a sound statutory basis is significant.

It has also been noted elsewhere in the consultation that other jurisdictions have a wider power to take forward initiatives and this may also constitute a barrier, particularly where organisations such as APSE (Association for Public Service Excellence) are cross-border in their membership.

Note: Section 20 of the Local Government in Scotland Act 2003 provides a broad power for a local authority to "do anything which it considers is likely to promote or improve the well-being of its area and/or persons within that area".

Question 2

What are the limitations of the Power to Advance Wellbeing and how do these limitations restrict the aspirations of local authorities, for example, to explore new and innovative ways of delivering public services?

The limitations are drawn from the perceived barriers and risks articulated above. Local authorities must be able to take forward initiatives secure in the knowledge that they have the power to do so. Investing public money to test that power is undesirable and wastes time and resource.

It is not clear that the power to advance wellbeing has delivered on what was intended. In addition, the context in which local authorities now operate mean that innovation and transformation are at the heart of the agenda, together with the need to deliver significant savings. The role of the local authority as enabler of public services rather than always as a provider is a theme of current discourse.

Question 3

Would the removal of the restriction imposed by paragraph 7 of section 22 of the Local Government in Scotland Act 2003 (see note below) facilitate the aspirations of local authorities to increase local revenue generating powers.

Please provide examples.

Yes, it would

It may be that should that be within contemplation there may be innovative schemes, perhaps looking for examples in the private sector or internationally, that could be taken forward. As it stands, it is fair to say that local government has looked within its existing powers when considering how to achieve savings and deliver on a balanced budget. Other than the limited areas for which fees can be charged for service delivery and specific levy opportunities such as the visitor levy, Fife Council has not considered aspirational alternative given the reality of the statutory restrictions.

Note: Paragraph 7 of section 22 of the Local Government in Scotland Act 2003 says expressly that the power under section 20 of the Act does not enable a local authority to do anything for the purposes of raising money, whether by levying or imposing any form of tax or charge, by borrowing or otherwise. Only the specific power in the 1970 Act can be relied upon to generate revenue through the supply of goods and services.

Question 4

Are there any further existing legislative barriers to the delivery of public services and to a broader range of activity that local authorities would wish to undertake?

Fife Council has not identified any broader range of activity that it would wish to take and in which there are further legislative barriers.

It is understood that other authorities have identified a number of areas including procurement and housing initiatives. It is fair to say that local authorities tend to learn from and adopt innovative approaches by other authorities.

Question 5

Expansion of wellbeing powers

Would a broadening of the scope and meaning of 'wellbeing' contained in the 2003 Act (see note below) provide an effective alternative to a General Power of Competence?

It is difficult to assess whether it would provide an effective alternative given the proposed GPC has not been fully articulated.

It is interesting, when considering the consultation document, to see the framework of statutory provisions, guidance and codes of practice and their associated limitations that exist to prevent local authorities from undertaking activities that may well bring benefits to its local community.

Note: The Local Government in Scotland Act 2003 contains a provision that allows the Scottish Ministers to widen the definition of wellbeing and therefore the scope of the power of local authorities to advance wellbeing, under section 20 of the 2003 Act. Given the continued reluctance in England, Wales and Northern Ireland to rely on the general power due to concerns over legal challenge, it may be more effective to either broaden the scope and meaning of 'wellbeing' within the 2003 Act or to create further specific statutory powers within the 2003 Act to explicitly permit the greater freedoms local authorities wish to have.

Question 6

Expansion of wellbeing powers

Would the provision of specific greater powers within the 2003 Act (see note below) provide an effective alternative to a General Power of Competence?

If so, please provide examples of such specific powers and how they may be used.

It will do, but it will depend on what additional powers were included within the 2003 Act and whether those were different to what was proposed for the General Power of Competence. In addition, the concept of wellbeing is a narrow concept and may not cover all activities that might be in contemplation in the future.

What is clear is that the provisions required to be very precisely drafted in order that councils can have the confidence to rely on those powers and so the courts can interpret them in line with parliamentary intention. In addition, the current statutory framework of powers is quite piece-meal, as set out in the consultation, so a single consolidated power may provide better clarity.

Note: The Local Government in Scotland Act 2003 contains a provision that allows the Scottish Ministers to widen the definition of wellbeing and therefore the scope of the power of local authorities to advance wellbeing, under section 20 of the 2003 Act. Given the continued reluctance in England, Wales and Northern Ireland to rely on the general power due to concerns over legal challenge, it may be more effective to either broaden the scope and meaning of 'wellbeing' within the 2003 Act or to create further specific statutory powers within the 2003 Act to explicitly permit the greater freedoms local authorities wish to have.

Duplication of Functions

Question 7

Does the provision within the 2003 Act, which states that the Power to Advance Wellbeing cannot be used to unreasonably duplicate the functions of another person, restrict a local authority's pursuit of service transformation, other income generating activity or any other activity? Please provide examples.

Yes, and the consultation appears to accept that, given the comments on commercial agreements and non-statutory services. This is also supported by the case law cited.

While it will be the case that local authorities will be seeking to avoid unreasonably duplicating the functions of others, there may be times where local authorities may wish to lead on, or discharge a function of another person, as part of a planned approach or in an emergency situation. While it is noted that consent will mean that the exercise of power would not be unreasonable, as currently drafted it could still be struck down as duplication.

In the absence of this power currently, the council has no specific example to provide.

Note: Paragraph 4 of section 22 of the Local Government in Scotland Act 2003 prevents local authorities from unreasonably duplicating the functions of other bodies or people. The subsection states that local authorities must consider whether any proposed action is reasonable. The subsection also makes it clear that the exercise of power would not be considered unreasonable if the other person had consented.

Question 8

Would the removal of the restriction on duplication of functions, contained within section 22 of the Local Government in Scotland Act, provide an effective alternative to a General Power of Competence?

If so, please explain.

The removal of this restriction would assist local authorities – see answer above.

Without being able to compare two statutory alternatives it is difficult to comment on which approach would be most effective. What is clear is that the current statutory framework is insufficient to address the current challenges and some form of review will be required.

Powers to Trade

Question 9

What **trading** activity would local authorities wish to pursue beyond the current power to provide goods and services, contained in the Local Authorities (Goods and Services) Act 1970?

The Council has adopted an ALEO structure to allow it to carry out trading functions. This may not have been required if there was power for the local authority to carry out trading activity.

There has been no recent consideration of new trading ventures, however there may be functions that the council would seek to commercialise, including for example, print services and other environmental opportunities.

None of these have been seriously considered given the current restrictions.

Question 10

Would the removal of the requirement to gain Ministerial consent to pursue income through the supply of goods and services deliver the aspirations of local authorities?

This is a procedural element that is unlikely to change the fundamental difficulties of the current statutory framework.

In addition, this is an administrative function and it would be helpful to understand the instances in which Ministerial consent has been sought and the considerations that have been applied to that process by Ministers.

Fife Council has not sought Ministerial consent in recent times and has no additional specific examples to offer.

Regardless of the outcome of the current consultation process, it is likely that local authorities will remain subject to a statutory framework with an emphasis on best value and statutory service delivery.

It would be helpful to understand the types and nature of restrictions that might be in contemplation and the basis upon which those restrictions are considered necessary.

While it is recognised that a number of authorities in England have pursued perhaps, with the benefit of hindsight, less prudent commercial activities, and constrained should only be imposed where the benefit of doing so outweighs the benefit that any unconstrained opportunities may present.

It is very clear that local authorities have significant financial challenges and continuing to do the same is unlikely to be enough to address those financial challenges and to meet the needs of local communities. This has been the theme of the recent public sector reform discourse.

Local authorities in Scotland have not used scarce resources to pursue commercial activity in the absence of specific and clear power to do so. It is possible to envisage themes of commercial activity, particularly in the fields of regeneration and renewable energy, housing, infrastructure and economic development.

Please provide examples of how the removal of this limitation would be utilised and the benefit that would be envisaged such as value for money, better allocation of resources, transformation of public services, better local outcomes etc

Note: The provisions contained within section 1A of the Local Authorities (Goods and Services) Act 1970 requires that a local authority must gain Ministerial consent to pursue income through the supply of goods and services. However, this restriction does not apply in respect of an agreement entered into by a local authority with either another local authority, a public body; or with a person providing functions of a public nature.

Goods and Services

Question 11

What further activity would local authorities wish to undertake, beyond providing goods and services to the local area and/or persons within that area?

There has been no recent active consideration of proposals. Fife Council has been focussed on transforming current service delivery given the current statutory framework.

Question 12

Should the introduction of greater local authority legislative powers continue to constrain the types of goods and services a local authority can provide? If so, please provide examples.

No it would not. Local authorities currently operate within the ambit and controls set by the Local Authorities (Goods and Services) Act 1970 and in the specific Scottish context, the Local Authorities (Goods and Services) (Public Bodies) (Scotland) Order 1978.
Local authorities are further statutorily bound to secure Best Value by way of efficiency, effectiveness, economy and the need to meet equal opportunity requirements.

Commercial Ventures

Question 13

What type of commercial activity would local authorities wish to pursue, utilising a General Power of Competence? Please provide examples.

The Council is unable to provide specific examples of any additional commercial activities that it is seeking to pursue using a General Power of Competence.

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The Council has already established a network of Arms' Length External Organisations ("ALEOs") using existing powers which provide services to and on behalf of the Council, for example, waste disposal and processing.

In this regard, the Council retains the overarching duty to demonstrate Best Value is achieved whilst ensuring the ALEOs support the Council's delivery of its strategic aims and objectives.

Question 14

Should greater legislative powers continue to constrain the types of commercial activity that a local authority can undertake? Please provide reasons.

There should be no unnecessary constrained and any constraints considered necessary should be fully articulated. The level of current safeguards in relation to investment in particular, the lessons that can be learned from the approaches of other authorities and the ability of a local authority to assess its own level of risk in the activities it chooses to pursue should all be considered as appropriate alternatives to statutory restriction.

Question 15

Should greater legislative powers continue to constrain a local authority from engaging in commercial activity or any other activity beyond the local area. Please provide reasons.

This is worthy of further consideration. There may be benefit to extending the area in which local authorities can operate to Scotland as a whole, reflecting the partnership working opportunities. It is noted that the equivalent powers for England & Wales do not seem to have any geographical restriction.

Borrowing and Investment Powers

Question 16

What greater financial controls or limitations, particularly in relation to borrowing and investments, should accompany a General Power of Competence in Scotland to ensure such actions cannot be repeated or their impact limited to protect core services?

Existing regulations and guidance currently provides a clear framework to work within. Once it is clear what additional powers come with any General Power of Competences, existing financial controls and limitations will need to be reviewed in accordance with any intended change.

Question 17

What further investment powers do local authorities envisage requiring beyond those already conferred by statute and statutory guidance? Please provide examples of how such powers would be utilised to benefit the local area and people living within the local area.

It is not clear at this stage what further investment powers may be suitable beyond those already in existence.

Question 18

Should there be greater reporting/disclosure requirements to ensure transparency in the use of public funds for borrowing and investment purposes and how these activities directly benefit the local area? Please explain.

If additional powers are introduced, then reporting/disclosure requirements would naturally need to be reviewed to ensure proper use of public funds. Until it is clear what additional powers are made available, it is difficult to suggest any additional requirements for this purpose.

General Power of Competence

Question 19

How would a General Power of Competence be used to improve the delivery of public services, ensure greater efficiency in the use of available resources and maximise outcomes for the local area and persons within the local area. Please provide examples.

This will depend on how such a power is framed and any constraints applied. The council welcomes the possibility of considering a general power and would welcome further engagement on a subsequent consultation considering more definitive proposals. This consultation will allow local authorities, over the coming months and into the next budget cycle to begin to widen its consideration of what might be possible, should a general power be available in future.

Question 20

How could we better articulate a General Power of Competence in Scotland to mitigate concerns and provide greater assurance both for local authorities and those they engage with? Please explain.

A General Power of Competence would provide greater confidence, especially to those seeking to contract with us, subject to appropriate statutory guidance.

Question 21

Since the General Power was introduced in England, Wales and Northern Ireland how has this been used to benefit the local area? Please provide examples of use of the power and the resulting benefits.

Examples are provided within the consultation document and there is nothing further to add on this analysis.

Note: This question specifically relates to the general powers in operation in England, Wales and Northern Ireland. You may wish to refer to Annex B of the consultation document which sets out the relevant legislative provisions for England, Wales and Northern Ireland in detail.

Question 22

What are the perceived barriers and/or limitations of the General Power of Competence in place in England, Wales and Northern Ireland? Please explain.

Other than summarising the view of others expressed in various reports or commentaries the Council has no additional comment to make on the experience of the barriers and limitations of the power in other jurisdictions

Note: This question specifically relates to the general powers in operation in England, Wales and Northern Ireland. You may wish to refer to Annex B of the consultation document which sets out the relevant legislative provisions for England, Wales and Northern Ireland in detail.

Question 23

Should a local authority's use of a General Power of Competence be required to align to local regeneration or other demonstrable local area well-being enhancement?

This appears similar to the approach as set out within the relevant provisions of the Local Government in Scotland Act 2003 and attendant Scottish Government Guidance.

Islands (Scotland) Act 2018 - Devolution of functions/additional powers

Question 24

Would similar provisions for mainland authorities to those provided for island councils by the Island (Scotland) Act 2018 provide sufficient or greater scope for local authorities to explore further envisaged activity? Please explain.

The Council does not require the additional specific powers that are in place for Island Authorities. This would not be an appropriate alternative to providing a General Power of Competence.

It should be for each authority to determine whether and how, such powers are exercised, where it believes that is in its best interests. In the usual way, and in line with its other duties and responsibilities, each authority would be expected to ensure the exercise of such a power was appropriate and exercised responsibly and lawfully.

You may wish to refer to Annex A of the consultation document which sets out the relevant legislative provisions in detail.

Outstanding Remits from Committees

Title	Service(s)	Comments
1 May, 2025		
Allotment & Community Growing Strategy 2024-2028 Update	Communities and Neighbourhoods	As agreed at 08.02.24 Cabinet meeting - para. 209 of 2024.CC.115 refers - Cabinet Committee Minute - 8th February 2024 - Further report back to Cabinet in due course.
KIMO UK/KIMO International Annual Update	Planning Services	As agreed at 09.05.24 Cabinet meeting - para. 243 of 2024.CC.132 refers - Cabinet Committee Minute of 9th May 2024 - Annual update to be brought back in a year's time detailing the benefits of the membership.
26th June, 2025		
Change Planning	Chief Executive	As agreed at 07.11.24 Cabinet meeting - para. 301 of 24.CC.159 refers - Cabinet Committee Minute - 7th November 2024 - Progress report to be submitted to the 26.06.25 meeting
Pay Strategy and Job Evaluation Project	Human Resources	As agreed at 30.11.23 Cabinet meeting - para. 188 of 2023.CC.103 refers - Cabinet Committee Minute - 30th November 2023 - see also para. 4.1 of report - updates to be brought back to Cabinet
14th August, 2025		
Education Service Anti-Bullying Policy	Education	As agreed at 02.11.23 Cabinet meeting – para. 169 of 2023.CC.93 refers – Cabinet Committee Minute - 2nd November 2023 - Report to be brought back in a year's time UPDATE: A briefing paper to be sent to elected members requesting nominations to establish the Working Group with an update report being submitted in August 2025.
11th September, 2025		
Pedestrian and Cyclist Access to Household Waste Recycling Centres	Environment and Building Services	As agreed at 11.01.24 Cabinet meeting - para. 199 of 2024.CC.110 refers - Cabinet Committee Minute - 11th January 2024 - Deferred to a future meeting. UPDATE: CIRECO to undertake a full health and safety review of all their facilities. Report to Cabinet will be submitted by September 2025.

Title	Service(s)	Comments
9th October, 2025		
Community Wealth Building - Progress Report	Property Services	As agreed at 10.10.24 Cabinet meeting - para. 293 of 2024.CC.155 refers - Cabinet Committee Minute - 10th October 2024 - Annual report to be provided of future CWB achievements.
6th November, 2025		
Mothballing of Kirkton of Largo Primary School Review	Education	As agreed at 09.01.25 Cabinet meeting - para. 322 of 2025.CC.170 refers - A further report be brought back to committee no later than December 2025 reviewing the decision.

Title	Service(s)	Comments
Unallocated		
Social Housing Net Zero Standard (SHNZS) - Scottish Government Consultation Response	Housing Services	As agreed at 07.03.24 Cabinet meeting - para. 223 of 2024.CC.122 refers - Cabinet Committee Minute - 7th March 2024 - A further report be brought back to Cabinet later in 2024. UPDATE: December 2024 - Deferred from January 2025 meeting as Scottish Government announcement on SHNZS is still awaited. An Elected Members' Briefing to be issued meantime.
Cost of Living Report - Repeat Claims for Scottish Welfare Fund and Fuel Payments	Finance and Corporate Services	As agreed at 05.12.24 Cabinet meeting - para. 312 of 2024.CC.165 refers - Cabinet Committee Minute - 5th December, 2024 - Report be brought back to either Cabinet Committee or the appropriate scrutiny committee in due course detailing what preventative measures were being undertaken in relation to recurring claims for the Scottish Welfare Fund.
Fife Council's Arm's Length External Organisations - Governance Arrangements	Legal and Democratic Services	Further to the 5th December, 2024 Cabinet meeting and following discussion at CPLG, all elected members have been invited to attend a meeting on the role of ALEOs to provide feedback and inform next steps.
Statutory Consultation Proposal to Rezone the Catchment Areas of Dunnikier and Kirkcaldy West Primary Schools - Consultation Report	Education	As agreed at 09.01.25 Cabinet meeting - para. 323 of 2025.CC.170 refers - Cabinet Committee Minute - 9th January 2025 - A Consultation Report to be brought back to a future meeting of the Cabinet Committee.