

THE FIFE COUNCIL - CABINET COMMITTEE - BLENDED MEETING

Committee Room 2, Fife House, North Street, Glenrothes

7 March 2024

10.00 am - 11.55 pm

PRESENT: Councillors David Ross (Convener), Tom Adams (substituting for Councillor Judy Hamilton), David Alexander, Lesley Backhouse, David Barratt, John Beare, James Calder, Altany Craik, Graeme Downie, Linda Erskine, Derek Glen, Peter Gulline, Cara Hilton, Gary Holt, Allan Knox, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston (substituting for Councillor Fiona Corps), Ross Vettraino, Craig Walker and Jan Wincott.

ATTENDING: Ken Gourlay, Chief Executive; Elaine Muir, Head of Finance, Lindsay Thomson, Head of Legal and Democratic Services, Helena Couperwhite, Committee Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Gordon Mole, Head of Business and Employability Services and Morag Millar, Strategic Growth and City Region Deals Manager, Business and Employability Services; Paul Vaughan, Head of Communities and Neighbourhoods Service and Anne-Marie Vance, Community Manager (Cowdenbeath), Communities and Neighbourhoods Service; Ross Spalding, Service Manager (Climate Change and Zero Waste) and Hamish Martin, Strategy Officer (Local Heat and Energy Efficiency), Planning Service; John Mills, Head of Housing Services and Helen Wilkie, Service Manager, Housing Services; and Michael O'Gorman, Service Manager, Estates Service.

APOLOGIES FOR ABSENCE: Councillors Fiona Corps and Judy Hamilton.

CHANGE OF MEMBERSHIP - The committee noted that Councillor Kathleen Leslie had replaced Councillor Dave Dempsey as a member of the Cabinet Committee.

214. DECLARATIONS OF INTEREST

As a matter of transparency and with reference to Para. 219 – Support for Voluntary Organisations - Councillor Erskine declared she had assisted in reforming and supporting Dundonald Institute and Councillor Liston was a council appointee to the St Andrews Botanic Gardens Trust. However, as these were not considered a connection under the Councillors' Code of Conduct for the purposes of this report, they therefore remained and participated in the meeting.

215. MINUTES

(i) Minute of the Cabinet Committee of 8 February 2024.

Arising from para. 206 - Fife Council Planning Service Enforcement Charter 2024 - it was agreed that the wording of recommendation (3) be changed to:

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- (3) agreed that a report be submitted within the next four months to the Finance, Economy and Corporate Services Scrutiny Committee providing a progress report and the details of the enforcement process and policy.

Decision

The committee agreed to approve the minute subject to the change at para. 206 as detailed above.

- (ii) The Appeals Sub-Committee of 31 January 2024, Appointments Sub-Committee of 8 September 2023 and Education Appointment Committee of 9 February 2024 were submitted for noting.

Decision

The minutes were noted.

216. REVENUE MONITORING 2023-24

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 the current forecast position for 2023/24.

Decision

The committee:-

- (1) noted the high-level financial position as detailed in the report;
- (2) noted that there were ongoing financial impacts arising from the current economic climate which continued to be managed by Services with an element of protection from inflationary risk being accounted for centrally;
- (3) instructed Services to mitigate overspends as far as possible 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.

217. CAPITAL INVESTMENT PLAN MONITORING 2023-24

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 2023/24 financial year.

Decision

The committee noted:-

- (1) the projected outturn position and that the level of financial risk continued to be heightened due to high levels of inflation and supply chain challenges;

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- (2) that more detailed capital outturn reports for 2023/24 would be submitted to relevant Scrutiny Committees of the council;
- (3) that budget variances would be managed by the appropriate Directorate in conjunction with the Investment Strategy Group; and
- (4) the updated prudential indicators provided.

218. RIVERSIDE PARK, GLENROTHES

The committee considered a report by the Head of Business and Employability Services which sought approval to regenerate Riverside Park, Glenrothes based on the Business Case for the investment of Levelling Up Funding included in Appendix 1 to the report.

Decision

The committee:-

- (1) approved Option 1 in the Business Case detailed in Appendix 1 - Delivery of the Phase 1 of the Riverside Park Regeneration funded by the available Levelling Up funding represents 'best value' and optimises investment - as the preferred delivery approach for the investment of Levelling Up Funding in Riverside Park, Glenrothes;
- (2) noted the proposed procurement route using existing Roads and Transportation Services' Frameworks and specialist suppliers; and
- (3) noted the financial risks outlined in Section 3 and the mitigating actions to reduce the probability and impact.

219. SUPPORT FOR VOLUNTARY ORGANISATIONS

The committee considered a report by the Head of Communities and Neighbourhoods Service which presented recommendations for the level of support to voluntary organisations for the period 2024-2027 for the Directorates of Communities, Education and Place.

Decision

The committee:-

- (1) approved the level of funding to voluntary organisations as detailed in the schedules attached to the report; and
- (2) agreed that the full award of £80,109 be made for 2024/25 to Disabled Persons Housing Services (DPHS) as Housing Services had received all required financial and management information. Housing Services would continue to work with DPHS to improve their information management to ensure the council was provided timeously with all required information.

220. KELTY CAR PARK, KELTY

The committee considered a report by the Head of Communities and Neighbourhoods Service which provided members with an update on the progress of the business plan approach to the development of a new car park in Kelty. The proposal was for a one-off investment to facilitate the provision of car parking for the benefit of the community and to alleviate parking congestion for residents in the community.

Decision

The committee:-

- (1) noted the allocation of £0.250m funding towards the construction of a car park for Kelty Community Centre as agreed in the council's capital investment plan 2023/33;
- (2) agreed to, instead, provide a grant to Kelty Hearts Football Club to construct and operate a new car park for the benefit of the community; and
- (3) noted that an agreement to facilitate the project between Fife Council and Kelty Hearts FC would be drawn up before works commenced on site in terms which were acceptable to the Head of Communities and Neighbourhoods Service and the Head of Legal and Democratic Services.

221. SOUTH AND WEST FIFE - COMMUNITY USE ARRANGEMENTS

The committee considered a report by the Head of Communities and Neighbourhoods Service which outlined options to be considered for community use as part of the replacement of Inverkeithing High School.

Motion

Councillor David Ross, seconded by Councillor Altany Craik, moved the recommendations as detailed in the report.

Amendment

Councillor David Barratt, seconded by Councillor Derek Glen, moved the following:-

- "Cabinet notes that a decision was made in November 2020 by the Education and Children's Services Sub-Committee to authorise officers to bring back a report to the Cabinet Committee's predecessor committee on the retention, refurbishment and future investment into the existing Community Use wing in Inverkeithing.
- Cabinet further notes that it was agreed by Cabinet in September 2023 that the loss of the High School to Inverkeithing would have an impact on the town and that a report including specific consideration of maintaining or replacing the existing community use and sports facilities in Inverkeithing would be considered as part of the review of Community use in South and West Fife.
- Cabinet agrees a presumption in favour of investment into the existing High School site in Inverkeithing.
- Cabinet agrees that option 4 would not be consistent with the decision in 2020 or point three above and agrees to take forward consideration of the remaining options.
- Cabinet agrees that relevant stakeholders should be consulted as part of the development of those remaining options".

Roll Call Vote

For the motion - 13 votes

Councillors Tom Adams, James Calder, Altany Craik, Graeme Downie, Linda Erskine, Peter Gulline, Cara Hilton, Gary Holt, Allan Knox, Kathleen Leslie, Jane Ann Liston, David Ross and Jan Wincott.

For the Amendment - 9 votes

Councillors David Alexander, Lesley Backhouse, David Barratt, John Beare, Derek Glen, Rosemary Liewald, Carol Lindsay, Ross Vettraino and Craig Walker.

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

Decision

The committee agreed:-

- (1) the options to be assessed for community use in South and West Fife as detailed in the report; and
- (2) that a further report be submitted to the Cabinet Committee in Autumn 2024.

222. HEAT IN BUILDINGS BILL CONSULTATION RESPONSE

The committee considered a report by the Head of Planning Services which sought approval of Fife Council's consultation response to the Scottish Government's Heat in Buildings Bill Consultation.

Decision

The committee approved the response to the Heat in Buildings Bill Consultation for submission to the Scottish Government.

223. ENERGY EFFICIENCY STANDARDS FOR SOCIAL HOUSING 2 (EESH2) / SOCIAL HOUSING NET ZERO STANDARD (SHNZS) - DELIVERY PLAN UPDATE

The committee considered a report by the Head of Housing Services which was a follow-on report from a previous report submitted to Cabinet Committee in October 2022. As agreed at that meeting, an Energy Efficiency Standards for Social Housing 2 (EESH2) Board was formed comprising Fife Council and Housing Associations and work to detail the requirements to meet the standard has been ongoing in 2022. The draft Delivery Plan has been on hold awaiting the Scottish Government's EESH2 review. The current Government consultation exercise proposes replacing EESH2 with Social Housing Net Zero Standard (SHNZS). The committee are being asked to approve Fife Council's proposed consultation response to the Scottish Government's Consultation on a New Social Housing Net Zero Standard in Scotland.

Motion

Councillor David Ross, seconded by Councillor Altany Craik, moved the recommendations as detailed in the report.

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Amendment

Councillor David Alexander, seconded by Councillor John Beare, moved that Recommendation (2) be removed until the Capital Investment Plan had been agreed.

Roll Call Vote

For the motion - 13 votes

Councillors Tom Adams, James Calder, Altany Craik, Graeme Downie, Linda Erskine, Peter Gulline, Cara Hilton, Gary Holt, Allan Knox, Kathleen Leslie, Jane Ann Liston, David Ross and Jan Wincott.

For the Amendment - 9 votes

Councillors David Alexander, Lesley Backhouse, David Barratt, John Beare, Derek Glen, Rosemary Liewald, Carol Lindsay, Ross Vettraino and Craig Walker.

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

Decision

The committee:-

- (1) noted the proposed replacement of Energy Efficiency Standards for Social Housing 2 (ESSH2) with Social Housing Net Zero Standard (SHNZS);
- (2) agreed the financial outcome from the HRA Business Plan 2023 review that the current requirement to meet SHNZS 2033 is not affordable based on a rent-based funding model;
- (3) agreed the draft Consultation Response as detailed in Appendix 2 to the report; and
- (4) agreed that a further report would be submitted to Cabinet Committee later in 2024 following the outcome of the Scottish Government's SHNZS Consultation was confirmed and the new requirements assessed and costed.

224. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES

The committee considered the list of outstanding remits from committees.

Decision

The committee noted the list of outstanding remits from committees.

The committee resolved, under Section 50(A)(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 likely disclosure of exempt information as defined in para. 6 of Schedule 7A of the Act.

**225. AFFORDABLE HOUSING PROGRAMME - BONFIELD PARK,
STRATHKINNESS (PRIVATE REPORT)**

The committee considered a joint report by the Head of Housing Services and Head of Property Services seeking authority to conclude legally binding agreements for the acquisition of land and the delivery of 30 new affordable homes for social rent which had been identified within the 2024/25 Strategic Housing Investment Plan (SHIP) at the site known as Bonfield Park, Strathkinness.

Decision

The committee agreed, subject to confirmation of Scottish Government affordable housing funding for 2024/25, that the Head of Legal and Democratic Services enter into legally binding agreements on terms to their satisfaction:-

- (1) for the acquisition at the site known as Bonfield Park, Strathkinness, identified for the delivery of 15 affordable housing units under the S75 Agreement with Fife Council under Planning consent 14/04038/PPP;
- (2) to enter into a Design and Build Contract for the development of 30 new affordable homes to be developed jointly and equally at the site of the former Nydie Mains (15 units) and on the council's adjacent land lying to the south of the Strathkinness Public Park and accessed through Bonfield Park (15 units); and
- (3) to apply for Scottish Government affordable housing grant to support the delivery of the development noting the risk around the availability of affordable housing grant funding to support this project and others.