

Thursday, 9th June, 2022 - 10.00 a.m.

AGENDA

	<u>Page Nos.</u>
1. APOLOGIES FOR ABSENCE	
2. DECLARATIONS OF INTEREST	
In terms of Section 5 of the Code of Conduct, members are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.	
3. CIVIC BUSINESS BULLETIN	3 - 4
4. MINUTE – Minute of the meeting of Fife Council of 19 th May, 2022.	5 - 20
5. MINUTES OF COMMITTEES AND SUB-COMMITTEES	Available on intranet and FC website
Minutes of March, April and May, 2022 meetings of the Council's committees and sub-committees, as contained in the volume of minutes uploaded to FISH and Fife Council website, are submitted for accuracy.	
6. LEADER'S REPORT	21 - 24
7. QUESTION TIME	
In terms of Standing Orders, copies of these questions will be emailed to members and available on intranet and Fife Council website.	
8. GOVERNANCE ARRANGEMENTS - LIST OF COMMITTEE POWERS – Report by the Head of Legal and Democratic Services.	25 - 63
9. FIFE COUNCIL APPOINTMENTS UPDATE – Report by the Head of Legal and Democratic Services.	64 - 76
10. APPOINTMENT TO EXTERNAL ORGANISATIONS – Report by the Head of Legal and Democratic Services.	77 - 85
11. APPOINTMENTS TO ST ANDREWS LINKS TRUST AND ST ANDREWS LINKS MANAGEMENT COMMITTEE – Report by the Head of Legal and Democratic Services.	86 - 87
12. EDUCATION MATTERS - APPOINTMENT OF RELIGIOUS INTEREST REPRESENTATIVES – Report by the Head of Legal and Democratic Services.	88 - 90
13. SCHEME OF COUNCILLORS REMUNERATION AND EXPENSES – Report by the Executive Director, Finance and Corporate Services.	91 - 102

14. **NOTICE OF MOTIONS** – Report by the Head of Legal and Democratic Services.

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

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

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

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2 June, 2022

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

Fife Council
9th June, 2022

Civic Business Bulletin

City Status for Dunfermline

Congratulations to the City of Dunfermline as it celebrates its new, official status as a city. The ancient capital won its bid to have official city status as part of the civic honours competition to celebrate the Queen's platinum jubilee in 2022.

Armed Forces Day Event

The Council's Armed Forces Day event is due to take place outside the Glen Pavilion, Dunfermline at 1pm on the 18th June, 2022.

Fife Business Awards 2022

Fife Chamber of Commerce's Fife Business Awards were held on Friday 27th May, with Glenrothes-based Keela winning the Outstanding Business Award for their work to support the national response to the pandemic.

Solar Photovoltaic Farm

The one-megawatt ground solar photovoltaic (PV) development – backed by a Scottish Funding Council loan and supported by the Vacant & Derelict Land Fund from the Scottish Government and Fife Council – will provide electricity to the campus. This move further reduces the University's overall carbon footprint by approximately 5%. Plans by the University of St Andrews to meet net zero targets, contribute to a just transition from fossil fuels, and take a leading role in driving a successful local and national economy were given the seal of approval this week when its new solar farm was officially launched this month.

150th Open

Fife is looking to welcome a record 290,000 golf fans to St Andrews to the 150th Open. Some 1.3 million people applied for tickets and 52,000 will be present across each of the four days of the Championship, which will be staged from 14-17 July (with practice days from the 10 July). Fife Council is working with the R&A and partner organisations such as VisitScotland to ensure that spectators have an excellent visitor experience, and that local businesses can maximise the economic benefits that hosting this major championship brings.

Crossgates Primary School awarded the Digital School Award

The Digital Schools Award Scotland is a national awards scheme to promote, recognise and encourage a whole school approach to the use of digital technology in schools. The awards scheme is open to nursery, primary, special education, and secondary level and is recognised by Education Scotland.

In Fife there are 96 schools registered and 19 of these have achieved the Digital Schools Award.

Crossgates Primary School were awarded 8th March and were commended on their commitment to embed digital technologies across the curriculum.

Inverkeithing High School STEM Club win Robot Design Award at the First Lego League tournament

First Lego League is an international, robotics-based programme which stimulates the imagination and problem-solving abilities of children and young people through engineering, computing, creativity and teamwork. Each year the challenge has three parts: the Robot Game, the project and displaying the First Lego League Core Values.

Inverkeithing High School STEM Club have used the First Lego League to explore coding and robotics and competed in the Angus and Dundee Regional First Lego League Tournament on 22nd April. The STEM Club won the award for Best Robot Design and will be competing in the Scotland National First Lego League Finals on 11th June.

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

19th May, 2022

10.00 a.m. – 2.55 p.m.

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

1. CHAIR

The Returning Officer (as required by Section 4(4) of the Local Government etc (Scotland) Act 1994) took the Chair until the Provost was appointed.

2. RETURNING OFFICER REPORT ON LOCAL GOVERNMENT ELECTION 2022 AND MEMBERSHIP OF FIFE COUNCIL

The Council considered a report by the Returning Officer listing the membership of Fife Council.

Decision

The Council noted the report.

3. ELECTION OF PROVOST

NOMINATIONS FOR PROVOST

Councillor Ross, seconded by Councillor Erskine, moved that Councillor Leishman be appointed as Provost.

Councillor Alexander, seconded by Councillor Verner, moved that Councillor Beare be appointed as Provost.

Roll Call

For Councillor Leishman - 40 votes

Councillors Tom Adams, Mary Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell,

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Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Donald Lothian, Julie MacDougall, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For Councillor Beare – 33 votes

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

Decision

The Council agreed that Councillor Leishman be appointed as the Provost of Fife Council.

The meeting adjourned at 10.20 a.m. and reconvened at 10.40 a.m.

4. **ELECTION OF DEPUTE PROVOST**

Motion

Councillor Ross, seconded by Cllr Erskine, moved as follows:-

"The Council agree to appoint three Depute Provosts - one each from SNP, Liberal Democrat and Conservative political groups - to assist with the delivery of the civic business in Fife.

The role of the Depute Provost will not attract a special responsibility allowance.

Nominations for the appointment as Depute Provost from each of these groups are invited and should be submitted to the Proper Officer."

Amendment

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

"Council will appoint one Depute Provost today and the SNP will nominate Cllr Lesley Backhouse."

Roll Call

For the Motion- 40 votes

Councillors Tom Adams, Mary Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine,

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David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Donald Lothian, Julie MacDougall, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For the Amendment – 34 votes

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

The motion was accordingly carried.

Decision

The Council agreed that three Depute Provosts be appointed and each of SNP, Liberal Democrat and Conservative groups would send their nomination to the Proper Officer.

5. **STANDING ORDERS**

The Council considered a report by the Executive Director, Finance and Corporate Services which invited the Council to agree a set of Standing Orders to allow the business of the meeting to be conducted.

Decision

The Council:-

- (1) agreed the set of Standing Orders set out in Appendix 1 of the report;
- (2) noted the minor changes marked in track changes in Appendix 1 of the report; and
- (3) delegated authority to the Head of Legal and Democratic Services to make any consequential and non-substantive amendments to the Standing Orders arising from this report.

6. **MINUTE OF MEETING OF FIFE COUNCIL**

The Provost, seconded by Councillor Ford, moved that the minute of Fife Council of 10th March, 2022 be approved.

Decision

The Council agreed to approve the minute.

7. GOVERNANCE ARRANGEMENTS

Motion

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

Part 1 Decision Making Arrangements

1. It is clear that SNP Group in the recent Local Government election 2022 was given a mandate by the people of Fife to help create the next Administration of Fife Council. With that in mind we are proposing a committee based system that will involve all elected members, will put the interests of Fife and its people first, will promote equality, recognise and respect the rich diversity of Fife and its communities and citizens, and will have clear lines of responsibility regarding political decision making, and scrutiny.
2. To ensure that the Council can conduct its business and also further develop the framework for its governance, Council agrees to receive a report at the full Council meeting on 16th June 2022 as follows:-
 - (a) Establishing the following Committees as the basis for the governance framework and applying the principle of political balance
 - i. Policy and Resources Committee (17 members)
 - ii. Education Committee (12 members)
 - iii. Environment and Protective Services Committee (12 members)
 - iv. Housing, Leisure and Community Services Committee (12 members)
 - v. Strategic Planning, Economic Development, Transportation, Technical and Engineering Services Committee (12 members)
 - vi. Social Work, Children and Adult Services Committee (12 members)
 - vii. Area Committees (7 Committees based on the previous structure of these Committees)
 - viii. 2 planning committees (11) (NEF and C&WF - chaired by an area chair)
 - ix. Standards, Audit and Scrutiny Committee (11 members)
 - x. Regulation and Licencing Committee (15)
 - (b) setting out remits for each of the Committees established in accordance with the above, together with recommendations for any other statutory or regulatory committees that may be required.

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3. To delegate authority to the Chief Executive in consultation with the Leader of the Administration and the Group Leaders on all policy and other appropriate matters which require a decision before the next Council meeting on 16th June 2022.
4. To invite the political groups to discuss and make their views known about the proposals prior, if possible, to the Council meeting of 16th June; and
5. To review the effectiveness of the revised governance framework no later than one year following adoption of the revised framework.

Part 2 Appointment of Committee Conveners/Positions of Responsibility

The Council resolves

1. that the position of Leader and Depute Leader of the Administration and Leader of the Opposition are agreed and appointed today.
2. that the appointment to all other positions of Special Responsibility be deferred to the next meeting of the Council on 16th June and that Special Responsibility Allowances be assigned at that meeting.
3. to invite nominations for the positions of Leader and Depute Leader of the Administration and Leader of the Opposition.

Part 3 Appointment of the Conveners of Committees

That Council

1. Agree that the Chief Executive calls meetings of the seven Area Committees within the next four weeks to invite Area Committees to agree their Area Convenors; and
2. Resolve to request nominations from each political party for membership of:
 - (a) the Health and Social Care Integrated Joint Board - sufficient to fill 8 places on the Board (and 8 reserves) on the basis of political balance, i.e. 4 SNP, 2 Labour, 1 Liberal Democrats and 1 Conservatives; and
 - (b) COSLA Convention - sufficient to fill 6 places on the basis of political balance, i.e. 3 SNP, 2 Labour, and 1 Liberal Democrat.

Part 4 Emergency Working Groups

The Council resolves to form three short term working Groups (of not more than 12 members each) that will work with the Administration and Officers and focus on eliminating/reducing backlogs/pressures caused in part by the public health crisis. The working groups will work over the summer period and make recommendations to the appropriate committee.

- i. Temporary Accommodation/Homelessness - the working group to investigate all means possible to increase the council housing stock including and especially removing the limit on the purchase of ex-council houses.

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- ii. Cost of Living Pressures - the working group to bring together all sections of the council involved in the elimination of poverty with a view to identifying people and families under pressure, optimise uptake of national and locally administered benefits, maximise Fife Council support budgets, and mobilise/organise local communities to work cohesively with the Council and other support networks
- iii. Covid backlogs - the working group to identify the backlogs in service delivery due to the pandemic (excluding roads and pavements) and the extent of the problem.

All 3 working groups should be given priority status and work across council services. All proposals to alleviate the identified issues should take into account current financial plans without creating future budget streams and concentrate on one-off funding models.

Amendment

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

Part A

To ensure that the Council can conduct its business and also to further develop the framework for its governance, Council resolves to establish the following decision making structure:

1. A Cabinet Committee responsible for strategic policy decisions.

Membership of the Cabinet will be the Leader of the Council (Chair), six strategic spokespersons (appointed in accordance with Part C paragraph 1 of this motion) and ordinary members up to a total of 21 members (including the spokespeople but excluding the Chair). The ordinary members will be appointed on the basis of political balance. Should the number of strategic spokespeople from one party exceed that party's politically balanced allocation on the Cabinet then those spokespeople will be additional members of the Cabinet (over and above the 21 noted above) and with full voting rights.

2. Four Scrutiny Committees, based on the following broad remits:

- Education
- People and Communities (including social care, children's services and housing)
- Finance, Economy and Corporate Services (including HR and Planning)
- Environment, Transportation and Climate Change

Each Scrutiny Committee will have the power to make recommendations to the Cabinet Committee for consideration and will be responsible for:

- considering call-ins from the Cabinet Committee
- in depth scrutiny of areas of policy and performance as determined by the Committee
- considering matters referred for scrutiny by the Cabinet Committee

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- Service monitoring reports

Membership of the Committees will consist of 16 members appointed on the basis of political balance. The Chair will be appointed by the Committee at its first meeting.

3. Seven Area Committees, based on the previous structure for Area Committees. Council agrees to delegate the appointment of Chairs to Area Committees but only where the Committee reaches a majority decision on the appointment. If a majority decision cannot be reached the Committees do not have delegated authority to make an appointment and the matter will be referred back to full Council for determination in accordance with the agreed procedures.
4. A Standards, Audit and Risk Committee with a membership of 10 and politically balanced.
5. A Regulation and Licensing Committee with a membership of 16 and politically balanced.
6. A West and Central Planning Committee, with a membership of 16 based on a politically balanced consideration of the constituent areas and chaired by one of the Conveners of the Area Committees.
7. A North East Fife Planning Committee which will be constituted in the same way as in the previous administration, and with the same Chair as the North East Fife Area Committee
8. Political groups are invited to submit nominations to the Proper Officer for membership of the Cabinet and Committees based on political balance

Part B

1. To allow the Council to continue to determine relevant matters in the interim, Council resolves that the Area Committees shall assume the same terms of reference as in the current Committee Powers.
2. Council further resolves to delegate authority to the Chief Executive, in consultation with the Leader of the Council and the appropriate spokespersons, on all policy and other appropriate matters which require a decision before the next Council meeting.
3. Council agree that the next meeting of full Council will be on 9 June 2022. The Chief Executive will ensure that all seven Area Committees convene within two weeks of today's meeting, and that the four Scrutiny Committees will convene by the end of June 2022, to consider the appointment of Chairs only and
4. Council agrees to bring forward a revised Scheme of Administration based on this decision making structure and including any additional statutory, regulatory or other committees that are recommended, to the next Council meeting. The effectiveness of the revised Scheme of Administration will be reviewed no later than 1 year following adoption of the revised Scheme of Administration.

Part C Appointment of Leader of the Council and Positions of Responsibility

The Council resolves

- 1 To create the following positions of special responsibility.
 - a. Leader of the Council
 - b. Leader of the Opposition
 - c. Spokesperson for Education
 - d. Spokesperson for Housing and Building Services
 - e. Spokesperson for Finance, Economy and Strategic Planning
 - f. Spokesperson for Environment and Climate Change
 - g. Spokesperson for Communities and Leisure Services
 - h. Spokesperson for Health and Social Care (to be the Council's representative on the Board of NHS Fife and to act as Chair/Vice Chair of the Integrated Joint Board)
 - i. Chair of the Regulation and Licensing Committee and Licensing Board
 - j. Four chairs of Scrutiny committees and
 - k. Seven chairs of Area Committees
- 2 To invite nominations for the positions at (a) to (i) above
- 3 To agree that the above posts be assigned Special Responsibility Allowances as set out in the attached appendix. *Appendix 1 to the minute.*
- 4 That political groups are invited to submit nominations to the Proper Officer for membership of the Health and Social Care Integrated Joint Board sufficient to fill 8 places on the Board, to include the Strategic Spokesperson for Health and Social Care (and 8 reserves) on the basis of political balance.
- 5 That political groups are invited to submit nominations to the Proper Officer sufficient to fill 6 representatives for the COSLA Convention on the basis of political balance.
- 6 That Council will consider the appointment of any remaining positions of responsibility at its next meeting on 9th June 2022 including the Chair of the Standards, Audit and Risk Committee.

Roll Call

For the Motion- 34 votes

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

For the Amendment – 41 votes

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

The amendment was accordingly carried.

Decision

The Council agreed in terms of the amendment and consequently considered the appointment of the following positions of special responsibility:-

1. Leader of the Council
2. Leader of the Opposition
3. Spokesperson for Education
4. Spokesperson for Housing and Building Services
5. Spokesperson for Finance, Economy and Strategic Planning
6. Spokesperson for Communities and Leisure Services
7. Spokesperson for Health and Social Care (to be the Council's representative on the Board of NHS Fife and to act as Chair/Vice-Chair of the Integrated Joint Board)
8. Chair of the Regulation and Licensing Committee and Licensing Board

The meeting adjourned at 12.45 p.m. and reconvened at 1.30 p.m.

NOMINATIONS FOR LEADER OF THE COUNCIL

Councillor Erskine, seconded by Councillor Craik, proposed that Councillor Ross be appointed as Leader of the Council.

Councillor Walker, seconded by Councillor Verner, proposed that Councillor Alexander be appointed Leader of the Council.

Roll Call

For Councillor Ross - 41 votes

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

For Councillor Alexander – 33 votes

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

Decision

The Council agreed to appoint Councillor Ross as Leader of the Council.

NOMINATIONS FOR LEADER OF THE OPPOSITION

Councillor Verner, seconded by Councillor Neal, proposed that Councillor Alexander be appointed as Leader of the Opposition.

Decision

The Council agreed unanimously that Councillor Alexander be appointed as Leader of the Opposition.

NOMINATIONS FOR SPOKESPERSON FOR EDUCATION

Councillor Verner, seconded by Councillor Cavanagh, proposed that Councillor Walker be appointed as Spokesperson for Education.

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Hilton be appointed as Spokesperson for Education.

Roll Call

For Councillor Walker - 32 votes

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

For Councillor Hilton – 41 votes

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

Decision

The Council agreed to appoint Councillor Hilton as Spokesperson for Education.

NOMINATIONS FOR SPOKESPERSON FOR HOUSING AND BUILDING SERVICES

Councillor Verner, seconded by Councillor Barrera, proposed that Councillor Backhouse be appointed as Spokesperson for Housing and Building Services.

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Hamilton be appointed as Spokesperson for Housing and Building Services.

Roll Call

For Councillor Backhouse - 33 votes

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

For Councillor Hamilton – 40 votes

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

Decision

The Council agreed to appoint Councillor Hamilton as Spokesperson for Housing and Building Services.

NOMINATIONS FOR SPOKESPERSON FOR FINANCE, ECONOMY AND STRATEGIC PLANNING

Councillor Verner, seconded by Councillor Ballantyne-Wardlaw, proposed that Councillor Hall Muir be appointed as Spokesperson for Finance, Economy and Strategic Planning.

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Craik be appointed as Spokesperson for Finance, Economy and Strategic Planning.

Roll Call

For Councillor Hall Muir - 33 votes

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

For Councillor Craik – 41 votes

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

Decision

The Council agreed to appoint Councillor Craik as Spokesperson for Finance, Economy and Strategic Planning.

NOMINATIONS FOR SPOKESPERSON FOR ENVIRONMENT AND CLIMATE CHANGE

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Wincott be appointed as Spokesperson for Environment and Climate Change.

Councillor Verner, seconded by Councillor Jackson, proposed that Councillor Vettrains be appointed as Spokesperson for Environment and Climate Change.

Roll Call

For Councillor Wincott - 41 votes

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

For Councillor Vettrains – 33 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Derek Glen, Brian Goodall, Jean Hall Muir,

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Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O'Brien, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

Decision

The Council agreed to appoint Councillor Wincott as Spokesperson for Environment and Climate Change.

NOMINATIONS FOR SPOKESPERSON FOR COMMUNITIES AND LEISURE SERVICES

Councillor Ross, seconded by Councillor Craik, proposed that Councillor Erskine be appointed as Spokesperson for Communities and Leisure Services.

Councillor Verner, seconded by Councillor Neal, proposed that Councillor Goodall be appointed as Spokesperson for Communities and Leisure Services.

Roll Call

For Councillor Erskine - 41 votes

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

For Councillor Goodall – 33 votes

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

Decision

The Council agreed to appoint Councillor Erskine as Spokesperson for Communities and Leisure Services.

NOMINATIONS FOR SPOKESPERSON FOR HEALTH AND SOCIAL CARE

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Graham be appointed as Spokesperson for Health and Social Care.

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Councillor Verner, seconded by Councillor Jackson, proposed that Councillor Liewald be appointed as Spokesperson for Health and Social Care.

Roll Call

For Councillor Graham - 41 votes

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

For Councillor Liewald – 33 votes

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

Decision

The Council agreed to appoint Councillor Graham as Spokesperson for Health and Social Care.

NOMINATIONS FOR THE APPOINTMENT OF CHAIR OF THE REGULATION AND LICENSING COMMITTEE AND LICENSING BOARD

Councillor Ross, seconded by Councillor Erskine, proposed that Councillor Adams be appointed as Chair of the Regulation and Licensing Committee and the Licensing Board.

Councillor Verner, seconded by Councillor Goodall, proposed that Councillor Lindsay be appointed as Chair of the Regulation and Licensing Committee and the Licensing Board.

Roll Call

For Councillor Adams - 41 votes

Councillors Tom Adams, Mary Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Julie MacDougall,

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Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For Councillor Lindsay – 33 votes

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

Decision

The Council agreed to appoint Councillor Adams as Chair of the Regulation and Licensing Committee and the Licensing Board.

8. APPOINTMENT OF MEMBERS TO FIFE LICENSING BOARD

The Council considered a report by the Executive Director, Finance and Corporate Services which advised that, in terms of the Licensing (Scotland) Act 2005, a Licensing Board required to be established at the first meeting of the Council following a local government election.

Decision

The Council agreed:-

- (1) to elect ten members to the Fife Licensing Board, based on political balance; and
- (2) that nominations for the membership be notified to the Proper Officer from all political groups.

9. APPOINTMENT OF MEMBERS TO REGIONAL TRANSPORT PARTNERSHIP

The Council considered a report by the Executive Director, Finance and Corporate Services which asked Council to appoint three members and three substitute members to the South East Scotland Regional Transport Partnership.

Decision

The Council agreed that:-

- (1) Councillors Glen, Davidson and Lawson be appointed as Fife Council members of the South East Scotland Regional Transport Partnership; and
- (2) Councillors Hayes, Craik and Dempsey be appointed as Fife Council substitute members of the South East Scotland Regional Transport Partnership.

10. ESTABLISHMENT AND APPOINTMENTS TO THE EDUCATION APPEAL COMMITTEE AND EDUCATION APPOINTMENT COMMITTEE

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The Council considered a report by the Executive Director, Finance and Corporate Services to which proposed that both the Educational Appeal and Education Appointment Committees be established and members appointed.

Decision

The Council agreed:-

- (1) to establish the Education Appeal Committee and the Education Appointments Committee; and
- (2) that nominations for the membership be notified to the Proper Office from all political groups.

11. OTHER COMPETENT BUSINESS

The Provost advised that as agreed earlier in the meeting, the next meeting of Fife Council would be scheduled for Thursday 9th June, 2022.

Leader's Report

Fife Council 9th June 2022

1. Financial Position

The financial pressures on councils look set to continue following the publication of the Scottish Government's Resource Spending Review on 31st May. Although there were some positive aspects to this review, including the baselining of the £120m one-off funding included in the current year's budget, which covered National Insurance and Council Tax Reduction burdens, a commitment to return decisions on council tax to councils, and increased funding for social care, the general financial position for local government for the next five years is deeply worrying.

The Scottish Government controls over 80% of local government's funding. The figures announced in the Review show a flat cash settlement for local government until 2026/27, meaning a real terms cut when pressures for inflation, pay and demographic growth are taken into account. Nor is it clear yet whether this flat cash settlement will include further ring-fenced funding for new initiatives required by the Scottish Government which would mean even greater reductions in the core grant.

These financial pressures will set the context for the operation of the Council over the next five years as we seek to recover from the impacts of the pandemic and protect and improve our services. We expect a financial report on the final budget outturn for 2021/22 and on the financial outlook to come to the Cabinet Committee in August.

It is our intention to start full political engagement on next year's budget after the recess and we will be seeking discussions and input to this from all political groups represented on the Council. A review of the Council's Capital Plan is also due this year in parallel with the preparation of the Revenue Budget and we will be seeking the input of all political groups into this review as well. One important aspect of this Capital Plan Review will be to ensure adequate investment for Fife's roads which all political groups have identified as a priority.

2. Local Government Pay

Negotiations on local government pay are continuing at national level through the Convention of Scottish Local authorities (COSLA). Initial pay offers have been rejected by the local government trade unions. The trade unions have given an indication that they are prepared to move to industrial action.

At the meeting of COSLA Council Leaders on 27th May it was agreed to defer making a further pay offer until after the publication of the Scottish Government's Resource Spending Review on 31st May and to consider the terms of a revised offer at a special Leaders meeting on 17th June taking account of the implications of the Spending Review.

Leaders noted the current rate of inflation at over 9%, the enhanced pay offer of 4.2% made to rail workers and the likelihood of industrial action by Local Government Trade Unions in the absence of a significantly increased pay offer and agreed that Council workers deserve a significant pay increase and that this should be funded by the Scottish Government.

In the meantime it was agreed unanimously by Leaders to write to the First Minister and the Cabinet Secretary for Finance and the Economy demanding additional funding to allow an enhanced pay offer to be made to the trade unions and seeking a meeting with the Scottish Government, together with the local government trade unions, to discuss sustainable future funding for local government.

3. Bin Collections/Recycling Centres

There are significant pressures on the Council's waste collection services that have been building for several months and have resulted in missed bin collections and temporary closure of some recycling centres.

These pressures include a national shortage of spare parts for lorries and equipment, extended lead-in times for the purchase of new lorries, a national shortage of HGV drivers, differential pay rates, and staff absence rates partly due to the continuing effects of Covid.

Our aspiration is to return to a full pre-Covid level of service and to extend the opening hours and access to recycling centres, but a full recovery will take time. In the meantime, recognising that officers are already taking some measures to mitigate the impact of these pressures, I have asked officers to come forward with a short term emergency plan to maintain services over the next few months and to set out a long term recovery plan for these services, including implementation of the removal of charges for bulky uplifts, for consideration by the Cabinet Committee by September.

4. Ukrainian Refugees

The Council is fully committed to playing its part in supporting Ukrainian refugees seeking safety from the Russian invasion. COSLA has signed up to a partnership agreement with the Scottish Government to support the Scottish Super Sponsor scheme, although there are still many areas of uncertainty regarding the operation of this scheme and there are differential pressures on local authorities across Scotland.

In Fife there have been around 600 offers of accommodation. The Council has very recently received details of these offers and has commenced the necessary property and disclosure checks. We are seeking to accelerate these checks in order to meet the expected arrival of greater numbers of displaced people from Ukraine. The Council is also committed to providing the necessary support to these people to ensure they are able to access the services they need.

5. Social Care

Social Care has been under extreme pressure during the pandemic as have health services in general. Whilst there has been a necessary focus on delayed discharge and relieving pressure on hospitals, attention to those waiting in the community for care packages is equally important as I have been pointing out to Scottish Government Ministers, COSLA, IJB officers and others at every opportunity. The latest figures show 118 people waiting for assessments in the community and 383 having been assessed and awaiting care packages.

However the crisis in social care pre-dated the pandemic. Prompted by the Feeley Review that identified a shortfall of over £600m in funding for social care, the Scottish Government has finally woken up to this chronic underfunding and is

beginning to increase investment in social care services. Whilst underfunding is the underlying issue, this is compounded by poor pay levels, recruitment issues and a general failure of workforce planning at a national level.

There is a consensus across local government in Scotland that with adequate levels of funding, councils working together with health and social care partnerships, are quite capable of making the necessary improvements to social care and that the wholesale takeover and centralisation being proposed by the Scottish Government will be disruptive, wasteful and counter-productive.

Improvements to social care, including seeking improvements to the pay and conditions of care workers, must be a high priority for the Council and we will be engaging with other stakeholders to find ways of accelerating these improvements.

6. Early Priorities

Spokespeople are already engaging with senior management to look at immediate and outstanding issues for their services, and to set out a timescale for implementation of longer term commitments, but there are three specific areas where we will be initiating action over the summer recess.

Devolution of Powers to Area Committees

All political groups represented on the Council have expressed a commitment to further devolution of powers to Area Committees and it is our intention to invite input from all political groups and to engage in cross party discussions as to how this can best be implemented.

Review of Arms-Length Trusts

There is an outstanding commitment to review the operation and structure of the Council's arms-length Trusts. This is particularly important as they set out their plans for recovery from the pandemic and as the 3 year Service Level Agreements are due for renewal. This will build on the review work already carried out by officers and again it is our intention to engage in cross party discussions on the way forward.

Poverty and the Cost of Living Crisis

It is widely recognised that many families and individuals across Fife continue to be impacted by poverty or the threat of poverty, exacerbated by the current cost of living crisis. The Council is already making significant investment into tackling poverty and supporting people, but we want to go further.

The Council has committed over £11m for hardship funds and other welfare support measures for the current year and at its meeting in April, the Policy and Co-ordination agreed the distribution of an additional £5.37m one-off funding to support low income households and local business recovery from the Local Authority COVID Economic Recovery Fund (LACER).

Building on this investment and our existing delivery structures at Fife wide and Area level, we are proposing the following immediate actions to be progressed over the summer period:

- Initiate a benefits and hardship fund take-up campaign to ensure that those eligible for such support come forward to claim it.
- Start the planned expansion of holiday meals for children and families.
- Engage with advice agencies and foodbanks to look at further joint work to support people in need.
- Ensure the implementation of the measures agreed through the LACER fund including:
 - Rates hardship funding;
 - Additional funding for the Scottish Welfare Fund;
 - Tackling fuel poverty
 - Supporting breakfast/after school clubs and childcare assistance.
- Review welfare support and anti-poverty activities and bring forward a report to the Cabinet Committee in September identifying gaps in provision and recommended improvements in delivery.

Conclusion

The Labour Administration has its own views on how to progress the matters covered in this report but is open to discussion with all other political groups represented on the Council on these issues. I hope that Council will endorse the actions outlined in this report.

Cllr David Ross

**Leader of Fife Council
Fife House
Glenrothes KY7 5LT**

9th June, 2022

Agenda Item No. 8

Governance Arrangements - List of Committee Powers

Report by: Executive Director Finance and Corporate Services

Wards Affected: All

Purpose

To approve the List of Committee Powers following the changes made to Fife Council's governance arrangements at its meeting on 19th May, 2022.

Recommendation(s)

It is recommended that the Council:-

- (1) approves the List of Committee Powers (described as the Scheme of Administration in the Council decision of 19 May 2022) set out in Appendix 1;
- (2) delegates any consequential and non-substantive changes to the Head of Legal and Democratic Services, subject to any changes agreed by the Council;
- (3) notes that the existing List of Officer Powers, Financial Regulations and other key documents will be reviewed and brought before the Council in due course to be then incorporated in the overall Governance Scheme; and
- (4) notes the proposed committee schedule at appendix 2 setting out the frequency of meetings in a calendar format and agrees to delegates authority for changes to dates as required to the Executive Director Finance and Corporate Services.

Resource Implications

There are no direct resource implications.

Legal & Risk Implications

Certain committees require to be established in order to meet particular legislative requirements and this has been taken account of in the proposals.

Impact Assessment

A formal impact assessment is not required as there are no equalities issues which apply to committee procedures.

Consultation

The recommendations are based on the Council decision of 19th May 2022. The Leader of the Council has been consulted.

1.0 Background

- 1.1 The Council, at its meeting on 19th May 2022 agreed a new decision making structure based on a Cabinet model of governance and to bring forward a revised Scheme of Administration based on these proposals including remits for the required Committees to the next Council meeting. This has been prepared as a List of Committee Powers as set out in Appendix 1. The effectiveness of the revised Committee Powers will be reviewed no later than 1 year following adoption of the revised Scheme of Administration.
- 1.2 The revised List of Committee Powers constitutes several Committees in addition to those which the Council had already determined in its meeting on 19 May 2022. It also constitutes several sub-committees. The document sets out the remits for each committee and summarises the number of member appointments to each. There is a separate paper on the agenda for this meeting which deals with any nominations and appointments that are required following agreement of the List of Committee Powers.
- 1.3 The List of Committee Powers forms part of the Governance Framework, which will be fully reviewed to align with the new governance arrangements.

2.0 Conclusion

- 2.1 The Council is asked to approve the List of Committee Powers.

List of Appendices

1. Appendix 1- Proposed List of Committee Powers
2. Appendix 2 – Draft Committee Meetings Calendar (for noting)

Background Papers

No background papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973.

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Fife Council Governance Scheme Part 2: Committee Powers

**Fife House,
North Street,
GLENROTHES,
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Effective from 9 June 2022

Document version control

Document version control

Date	Author	Version	Status	Reason for Change
24 May 2022	LT	0.1		First version

Committee Powers

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1.0 INTRODUCTION

1.1 Fife Council operates a governance framework in several parts. This is part 2 of the framework – Committee Powers. It sets out:-

- the reserved functions of Fife Council;
- the terms of reference of the committees and sub-committees;
- their membership and how members are allocated to the committees and sub-committees; and
- some additional provisions about how the committee structure will operate in Fife Council.

1.2 This document is in accordance with the statutory powers reserved by Fife Council and those delegated to Committees under section 56 of the Local Government (Scotland) Act 1973 and any other applicable legislation. The List shall have the same meanings as defined in the Council's Standing Orders.

2.0 MEMBERSHIP OF COMMITTEES – Political Balance

2.1 The membership of Committees and Sub-Committees will be allocated as agreed by Council. If Council decide that membership will be allocated based on political balance, that calculation will be made as follows:-

Dividing the number of a party's seats by the overall number of seats on the Council (75) and multiplying the number of seats on the committee by the resultant fraction. In other words:

$$\frac{\text{Party's total seats on Council}}{75} \times \text{Total number of seats on committee}$$

2.2 Once the 'whole numbers' have been allocated to the parties, the remaining seats are allocated to the parties with the biggest fractional remainder.

2.3 In the event of a tie of seats parties will be invited to agree which party a seat will be allocated to. In the event of parties being unable to agree the matter will be determined by cutting the cards.

2.4 Political balance can be calculated for either the Council as a whole or for any sub-area of the Council to which the remit of the Committee or Sub-Committee relates.

2.5 In the event that there is a change to the political balance of the Council, the Chief Executive, in consultation with the leaders of the political groups, has powers to amend the political balance as required by any such change in accordance with the above method. In the event of a by-election being called, political balance will only be recalculated after that by-election has been held.

3.0 FIFE COUNCIL – Reserved powers

3.1 Functions

The following functions shall be exercised by the Council meeting in full session and are excluded from delegation to any committee or sub-committee:-

- 3.1.1 the election of the Provost, Depute Provost/s and Chairs of the Cabinet; Standards, Audit and Risk and Pensions Committees, and unless otherwise delegated, the Chairs of the Area Committees;
- 3.1.2 the appointment of any members holding portfolios for specific areas of Council business ("spokespeople");
- 3.1.3 the approval of the annual budget of (a) revenue expenditure, and (b) capital expenditure;
- 3.1.4 the annual fixing and levying of the council tax and annual fixing of housing rents;
- 3.1.5 the approval of the Plan for Fife;
- 3.1.6 the approval of the Local Development Plan Evidence Report, the Local Development Plan and the Local Development Plan Delivery Programme;
- 3.1.7 the determination of national planning applications or major applications significantly contrary to the Development Plan;
- 3.1.8 the making, substantive amendment or revocation of the List of Committee Powers and any List of Officer Powers;
- 3.1.9 the making, substantive amendment or revocation of Standing Orders (including Standing Orders for the making of contracts);
- 3.1.10 the making, substantive amendment or revocation of Financial Regulations;
- 3.1.11 the promotion of or opposition to private legislation;
- 3.1.12 the change of name of the authority;
- 3.1.13 the establishment of any joint committee or joint board to carry out any functions of the Council;
- 3.1.14 the appointment of members to (a) joint boards, (b) joint committees, (c) any body where the Council are obliged or entitled to make an appointment under statutory authority, and (d) the Convention of Scottish Local Authorities (including any committees thereof);
- 3.1.15 the consideration of reports by the Head of Paid Service or the Monitoring Officer in terms of sections 4 and 5 respectively of the Local Government and Housing Act 1989;
- 3.1.16 the granting of the freedom of Fife;

- 3.1.17 approval of the Scheme for Community Councils;
- 3.1.18 the consideration of any report which the Controller of Audit may make to the Accounts Commission with respect to the accounts of the Council in terms of section 102 of the Local Government (Scotland) Act 1973 and subsequent report on recommendations which the Accounts Commission may make to Scottish Ministers; and
- 3.1.19 any other matter which may not be delegated by the Council under legislation.

4.0 COMMITTEES – General Matters

4.1 Functions of Committees

- 4.1.1 Committees shall be responsible for the matters remitted to them under the terms of reference assigned to them in this List of Committee Powers. Fife Council shall, in addition to the specific functions remitted to it, remain responsible for scrutiny of the major plans affecting Fife and for all Council expenditure. The Council shall also be responsible for reviewing the overall performance of the Council's decision making and partnership arrangements.
- 4.1.2 The Council operates an Executive/Scrutiny model of governance. The function of the Cabinet Committee (Executive) is to set the strategic and policy direction of the Council and take all major policy and resource decisions on its behalf. The function of the Scrutiny Committees is to review Cabinet Committee decisions called in under the approved procedure, to carry out in-depth scrutiny of areas of policy and performance in their particular remit, considering matters referred for Scrutiny and reviewing service performance monitoring reports.
- 4.1.3 Area Committees are a key element of the Council's model of governance and have the responsibility of assessing and reviewing local needs and the impact of Council policy and service delivery on local communities. In supporting decentralisation Area Committees will have the responsibility for the development, delivery and monitoring of Local Area Plans. Through this, Area Committees will play a key role in both shaping and monitoring delivery of the Plan for Fife.
- 4.1.4 All Committees shall also be responsible for financial monitoring and planning for both revenue and capital expenditure in respect of matters falling within their remit. Only Fife Council and the Cabinet Committee can take decisions to allocate additional resources. All other committees and sub-committee can only allocate resources where that power is specifically delegated to them
- 4.1.5 Committees have delegated for all of the matters in their remit noting that Committees have the right to remit matters to the full Council for determination, . Sub-committees may be authorised to act on behalf of the Council or any committee if given appropriate powers in specific instances by the Council or the relevant committee.
- 4.1.6 In acting in relation to matters remitted to them, all committees shall seek to secure Best Value and continuous improvement and shall maintain an appropriate balance among (a) the quality of the performance of their functions; (b) the cost to the authority of that performance; and (c) the cost to persons of any service provided wholly or partly on a rechargeable basis. In striking that balance, the committee shall have regard to lawfulness, efficiency, effectiveness, economy and the need to meet equal opportunity requirements. Committees shall perform their functions in a way which contributes to the achievement of sustainable development.
- 4.1.7 Committees shall keep up-to-date with changes to relevant legislation, regulations and national guidance;

- 4.1.8 Decisions of committees which would require the Council to incur expenditure shall only be taken within the authority of committees to incur expenditure as provided for in Financial Regulations made under section 95 of the Local Government (Scotland) Act 1973 and from within agreed budget or from additional allocations received in year. Committees may not incur expenditure which cannot be met from such amounts as may be allocated to them
- 4.1.9 Where there is doubt as to which committee or sub-committee should consider any matter, the Proper Officer, in consultation with the appropriate Executive Director, shall consider and refer the matter to the appropriate committee or sub-committee having regard to this Committee Powers document.
- 4.1.10 In order that members can identify which items in the minutes are subject to the approval of the Council or another committee, as the case may be, minuted decisions will be marked as follows:-
- C = subject to approval of the Council
CC = subject to approval of the Cabinet Committee
A = subject to approval of the appropriate Area Committee.

4.2 **Membership of Committees**

- 4.2.1 Appendix 1 sets out the membership and allocation of seats for Committees.

Appendix 2 sets out membership and remits of sub-committees.

- 4.2.2 Members are entitled to serve on committees as the Council directs.

- 4.2.3 Members are entitled to a seat on the Area Committee covering the area which they have been elected to represent. The allocation of seats on other Committees and Sub-committees is as set out in Committee Powers.

- 4.2.4 Political Groups shall be entitled (but not obliged) to nominate one substitute for each member of that Group who is a member of the Cabinet Committee Scrutiny Committees and Standards, Audit and Risk Committee, for a single meeting of the Committee, by advising the proper officer no later than noon on the working day before the relevant meeting. Members may not, however, act as a substitute for any other member of a committee without first having obtained Council authority. Members are entitled to change committees within the group allocations having first notified the Proper Officer at least 48 hours in advance of the next meeting.

- 4.2.5 The Council will determine how Conveners and Depute Conveners of Committees will be appointed, unless otherwise provided for in Committee Powers. The conveners of the Scrutiny and Standards, Audit and Risk Committees should not be a member of the Administration. Where Council has appointed a Convener a Committee will be entitled to appoint a Depute Convener unless Council directs otherwise. Sub-committees have responsibility for the appointment of Chairs and Depute Chairs. Chairs and Depute Chairs of committees shall hold office as the Council directs and Chairs and Depute Chairs of sub-committees shall hold office as the Committee directs.

- 4.2.6 The Council Leader and the appropriate strategic Spokespersons shall be entitled to attend Area Committees in a non-voting capacity, but with the right to speak in relation to items within their portfolio where they are not otherwise a member of the Committee.

4.3 **Co-option of Members to Committees**

- 4.3.1 All Committees may recommend to the Council the co-option of such other persons to the committee who are not members of the Council where it is considered that such co-option would be beneficial to the work of the committee.
- 4.3.2 Co-opted members shall be non-voting unless otherwise specifically provided for in this Scheme.
- 4.3.3 Prior to accepting membership of a committee, co-opted members shall be bound by the Councillors' Code of Conduct.

5.0 COMMITTEES TERMS OF REFERENCE

5.1 Cabinet Committee

Terms of Reference

To discharge all of the Council's functions except those reserved to the Council and those matters specifically delegated to other committees or sub-committees, including the following matters:-

- 5.1.1 exercising strategic leadership of the Council;
- 5.1.2 promoting A Fairer Fife;
- 5.1.3 developing and approving new policies consistent with the overall strategic approach of the Council and in particular, approving, setting targets and monitoring all decisions in relation to the Council's strategic priorities and where policies or decisions extend beyond the boundary of a single Area;
- 5.1.4 reviewing and approving the main activities to achieve key outcomes and improvement priorities under the Plan for Fife (Local Outcome Improvement Plan) and the Council's policy and improvement priorities;
- 5.1.5 monitoring and control of the Council's overall capital and revenue expenditure (including major capital projects), taking responsibility for all executive decisions within the budget and policy framework approved by the Council and considering all proposals or business cases which have increased financial consequences beyond the currently approved budget;
- 5.1.6 facilitating and encouraging public participation and consultation and ensuring the effective communication of Council policies and strategies;
- 5.1.7 developing community planning by working in partnership with relevant external organisations;
- 5.1.8 recommending to the Council the budget strategy and strategic policy framework for consultation;
- 5.1.9 maintaining oversight of the implementation of agreed City Deal Plans for Tay Cities and Edinburgh and South East Scotland;
- 5.1.10 taking decisions which relate to the Council's role in membership of, or partnership with, external organisations beyond a single Area and making nominations as appropriate;
- 5.1.11 approving responses to consultation papers issued by the Scottish or UK Government and outside organisations insofar as these have not been (a) included in the remit of other Committees; or (b) delegated to officers;
- 5.1.12 ensuring political accountability for the Council's performance;
- 5.1.13 monitoring the Council's scheme to promote equality and diversity;

- 5.1.14 Providing guidance and direction to Committees to ensure overall control of the Council's finances within approved budgetary limits and financial regulations and also in regard to scrutiny and performance management of functions within their remit;
- 5.1.15 Overseeing the management and use of all Council (including common good) assets and resources, and the development and implementation of the plans therefor including:-
- finance;
 - physical assets (including land, buildings and other property) including a Corporate Asset Management Plan;
 - human resources (including the development and training strategy for elected members and employees);
 - information (including information technology); and
 - intellectual property.
- 5.1.16 monitoring and reviewing the Council's approach to health and safety of Council employees and the obligations of the Council under Health and Safety legislation;
- 5.1.17 considering any recommendations or report of any Investigating Committee appointed to investigate any matter in terms of the Scottish Joint Negotiating Committee for Local Authorities Services Disciplinary Procedure for Chief Executives;
- 5.1.18 oversight of all functions concerning valuation and electoral registration;
- 5.1.19 Maintaining a strategic overview of civic affairs, twinning links and partnerships leading to civic, sporting, economic and cultural exchanges;
- 5.1.20 with the exception of the Area Settlement Trusts and any other trusts with an impact on only one Area, all matters relating to the Council's role as Trustees under section 16 of the Local Government etc. (Scotland) Act 1994;
- 5.1.21 maintaining oversight of workforce matters insofar as not delegated to the Head of Paid Service, including all matters relating to the Fife Pension Fund as regards the Council's role as employer including, for the avoidance of doubt, setting policies on early retirements;
- 5.1.22 taking strategic decisions relating to the resourcing of, and co-ordination with, the Integrated Joint Board on health and social care matters;
- 5.1.23 carrying out all matters relating to the Council's responsibilities as the statutory housing authority for Fife; and
- 5.1.24 taking responsibility for scrutiny of matters of corporate policy including review of the Council's overall corporate and resource plans.

5.2 **Cabinet Committee Powers**

The Cabinet Committee shall have the following powers:

- 5.2.1 to request or commission research or other studies on matters of policy or service provision;
- 5.2.2 to establish working groups; and
- 5.2.3 to refer matters to other committees, including Scrutiny and Area Committees, for their consideration.

6.0 Scrutiny Committees

Terms of Reference

The Council will appoint four Scrutiny Committees with the following titles:-

- (a) Education;
- (b) People and Communities (including social care, children's services and housing);
- (c) Finance, Economy and Corporate Services (including HR and Planning); and
- (d) Environment, Transportation and Climate Change.

6.1. The Scrutiny Committees will undertake the following functions in relation to their respective remits:-

- 6.1.1 monitoring the performance of services and funded third party organisations against service delivery and financial targets;
- 6.1.2 considering decisions of the Cabinet Committee which have been called in under Standing Order 12;
- 6.1.3 considering matters remitted to them by the Cabinet Committee or other committees and;
- 6.1.4 scrutinising and investigating any particular matter as determined by the Committee or as referred to it in terms of these Committee Powers and which the committee considers requires further examination.

6.2 Scrutiny Committee Powers

The Scrutiny Committees will have the following powers:-

- 6.2.1 to invite individuals and / or representatives of organisations with expertise or interest in aspects of their remit to attend and / or contribute to meetings, either as regular participants or for a specific issue. Such individuals will not have voting powers;
 - 6.2.2 to request the attendance of a Spokesperson with relevant responsibility and / or relevant Executive Director / Head of Service to respond to relevant questions and / or to submit a report or written evidence on any relevant matter;
 - 6.2.3 to request other members of the Council and outside organisations to attend meetings and / or give evidence and advice; and
 - 6.2.4 to submit comments and recommendations to the Cabinet Committee and the Council.
- 6.3 Scrutiny Committees will submit a report on their activities to the Council periodically.

7.0 Area Committees

There shall be Area Committees for each of the following Areas of Fife:-

- **Cowdenbeath** (Electoral Wards 7 and 8 inclusive)
- **Dunfermline** (Electoral Wards 2, 3 and 4 inclusive)
- **Glenrothes** (Electoral Wards 13, 14 and 15 inclusive)
- **Kirkcaldy** (Electoral Wards 9 - 12 inclusive)
- **Levenmouth** (Electoral Wards 21 and 22 inclusive)
- **North East Fife** (Electoral Wards 16 – 20 inclusive)
- **South and West Fife** (Electoral Wards 1, 5 and 6 inclusive).

7.1 **Terms of Reference**

The terms of reference and functions of Area Committees are to deal with the following matters as they relate to the provision of Council services in their Committee's area:-

- 7.1.1 leadership and promotion of joint working with community plan partners and other statutory and voluntary or not for profit bodies to support the wellbeing of their communities, through the implementation of Local Community and Area Management Plans;
- 7.1.2 overseeing the delivery and effectiveness of local community planning and partnership arrangements; determining the relevant geographical basis for local community planning;
- 7.1.3 contributing to the development of, and monitoring the local delivery of the Plan for Fife;
- 7.1.4 development of an Area Engagement Plan;
- 7.1.5 determining asset transfer requests under the Community Empowerment Act 2015;
- 7.1.6 receiving an annual report of progress against the local community plan as a basis for continuing dialogue with communities, partners and services on challenges and priorities;
- 7.1.7 providing local input as required prior to Council decisions including:-
 - considering the potential impact of strategic policy proposals and making recommendations to the relevant other Committee; and
 - working with communities to establish priorities and scrutinising the effectiveness of local delivery.
- 7.1.8 taking decisions on matters within their local area insofar as these have been remitted by Council or other Committees including:-
 - the allocation of budgets and the approval of revenue and capital expenditure insofar as these have been delegated to the Committee or Area;
 - considering all matters relating to expenditure from common good funds insofar as not delegated to officers;

- to consider an annual report on the management of the common good;
- to provide a view to the Cabinet Committee on proposed changes of use and disposal of common good assets within the boundary of the Area Committee and not covered by other policy;
- consider periodic reports on disposals where the Disposal of Land by Local Authorities (Scotland) Regulations 2010 and/or the Council's Subsidised Leases Policy have been applied;
- produce area asset registers and plans and work within agreed budgets;
- establish and maintain partnership arrangements to support local community planning within an area. Furthermore, to establish, agree and implement locality plans to comply with the Community Empowerment Act 2015;
- the approval of grants to local organisations;
- assessing and awarding discretionary rates relief to businesses in the Area;
- acting as Trustees in relation to the Council's Area Settlement Trusts and all other trusts which do not have an impact beyond one Area;
- appointment of members to local organisations;
- overview of master plans, site briefs, development briefs and urban design frameworks;
- traffic orders where the impact of the proposal would not extend beyond a single Area;
- local housing issues specific to an Area roads construction consents;
- tree related matters and tree preservation orders;
- conservation area and conservation management scheme arrangements and reports;
- good neighbour agreements;
- building standards and safety (insofar as not delegated to officers) including the reporting of dangerous buildings which have potential expenditure implications for the Council; and
- rights of way, diversion orders and all other matters dealt with in the relevant planning legislation not remitted to the Planning Committees.

7.2 **Area Committee Powers**

The Area Committees will have the following powers:-

- 7.2.1 to invite individuals and / or representatives of organisations with expertise or interest in aspects of their remit to attend and / or contribute to meetings, either as regular participants or for a specific issue. Such individuals will not have voting powers;
- 7.2.2 to invite the Spokesperson with relevant responsibility and / or relevant Executive Director / Head of Service to attend meetings and respond to relevant questions and / or to submit a report or written evidence on any relevant matter;
- 7.2.3 to request other members of the Council, officials, other persons and outside organisations to attend meetings and / or give evidence and advice; and
- 7.2.4 to submit comments and recommendations to the Cabinet and relevant Scrutiny Committees and to the Council.

8.0 Standards, Audit and Risk Committee

Terms of Reference

The purpose of the Standards, Audit and Risk Committee is to support the Council in its responsibilities for risk management, governance, and control. It will seek assurance that an effective system of internal control is maintained. The Committee also has role in the application of Standards matters across the Council, and the Council's performance in complaints and freedom of information.

8.1 The main objectives of the committee are to provide:

- 8.1.1 independent assurance on the adequacy of the risk management framework and associated control environment within Fife Council.
- 8.1.2 independent scrutiny of the authority's financial and non-financial performance to the extent that it affects Fife Council's exposure to risk and weakens the control environment;
- 8.1.3 assurance that any issues arising from the process of drawing up, auditing, and certifying the Annual Accounts are properly dealt with and
- 8.1.4 promoting high standards of conduct by councillors and co-opted members

8.2 Responsibilities of the Standards, Audit and Risk Committee

Internal Audit

- 8.2.1 To review and approve the Internal Audit Strategy and Annual Audit Plan ensuring that the process has due regard to risk and coverage;
- 8.2.2 to monitor progress towards delivering the Annual Audit Plan, review audit reports submitted by the Service Manager - Audit & Risk Management and monitor management action taken in response to audit recommendations;
- 8.2.3 to consider the Service Manager - Audit & Risk Management's Annual Report, including opinion on the Council's framework of governance, risk management and control;
- 8.2.4 to review the operational effectiveness of Internal Audit by considering its standards, resources, staffing, technical competency, performance measures and output from the External Quality Assessment;
- 8.2.5 to ensure there is direct contact between the Committee and Internal Audit;
- 8.2.6 to take account of the implications of publications detailing best practice for audit, risk management, governance and control, and assess their relevance to Fife Council;
- 8.2.7 to take account of recommendations contained in the relevant reports / minutes of external scrutiny agencies; and
- 8.2.8 to review the effectiveness of the Council's anti-fraud and corruption arrangements, including relevant local and national reports.

8.3 **Risk Management**

- 8.3.1 to approve the Council's Risk Management Policy and Strategy and any subsequent significant amendments;
- 8.3.2 to approve the Council's Strategic Risk Register; and
- 8.3.3 to receive and consider relevant update reports on the Council's risk management arrangements.

8.4 **External Audit**

- 8.4.1 to review the External Audit Strategy and Plan;
- 8.4.2 to consider all statutory audit material, including:-
 - Relevant national reports (including Local Government in Scotland Overview Reports);
 - Annual Reports; and
 - Management Letters.
- 8.4.3 to monitor management action taken in response to External Audit recommendations;
- 8.4.4 to review the extent of co-operation between External and Internal Audit; and
- 8.4.5 to note the appointment and remuneration of External Auditors.

8.5 **Annual Accounts**

- 8.5.1 To approve the Council's Annual Governance Statement;
- 8.5.2 To review significant changes in accounting policy; and
- 8.5.3 To review and recommend approval to the Council of the Annual Audited Accounts.

8.6 **Standards**

- 8.6.1 To consider all matters concerning the establishment, maintenance and public availability of a register of interests that have been declared by members or employees of the authority including guidance on the same;
- 8.6.2 To approve any protocol to guide members and officers in their relations with one another;
- 8.6.3 To receive any report or recommendation made by Scottish Ministers or the Standards Commission for Scotland but excluding any report made by the Standards Commission in respect of a member of Fife Council, which reports shall be referred to the full Council in terms of the relevant legislation;
- 8.6.4 To approve the Council's customer care and complaints policies;
- 8.6.5 To approve the Council's Code of Conduct for employees;
- 8.6.6 To receive the annual report of the Scottish Public Services Ombudsman and any report by the Scottish Public Services Ombudsman of mal-administration against the Council; and
- 8.6.7 To receive the annual report of the Scottish Information Commissioner on the Freedom of Information (Scotland) Act 2002.

8.7 **Powers**

The Committee will have the power

- 8.7.1 to have the ability to hold meetings with the Service Manager - Audit & Risk Management and External Auditors at least once per year without the presence of the Executive Directors and
- 8.7.2 to invite such persons with particular expertise in areas being considered by the Committee to address the Committee or to take part in meetings.
- 8.7.3 In addition the Committee will review its own performance, effectiveness, and terms of reference on an annual basis and to report on the roles and responsibilities of the Committee and actions taken to discharge those, including submitting an Annual Report of the work of the Committee shall be submitted to the Full Council.

8.9 **Scrutiny**

The Committee shall also scrutinise and investigate any particular matter referred to the committee by the Chief Executive, Executive Directors, Heads of Service or the Service Manager - Audit & Risk Management relating to standards, audit or risk management matters and which the Committee considers requires further examination. Any Committee referring a matter to the Standards, Audit and Risk Committee shall set out the precise scope of the matter to be considered. The Committee shall also have the option of referring matters not within its remit to the relevant Scrutiny Committee.

9.0 **Planning Committees**

9.1 **Planning Committees (West and Central and North East Fife)**

There shall be two Planning Committees. One for the North East, and another for West and Central Fife. Their boundaries shall be those of North East Fife Area; and Levenmouth, Kirkcaldy, Glenrothes, Cowdenbeath, Dunfermline and South and West Fife Areas respectively.

9.1.1 The terms of reference and functions of the Planning Committees are to deal, in respect of their geographical extent, with the following matters:-

- considering all planning applications (including the holding of pre-determination hearings for applicants) which are to be determined by the full Council
- determining all planning and other development applications which can be determined by a Committee
- planning enforcement matters, reports and the serving of notices insofar as not delegated.

9.1.2 Where any application has an impact beyond the geographical boundary of a single Planning Committee or if there is any other compelling reason, the Proper Officer shall determine (in consultation with the Executive Director (Enterprise and Environment) and the relevant Convener(s)), which Committee should determine the application. Normally, this will be the Committee within which all or the majority of an application site is located. Provision shall be made, as necessary, for the views of other Committees to be sought.

9.2 **Planning Committee membership and convener**

The North East Planning Committee will consist of all members of North East Fife Area and the Convener of North East Fife Area Committee shall be the Convener of North East Planning Committee.

9.2.1 The West and Central Planning Committee will comprise 16 members, based on political balance. The Conveners of the Area Committees covered by West and Central Planning Committee shall, if possible, be members of the Planning Committee for their Area. One of the Area Conveners shall normally, subject to the provisions of Standing Order 5.1, be the Convener of the West and Central Planning Committee.

9.3 **Fife Planning Review Body**

Terms of Reference

Where an applicant requires it:-

9.3.1 to review any decision by a person appointed to consider applications relating to local developments where the person has:-

- been refused an application for planning permission or for consent, agreement or approval;

- been granted it subject to conditions; or
- failed to determine it within the prescribed period and

9.3.2 to uphold, reverse or vary any determination by virtue of the preceding paragraph.

9.4 **Community Empowerment Act Review Committee**

Terms of Reference

To review, in line with the provisions of the Community Empowerment Act 2015, refusals of asset transfer requests by the Area Committee which made the initial decision.

10.0 **Regulation and Licensing Committee**

Terms of Reference

The terms of reference and functions of the Regulation and Licensing Committee are to deal with the following matters (unless otherwise delegated to officers):-

10.1 the Council's functions as statutory licensing authority under the Civic Government (Scotland) Act 1982 including:-

- the grant, refusal, suspension or revocation of licences;
- the holding of statutory hearings and appeals; and
- the development, maintenance and review of policy.

10.2 other matters under the Civic Government (Scotland) Act 1982, including:-

- the consideration of notification of street parades and processions but only in those cases where a written objection has been submitted to the Council; and
- the making of orders imposing conditions on the holding of such processions under the Civic Government (Scotland) Act 1982.

10.3 the Council's functions as statutory licensing authority under the Housing (Scotland) Act 2006 including:-

- the grant, suspension or revocation of licences; and
- the holding of statutory hearings and appeals

11.0 **Rates Appeal Committee**

Terms of Reference

To consider, and determine, (a) appeals from ratepayers against rates claimed from them on the ground that the ratepayers are being improperly charged in terms of section 238 of the Local Government (Scotland) Act 1947; and (b) appeals from businesses in business improvement districts under the Planning etc. (Scotland) Act 2006 (Business Improvement Districts Levy) Order 2007; in accordance with

such rules relating to the lodging and hearing of appeals as the Committee may from time to time determine.

12.0 **Pensions Committee**

Terms of Reference

12.1 The remit of the Pensions Committee shall be:-

12.1.1 to determine the overall policy objectives of the pension fund in accordance with the best interests of fund members and employers within all applicable legislation.

12.1.2 to determine the strategy for the investment of pension fund assets, including the variety and suitability of investments taking cognisance of proper advice and to review and monitor investment arrangements and performance.

12.1.3 to consider and determine (except insofar as delegated to the Executive Director (Finance and Corporate Services) or any other officer) all matters relating to the Council's functions in regard to pensions administered by the Council including:-

- the implications, including financial implications arising from any legal matter relating to the Council's responsibilities for pensions or resulting from any government policy initiative;
- any matter relating to the Council as administering authority for the Pension Fund under the LGPS Regulations;
- actuarial valuation reports and any matter arising therefrom;
- consideration of any government proposals or consultation papers relating to pension issues and responses on behalf of the Council as Administering Authority;
- best value/service efficiency reviews in regard to areas within its remit; and
- review of contribution rates and admission of new employees to the Fife Council Superannuation Scheme.

12.1.4 establish and maintain arrangements for the effective management and administration of the pension fund

12.1.5 to appoint members to the Pension Board

12.2 **Audit and Risk Management function**

12.3 The Pensions Committee will

Audit activity

12.3.1 review and approve the Audit Plan ensuring that the process has due regard to risk and coverage;

- 12.3.2 monitor progress towards delivering the Audit Plan, review audit reports submitted by the Service Manager - Audit & Risk Management and monitor management action taken in response to audit recommendations;
- 12.3.3 consider the Service Manager - Audit & Risk Management's Annual Report and opinion;
- 12.3.4 ensure there is direct contact between the Committee and Internal Audit, and the opportunity for discussions to take place (including planning discussions) with the Service Manager - Audit & Risk Management (as required) without the presence of Executive Officers;
- 12.3.5 take account of the implications of publications detailing best practice for audit, risk management, governance and control, and assess their relevance to the Pension Fund; and
- 12.3.6 review the effectiveness of anti-fraud and corruption arrangements, including relevant local and national reports.

Risk Management activity

- 12.3.7 approve the Pension Fund's Risk Management Policy and Strategy;
- 12.3.8 approve the Pension Fund's Risk Register; and
- 12.3.9 to receive and consider relevant update reports on the Pension Fund's risk management arrangements.

External Audit activity

- 12.3.10 review the External Audit Strategy and Plan and note the appointment and remuneration of External Auditors;
- 12.3.11 consider all statutory audit material, including:
- Relevant national reports;
 - Annual Reports; and
 - Management Letters.
- 12.3.12 monitor management action taken in response to External Audit recommendations;
- 12.3.13 hold meetings with the External Auditors at least once per year without the presence of the Executive Directors and review the extent of co-operation between External and Internal Audit

Annual Accounts activity

- i. approve the Pension Fund's Annual Governance Statement;
- ii. consider the Pension Fund's draft Annual Accounts for submission to External Audit;
- iii. review significant changes in accounting policy; and
- iv. To review and recommend approval of the Annual Audited Accounts.

13.0 **COMMENCEMENT AND REVIEW**

- 13.1 The Committee Powers will come into force on 9 June 2022.

13.2 The Committee Powers will be kept under review at least once during every Council term and proposed amendments submitted for consideration by the Council, as appropriate.

APPENDIX 1

General provisions – Committee membership

1. When the Cabinet Committee or Education Scrutiny Committee meet to discharge education functions, its voting membership also comprises three persons representing churches and other religions appointed under section 124 of the Local Government (Scotland) Act 1973.
2. To ensure good governance where a member of the Cabinet is also a member of a scrutiny committee (including a religious representative), that member will not be able to vote at a scrutiny committee on any matter which the scrutiny committee has called in from the Cabinet Committee.
3. The Fife Planning Review Body shall consist of 10 members, based on political balance calculated as above, all of whom will normally also be members of a Planning Committee, or have previous experience of Planning Committee decisions. The Review Body will be chaired by a single Convener or, in the Convener's absence, by a Depute Convener. Normally, a meeting of the Review Body will consist of 5 members. The quorum shall be 3.
4. Normally, a meeting of the Community Empowerment Act Review Committee will consist of 5 members. The quorum shall be 3. The Committee will comprise the same membership as the Fife Planning Review Body. Where the Committee is considering a review it will not include any members from the Area Committee that made the initial decision
5. The Pensions Committee shall invite two representatives nominated by the JNCF (representing the interests of employees) and two representatives nominated by scheduled and admitted bodies (representing the interests of employers) to act as observers, in a non-voting capacity.

Allocation of Committee Seats on basis of political balance

	Labour	S.N.P.	Lib Dem	Cons	Total
Cabinet (made up of 6 Spokespersons and 15 ordinary members) + Council Leader	6	9	4	2	21+ Council Leader
Education Scrutiny	4	7	3	2	16
People and Communities Scrutiny	4	7	3	2	16
Finance, Economy & Corporate Services Scrutiny	4	7	3	2	16
Environment, Transportation and Climate Change Scrutiny	4	7	3	2	16
Standards, Audit & Risk	3	4	2	1	10

Regulation & Licensing	4	7	3	2	16
<u>Planning West and Central</u>	5	8	1	2	16
<u>Fife Planning Review Body</u>	3	4	2	1	10
<u>Rates Appeal Committee</u>	2	3	1	1	7
<u>Pensions Committee</u>	2	4	2	1	9

Allocation of Area Committee seats

Area Committee membership

The Committee will comprise all members for the relevant Area.

	Labour	SNP	Lib Dem	Cons	TOTAL
City of Dunfermline	3	5	2	1	11
Cowdenbeath	3	4	0	1	8
Glenrothes	3	6	0	1	10
Kirkcaldy	5	5	0	2	12
Levenmouth	3	4	1	0	8
North East Fife	0	5	13	1	16
South West Fife	3	5	0	2	10
TOTAL	20	34	13	8	75

APPENDIX 2

MEMBERSHIP AND REMITS OF SUB-COMMITTEES

CABINET COMMITTEE SUB-COMMITTEES

(i) Appeals Sub-Committee (6 members)

Terms of Reference

(The sub-committee shall be drawn from a panel comprising twenty-four elected members.)

- except as otherwise provided for in this Committee Powers document, to consider and determine, with powers, appeals submitted by any employee who is entitled to appeal to the Council under any statutory provision contract of employment, condition of service or any Council policy or procedure on employment; and
- to act as the Disputes Sub-Committee of the Council in determining, with powers, the Council's position on any matter which is the subject of a formal dispute (except insofar as a decision has already been taken by the Council).

(ii) Appointments Sub-Committee (9 members in the case of the Chief Executive, 8 members in the case of first tier posts and 4 members in the case of second tier posts)

(The sub-committee shall be drawn from a panel comprising twenty-four elected members.)

The appropriate Spokesperson shall be given the option of a place on the Appointments Sub-Committee whether or not they are a member of the Panel.

Terms of Reference

- with powers, to consider arrangements, undertake shortlisting, interview and appoint candidates for first and second tier posts including the post of Head of Paid Service.

(iv) Investigating Committee (4 members)

Terms of Reference

- to investigate and make recommendations on any matter requiring investigation in terms of the Scottish Joint Negotiating Committee for Local Authorities Services Disciplinary Procedure for Chief Executives.

(v) Emergency Sub-Committee (3 members comprising the Provost, Leader of the Council and Leader of the Opposition or designated Deputies or nominees)

Terms of Reference

to consider with powers:-

- such action as may be necessary with respect to any emergency or disaster (involving actual or apprehended destruction of or danger to life or property) or to any matter of special urgency.

(vi) **Education Appeal Committee (5 members)**

The membership of the Education Appeal Committee comprises three members of Council, one parent member and one person with an educational background.

(The committee shall be appointed from a panel comprising seventeen members of the Council plus three religious representatives, up to a maximum of five parents of school age children and up to a maximum of five persons with experience of education and who are acquainted with the educational conditions in the area.)

Terms of Reference

- to consider, with powers, appeals of decisions relating to:-
- the refusal of placing requests; and
- exclusion of pupils from schools.

(vii) **Education Appointment Committees**

Note - The Council members of the Education Appointment Committees will be drawn from a panel comprising seventeen members of the Council (plus three religious interest representatives).

The Appointment Committee for posts of Headteachers will comprise six members (two elected members (one of whom will chair the meeting), two nominees of the Executive Director (Education & Children's Services) and two nominees of the parent council of the school); and

The Appointment Committee for posts of Depute Headteacher will comprise officers and nominees of the parent council.

Terms of Reference

- to interview for posts of Headteacher and Depute Headteacher and to make recommendations to the Executive Director (Education & Children's Services) for appointment in terms of the Parental Involvement Act 2006;

Common Good and Trusts Investment Sub-Committee

(9 members, the membership to be the same as that of the Pensions Committee)

Terms of Reference

The remit of the Common Good and Trusts Investment Sub-Committee shall be:-

- to arrange for the supervision of the management and administration of the investments of the common good fund and all trust funds and to make decisions in regard to the appointment of fund managers in that regard.

Sub-Committee	Labour	SNP	Lib Dem	Con		TOTAL
Appeals (Panel)	6	11	4	3		24
Appointments (Panel)	6	11	4	3		24
Investigating	1	2	1	0		4
Emergency	2	1				3
Education Appointment Panel	4	8	3	2		17
Education Appointment Panel	4	8	3	2		17
Common Good	2	4	2	1		9

City of Dunfermline and South and West Fife Area Committees

West Fife Area Common Good Sub-Committee

Membership

6 members comprising 3 members of the South and West Fife Area Committee and 3 members of the City of Dunfermline Area Committee, based on political balance as calculated above.

Terms of Reference

- to consider the disbursement of monies from the common good fund.

West Area Common Good Sub

Should the membership be nominated on the basis of political balance, there would be the following allocation to each group:

Sub-Committee	Labour	SNP	Lib Dem	Con		TOTAL
City of Dunfermline	1	1	1	0		3
South and West Fife Area	1	1	0	1		3
TOTAL						6

Partnership and Statutory Bodies

Fife Partnership

Fife Council has a statutory duty to lead community planning for the Fife area. This is carried out by the Fife Partnership. The Council's representatives on the Partnership comprise the Leader of the Council and the Leader of the Opposition.

Integrated Joint Board

The Council appoints eight members to the Board, on the basis of political balance.

LICENSING BOARD

In terms of the Licensing (Scotland) Act 2005, the Council has appointed a Licensing Board for Fife. The main function of the Board is to regulate premises selling alcohol to the public. The Board also regulates certain gambling functions.

The membership of the Licensing Board comprises ten members reflecting the political balance of the Council.

<u>Fife Licensing Board</u>	3 Labour	4 SNP	2 Liberal Democrat	1 Conservative	10 Total
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PENSIONS BOARD

The Council has appointed a Pensions Board under the Pensions Act 2013. Its membership consists of four trade union representatives, and four employer representatives, the latter comprising two elected members (one each from the Administration and Opposition) and one each from the scheduled and admitted bodies.

The Pension Board is the body responsible for assisting the Scheme Manager in relation to compliance with scheme regulations and the requirements of the Pensions Regulator.

The Pension Board will determine the areas they wish to consider including, amongst others:

- reports produced for the Pensions Committee
- seek reports from the scheme managers on any aspect of the fund
- monitor investments and the investment principles/strategy/guidance
- the fund annual report
- external voting and engagement provisions
- fund performance and administration
- actuarial reports and valuations
- funding strategy
- any other matter that the Pensions Board deem appropriate

FIFE EDUCATIONAL TRUST SCHEME 1958 - EAST AND WEST FIFE COMMITTEES

The Council has constituted East and West Fife Committees as required by the Fife Educational Trust Scheme 1958. Appointees include eight elected members on East

Committee and nine elected members on the West Committee, allocated by Areas as specified in the Trust Scheme.

<p>Fife Educational Trust Scheme 1958 – East Fife Committee</p> <p>2 SNP, 0 LAB, 5 LIB DEM, 1 CONS</p>	<p>8 Members from East Area – to be determined on the basis of political balance (and a suitable geographical spread) within the North East Area</p>
<p>Fife Educational Trust Scheme 1958 – West Fife Committee</p> <p>4 SNP, 3 LAB, 1 LIB DEM, 1 CONS</p>	<p>9 Members from West Area - to be determined on the basis of political balance (and a suitable geographical spread) within the six Council Areas other than North East Fife.</p>

APRIL		MAY		JUNE	
Mon		2			
Tue		3			
Wed		4		1	
Thu		5	LOCAL GOVERNMENT ELECTIONS	2	
Fri	1	6		3	
Mon	4	9		6	
Tue	5	10		7	
Wed	6 1330 Planning - North East	11		8	
Thu	7	12		9 1000 FIFE COUNCIL	
Fri	8	13		10	
Mon	11 1000 Licensing Board	16		13	
Tue	12 0930 Regulation & Licensing	17		14 0930 Regulation and Licensing	
Wed	13 1400 Planning - West & Central	18		15 1000 People & Communities Scrutiny 1400 Finance, Economy & Corporate Services Scrutiny	
Thu	14 1000 Policy & Co-ordination	19 1000 FIFE COUNCIL (STATUTORY)		16	
Fri	15	20		17	
Mon	18	23		20	
Tue	19	24		21 1000 Education Scrutiny 1400 Environment, Transportation & Climate Change Scrutiny	
Wed	20	25		22 1330 Planning - North East	
Thu	21	26 0930 Glenrothes Area 1100 Levenmouth Area		23	
Fri	22 1000 Health & Social Care IJB	27 1400 South & West Fife Area		24	
Mon	25	30		27 1000 Licensing Board	
Tue	26	31 0930 City of Dunfermline Area 0930 Cowdenbeath Area 1100 North East Fife Area 1400 Kirkcaldy Area		28	
Wed	27			29 1400 Planning - West & Central	
Thu	28			30 1000 Standards, Audit & Risk (Accounts) 1400 Pensions (Accounts)	
Fri	29				

Notes

1.  School holidays/in-service
2. Meetings of Planning Review Body are normally in the afternoon but site visits are held in the morning prior to the meeting. Times of visits will be variable

	JULY	AUGUST	SEPTEMBER
Mon		1	
Tue		2	
Wed		3	
Thu		4	1 1000 People & Communities Scrutiny
Fri	1	5	2
Mon	4	8	5
Tue	5	9 0930 Regulation & Licensing	6 0930 Regulation & Licensing
Wed	6	10	7 0930 North East Area
Thu	7	11	8 1000 Finance, Economy & Corporate Services Scrutiny
Fri	8	12	9
Mon	11	15	12
Tue	12	16	13 1000 Education Scrutiny
Wed	13	17 1330 Planning - North East	14 0930 Levenmouth 1330 Planning - North East
Thu	14	18 1000 Standards, Audit & Risk	15
Fri	15	19	16
Mon	18	22 1400 Fife Planning Review Body	19
Tue	19	23 1000 Fife Partnership Board	20 0930 City of Dunfermline Area 1400 Kirkcaldy Area
Wed	20	24 1400 Planning - West & Central	21 1400 Planning West & Central
Thu	21	25 1000 Cabinet	22 1000 Cabinet
Fri	22	26	23
Mon	25	29 1000 Licensing Board	26 1000 Pensions
Tue	26	30	27 1000 Environment, Transportation & Climate Change Scrutiny
Wed	27	31 0930 Glenrothes Area 1400 Cowdenbeath Area	28 0930 South & West Fife Area
Thu	28		29 1000 Fife Council
Fri	29 1000 Health & Social Care IJB		30 1000 Health & Social Care IJB (Accounts)

Notes

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OCTOBER		NOVEMBER		DECEMBER	
Mon	3 1000 Licensing Board				
Tue	4 0930 Regulation & Licensing	1 0930 Regulation & Licensing			
Wed	5	2 0930 North East Area			
Thu	6	3 1000 Finance, Economy & Corporate Services Scrutiny	1 1000 Pensions (Accounts)		
Fri	7	4	2		
Mon	10	7	5 1000 Licensing Board		
Tue	11	8 1000 Fife Partnership Board	6 0930 Regulation & Licensing		
Wed	12 1330 Planning - North East	9 0930 Levenmouth Area 1330 Planning - North East	7 1330 Planning - North East		
Thu	13	10 1000 Standards, Audit & Risk	8 1000 FIFE COUNCIL		
Fri	14	11	9		
Mon	17	14	12 1400 Fife Planning Review Body		
Tue	18	15 1000 Education Scrutiny	13 1000 Pensions		
Wed	19 1400 Planning - West & Central	16 1400 Planning - West & Central	14 1400 Planning - West & Central		
Thu	20 1000 Cabinet	17 1000 Cabinet	15 1000 Cabinet		
Fri	21	18	16		
Mon	24 1400 Fife Planning Review Body	21	19		
Tue	25	22 0930 City of Dunfermline Area 1400 Kirkcaldy Area	20		
Wed	26 0930 Glenrothes Area 1400 Cowdenbeath Area	23 0930 South & West Fife Area	21		
Thu	27 1000 People & Communities Scrutiny	24	22		
Fri	28	25 1000 Health & Social Care IJB	23		
Mon	31 1000 Standards, Audit & Risk (Accounts)	28	26		
Tue		29 1000 Environment, Transportation & Climate Change Scrutiny	27		
Wed		30	28		
Thu			29		
Fri			30		

Notes

1.  School holidays/in-service
2. Meetings of Planning Review Body are normally in the afternoon but site visits are held in the morning prior to the meeting. Times of visits will be variable

JANUARY		FEBRUARY	MARCH
Mon	2		
Tue	3		
Wed	4	1 0930 Glenrothes Area 1400 Cowdenbeath Area	1 0930 South & West Fife Area
Thu	5	2	2 1000 Standards, Audit & Risk
Fri	6	3	3
Mon	9	6 1000 Licensing Board	6
Tue	10	7 0930 City of Dunfermline Area 1400 Kirkcaldy Area	7
Wed	11 1330 Planning - North East	8 0930 Levenmouth Area 1330 Planning - North East	8 1400 Planning - North East
Thu	12 1000 Cabinet	9 1000 Cabinet	9 1000 Cabinet
Fri	13	10	10
Mon	16	13 1400 Fife Planning Review Body	13
Tue	17 0930 Regulation & Licensing	14 0930 Regulation & Licensing	14 0930 Regulation and Licensing
Wed	18 1400 Planning - West & Central	15 0930 North East Area 1400 Planning - West & Central	15 1400 Planning - West & Central
Thu	19 1000 People & Communities Scrutiny	16	16 1000 FIFE COUNCIL
Fri	20	17	17
Mon	23	20	20
Tue	24 1000 Education Scrutiny	21	21 1000 Education Scrutiny
Wed	25	22	22
Thu	26 1000 Finance, Economy & Corporate Services Scrutiny	23 1000 FIFE COUNCIL (BUDGET)	23 1000 People & Communities Scrutiny
Fri	27	24	24 1000 Health & Social Care IJB (Budget)
Mon	30	27	27
Tue	31 1000 Environment, Transportation & Climate Change Scrutiny	28	28 1000 Pensions
Wed			29 0930 Glenrothes Area 1400 Cowdenbeath Area
Thu			30 1000 Finance, Economy & Corporate Services Scrutiny
Fri			31

Notes

1. School holidays/in-service
2. Meetings of Planning Review Body are normally in the afternoon but site visits are held in the morning prior to the meeting. Times of visits will be variable

MEETINGS CALENDAR
April - June 2023

APRIL			MAY			JUNE		
Mon	3	1000 Licensing Board	1					
Tue	4	1000 Environment, Transportation & Climate Change Scrutiny	2					
Wed	5	0930 Levenmouth Area 1330 Planning - North East	3	1330 Planning - North East				
Thu	6	1000 Cabinet	4	1000 Cabinet	1	1000 Cabinet		
Fri	7		5		2			
Mon	10		8		5			
Tue	11	0930 Regulation & Licensing	9		6	0930 City of Dunfermline Area 1400 Kirkcaldy Area		
Wed	12	1400 Planning - West & Central	10	1400 Planning - West & Central	7	1400 Planning - West & Central		
Thu	13		11	1000 FIFE COUNCIL	8	1000 People & Communities Scrutiny		
Fri	14		12		9			
Mon	17		15		12	1400 Fife Planning Review Body		
Tue	18		16	0930 Regulation & Licensing	13	0930 Regulation & Licensing		
Wed	19		17		14	0930 Glenrothes Area 1400 Cowdenbeath Area		
Thu	20		18		15	1000 Finance, Economy & Corporate Services Scrutiny		
Fri	21		19		16			
Mon	24	1400 Fife Planning Review Body	22		19			
Tue	25	0930 City of Dunfermline Area 1400 Kirkcaldy Area	23	1000 Education Scrutiny	20	1000 Environment, Transportation & Climate Change Scrutiny		
Wed	26	0930 North East Area 0930 South & West Fife Area	24		21	0930 North East Area 0930 South & West Fife Area		
Thu	27		25	1000 Standards, Audit & Risk	22	1000 FIFE COUNCIL		
Fri	28		26		23	1000 Pensions		
Mon			29		26	1000 Licensing Board		
Tue			30		27			
Wed			31	0930 Levenmouth Area 1330 Planning - North East	28	1330 Planning - North East		
Thu					29	1000 Cabinet		
Fri					30	1000 Standards, Audit & Risk (Accounts) 1400 Pensions (Accounts)		

Notes

1. School holidays/in-service
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9th June, 2022

Agenda Item No. 9

Fife Council Appointments

Report by: Head of Legal & Democratic Services

Wards Affected: All

Purpose

The purpose of this report is to (1) note the nominations confirmed by Fife Council at its meeting on 19th May 2022; (2) seek nominations to the remaining committees, together with appointment of Committee Conveners and Depute Conveners where relevant ; (3) appoint Conveners and or Depute Conveners to those Area Committees where no majority decision could be reached; and (4) appoint an Armed Forces Champion.

Recommendation(s)

The Council is asked to:

- (1) note the appointments made by Fife Council at its meeting on 19th May 2022, as detailed in Appendix 1;
- (2) seek nominations for membership of the remaining committees, as detailed in Appendix 2, and invite nominations be provided to the Proper Officer from all Political Groups
- (3) appoint the Convener and Depute Convener for the Standards, Audit & Risk Committee and the Pensions Committee;
- (4) appoint the Convener and/or Depute Convener as required for Cowdenbeath, Levenmouth and South West Area Committees as detailed in paragraph 1.3 of the report; and
- (5) appoint an Armed Forces Champion.

Resource Implications

There are no direct resource implications arising from this report.

Legal & Risk Implications

Failure to make such appointments may mean the Committees cannot function effectively or secure a quorum and may lead to reputational damage to the Council.

Impact Assessment

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

Consultation

Political Groups have been consulted on these proposals.

1.0 Background

1.1 The Council, at its meeting on 19th May 2022, agreed to establish a Cabinet Committee model, with four Scrutiny Committees and made a number of appointments set out in Appendix 1 to this report. The Council has also approved a Committee Powers document at this meeting constituting a number of other Committees, Sub-committees and Boards.

1.2 The Council also agreed to establish 7 Area Committees based on the previous structure for Area Committees and appoint Conveners and Depute Conveners, but only where the Committee reached a majority decision on the appointment. Where a majority decision could not be reached, the matter was to be referred back to full Council for determination.

1.3 Dunfermline City, Glenrothes, Kirkcaldy and North East Fife Area Committees reached a majority decision and appointed a Convener and Depute Convener as detailed in Appendix 1.

2.0 Issues and Options

2.1 The Council is required to seek nominations and confirm those appointments to the remaining committees, as detailed in Appendix 2, that have been formally established and Council is invited to agree that that the Proper Officer receive nominations from all Political Groups on the basis set out in the Appendix.

2.2 The Council is also required to appoint Conveners and Depute Conveners for the Standards, Risk & Audit Committee and Pensions Committee and prior to the first scheduled meetings.

2.3 Cowdenbeath, Levenmouth and South West Fife Area Committees could not reach agreement and members are asked to agree appointments for Convener and Depute Convener for the Cowdenbeath, and Levenmouth Area Committees and a Depute Convener for the South West Fife Area Committee.

2.4 The Council has traditionally appointed an Armed Forces Champions. The main purpose of the role of Champion is to be the Council's ambassador for the identified policy area. The Council is recommended to appoint an Armed Forces Champion.

3.0 Conclusions

3.1 Members are asked to note the appointments made and agree appointments as set out in the recommendations and Appendices to this report.

List of Appendices

1. Appendix 1- Fife Council Appointments - Agreed following Fife Council meeting of 19 May 2022
2. Appendix 2 - Remaining Council Committees to be Established and Appointments Made

Background Papers

No background papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973.

Report Contacts

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Committee Services Manager
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Fife Council Appointments - Agreed following Fife Council meeting of 19 May 2022

Position/Committee	Members Appointed
Provost	Councillor Jim Leishman (LAB)
Depute Provost	1.Councillor Dave Dempsey (CONS) 2.Councillor Donald Lothian (Lib Dem) 3.
Leader of Fife Council	Councillor David Ross (LAB)
Leader of the Opposition	Councillor David Alexander (SNP)
Spokesperson for Education	Councillor Cara Hilton (LAB)
Spokesperson for Housing & Building Services	Councillor Judy Hamilton (LAB)
Spokesperson for Finance, Economy & Strategic Planning	Councillor Altany Craik (LAB)
Spokesperson for Environment & Climate Change	Councillor Jan Wincott (LAB)
Spokesperson for Communities & Leisure Services	Councillor Linda Erskine (LAB)
Spokesperson for Health & Social Care (and to act as Chair/Vice-chair of the Integrated Joint Board)	Councillor David Graham (LAB)
<p>Fife Cabinet Committee</p> <p>21 Ordinary Members, to include 6 Strategic Spokespersons, excluding the Convener (Leader).</p> <p>Based on Political balance:- 9 SNP, 4 LIB, 2 CONS to fill ordinary member places</p>	<p>1.Councillor David Ross (Convener) (LAB) 2.Councillor Altany Craik (LAB) 3.Councillor Linda Erskine (LAB) 4.Councillor David Graham (LAB) 5.Councillor Judy Hamilton (LAB) 6.Councillor Cara Hilton (LAB) 7.Councillor Jan Wincott (LAB) 8.Councillor Jonny Tepp (Lib Dem) 9.Councillor James Calder (Lib Dem) 10.Councillor Gary Holt (Lib Dem) 11.Councillor Fiona Corps (Lib Dem) 12.Councillor Kathleen Leslie (Cons) 13.Councillor Peter Gulline (Cons) 14.Councillor David Alexander (SNP) 15.Councillor Craig Walker (SNP) 16.Councillor Lesley Backhouse (SNP) 17.Councillor Derek Glen (SNP) 18.Councillor David Barratt (SNP) 19.Councillor Rosemary Liewald (SNP) 20.Councillor Carol Lindsay (SNP) 21.Councillor Ross Vettraino (SNP) 22.Councillor John Beare (SNP)</p>
<p>Regulation & Licensing Committee (16 members)</p> <p>Based on Political balance:- 7 SNP, 4 LAB, 3 LIB, 2 CONS</p>	<p>1.Councillor Tom Adams (Convener) (LAB) 2.Councillor Donald Lothian (Lib Dem) 3.Councillor John Caffrey (Lib Dem) 4.Councillor Jonny Tepp (Lib Dem) 5.Councillor Gavin Ellis (Cons) 6.Councillor Darren Watt (Cons)</p>

	<p>7.Councillor Carol Lindsay (SNP) 8.Councillor Lynn Ballantyne-Wardlaw (SNP) 9.Councillor Alycia Hayes (SNP) 10.Councillor David MacDiarmid (SNP) 11.Councillor Nicola Patrick (SNP) 12.Councillor John O'Brien (SNP) 13.Councillor Lea McLelland (SNP) 14.Councillor Patrick Browne (LAB) 15.Councillor Gordon Pryde (LAB) 16.Councillor Julie MacDougall (LAB)</p>
<p>Fife Licensing Board (10 Members)</p> <p>Based on Political balance:- 4 SNP, 3 LAB, 2 LIB, 1 CONS</p>	<p>1.Councillor Tom Adams (Convener)(LAB) 2.Councillor Donald Lothian (Lib Dem) 3.Councillor John Caffrey (Lib Dem) 4.Councillor Gavin Ellis (Cons) 5.Councillor Carol Lindsay (SNP) 6.Councillor Lea McLelland (SNP) 7.Councillor David MacDiarmid (SNP) 8.Councillor Louise Kennedy-Dalby (SNP) 9.Councillor Alistair Cameron (LAB) 10.Councillor Patrick Browne (LAB)</p>
<p>Education Scrutiny Committee (16 Members)</p> <p>Based on Political balance:- 7 SNP, 4 LAB,3 LIB, 2 CONS</p>	<p>1.Councillor Aude Boubaker-Calder (Lib Dem) 2.Councillor John Caffrey (Lib Dem) 3.Councillor Sean Dillon (Lib Dem) 4.Councillor Kathleen Leslie (Cons) 5.Councillor Dave Dempsey (Cons) 6.Councillor Naz Anis-Miah (SNP) 7.Councillor Lynn Ballantyne-Wardlaw (SNP) 8.Councillor Alycia Hayes (SNP) 9.Councillor Louise Kennedy-Dalby (SNP) 10.Councillor Lynn Mowatt (SNP) 11.Councillor Sarah Neal (SNP) 12.Councillor Daniel Wilson (SNP) 13.Councillor Ian Cameron (LAB) 14.Councillor Patrick Browne (LAB) 15.Councillor Linda Erskine (LAB) 16.Councillor Colin Davidson (LAB)</p>
<p>People & Communities Scrutiny Committee (16 Members)</p> <p>Based on Political balance:- 7 SNP, 4 LAB,3 LIB, 2 CONS</p>	<p>1.Councillor Eugene Clarke (Lib Dem) 2.Councillor Allan Knox (Lib Dem) 3.Councillor Donald Lothian (Lib Dem) 4.Councillor Darren Watt (Cons) 5.Councillor Peter Gulline (Cons) 6.Councillor Blair Allan (SNP) 7.Councillor Lynn Mowatt (SNP) 8.Councillor Brian Goodall (SNP) 9.Councillor Ken Caldwell (SNP) 10.Councillor Sam Steele (SNP) 11.Councillor Bailey-Lee Robb (SNP)</p>

	<p>12.Councillor Ann Verner (SNP) 13.Councillor Alistair Cameron (LAB) 14.Councillor Julie MacDougall (LAB) 15.Councillor Jan Wincott (LAB) 16.Councillor Alex Campbell (LAB)</p>
<p>Finance, Economy & Corporate Services Scrutiny Committee (16 Members)</p> <p>Based on Political balance:- 7 SNP, 4 LAB,3 LIB, 2 CONS</p>	<p>1.Councillor Allan Knox (Lib Dem) 2.Councillor Eugene Clarke (Lib Dem) 3.Councillor Sean Dillon (Lib Dem) 4.Councillor Robin Lawson (Cons) 5.Councillor James Leslie (Cons) 6.Councillor Alie Bain (SNP) 7.Councillor Lynn Ballantyne-Wardlaw (SNP) 8.Councillor Auxi Barrera (SNP) 9.Councillor Rod Cavanagh (SNP) 10.Councillor Stefan Hoggan-Radu (SNP) 11.Councillor Ann Verner (SNP) 12.Councillor Alistair Suttie (SNP) 13.Councillor Gordon Pryde (LAB) 14.Councillor Graeme Downie (LAB) 15.Councillor Ian Cameron (LAB) 16.Councillor Colin Davidson(LAB)</p>
<p>Environment, Transport& Climate Change Scrutiny Committee (16 Members)</p> <p>Based on Political balance:- 7 SNP, 4 LAB,3 LIB and 2 CONS</p>	<p>1.Councillor Jane-Ann Liston (Lib Dem) 2.Councillor Al Clark (Lib Dem) 3.Councillor Aude Boubaker-Calder (Lib Dem) 4.Councillor Gavin Ellis (Cons) 5.Councillor Conner Young (Cons) 6.Councillor Naz Anis-Miah (SNP) 7.Councillor Rod Cavanagh (SNP) 8.Councillor Jean Hall Muir (SNP) 9.Councillor Stefan Hoggan-Radu (SNP) 10.Councillor Andy Jackson (SNP) 11.Councillor Nicola Patrick (SNP) 12.Councillor Daniel Wilson (SNP) 13.Councillor David Graham (LAB) 14.Councillor Tom Adams (LAB) 15.Councillor Derek Noble (LAB) 16.Councillor Graeme Downie (LAB)</p>
<p>Standards, Audit & Risk Committee (10 Members)</p> <p>10 Members, Based on Political balance:- 4 SNP, 3 LAB, 2 LIB and 1 CONS</p>	<p>1.Councillor Gary Holt (Lib Dem) 2.Councillor Al Clark (Lib Dem) 3.Councillor Robin Lawson (Cons) 4.Councillor John Beare (SNP) 5.Councillor Lesley Backhouse (SNP) 6.Councillor Ann Verner (SNP) 7.Councillor Sarah Neal (SNP) 8.Councillor Gordon Pryde (LAB) 9.Councillor Tom Adams (LAB) 10.Councillor Graeme Downie (LAB)</p>
<p>West & Central Planning Committee (16 Members)</p> <p>Based on political balance of 6 areas = 59 members (29 SNP, 20 Lab, 3 LIB & 7 CONS)</p>	<p>1.Councillor James Calder (Lib Dem) 2.Councillor Dave Dempsey (Cons) 3.Councillor Conner Young (Cons) 4.Councillor David Alexander (SNP)</p>

<p>8 SNP, 5 LAB,1 LIB, 2 CONS</p>	<p>5.Councillor John Beare (SNP) 6.Councillor Lesley Backhouse (SNP) 7.Councillor Alie Bain (SNP) 8.Councillor David Barratt (SNP) 9.Councillor Derek Glen (SNP) 10.Councillor Lea McLelland (SNP) 11.Councillor Sam Steele (SNP) 12.Councillor Colin Davidson (LAB) 13.Councillor Derek Noble (LAB) 14.Councillor Andrew Verrecchia (LAB) 15.Councillor Julie MacDougall (LAB) 16.Councillor Gordon Pryde (LAB)</p>
<p>North East Planning Committee (16 Members)</p> <p>All members based on area not political balance</p> <p><i>Convener - Cllr Jonny Tepp (as Convener of North East Area)</i> <i>Depute Convener - to be agreed at first meeting.</i></p>	<p>1.Councillor John Caffrey (LIB D) 2.Councillor Al Clark (LIB D) 3.Councillor Fiona Corps (LIB D) 4.Councillor Sean Dillon (LIB D) 5.Councillor Alycia Hayes (SNP) 6.Councillor Stefan Hoggan-Radu (SNP) 7.Councillor Gary Holt (LIB D) 8.Councillor Margaret Kennedy (LIB D) 9.Councillor Louise Kennedy-Dalby (SNP) 10.Councillor Allan Knox (LIB D) 11.Councillor Robin Lawson (CONS) 12.Councillor Jane-Ann Liston (LIB D) 13.Councillor Donald Lothian (LIB D) 14.Councillor David MacDiarmid (SNP) 15.Councillor Jonny Tepp (LIB D) 16.Councillor Ann Verner (SNP)</p>
<p>Regional Transport Partnership (3 Members, 3 Substitute)</p>	<p>1.Councillor Derek Glen (SNP) 2.Councillor Colin Davidson (LAB) 3.Councillor Robin Lawson (CONS)</p> <p>Substitutes</p> <p>1.Councillor Alycia Hayes (SNP) 2.Councillor Altany Craik (LAB) 3.Councillor Dave Dempsey (CONS)</p>
<p>COSLA</p> <p>6 Members, Based on Political balance:- 3 SNP, 1 LAB,1 LIB, 1 CONS- Leader of Council to be included in allocation</p>	<p>1.Councillor David Ross (LAB) 2.Councillor Allan Knox (Lib Dem) 3.Councillor Kathleen Leslie (Cons) 4.Councillor Brian Goodall (SNP) 5.Councillor Lesley Backhouse (SNP) 6.Councillor Rosemary Liewald (SNP)</p>
<p>Education Appeal Committee & Education Appointment Committee (17 Members)</p> <p>Based on Political balance:- 8 SNP, 4 LAB,3 LIB, 2 CONS</p> <p>(Additional members – 3 Religious Reps, up to 5 Parent of School age children and max 5 persons with Education Experience)</p>	<p>1.Councillor Dave Dempsey (CONS) 2.Councillor Katheen Leslie (CONS) 3.Councillor Eugene Clarke (Lib Dem) 4.Councillor Gary Holt (Lib Dem) 5.Councillor Aude Boubaker-Calder (Lib Dem) 6.Councillor Craig Walker (SNP) 7.Councillor Auxi Barrera (SNP) 8.Councillor Brian Goodall (SNP)</p>

	<p>9.Councillor Sarah Neal (SNP) 10.Councillor Alistair Suttie (SNP) 11.Councillor Naz Anis-Miah (SNP) 12.Councillor Lynn Ballantyne-Wardlaw (SNP) 13.Councillor Alycia Hayes (SNP) 14.Councillor Linda Erskine (LAB) 15.Councillor David Ross (LAB) 16.Councillor Judy Hamilton (LAB) 17.Councillor David Graham (LAB)</p>
<p>City of Dunfermline Area Committee (11 Members)</p> <p><i>Convener - Cllr James Calder</i> <i>Depute Convener - Cllr Gordon Pryde</i></p>	<p>1.Councillor Naz Anis-Miah (SNP) 2.Councillor Lynn Ballantyne-Wardlaw (SNP) 3.Councillor Auxi Barrera (SNP) 4. Councillor Aude Boubaker-Calder (LIB D) 5.Councillor James Calder (LIB D) 6.Councillor Gavin Ellis (CONS) 7.Councillor Derek Glen (SNP) 8.Councillor Jean Hall Muir (SNP) 9.Councillor Cara Hilton (LAB) 10.Councillor Jim Leishman (LAB) 11.Councillor Gordon Pryde (LAB)</p>
<p>Cowdenbeath Area Committee (8 Members)</p> <p><i>Convener and Depute Convener appointments - no unanimous decision reached and the matter is referred to Fife Council for decision.</i></p>	<p>1.Councillor Alie Bain (SNP) 2.Councillor Mary Bain-Lockhart (LAB) 3.Councillor Alex Campbell (LAB) 4.Councillor Linda Erskine (LAB) 5.Councillor Rosemary Liewald (SNP) 6.Councillor Lea McLelland (SNP) 7. Councillor Bailey-Lee Robb (SNP) 8. Councillor Darren Watt (CONS)</p>
<p>Glenrothes Area Committee (10 Members)</p> <p><i>Convener - Cllr Craig Walker</i> <i>Depute Convener - Cllr Ross Vettraino</i></p>	<p>1.Councillor John Beare (SNP) 2.Councillor Altany Craik (LAB) 3.Councillor Julie Ford (SNP) 4.Councillor Peter Gulline (CONS) 5.Councillor Lynn Mowatt (SNP) 6.Councillor Derek Noble (LAB) 7.Councillor Ross Vettraino (SNP) 8.Councillor Craig Walker (SNP) 9. Councillor Daniel Wilson (SNP) 10.Councillor Jan Wincott (LAB)</p>
<p>Kirkcaldy Area Committee (12 Members)</p> <p><i>Convener - Cllr Ian Cameron</i> <i>Depute Convener - Cllr Julie MacDougall</i></p>	<p>1.Councillor Blair Allan (SNP) 2.Councillor Lesley Backhouse (SNP) 3.Councillor Alistair Cameron (LAB) 4.Councillor Ian Cameron (LAB) 5.Councillor Rod Cavanagh (SNP) 6.Councillor Judy Hamilton (LAB) 7.Councillor James Leslie (CONS) 8.Councillor Kathleen Leslie (CONS) 9.Councillor Carol Lindsay (SNP) 10.Councillor Julie MacDougall (LAB)</p>

	<p>11.Councillor Nicola Patrick (SNP) 12.Councillor David Ross (LAB)</p>
<p>Levenmouth Area Committee (8 Members)</p> <p><i>Convener and Depute Convener appointments - no unanimous decision reached and the matter is referred to Fife Council for decision.</i></p>	<p>1.Councillor Tom Adams (LAB) 2.Councillor David Alexander (SNP) 3.Councillor Ken Caldwell (SNP) 4.Councillor Eugene Clarke (LIB D) 5.Councillor Colin Davidson (LAB) 6.Councillor David Graham (LAB) 7.Councillor John O'Brien (SNP) 8.Councillor Alistair Suttie (SNP)</p>
<p>North East Area Committee (16 Members)</p> <p><i>Convener - Cllr Jonny Tepp Depute Convener - Cllr Jane-Ann Liston</i></p>	<p>1.Councillor John Caffrey (LIB D) 2.Councillor Al Clark (LIB D) 3.Councillor Fiona Corps (LIB D) 4.Councillor Sean Dillon (LIB D) 5.Councillor Alycia Hayes (SNP) 6.Councillor Stefan Hoggan-Radu (SNP) 7.Councillor Gary Holt (LIB D) 8.Councillor Margaret Kennedy (LIB D) 9.Councillor Louise Kennedy-Dalby (SNP) 10.Councillor Allan Knox (LIB D) 11.Councillor Robin Lawson (CONS) 12.Councillor Jane-Ann Liston (LIB D) 13.Councillor Donald Lothian (LIB D) 14.Councillor David MacDiarmid (SNP) 15.Councillor Jonny Tepp (LIB D) 16.Councillor Ann Verner (SNP)</p>
<p>South & West Fife Area (10 Members)</p> <p><i>Convener -Cllr David Barratt Depute Convener -no unanimous decision reached and the matter is referred to Fife Council for decision.</i></p>	<p>1.Councillor David Barratt (SNP) 2.Councillor Patrick Browne (LAB) 3.Councillor Dave Dempsey (CONS) 4.Councillor Graeme Downie (LAB) 5.Councillor Brian Goodall (SNP) 6.Councillor Andy Jackson (SNP) 7.Councillor Sarah Neal (SNP) 8.Councillor Sam Steele (SNP) 9.Councillor Andrew Verrecchia (LAB) 10.Councillor Conner Young (CONS)</p>
<p>Health and Social Care Integrated Joint Board</p> <p>8 Members, to include Strategic Spokesperson HSC (plus 8 reserves), based on Political Balance</p> <p>4 SNP, 2 LAB, 1 LIB, 1 CONS</p>	<p>1.Councillor David Graham (LAB) 2.Councillor Graeme Downie (LAB) 3.Councillor Margaret Kennedy (Lib D) 4.Councillor Dave Dempsey (Cons) 5.Councillor David Alexander (SNP) 6.Councillor Rosemary Liewald (SNP) 7.Councillor Sam Steele (SNP) 8.Councillor Lynn Mowatt (SNP) 9.(Reserve) Cllr Eugene Clarke (Lib D) 10.(Reserve) Cllr Kathleen Leslie (Cons) 11.(Reserve)Cllr Naz Anis-Miah (SNP) 12.(Reserve)Cllr Rod Cavanagh (SNP)</p>

	13.(Reserve)Cllr Louise Kennedy-Dalby (SNP) 14.(Reserve)Cllr Daniel Wilson (SNP) 15.(Reserve)Cllr Judy Hamilton (LAB) 16.(Reserve)Cllr Jan Wincott (LAB)
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Remaining Council Committees to be Established and Appointments Made

Committee/Sub-Committee/Partnership	Members to be Appointed
Pensions Committee 4 SNP, 2 LAB, 2 LIB DEM, 1 CONS	9 Members based on Political Balance
Fife Planning Review Body Committee 4 SNP, 3 LAB, 2 LIB DEM, 1 CONS	10 Members based on Political Balance
Rates Appeal Committee 3 SNP, 2 LAB, 1 LIB DEM, 1 CONS	7 Members based on Political Balance
Appeals Sub-Committee (Panel) 11 SNP, 6 LAB, 4 LIB DEM, 3 CONS Membership for individual meetings will be drawn from a panel of 24 members based on party political balance	24 Members based on Political Balance
Appointments Sub-Committee (Panel) 11 SNP, 6 LAB, 4 LIB DEM, 3 CONS Membership for individual meetings will be drawn from a panel of 24 members based on party political balance	24 Members based on Political Balance
West Area Common Good Sub-Committee City of Dunfermline – 1 SNP, 1 LAB, 1 LIB DEM, 0 CONS South & West Fife Area – 1 SNP, 1 LAB, 0 LIB DEM, 1 CONS	6 Members – with 3 from City of Dunfermline Area and 3 from South & West Fife Area based on Political Balance
Investigating Sub-Committee 2 SNP, 1 LAB, 1 LIB DEM, 0 CONS	4 Members based on Political Balance
Fife Educational Trust Scheme 1958 – East Fife Committee 2 SNP, 0 LAB, 5 LIB DEM, 1 CONS	8 Members from East Area – to be determined on the basis of political balance (and a suitable geographical spread) within the North East Area
Fife Educational Trust Scheme 1958 – West Fife Committee 4 SNP, 3 LAB, 1 LIB DEM, 1 CONS	9 Members from West Area - to be determined on the basis of political balance (and a suitable geographical spread) within the

	six Council Areas other than North East Fife.
Fife Pension Board	2 Members, 1 from the Administration and 1 from the Opposition

9th June, 2022

Agenda Item No. 10

Appointment to External Organisations

Report by: Head of Legal & Democratic Services

Wards Affected: All

Purpose

Following a report submitted to the meeting of Fife Council on 10th March 2022, (Minute 2022 FC 308 Para. 280 refers), a review of member appointment to external organisations has been undertaken by Democratic Services.

This report details the outcome of the review and seeks approval to continue and agree member representation on those external organisations detailed in Appendices 1 and 2 and discontinue member appointments to those organisations detailed in Appendix 3.

Recommendation(s)

The Council is asked to:

- (1) note the review carried out by Democratic Services on member representation to external organisations;
- (2) agree to nominate members as appropriate to the organisations as detailed in Appendix 1, where Council representation is required;
- (3) agree to delegate appointments to those external organisations detailed in Appendix 2 to the Cabinet Committee or relevant Area Committee; and
- (4) agree that members no longer be appointed to those organisations detailed in Appendix 3; noting the exceptional contribution made by these organisations to the Fife community.

Resource Implications

There are no direct resource implications arising from this report. A reduction in the number of external organisations appointments could generate a small saving by way of a reduction in travelling expenses for members and resource in managing the administration of the appointments.

Legal & Risk Implications

External organisations have their own governance structures and members should seek advice from the Head of Legal & Democratic Services on any concerns they have on membership of the organisations.

Failure to make such appointments may mean the external organisation cannot function effectively or secure a quorum. This is considered extremely unlikely and there will be other options open to the external organisation in terms of membership. It may also make

the important role of community leadership more difficult for an elected member if they are perceived to be too closely aligned with a particular group or organisation through the Council appointment.

Impact Assessment

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

Consultation

During the review, feedback was sought from organisations, officers and elected members previously appointed to these organisations.

1.0 Background

- 1.1 The Council is represented on a variety of joint boards, joint committees, public bodies and other public organisations. Following the recent Local Government Elections, the Council is required to review appointments to these organisations and agree appointments, where Council representation by members is still required, as detailed in Appendix 1. Some of these appointments were made by Fife Council at its meeting on 19th May 2022 and for completeness are included.
- 1.2 The increasing emphasis on partnership working can on occasion result in conflicts of interest for elected members, particularly where an organisation is seeking or receiving funding from the Council or is making regulatory applications such as for licences or planning. It may lead to these bodies sometimes misunderstanding the role of an elected member on the Board or Committee terms of, for example, accessing and influencing the distribution of Council resources. It may also make the important role of community leadership more difficult for an elected member if they are perceived to be too closely aligned with a particular group or organisation through the Council appointment.
- 1.3 External organisation membership also brings increased duties and responsibilities for members, particularly if one member has multiple appointments. Their additional roles, responsibilities and potential liabilities will depend upon the legal nature of the organisation and the capacity in which they have been appointed. Failure to act in a proper manner may give rise to personal liability or, in a very unlikely set of circumstances, liability for the Council.
- 1.4 Section 4 of the Councillors Code of Conduct requires elected members to register any allowances for appointments or unremunerated directorships and any other connection such as these appointments. Members of Area Committees are trustees for the charitable trusts on which they sit and are bound by relevant legislation and regulations.
- 1.5 There is an opportunity to bring increased focus to how the Council chooses to appoint members and how many appointments it supports. Democratic Services has recently undertaken a review of the list of external organisations, where member appointments were previously made. During the review, feedback was sought from organisations, officers and elected members previously appointed to these organisations.

2.0 Approach

- 2.1 Undertaking a review of member representation on external organisations helps ensure that the Council focuses its resources and capacity in the most appropriate areas, whilst also reducing the risk to the elected member and that the Council should a conflict of interest arise.
- 2.2 The factors considered in undertaking the review included:
 - (i) the role and purpose of the organisation;
 - (ii) the views of elected members, officers and the organisations; and
 - (iii) the need for a consistent approach in making appointments and supporting the external organisations
- 2.3 During the review, elected members and organisations were consulted. A number of organisations were found to be no longer operational and have been removed from the list.
- 2.4 Some of the organisations detailed in Appendix 3, requested the continuation of members support, however having consulted with officers it was felt that this support

could be provided informally by ward councillors and did not require formal council appointment. It would be the intention, following member approval, that contact be made with those organisations to encourage the continuation of member support on an informal basis rather than through formal appointment.

- 2.5 A number of community hall management groups no longer require formal member appointment, as the management committees are no longer operational or have recently been returned to Fife Council management following their use as Covid testing and vaccination centres.
- 2.6 It is proposed that the list of external appointments that Fife Council elected members are nominated to will only include those organisations where:
 - the Council has a statutory duty to be involved;
 - the organisation supports work of the Council and delivery of its service areas;
 - elected members are required to attend because of their specific role in the authority; and
 - the organisation or Council would derive a significant benefit from the appointment.

These principles have formed the basis of the recommendation in the appendices.

3.0 Conclusions

- 3.1 Members are asked to consider the representation on the Council's list of external organisations as set out in the Appendices to this report.

List of Appendices

1. Appendix 1- List of External Organisations to be agreed and appointments made where appropriate by Fife Council
2. Appendix 2 - List of External Organisations to be agreed and appointments delegated to the Cabinet Committee or relevant Area Committee
3. Appendix 3 -List of External Organisations where no formal member appointment will be made.

Background Papers

No background papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act, 1973.

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List of External Organisations retaining Member Representation to be appointed by Fife Council

External Organisation	No. of Reps 2022-2027
Association for Public Service Excellence (APSE)	1
Children's Panel (Fife Area Support Team)	1
Conference of Peripheral Maritime Regions of Europe (CPMR)	1
Convention of Scottish Local Authorities (Convention Delegates)	6
Edinburgh Airport Consultative Committee	1
Edinburgh and South East Scotland City Region Deal (Joint Committee)	1
Fife Environment Trust Ltd..	1
Fife Partnership Board	3
Health & Social Care IJB	8 plus 8 Subs
JNCF (Joint Negotiating Consultation Forum)	4
NHS Fife Board	1
Scotland Excel Joint Committee	2 (& 2 Subs)
SESTRAN (Regional Transport Partnership)	3
St. Andrews Links Trust Management Committee	2 & 2 non-elected
St Andrews Links Trust	2 & 1 non-elected
St Andrews University Court	1
Tay Road Bridge Joint Board	5
Tay Cities Region (Joint Committee)	3

List of External Organisations retaining Member Representation to be appointed at the appropriate Committee.

External Organisation	No. of Reps 2022-2027	To Be Appointed at...
Brag Enterprises Limited Management Committee/Board	2	Area - CAC
Bruce Charitable Trust	1	Area - NEFAC
Business Gateway Services (Fife)	1	Cabinet Committee
Carnegie Dunfermline & Hero Fund Trusts	4	Area - S&WFAC
Carnegie UK Trust	1	Area - CODAC
Castle Furniture Project Management Committee	1	Area - NEFAC
Clued Up Drug Awareness Project	1	Area - KAC
Comrie Colliery Environmental Trust and Liaison Committee	3	Area - SWFAC
Cupar & North Fife Local Tourist Association	1	Area - NEFAC
Cupar YMCA/YWCA Management Committee	1	Area - NEFAC
Dr Sloan's Trust	1	Area - NEFAC
Dunfermline & West Fife Sports Council	4	Area -2 CODAC 1 S&WFA 1 CAC
Dunfermline and West Fife Local Tourist Association	2	Area -1 CODAC 1 S&WFA
East Fife Sports Council	1	Area - NEFAC
East Neuk Centre Trust	1	Area - NEFAC
East Neuk Local Tourist Association	1	Area - NEFAC
Eden Estuary Local Nature Reserve Advisory Group	3	Area - NEFAC
Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee	2	Cabinet Committee
Fife Access Forum	2	Cabinet Committee
Fife Alcohol and Drug Partnership (ADP)	1	Cabinet Committee
Fife Biodiversity Partnership	2	Cabinet Committee
Fife Coast & Countryside Trust	4	Cabinet Committee
Fife Corporate Parent Board	3	Cabinet Committee
Fife Cultural Trust	4	Cabinet Committee
Fife Economy Partnership	2	Cabinet Committee
Fife Employment Access Trust	1	Cabinet Committee
Fife Environmental Partnership	1(or 2 if Joint Administration)	Cabinet Committee
Fife Golf Trust	4	Cabinet Committee

Fife Historic Buildings Trust	2	Cabinet Committee
Fife Housing Partnership	2	Cabinet Committee
Fife Museums Forum	3	Cabinet Committee
Fife Resource Solutions LLP / Sustainability Fife Ltd. (ALEO) / Resource Efficient Solutions LLP	3	Cabinet Committee
Fife Shopmobility Limited	1	Area - KAC
Fife Society for the Blind (now seescape)	1	Cabinet Committee
Fife Sports and Leisure Trust	5	Cabinet Committee
Fife Tourism Partnership	1	Cabinet Committee
Fife Violence Against Women Partnership	2	Cabinet Committee
Fleming bequest	1	Area - NEFAC
Gibson Mortification/Trust	3	Area - NEFAC
Heartlands of Fife Local Tourist Association	4	Area - 1 CAC 1 GAC & 2 KAC
Industrial Communities Alliance	2	Cabinet Committee
Kirkcaldy and Central Fife Sports Council	3	Area - 2 KAC, 1 GAC & 1 LAC
Kirkcaldy and Dysart Queen Victoria Benevolent Trust	2	Area - KAC
Kirkcaldy Ingolstadt Association	2	Area - KAC
Kirkcaldy YMCA	2	Area - KAC
Levenmouth Together Steering Group	2	Area - LAC
Levenmouth Twinning Association	1	Area -LAC
Levenmouth Local Tourist Association	1	Area - LAC
Linktown Community Action Centre, Kirkcaldy	4	Area - KAC
Linton Lane Youth Centre	3	Area - KAC
Lomond Quarry Liaison Committee	4	Area - GAC
Longannet Power Station & Valleyfield Ash Lagoons Liaison Committee	3	Area - S&WFAC
Madras College Endowment Trust	3	Area - NEFAC
Murray Library Trust	3	Area - NEFAC
North Queensferry Community Trust	1	Area – S&WFAC
North Sea Commission	1	Cabinet Committee
Nuclear Free Local Authorities Scotland	1	Cabinet Committee
Opportunities Fife Partnership	1	Cabinet Committee
Paton Trust	1	Area - NEFAC
Provost Tulloch 1973 Trust	1	Area - NEFAC
Respite Fife	1	Cabinet Committee
River Leven Trust	3	Cabinet Committee
Rosyth Local Liaison Committee	3	Area - S&WFAC

SCORRS (Scottish Council's Committee on Radioactive Substances)	1	Cabinet Committee
Scottish Chamber Orchestra	1	Cabinet Committee
Scottish Fisheries Museum	1	Area - NEFAC
Scottish Schools Education Research Centre Ltd.	1	Cabinet Committee
St. Andrews BID Management Board	2	Area - NEFAC
St Andrews Botanic Garden Trust	2	Area - NEFAC
St. Andrews Community Trust (Elected Member representative to be reviewed every 3 years)	1 (No longer a Nominations Ctte)	Area - NEFAC
St Andrews Harbour Trust	1	Area - NEFAC
St. Andrews Local Tourism Association (Tourism St. Andrews)	1	Area - NEFAC
St Andrews Welfare Trust	2	Area - NEFAC
St. Monans Community Trust	1	Area - NEFAC
Tay and Earn Trust	1	Area - NEFAC
The Skene Trust	1	Area - GAC
Walker Trust	2	Area - NEFAC
(Glenrothes) Woodland Liaison Group	1 & 1 Sub	Area - GAC
YMCA Glenrothes	2	Area - GAC

Key:

CODAC – City of Dunfermline Area Committee
CAC – Cowdenbeath Area Committee
GAC – Glenrothes Area Committee
KAC – Kirkcaldy Area Committee
LAC – Levenmouth Area Committee
NEFAC – North East Fife Area Committee
S&WFAC – South & West Fife Area Committee

Appendix 3.

List of External Organisations where Member Representation will cease.

External Organisation
Age Concern, Cupar
Auchtermuchty Community Centre Management Committee
Balmullo Village Hall Organisation (Burnside Hall)
Benarty Community Centre Management Committee
Blairhall Community Centre Management Committee
Bowhill Centre Management Committee
Cadham Neighbourhood Centre Management Committee
Chapel Neighbourhood Centre
CLEAR Buckhaven (& Methil)
Coaltown of Wemyss Village Institute
Cosmos Centre Management Committee
Dolphin Youth and Community Centre, Tayport
Duffus Park Community Sports Hub
East Neuk Centre Trust
Exit Community Centre
Go Glenrothes
Greig Institute Management Committee
Hayfield Community Centre
Kincardine Community Association
Kinghorn Community Centre
Ladybank Youth Club
Leven Centre Management Committee
Markinch Town Hall Management Committee
Mars Training Ship Fund
Memorial Park Neighbourhood Centre
Methil Community Centre Management Committee
Methilhill OAP & Community Centre (formerly Methilhill Senior Citizens Centre)
Milton of Balgonie Hall Management Committee
Muirdean Environmental Trust and Community Liaison Committee
North Queensferry Community Complex (formerly North Queensferry Community Centre)
Oakley Centre Management Committee and Youth Club Committee
Overton Community Centre Management Committee
Pittenweem New Town Hall Organisation
Poppyview Family Centre (formerly Levenmouth Child Care Steering Group)
Raeburn Community Centre
Rio Community Centre Management Committee
Sandy Brae Community Centre Management Committee
Shadow Joint Committee for ELBF Road Services (Edinburgh, Lothians, Borders, Fife)
St Andrews Pilgrim Foundation
Stenton Jubilee Centre
Tayside Institute Management Committee
Templehall Community Centre
Toll Centre, Burntisland
Tryst Centre Management Committee
Valleyfield Community Centre Management Committee
Victoria Hall Management Committee, Coaltown of Balgonie
Youth 1st

9th June, 2022

Agenda Item No. 11

Appointment to External Organisation – St Andrews Links Trust and St Andrews Links Management Committee

Report by: Head of Legal & Democratic Services

Wards Affected: All wards

Purpose

To reappoint the Provost as an elected member representative to the St Andrews Links Trust and the appointment of an elected member representative to the St Andrews Links Management Committee.

Recommendation(s)

The Council is asked to:-

- (1) approve the reappointment of the Provost (Councillor Leishman) to the St Andrews Links Trust for a three year period to 31st December, 2024; and
- (2) appoint an elected member representative to the St. Andrews Links Management Committee for a four year period to 31st December, 2025.

Resource Implications

There are no direct resource implications arising from this report. A reduction in the number of external organisations appointments could generate a small saving by way of a reduction in travelling expenses for members and resource in managing the administration of the appointments.

Legal & Risk Implications

The proposed nomination is in accordance with Protocol Agreement and the St. Andrews Links Order 1974.

Impact Assessment

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

Consultation

The respective organisation confirmed at the last review of External Organisations that they still require Council representation.

1.0 Background

St Andrews Links Trust – Elected Member Representation

- 1.1 The St. Andrews Links Trust consists of eight members who are Trustees of the Links Trust, three of whom are appointed by Fife Council.

Appointments to the Links Trust are for a 3 year period.

- 1.2 The Provost was appointed by Fife Council on 13th December, 2018 as one of their representatives on the St. Andrews Links Trust, and his term of appointment was due to expire on 31st December, 2021. The Council agreed to extend this appointment until after the Local Government election in May, 2022.
- 1.3 The other two Council representatives are Councillor Ann Verner whose term of appointment ends on 31st December, 2022 and Mrs Sandra Tuddenham, a representative from the local golf clubs, whose appointment ends on 31st December, 2023.
- 1.4 It should be noted that members cannot be appointed to the St. Andrews Links Trust if they are already members of the St. Andrews Links Management Committee (or vice versa).

St Andrews Links Trust Management Committee – Elected Member Representation

- 1.5 The St. Andrews Links Trust Management Committee consists of eight members, four of which are appointed by Fife Council and appointments are made for a four year period. In accordance with the Protocol Agreement which exists between the Council and the St. Andrews Links Trust, the local golf clubs are invited to take up two of the Council places on the Management Committee. The St. Andrews Links Order 1974 also states that persons appointed to the Management Committee shall have close connections with the town of St. Andrews and its golfing community.
- 1.6 Following the results of the Local Government election, the Council is required to appoint an elected member representative to the St Andrews Links Management Committee for a period of four years to 31st December, 2025.
- 1.7 The Council's other representatives on the Management Committee are Councillor Lesley Backhouse as well as Tom Gallacher and Jim Lindsay, both representatives from the local golf clubs.

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9th June, 2022

Agenda Item No. 12

Education Matters - Appointment of Religious Interest Representatives

Report by: Executive Director Finance and Corporate Services

Wards Affected: All

Purpose

In terms of Section 124 of the Local Government (Scotland) Act 1973 (as amended), the Council is required to consider the appointment of three religious representatives to serve on the required Committees of Council when they meet to discharge education functions.

Recommendation

It is recommended that the Council approves the appointment of religious representatives as follows:

- 1) a representative from both the Church of Scotland and Roman Catholic Church as persons interested in the promotion of religious education (see nominations detailed at paragraph 1.4); and
- 2) a third person interested in the promotion of religious education from the nominations detailed in paragraph 1.6 of the report, from either the Episcopal or Baptist churches in Fife.

Resource Implications

Not applicable.

Legal & Risk Implications

There are no legal or risk implications associated with this report.

An EqIA is not required as there are no equalities issues which apply.

Consultation

The Church of Scotland, Roman Catholic Church and all churches and denominational bodies having places of worship in Fife have been contacted seeking nominations.

1.0 Religious Interest Representatives

- 1.1 Religious representatives require to be appointed to sit on the Cabinet, Scrutiny , Education Appeals and Appointments Committees.
- 1.2 The legislation requires the appointment of three persons interested in the promotion of religious education, one nominated by the Church of Scotland, one nominated by the Roman Catholic Church and one person representing religious interests having regard to the comparative strength within the areas of all the churches and denominational bodies having places of worship in Fife.
- 1.3 Each of the religious interest representatives will have voting powers in connection with the Council's education functions. Religious Representatives will not be able to vote at a scrutiny committee on any education matter which the scrutiny committee has called in from the Cabinet Committee.
- 1.4 The following nominations have been received from the Church of Scotland and Roman Catholic Church:-

Church of Scotland	-	Brian Blanchflower Limekilns
Roman Catholic Church	-	George Haggarty Broughty Ferry (to continue to serve as the Church's representative)
- 1.5 With regard to the appointment of the third representative, nominations were sought by way of local on-line advertisement, with a copy of the advert being sent to any church or denominational body having a duly constituted charge or other regularly appointed place of worship in Fife, together with ethnic minority religious interest groups in Fife.
- 1.6 Three nominations have been received from the undernoted bodies and resumes have been submitted on behalf of the three nominees. All are deemed suitably qualified to undertake the role. In reaching a decision Council must take into account the comparative strength of the denomination nominated. The most recent census data indicates that "other Christian" was the next most identified with religion in Fife (after Church of Scotland and Roman Catholic). It appears that Episcopal church has 14 churches in Fife

and the Baptist church has 11 but no further information is available to make an assessment of the cumulative strength of the congregations of those churches. On this basis Council should consider appointing either the Baptist or the Episcopal nominee in order to comply with the legislative provisions.

<u>Nominee</u>	<u>Nominated by</u>
Alastair Crockett	Cupar Baptist Church
Gerrard Francis Dillon	St. Luke The Evangelist Scottish Episcopal Church
Alasdair Baijal	Glencraig Christian Assembly

2.0 Conclusions

2.1 The Council's requirement to involve persons interested in the promotion of religious education when dealing with education matters can be met by the following appointments:-

- (a) Rev Brian Blanchflower and George Haggarty, representing the Church of Scotland and Roman Catholic Church respectively; and
- (b) a third person to be determined by the Council, from the three nominations received.

List of Appendices

- 1. None

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9th June, 2022

Agenda Item No. 13

SCHEME OF COUNCILLORS' REMUNERATION AND EXPENSES

Report by: Eileen Rowand, Executive Director Finance & Corporate Services

Wards Affected: All

Purpose

The purpose of this report is to outline the Scheme for Councillors' remuneration and expenses.

Recommendation(s)

Members are asked to:

- (i) note the report and
- (ii) approve this Scheme of Councillors Remuneration and Expenses.

Resource Implications

The payment of Councillor remuneration and expenses is a budgeted cost to the Council.

Legal & Risk Implications

The Remuneration Regulations, as amended, outline the arrangements for Councillors' remuneration.

There is a risk that expenses could be paid that are outwith the agreed scheme for Councillors remuneration and expenses.

Impact Assessment

Not applicable.

Consultation

Not applicable.

1.0 Background

- 1.1 This scheme applies to all Councillors. It replaces the scheme approved by Fife Council May 2017.
- 1.2 Councillors are entitled to remuneration and can claim for expenses they incur while on official duty. The statutory provisions regulating these payments are set out in section 14.1. Appendix 1 outlines Councillors allowances and expenses.
- 1.3 Councillors are entitled to receive remuneration and to claim expenses from the first day they are elected. To do this, a Councillor must sign the Declaration of Acceptance of Office of Councillor within 7 calendar days of being elected. If it is not signed within the 7 day period, then payment will be from the date of signing the declaration.

2.0 Remuneration of Councillors

- 2.1 Provisions prescribing the remuneration payable to Councillors are set out in the Remuneration Regulations 2007, as amended, approved by Scottish Ministers in exercise of their powers conferred by Section 18 of the 1989 Act, Sections 11 and 16(2) of the 2004 Act and all other powers enabling them in that behalf.
- 2.2 The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2017 provide that:-
 - Councillors shall be paid remuneration of £19,571 p.a.;
 - the Leader of the Council shall be paid £45,669 p.a.;
 - the Council's Civic Head may be paid remuneration up to £34,254 p.a.;
 - the Council may, in addition, pay remuneration up to £34,254 p.a. to a maximum number of nineteen senior Councillors provided that the total combined remuneration payable to these senior Councillors shall not exceed £511,316;
- 2.3 The Council will require to determine the level of remuneration to be paid to senior Councillors.
- 2.4 Remuneration will be paid in thirteen equal instalments every four weeks.

3.0 Pension Arrangements

- 3.1 The Local Government Pension Scheme (LGPS) is available to Councillors aged under 75, in accordance with the Local Government Pension Scheme (Scotland) Regulations 2018. A new Councillor eligible for membership is automatically a member but has the right to decide not to join the Scheme.
- 3.2 The Pensions Team provided new Councillors with a briefing note on the LGPS. The briefing note provided a link to the Fund's website at www.fifepensionfund.org where Councillors can find out more about the scheme, including the range of benefits provided and the cost of being an LGPS member. The Council shall pay contributions as required of an employer in accordance with the Regulations.
- 3.3 Although eligible Councillors will automatically join the scheme, Councillors must complete membership forms so that accurate pension records are set up. The briefing note provided a link to the Councillor membership form on the Fund's website.
- The note also provided links to
- The Request for Transfer Details form should Councillors wish to investigate transferring previous pension rights into the LGPS
 - The Expression of Wish form to be completed nominating beneficiaries to receive a lump sum death grant
- 3.4 Should a new Councillor not wish to be an LGPS member, they can opt out of the Scheme through the Council's First Contact Service. If a new Councillor opts out before completing three months' membership, they will be treated as never having been a member and the Council will refund to them, through their pay, any contributions they have paid
- 3.5 Councillors elected to office prior to May 2022, who decided not to join the Scheme, will remain as non-members. However, a membership form can be accessed from the Fund's website if any Councillor now wishes to join the scheme.

4.0 Waiving of Remuneration

- 4.1 Any Councillor may renounce, in whole or in part, the right to receive any remuneration payable in terms of this scheme or the Remuneration Regulations 2007, as amended, in which case, the remuneration will not be payable by the Council. A Councillor should do so by writing to the Executive Director (Finance and Corporate Services).

5.0 Civic Allowance

- 5.1 The Council may reimburse actual and receipted expenditure up to £4,000 p.a. incurred by the Civic Head in carrying out Civic duties.

6.0 Travelling and Subsistence Expenses

- 6.1 Any Councillor (or co-opted member who is entitled to claim "financial loss allowance") is entitled to claim payments from the Council by way of reimbursement of travel, subsistence (meals and accommodation) or other expenditure reasonably incurred while on approved duties, as detailed in this scheme.
- 6.2 The rates for travel and subsistence in the United Kingdom are set out in the Allowances Regulations and outlined at paragraph 6.9 and 6.11 below. The rates set are the maximum rates; only the actual amount spent can be claimed up to the maximum.
- 6.3 All items of expenditure (apart from road and bridge tolls) must be supported with a receipt.
- 6.4 Councillors should use the Council's Business Travel Service to book and pay for travel and accommodation as the Council can obtain discounts. When the Business Travel Service book and pay for travel and accommodation no claim can be made by the Councillor for such travel or overnight accommodation. Councillors can claim the cost of an evening meal if this is not included in the accommodation charge already paid by the Business Travel Service. These claims must be supported by a receipt. For air travel, the Business Travel Service will arrange tickets with the Council's preferred airline.
- 6.5 A Councillor may ask for an advance of expenses before carrying out approved duties. If an advance is required, the request must be with the Payroll Team Manager at least five working days before the date of travel. The advance will be deducted from the Councillors next pay.
- 6.6 All expenses claims must be made via expenses module which is prescribed by the Allowances Regulations 2007, as amended. Claims will be submitted through the Councils Self Service application Oracle Cloud. On the online form, details of every journey made should be shown as well as the type of expenses incurred. Claims can be made as soon as they occur via your self service expenses module within Oracle Cloud. No claim will be paid if it is more than 6 months after which the approved duty took place.
- 6.7 Travel outside Scotland but within the UK will be reimbursed at the lesser of the cost of reimbursement at mileage rate or the cost of travel by second class rail fare.
- 6.8 Where a Councillor incurs expenditure in performing an approved duty outside the U.K., for example, on a town twinning visit; as a representative of a national, European or international body; or to attend a conference, the Council will reimburse expenditure reasonably incurred by the Councillor in respect of travel and

subsistence in accordance with the provisions of the Allowances Regulations 2007, as amended. Any claim for items of expenditure must be supported by receipts.

In considering whether expenditure is reasonable, regard will be had to guidance issued on behalf of Scottish Ministers, the rates set out for travel and subsistence within the U.K. and any relevant factors or circumstances pertaining to the approved duty or the country in which the expenditure occurred.

6.9 The Council will reimburse travel costs on the following basis:

- (a) By Rail
- (b) By Sea
- (c) By Taxi
- (d) By Air
- (e) By Car - will be paid at the rate of 45p per mile (except for travel outwith Scotland - see section 6.7). Additional passenger rate is 5p per mile/per passenger. In addition to mileage allowances Councillors may also recover parking charges, road pricing/congestion charges, ferry fares and road/bridge tolls.
- (f) By Motorcycle – will be paid at the rate of 24p per mile
- (g) By Bicycle – will be paid at the rate of 20p per mile
- (h) By Bus/Tram – will be paid at the level of ordinary or cheap rate fare if available. Tickets or a suitable receipt should be submitted with claim.

The assumption is that travel by public transport will be by standard/economy class wherever possible and the cost of season tickets may be reimbursed where cost effective.

6.10 Councillors may book a taxi as an alternative to using their own car or public transport in order to undertake approved duties where it is not practicable to use other means of transport. The Councillor will be reimbursed for the cost of taxi journeys with either a receipt or an invoice from a taxi company.

6.11 Subsistence expenses (accommodation and meals) can be claimed if Councillors have incurred extra and necessary expense. Councillors must have been away from their normal place of residence for more than 4 hours and the period must fall

within certain times of day. Reimbursement for meals can only be made for meals purchased by a Councillor outwith their own electoral ward and outwith any premises of the Local Authority of which they are a member.

Breakfast allowance £8.00 - More than 4 hours away all before 11.00 am.

Lunch allowance £12.00 - More than 4 hours away which must include the period 12.00 to 2.00 pm.

Dinner allowance £25.00 - More than 4 hours away which must end after 7.00 pm.

Maximum overnight re-imbusement

(including breakfast)	-	London	£131.00
	-	Elsewhere	£110.00

- 6.12 Councillors may choose to stay overnight with family or friends instead of claiming overnight subsistence (bed and breakfast). In such cases, the council may pay an allowance of £25 per night if they consider the expense has been reasonably incurred by the councillor on approved council business.
- 6.13 If Councillors receive free meals while on Council business they cannot claim any expense in respect of these meals.
- 6.14 A Councillor's normal place of residence is regarded as the normal place of work for calculating entitlement to travel and expenses. The Council Headquarters can also be considered as the normal place of work where this is appropriate.

7.0 Approved Duties

- 7.1 Approved duties for the purpose of travelling and subsistence expenses are as follows:-
- (a) Attending meetings of the Council, and its Committees and Sub-Committees including Working Groups of the Council, Management Committees, Community Council or Community Forums to which Councillors have been appointed as a member or are expressly authorised to attend.
 - (b) Attending meetings of partner organisations of which membership has been approved by the Council and is connected to the business of the Council.

- (c) Attending meetings of partner organisations where the Council is entitled or required to appoint a member, and where attendance is connected with the business of the partner organisation.
- (d) Attending conferences, courses, meetings etc., provided this has been approved by the Council. Attendance at a conference or meeting is only an "approved duty" if the conference or meeting is organised to discuss matters that relate to the interests of local government. Attendance may not be an approved duty if the conference or meeting is arranged in the course of a trade or business or by a body the objects of which are wholly or partly political.
- (e) Attending pre-arranged meetings with other Councillors to discuss matters relating to business to be conducted by the Council.
- (f) Attending pre-arranged surgeries or meeting with constituents.
- (g) Attending functions, civic or otherwise, arranged by the Council or in connection with the Council's business.
- (h) Attending functions, meetings etc., where the Councillor is invited in his/her capacity as a Councillor by the Crown, H.M. Government, another local authority or public body, a charitable body, a community council or a voluntary organisation (the sole or main aim of which is to promote social welfare).
- (i) Attending meetings with the Chief Executive, Executive Directors, Heads of Service, or 2nd tier officers, (or other officers nominated by any of them) where the meeting has been called by the officer.
- (j) Attending the Council offices to use the members' secretariat for constituency business.
- (k) Attending meetings of Political Groups of the Council.

7.2 When making a claim for expenses, Councillors must clearly identify the nature of the meeting they attended. This is to allow sample checks to be made in accordance with Audit requirements. When attending political group meetings, if they wish to claim expenses, Councillors must make sure that their attendance is recorded and that this record or the minutes of the meeting (if attendance is shown) is passed to the Payroll Team Manager.

8.0 Communications Expenses

- 8.1 Councillors can currently be provided with a smartphone, a tablet or a mini desktop pc; both the smartphone and tablet incur data costs which are noted on the annual expenses publication.
- 8.2 Councillors can also register to use Caseworker case management system which incurs an annual charge also reported on the annual expenses publication.

9.0 Income Tax

- 9.1 Income tax and national insurance contributions will be deducted by the Council from remuneration and allowances where appropriate.
- 9.2 HM Revenue and Customs (HMRC) set the rate per mile which they consider covers the cost of travel by car.
- 9.3 Councillors have a right to claim tax relief on official expenses which are not covered by the Council, e.g. a tax allowance is available if a Councillor uses a room in his/her home for Council business. More information can be obtained from the Payroll Team Manager. If the Council provides equipment etc. for use at home, full details must be provided by Councillors to HMRC as there may be a liability to tax.

10.0 Miscellaneous

10.1 Records of Allowances

The Council is required to keep a record of the payments of expenditure and allowances made under the Allowances Regulations 2007, as amended. The record requires to show the name of the recipient, the nature of the claim and the amount of the payment. The record also requires to be published on the Council's website and made available for inspection on the request, in writing, of any person at the offices of the Council.

- 10.2 The Council must also publish the record as a minimum not later than 1st June in each year in respect of the previous year from 1st April to 31st March.

10.3 Social Security

The remuneration paid to a Councillor may affect his/her social security status - both in respect of claims and contributions. If a Councillor receives a particular benefit, and more information is required about how payment of remuneration could affect it, they should contact the Payroll Team Manager.

10.4 Insurance

A personal accident insurance policy covers Councillors while they are on Council duties. This covers death, permanent or temporary disablement and assault. It does not cover vehicle insurance and therefore Councillors must arrange insurance for any personal vehicle used on Council business. Councillors travelling abroad should make sure that they have adequate insurance cover before their departure date. This can be obtained through the Risk Management Team, Finance and Resources.

11.0 Duplication of Allowances

- 11.1 The 2007 Allowances Regulations, as amended, specifically provide that Councillors shall not be entitled to take expenditure into account for the purpose of more than one claim.
- 11.2 If a Councillor is reimbursed for travel or subsistence expenses through being a member of another public body, then he/she may not duplicate this claim by also claiming from the Council for the same expenses. This also applies to the financial loss allowance paid to co-opted members. Advice is available from the Payroll Team Manager.
- 11.3 These provisions apply equally to the payment of telephone/computer rental charges.

12.0 Financial Loss Allowances

- 12.1 Financial loss allowance is no longer payable to Councillors but co-opted members will be paid financial loss allowances. Any claim for a financial loss allowance must be made on the appropriate form obtainable from the Payroll/Pensions Lead Officer.

13.0 Amendment to Scheme

- 13.1 This scheme will be reviewed as necessary by the Chief Executive and the Executive Director, Finance and Corporate Services who will report back on the outcome of such reviews.

14.0 Definitions and Legislation

- 14.1 The entitlement of Councillors to allowances and expenses relating to their official duties on behalf of the Council is governed by:
- the Local Government (Scotland) Act 1973, "the 1973 Act";

- the Local Government and Housing Act 1989, "the 1989 Act";
- the Local Government Etc (Scotland) Act 1994, "the 1994 Act";
- the Local Governance (Scotland) Act 2004 ("the 2004 Act");
- the Local Government (Allowances and Expenses) Regulations 2007 ("the Allowances Regulations 2007");
 - the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2008 (SSI 2008/414)
 - the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2010 (SSI 2010/45)
 - the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2010 (SSI 2010/111)
 - the Local Government (Allowances and Expenses) (Scotland) Amendment Regulations 2011 (SSI 2011/304)
- the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 ("the Remuneration Regulations 2007");
 - The Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2017 (SSi 2017/66)
- The Local Authorities Etc (Allowances) (Scotland) Regulations 1995, "the 1995 Regulations".

14.2 The Allowances Regulations 2007 and Remuneration Regulations 2007 will apply and be deemed to be part of this Scheme.

14.3 In this scheme, unless the context requires otherwise:

- "approved duty" has the same meaning as in section 49(2) of the 1973 Act;
- "committee or sub-committee" in relation to the Council includes a joint committee of the Council and one or more other local authorities or, any sub-committee of such a joint committee;

- "Councillor" means an elected member of the Council;
- "co-opted member", in relation to a committee or sub-committee of the Council, means a member of that committee or sub-committee who is not a Councillor;
- "the Council" means the Fife Council;
- "year" means the period of 12 months beginning with 1 April.

Background Papers

The following papers were relied on in the preparation of this report:

- Councillors' Remuneration: Remuneration Allowances and Expenses Guidance (revised) April 2012.
- The Local Governance (Scotland) Act 2004 (Remuneration) Regulation 2007 as amended.

Report Contact

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COUNCILLORS ALLOWANCES AND EXPENSES

	Expense/Allowance
Basic Allowance/Salary	£19,571
Additional Allowance/Salary	Up to 19 'senior' councillors £26,911, available budget £511,316
Civic Allowance	£4,000
Mileage: Car	45p per mile
Motorcycle	24p per mile
Bicycle	20p per mile
Passenger Travelling	5p per mile/per passenger
Parking Charges	Receipted Cost
Bridge Tolls	Actual Cost
Public Transport/Taxis	Receipted Cost
Subsistence: Breakfast	£8
Lunch	£12
Dinner	£25
Overnight accommodation:	
London	£131
Elsewhere	£110
Staying with friends or family	£25

9th June, 2022

Agenda Item No. 14

NOTICE OF MOTIONS

Report by: Head of Legal and Democratic Services

Wards Affected: All

Purpose

In terms of Standing Order 8.1, the attached notice of motions have been submitted.

Recommendation(s)

Council is asked to consider the motions.

Resource Implications

Not applicable.

Legal & Risk Implications

Not applicable.

Impact Assessment

Not applicable.

Consultation

Not applicable.

Lindsay Thomson
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Motion 1

"Over 800 Fifers have tragically lost their lives over the course of the Covid Pandemic. The unveiling of the National Covid Memorial in Glasgow is a welcome step in recognising this loss and Council notes the steps being taken by others in formally recognising, at a local level, the loss of life as well as the contribution of key workers, volunteers and local communities throughout the last two years.

Council agrees to set up a working group to explore all aspects of the provision of a Fife Covid memorial, including seeking views from families and communities."

Proposed by Councillor David Barratt

Seconded by Councillor Rosemary Liewald