

Thursday, 11th May, 2023 - 10.00 a.m.

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AGENDA

Page Nos.

**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

In terms of Section 5 of the Code of Conduct, members are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.

**3. CIVIC BUSINESS BULLETIN – Verbal Update.**

**4. MINUTE - Minute of the meeting of Fife Council of 16<sup>th</sup> March, 2023.**

5 - 38

**5. MINUTES OF COMMITTEES AND SUB-COMMITTEES**

Minutes of meetings of the Council's committees and sub-committees, as contained in the volume of minutes uploaded to the intranet and Fife Council website, are submitted for accuracy.

Available on website & intranet

**6. LEADER'S REPORT**

39 - 42

**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. COMMITTEE POWERS - FREEDOM OF THE CITY OF DUNFERMLINE & ANNUAL ACCOUNTS – Report by the Head of Legal & Democratic Services.**

43 - 47

**9. NOTICE OF MOTIONS – Report by the Executive Director Finance & Corporate Services.**

48 - 51

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

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

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

Fife House  
North Street  
Glenrothes

Fife, KY7 5LT

4 May, 2023

If telephoning, please ask for:

Emma Whyte, Committee Officer, Fife House 06 ( Main Building )

Telephone: 03451 555555, ext. 442303; email: [Emma.Whyte@fife.gov.uk](mailto:Emma.Whyte@fife.gov.uk)

Agendas and papers for all Committee meetings can be accessed on  
[www.fife.gov.uk/committees](http://www.fife.gov.uk/committees)

## **BLENDED MEETING NOTICE**

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

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

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

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

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

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

Members joining remotely are reminded to mute microphones and switch cameras off when not speaking. This includes during any scheduled breaks or adjournments.



**THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING**

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

**16th March, 2023**

**10.00 a.m. – 3.50 p.m.**

**PRESENT:** Councillors Jim Leishman (Convener), Tom Adams, David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine, 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, Allan Knox, Robin Lawson, James Leslie, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Mary Lockhart, Donald Lothian, David MacDiarmid, Julie MacDougall, Lea McLelland, Lynn Mowatt, Sarah Neal, Derek Noble, John O'Brien, Nicola Patrick, Gordon Pryde, Bailey-Lee Robb, David Ross, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Andrew Verrecchia, Ross Vettraino, Craig Walker, Daniel Wilson, Jan Wincott and Conner Young.

**APOLOGY FOR ABSENCE:** Councillor Darren Watt.

**53. DECLARATIONS OF INTEREST**

Councillor Robb declared an interest in Para. 60 – Notice of Motions (Motion 5) – as he was a member of the Commission for Inquiry (Adverse Childhood Experiences).

Councillors Campbell and Graham both declared an interest in Para. 60 - Notice of Motions (Motion 6) - as they were both shop owners.

**54. CIVIC BUSINESS BULLETIN**

**Decision**

The Council noted the Civic Business Bulletin.

**55. MINUTE**

The Provost, seconded by Councillor Erskine, moved that the minutes of the meetings of 8th December, 2022 and 23rd February, 2023 be approved.

**Decision**

The/

## 2023 FC 67

The Council approved the minutes.

### 56. MINUTES OF COMMITTEES AND SUB-COMMITTEES

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

- (1) West & Central Planning Committee of 14th December, 2022 and 18th January, 2023.
- (2) North East Planning Committee of 7th December, 2022, 11th January and 8th February, 2023.
- (3) Fife Planning Review Body of 12th December, 2022 and 13th February, 2023.
- (4) Regulation and Licensing Committee of 1st November and 6th December, 2022.
- (5) Cabinet Committee of 15th December, 2022, 12th January and 9th February 2023.
- (6) Standards, Audit & Risk Committee of 28th November, 2022.
- (7) Pensions Committee of 1st and 13th December, 2022.
- (8) Glenrothes Area Committee of 25th January, 2023.
- (9) Levenmouth Area Committee of 8th February, 2023.
- (10) South & West Fife Area Committee of 23rd November, 2022 and 25th January, 2023.
- (11) Cowdenbeath Area Committee of 7th December, 2022 and 1st February, 2023.
- (12) North East Fife Area Committee of 15th February, 2023.
- (13) City of Dunfermline Area Committee of 22nd November, 2022 and 7th February, 2023
- (14) Kirkcaldy Area Committee of 22nd November, 2022 and 7th February, 2023.
- (15) Environment, Transportation & Climate Change Scrutiny Committee of 21st June, 27th September, 29th November, 2022 and 31st January, 2023.
- (16) Education Scrutiny Committee of 21st June, 28th September, 15th November, 2022 and 24th January, 2023.
- (17) Finance, Economy & Corporate Services Scrutiny Committee of 15th June, 8th September, 3rd November, 2022 and 26th January, 2023.
- (18) People & Communities Scrutiny Committee of 15th June, 16th August, 27th September, 27th October, 2022 and 19th January, 2023.
- (19) Fife Health & Social Care Integration Joint Board of 25th November, 2022.

#### **Decision**

The Council noted the minutes.

### 57. LEADER'S REPORT

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

#### **Decision/**

**Decision**

The Council noted the report.

**58. QUESTION TIME**

In terms of Standing Order 1.7, the questions put by members to the meeting, the written answers and supplementary questions are contained in Appendix 1 to the minute.

Councillor Ross, Leader of the Administration answered Question 1.

Councillor Wincott, Spokesperson for Environment and Climate Change answered Questions 2, 3, 4 and 16.

Councillor Craik , Spokesperson for Finance, Economy and Strategic Planning answered Questions 5, 7, 8, 9, 11, 13, 14, 15 and 17.

Councillor Hilton, Spokesperson for Education answered Question 6.

Councillor Hamilton, Spokesperson for Housing and Building Services answered Question 10.

Councillor Adams, Convener of the Fife Licensing Board answered Question 12.

**59. GOVERNANCE ARRANGEMENTS - STANDING ORDERS**

The Provost advised that in terms of Standing Order 5.2 he had deferred consideration of the report to a future meeting of the Council to allow for further consultation with political groups.

*The meeting adjourned at 11.25 a.m. and reconvened at 12 noon.*

*Councillor Dempsey left the meeting during the recess.*

**60. NOTICE OF MOTIONS**

The Council considered a report by the Head of Legal and Democratic Services which required the Council to consider motions submitted in terms of Standing Order 8.1.

**Motion 1**

Councillor Calder, seconded by Councillor Al Clark, moved as follows:-

**Tackling Marine Pollution**

“Council notes the devastating impact of marine pollution, such as micro plastics. This is an increasingly serious problem for our environment.

Council also notes the work of Kimo UK, whose mission is to unite local governments, prevent pollution and protect, preserve and enhance the seas and coastal waters of the North-East Atlantic and Baltic regions. Currently 8 local authorities in Scotland are members of Kimo UK.

Council/

## 2023 FC 69

Council calls for a paper to be brought to Cabinet Committee inviting councillors to consider membership of Kimo UK including budgetary implications as well as further details on the benefits of membership. This paper will include all necessary information allowing the Cabinet Committee to make an informed decision.”

### **Decision**

The Council agreed the motion unanimously.

*Councillor Neal left the meeting following consideration of the above item.*

### **Motion 2**

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

#### **Crisis in Scottish Dentistry**

“Fife Council notes that access to NHS Dentistry in the area has become significantly harder in recent years for residents of Fife.

Council further notes that the number of NHS dental claims in NHS Fife area has reduced from 381,169 in 2019 to 211,287 between January and November 2022.

Council understands that many dentists are not accepting new NHS patients and that polling has shown that many of those registered have been unable to get appointments, leaving people in pain and causing wider mouth health issues to be missed.

Council believes that access to NHS dentistry is essential for residents of Fife and that the SNP/Green Scottish Government is failing to reform the funding structures so that dentists can return to taking on NHS activity and enable more patients to be seen.

Council further requests the Council leader writes to the Scottish Health Secretary to request urgent action to tackle the lack of access to NHS dentists.”

### **Amendment**

Councillor Liewald, seconded by Councillor Steele, moved as follows:-

Crisis in Scottish Dentistry –

“Fife Council notes that access to NHS Dentistry in the area has become significantly harder in recent years for residents of Fife due to the impact of Brexit and covid.

However, it is noted that per 10,000 people, Scotland has the highest number of dentists in any of the other countries in the UK.

Scotland - 6.2 dentists per 10,000 people  
Northern Ireland 6.0 “  
Wales/



## 2023 FC 70

Wales 4.8 “  
England 4.4 “

It is also noted that in 2021 there were 3,703 dentists working for the NHS in Scotland. An increase of 29 from 2019.

In Fife the number of Dentists in 2019 were 258, in 2020 260, and in 2021 256.

There are 70 registered NHS practices in Fife.

There are also Thirteen Public Dental Service locations in Fife. Five of these offer a short course of treatment after the initial visit. These are services that anyone can access in an emergency regardless of whether or not you are registered with a dentist and will be seen within 24 hours.

It is therefore untrue that Fifiers will be left in pain causing further oral and dental health issues.

Data from NHS England and NHS Wales shows more than 2,500 dentists (up to 8% of the workforce stopped treating NHS patients last year). Council requests the Council leader writes to the Scottish Health Secretary to seek assurance that dentistry in Fife and Scotland will not only remain the best resourced in the UK but will endeavour to increase performance and funding and overtake the issues created by Brexit and Covid.”

### **Roll Call**

#### **For the Motion** – 39 votes

Councillors Tom Adams, Mary Bain-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, 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, Jan Wincott and Conner Young.

#### **For the Amendment** – 31 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, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, John O'Brien, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettrano, Craig Walker and Daniel Wilson.

### **Decision**

The Council agreed in terms of the motion.

The/

## 2023 FC 71

The meeting adjourned at 12.50 p.m. and reconvened at 1.35 p.m.

Councillors Hamilton and Kennedy left the meeting during the recess.

### Motion 3

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

#### **Including swimming lessons as integrated part of Physical Education courses in Primary Schools**

“The Council notes that

- Swimming is a life (saving) skill for everybody;
- Schools in England have swimming integrated in their PE curriculum in primary schools; (1)
- Pupils in some countries in Europe are required to be able to swim 25 metres by the end of primary school;
- Swimming is a complete sport which is known to be good for both for physical and mental health.

The Council also notes that:

- Local authorities have seen their budget cut significantly the last 10 years preventing them from including a number of items in their curriculum such as swimming;
- In 2015, the Scottish Government had pulled funding from its £1.72m programme to support school swimming lessons;
- Part of the curriculum of excellence has the duty to *ensure that children and young people develop the knowledge and understanding, skills, capabilities and attributes which they need for mental, emotional, social and physical wellbeing now and in the future.* (2)

The Council is calling for:

- The Administration, in alliance with other authorities, to press the Scottish Government, the Scottish Minister for Education and Skills as well as the Scottish Minister for Health to prioritise funding to school swimming classes as an integrate part of Physical Education;
- A report of the feasibility of including school swimming lessons at primary school level in Fife including costs and practicalities to be brought to the Cabinet Committee.”

(1) <https://www.gov.uk/national-curriculum/key-stage-1-and-2>

(2) <https://education.gov.scot/education-scotland/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-building-from-the-statement-appendix-incl-btc1-5/curriculum-areas/health-and-wellbeing/>

### Amendment 1

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

“Replace the final the section from “The council is calling for.... “ including the 2 bullet points and replace with the following:

The/

## 2023 FC 72

The Council calls for a report on the current position and future options for supporting swimming for children and young people, including school swimming lessons and consideration of Scottish Government funding, to be submitted to the Education Scrutiny Committee for consideration and recommendations.”

### Amendment 2

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

“After "The council also notes that"  
Delete the first two bullet points

And after "The council is calling for"  
Delete first bullet point”

*The meeting adjourned at 2.00 p.m. and reconvened at 2.10 p.m.*

*With the agreement of the Provost, the movers of both the motion and the amendments agreed to conjoin. The amended conjoined motion read as follows:-*

### **Including swimming lessons as integrated part of Physical Education courses in Primary Schools**

“The Council notes that

- Swimming is a life (saving) skill for everybody;
- Schools in England have swimming integrated in their PE curriculum in primary schools; (1)
- Pupils in some countries in Europe are required to be able to swim 25 metres by the end of primary school;
- Swimming is a complete sport which is known to be good for both for physical and mental health.

The Council also notes that:

- Part of the curriculum of excellence has the duty to *ensure that children and young people develop the knowledge and understanding, skills, capabilities and attributes which they need for mental, emotional, social and physical wellbeing now and in the future.* (2)

The Council calls for a report on the current position and future options for supporting swimming for children and young people, including school swimming lessons and consideration of Scottish Government funding, to be submitted to the Education Scrutiny Committee for consideration and recommendations.”

(1) <https://www.gov.uk/national-curriculum/key-stage-1-and-2>

(2) <https://education.gov.scot/education-scotland/scottish-education-system/policy-for-scottish-education/policy-drivers/cfe-building-from-the-statement-appendix-incl-btc1-5/curriculum-areas/health-and-wellbeing/>

### **Decision/**

**Decision**

The Council agreed the amended conjoined motion unanimously.

*Councillor Glen left the meeting during consideration of the above item.*

**Motion 4**

Councillor Barratt, seconded by Councillor Barrera, moved as follows:-

**Councillor Parking**

“Council notes the current practice at Fife House of reserving 6 car parking spaces for Councillors on a daily basis up until 10:30am and 30 spaces on days when the full Council meets.

Council notes that the matter was last discussed in 2016 and referred to the then Cross-Party Leaders’ Group, but that no changes were subsequently made.

Council agrees that the practice of reserving specific car parking spaces for elected members is no longer necessary and unnecessarily prioritises Councillors over council officers and visitors.

Council therefore agrees that the practice of designating specific car parking spaces exclusively for the use of Councillors, with the exception of the Council car used to support the civic business of the Provost, should end at Fife House and at any other Council Office where spaces are ‘reserved’ for elected members.”

**Amendment 1**

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

**Councillor Parking**

“Council calls for a report to be brought to Full Council, with an aim of offering key recommendations to help elected members to reduce their carbon footprint. Council calls for council officers to look specifically at the best incentives to help encourage the use of alternative means of transport for commuting to all council buildings in Fife (Carpool, Public Transport, Active Travel). Council also calls for the practice of reserving specific car parking spaces for elected members to be scrapped as it is no longer necessary and encourages car use when we should be fighting the climate emergency with the exception of the Provost’s car which is used to support civic business.”

**Amendment 2**

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

**Councillor Car Parking**

Delete all and replace:

“Council/

## 2023 FC 74

“Council notes that parking arrangements to allow Elected Members access to council buildings vary in different council locations across Fife.

Council further notes that daily spaces for councillors visiting Fife House are not currently in place and have not been for the past 2-3 years.

Council agrees to request the Cross Party Leaders’ Group to review the current situation and agree future arrangements with the Chief Executive.”

*With the agreement of the Provost, the mover of Amendment 1 withdrew his amendment.*

### **Roll Call**

#### **For the Motion** – 30 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, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, John O’Brien, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

#### **For Amendment 2** – 36 votes

Councillors Tom Adams, Mary Bain-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, Graeme Downie, Gavin Ellis, Linda Erskine, David Graham, Peter Gulline, Cara Hilton, Gary Holt, 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, Jan Wincott and Conner Young.

### **Decision**

The Council agreed in terms of Amendment 2.

*Councillor Dillon left the meeting during consideration of the above item.*

*Councillor Robb left the meeting prior to consideration of the following item having earlier declared an interest.*

#### **Motion 5**

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

“Council supports the Wave Trust's 70/30 campaign to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year 2030. Council asks officers to bring a report to a future meeting of the Cabinet/

## 2023 FC 75

Cabinet Committee on how the ambitions of this campaign can best be achieved in Fife.”

### Amendment

Councillor Kathleen Leslie, seconded by Councillor Ellis, moved as follows:-

(Keep text and add to it the below)

Council is reminded of conjoined Motion 6 (March 2019) that:

- Notes the campaign to make Scotland the first Adverse Child Experiences (ACE) aware Nation, and the work done by the Fife ACEs group to gain over 1100 active members in less than six months; and the creation in Fife of the “Be that Person” DVD;
- Considers that increased awareness of the impact of ACEs is key to driving investment in initiatives that promote safe, stable and nurturing relationships and environments which can have a positive impact on a broad range of challenges and on the development of skills that will help children and young people reach their full potential;
- Urges all concerned to use ACE awareness to have a positive impact on both individuals and society as a whole;
- Supports all teaching staff, pupils support assistants and early years practitioners to be encouraged to take up opportunities for continued professional learning sessions on Adverse Childhood Experiences (ACEs).

Today:

- Council acknowledges that Adverse Childhood Experiences can and do impact on learning, attainment and future prospects for children and young people;
- Council recognises that a multi-agency Trauma Informed Steering Group is in place in Fife;
- Council recognises that Trauma Informed learning is taking place across our early years and school settings to support and train staff working with children and young people.

Council requests that a report to Cabinet Committee should also include:

- An update on the work of the Trauma Informed Steering Group;
- Feedback produced following opportunities for continued professional learning (including online learning) undertaken by teaching staff, PSAs and early years practitioners to become Trauma Informed;
- Consideration as to how to make the workforce of Fife, including elected representatives, more aware of Adverse Childhood Experiences and how to become Trauma Informed”.

*With the agreement of the Provost, the mover of the motion agreed to accept the amendment. The conjoined motion read as follows:-*

“Council supports the Wave Trust's 70/30 campaign to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year/

## 2023 FC 76

year 2030. Council asks officers to bring a report to a future meeting of the Cabinet Committee on how the ambitions of this campaign can best be achieved in Fife.

Council is reminded of conjoined Motion 6 (March 2019) that:

- Notes the campaign to make Scotland the first Adverse Child Experiences (ACE) aware Nation, and the work done by the Fife ACEs group to gain over 1100 active members in less than six months; and the creation in Fife of the “Be that Person” DVD;
- Considers that increased awareness of the impact of ACEs is key to driving investment in initiatives that promote safe, stable and nurturing relationships and environments which can have a positive impact on a broad range of challenges and on the development of skills that will help children and young people reach their full potential;
- Urges all concerned to use ACE awareness to have a positive impact on both individuals and society as a whole;
- Supports all teaching staff, pupils support assistants and early years practitioners to be encouraged to take up opportunities for continued professional learning sessions on Adverse Childhood Experiences (ACEs).

Today:

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- Council recognises that Trauma Informed learning is taking place across our early years and school settings to support and train staff working with children and young people.

Council requests that a report to Cabinet Committee should also include:

- An update on the work of the Trauma Informed Steering Group
- Feedback produced following opportunities for continued professional learning (including online learning) undertaken by teaching staff, PSAs and early years practitioners to become Trauma Informed;
- Consideration as to how to make the workforce of Fife, including elected representatives, more aware of Adverse Childhood Experiences and how to become Trauma Informed”.

### **Decision**

The Council agreed the conjoined motion unanimously.

*Councillor Robb rejoined the meeting following consideration of the above item.*

*Councillors Backhouse and Ballantyne-Wardlaw left the meeting during consideration of the above item.*

*Councillors/*

## 2023 FC 77

*Councillors Campbell and Graham left the meeting prior to consideration of the following item having earlier declared an interest.*

### Motion 6

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

“This Council asks that the Leader writes to the [Minister for Green Skills, Circular Economy and Biodiversity](#), to ask her to pause the Deposit Return Scheme whilst the concerns raised by Fife’s businesses, establishments and residents are addressed with a view to making this important environmental step sustainable, viable and equitable for producers and consumers alike.”

### Amendment

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

“The Council welcomes the introduction of the Deposit Return Scheme as a key point in raising recycling rates in Fife and Scotland.

The Council recognises that some concerns have been expressed, in particular by small businesses which may be a barrier to participating in the Deposit Return Scheme, which is due to be implemented in August this year.

Council encourages the relevant spokespersons engage positively with the Scottish Government and relevant Fife businesses to ensure that the scheme has a successful introduction.”

### Roll Call

#### For the Motion – 31 votes

Councillors Tom Adams, Mary Bain-Lockhart, Patrick Browne, James Calder, Alistair Cameron, Ian Cameron, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Graeme Downie, Gavin Ellis, Linda Erskine, Peter Gulline, Cara Hilton, Gary Holt, 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, Jan Wincott and Conner Young.

#### For Amendment 2 – 29 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Alistair Bain, David Barratt, Auxi Barrera, John Beare, Aude Boubaker-Calder, Ken Caldwell, Rod Cavanagh, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O’Brien, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ross Vettraino, Craig Walker and Daniel Wilson.

### Decision

The Council agreed in terms of the motion.

*Councillors/*



## 2023 FC 78

*Councillors Caffrey, Al Clark and Verner left the meeting during consideration of the above item.*

*Councillors Campbell and Graham rejoined the meeting following consideration of the above item.*

*Councillor Neal rejoined the meeting during consideration of the above item.*

*In terms of Standing Order 8.1(2) the Provost agreed to accept an urgent motion in relation to Kincardine GP Surgery in that the timing of the announcement of the capital spending occurred just before the motion deadline allowing insufficient time for the impact of the funding to be considered and for a motion to be drafted to be issued with the Council agenda.*

### Urgent Motion

Councillor Downie, seconded by Councillor Verrecchia, moved as follows:-

"This Council is aware that in 2016 the community in Kincardine were told their GP Surgery building was unfit for purpose and a new building promised by NHS Fife and Scottish Government; notes that, as a result of changes to Scottish Government capital spending, on 7 March it was announced funds for a new GP surgery in Kincardine are *"...unlikely to be released...within the initially anticipated timescales... As a result resources will likely be provided in the second half of the decade."*; understands this will mean Kincardine is unlikely to have a new GP surgery completed until more than 15 years after the current building was found to be unsuitable; believes this decision will make it harder for NHS Fife to provide effective health care to the people of Kincardine; RESOLVES that the Leader of the Council will write to the Cabinet Secretary for Health & Wellbeing outlining the urgency of the construction of a new GP surgery in Kincardine and asking him to provide funding so that the people of Kincardine can have the new GP surgery building they were promised in 2016."

### Amendment

Councillor Erskine, seconded by Councillor Bain-Lockhart, moved as follows:-

"This Council is aware that in 2016 the communities of Kincardine and Lochgelly were told their GP Surgery buildings were unfit for purpose and new buildings were promised by NHS Fife and Scottish Government; notes that, as a result of changes to Scottish Government capital spending, on 7 March it was announced funds for a new GP surgeries in Kincardine and Lochgelly are *"...unlikely to be released...within the initially anticipated timescales... As a result resources will likely be provided in the second half of the decade."*; understands this will mean Kincardine and Lochgelly are unlikely to have a new GP surgery completed until more than 15 years after the current buildings were found to be unsuitable; believes this decision will make it harder for NHS Fife to provide effective health care to the people of Kincardine and Lochgelly.

RESOLVES that the Leader of the Council will write to the Cabinet Secretary for Health & Wellbeing outlining the urgency of the construction of new GP surgeries in Kincardine and Lochgelly asking him to provide funding so that the people of Kincardine and Lochgelly can have the new GP surgery building they were promised in 2016."

*With/*

*With the agreement of the Provost, the mover of the motion accepted the amendment.*

**Decision**

The Council agreed unanimously in terms of the amendment.

*Councillor Graham left the meeting during consideration of the above item.*

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

In terms of Standing Order 8.1(2) the Provost agreed to accept an urgent motion as detailed at Para. 60 above.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH, 2023**

**QUESTION TIME**

**Question 1 from Councillor Dave Dempsey**

At the session of Holyrood's Finance and Public Administration Committee on 24/5/22, the Fife Council officer present said (page 13 of <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=13775>)

The accountability question is difficult. It is important that we are accountable to our communities and the public by being clear and honest about what we have and have not achieved. At times in the whole industry of performance reporting and performance frameworks, there is more of an emphasis on reassurance than on challenge.

When reports are taken to committees such as this one—particularly service committees—there is a sense that we are throwing lots of numbers at you and showing that we are measuring things, and if the figures are going down, there may be a good reason for that. However, who is asking the difficult questions about whether we are making a difference and making things better? That is where accountability comes in. There has to be internal challenge as well as external challenge.

Given that Fife Council recognises this issue, what is Fife Council doing to address it?

**Answer**

The statement should be viewed in the context of the session of the Holyrood Committee which concerned the National Performance Framework – full details of which are on the Scottish Parliament website – and councils are accountable to their communities not directly to the Scottish Government, so ring fencing and under funding of local government by central government creates a problem. The Council's Scrutiny Committees have been established to improve internal assurance and monitoring and I would be happy to discuss this with Cllr Dempsey outwith the Council meeting.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH, 2023**

**QUESTION TIME**

**Question 2 from Councillor James Calder**

How many flytipping reports were received last year in Fife and how many fixed penalty notices were issued?

Answer

There were 3274 reported cases of flytipping and 95 fixed penalty notices issued in 2022.

Supplementary

Will you be monitoring the impact on lifting the bulky uplift charge on flytipping?

Answer

Yes this will be a priority.

## FIFE COUNCIL

16<sup>TH</sup> MARCH, 2023

### QUESTION TIME

#### **Question 3 from Councillor Dave Dempsey**

In a number of ways, including the newly announced Green Freeport, Fife Council is part of the just transition to net zero emissions. Is the Council aware of transitions to net zero that are not just and, if so, what steps is the Council taking to ensure that its measures are just?

#### **Answer**

A Just Transition being one where we end our contribution to climate change in a way that is fair and leaves no one behind. This however is a broad concept, and as such we would be unable to describe a specific example of “transitions to net zero that are not just”. However there are activities to deliver net zero that if not done in consideration of their socio-economic impact would be considered “not just”. An example would be if a government banned the particular mode of transport (powered by fossil fuels), leaving only expensive low carbon options available, and without making provisions to support affordable alternatives, this could be determined as “not just” as it would be limiting travel options for those with limited incomes or most in need.

Regarding your specific questions “.. what steps is the Council taking to ensure that its measures are just?” We look to identify the socio-economic impact of our actions, projects and programmes, normally through a benefits mapping. We also use our Local Strategic Assessments to inform our strategy on both what and where we undertake activity, and use tools such as Equality Impact Assessments and Strategic Environmental Assessment to inform programme and policy decisions.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH, 2023**

**QUESTION TIME**

**Question 4 from Councillor Dempsey**

What costs are the Council expecting to incur as a consequence of the introduction of the Scottish Government's Deposit Return Scheme and how are these costs distributed between

- the effect on kerbside collection
- provision of infrastructure such as machines to receive recycled containers
- handling and storage costs
- other costs

**Answer**

The Deposit and Return Scheme will affect Fife Council in two broad ways:

- In our capacity as a retailer of in-scheme containers
- In our capacity as a provider of waste collection and disposal services

Regarding the costs associated with

- *provision of infrastructure such as machines to receive recycled containers*
- *handling and storage costs*

As a retailer of in-scheme containers (via our schools, cafes etc 25 venues in total.) we are legally required to operate a Return Point where the deposit can be reclaimed when the material is returned (unless an exemption is applicable).

This requires some changes to our collection, handling and storage infrastructure at these locations. This is likely to take the form of Reverse Vending Machines (RVM) – a machine that collects the material and returns the deposit to the individual.

The cost associated with this is currently undetermined as we are both investigating the market for Reverse Vending Machines for purchase, and there will be a Management Fee payable to all Return Point operators. This Management Fee will be based on the amount of material collected, which we are unable to determine the value until the scheme is operational. The Management Fee will offset some of the costs for the

RVMs, but the total costs cannot be determined until both a procurement exercise has been undertaken and the amount of material coming through has been determined.

In response to this, an internal DRS Project Group has been established, led by Facilities Management. That group is preparing a project plan that includes:

- Assessing our retail premises to determine those that will become Return Points, and those that may be exempt.
- Organising the procurement and installation of suitable reverse vending machines for Fife Council locations.
- Identifying a source of capital funding for reverse vending machines.
- Developing communications plan for the launch.

Regarding the impact

- *the effect on kerbside collection*
- *other costs*

The scheme will impact Fife Council waste and recycling services in the following ways: **Household waste & recycling collection services**, including both kerbside collection and wider recycling infrastructure. The kerbside “Green Bin” will see a reduction of around 20% of material. Recycling Points in particular are likely to see a significant drop in glass collected (an estimated 80% reduction in volume and weight)

Whilst there is likely to be an impact to kerbside material collected, we do not believe this will have a significant operational impact. As noted above, the Green Bin will likely be less full, and therefore likely to have positive benefits to reducing excess waste normally deposited at recycling points and freeing up additional space for other plastics (films etc.) we recently added to the material collected. As such we do not anticipate any immediate changes at kerbside (or associated cost), but we will be monitoring for a period after DRS goes live to inform any future options for operational changes.

**Income from recycled material.** Our most recent estimate is that there will be a negative financial impact of circa £1.6m per annum, directly on Cireco (Fife Council’s arms-length resource management company), indirectly impacting Fife Council as this critical income stream allows Cireco to maintain the c£5.5m of subsidy to Council activities.

This figure is based on:

- removing current income streams from sale of recycled material and the current market value,
- partially offset by expected reduced expenditure, including landfill avoidance, and
- information available to us at present, and a number of estimates applied, such as a 90% uptake

## FIFE COUNCIL

16<sup>TH</sup> MARCH, 2023

### QUESTION TIME

#### **Question 5 from Councillor Browne**

To ask the Labour administration if it will make a statement on the completion of the new industrial units at the Hillend and Donibristle Industrial Estate in Dalgety Bay and their expected contribution to economic development and growth in south and west Fife?

#### **Answer**

The development of the new units at West Way, located in the Hillend and Donibristle Industrial Estate is the latest of a number of regeneration projects that have taken place within Hillend and Donibristle Industrial Estate and marks a significant milestone in Fife Council's long-term commitment to the regeneration of the Estate - in addition to acting as a catalyst for future business investment and jobs growth locally. The project is funded by the Edinburgh and South East Scotland City Region Deal and forms part of the Fife Industrial Innovation Investment (Fi3P) programme.

The new units ensures that Fife's industrial estates provide a flexible space and attract innovative industries to the area, they have also contributed to revitalising the local area. The units are supporting 7 innovative companies from a variety of sectors who have ambition to develop and grow their businesses. The companies have created or sustained over 20 local jobs . A requirement for tenants taking leases in the units is for them to have fair work policies in place and commit to paying the real living wage, helping to support local economic growth. Tenants must also meet criteria around innovation capability.

Hillend and Donibristle Industrial Estate is one of Fife's most important and successful industrial estates and is home to over 200 companies. These companies range in scale and sector. Regeneration of industrial estates is a priority for Fife Council to address the ongoing concern that a lack of modern business property and effective employment land is having a detrimental impact on the Fife economy and the region's ability to attract investment. This is one of three projects which will be delivered under the Fife Industrial Innovation Investment Programme in the area, Site servicing projects at Ridge Way and Beech Way are scheduled to start in Tranche 2 of the Fi3P programme.

There has been strong tenant demand for the units which are fully let. The next units that will be completed in the South West Fife area will be located at Fife Interchange



North , which will provide a further 10 units. These are scheduled for completion in Summer 2024.

The Fi3P programme participates in the City Region benefits realisation programme, which forms part of annual reporting to the UK and Scottish Governments.

Supplementary

Can I ask for assurance that West Way development will be completed?

Answer

Yes

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 6 from Councillor Browne**

To ask the Labour administration if it will make a statement about progress in delivering the long awaited £85 million pounds replacement for Inverkeithing High School?

Answer

In line with our usual processes, we have raised a New Project Request (NPR) with Hub East Central to progress the design of the new campus. The design team and main contractor were appointed in December 2022. The team has extensive experience in delivering previous schools for Fife Council.

A formal consultation under the terms of the Schools (Consultation) (Scotland) Act 2010 is required to be undertaken, as the proposal is that the school would be relocated to a different site. It is currently anticipated that a report seeking approval to commence this statutory consultation process will be brought to Cabinet Committee in April 2023.

It is intended that the new building will open to pupils in August 2026.

Supplementary

Can I seek assurance that whilst waiting for the new school the council will maintain the current Inverkeithing High School?

Answer

Yes

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 7 from Councillor Dempsey**

What is the typical cost of filling a single pothole and what is the additional cost of filling a second pothole adjacent to the first?

Answer

The Fife Council policy for road defect repairs is based on a Risk Based Assessment where road defects are classified as:

P1 (repair in 24 hrs)

P2 (repair in 5 days)

P3 (repair in 3 months)

P4 (repair in 12 months)

P1 and P2 pothole repairs are very much an emergency repair and hence by their nature are more expensive.

P3 and P4 repairs by their timescales allow repairs to be planned and can therefore be undertaken in a more coordinated cost-effective manner.

I should highlight that the cost of individual pothole repairs can vary considerably as the actual cost depends on the specific location and the extent of traffic management required to undertake the work safely.

In terms of costs, the average cost per m<sup>2</sup> for the four categories of repair (based on April 2022 to January 2023 data) are:

P1     £202

P2     £190

P3     £70

P4     £59

In terms of costs for undertaking a second pothole adjacent to the first it would be a similar cost.

Roads & Transportation Services are currently in the process of introducing a new digital management system for this area of work with a view to better coordinate works and associated costs. The data emerging from this work has allowed additional internal resources to be allocated to help address the level of road defect repairs and will look to further improve this going forward.

Supplementary

Does the administration share my concerns about the reputation of the Council and public perception?

Answer

Not helpful to denigrate the service provided. No I don't accept this describes the situation we are in.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 8 from Councillor O'Brien**

How many fife council employees have signed up to the Cycle to work scheme since the start of the Scottish government initiative?

Answer

The salary sacrifice cycle to work scheme operated in Fife Council is part of the Department for Transport scheme (guidance available here: [Cycle to Work Scheme guidance for employers \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/guidance/cycle-to-work-scheme-guidance-for-employers)).

The Scottish Government have several initiatives around increasing accessibility to cycling but the cycle to work scheme for the employer salary sacrifice is the Department for Transport scheme and, since 2015, there have been 1106 applications from employees across the council. Some employees may have applied more than once so this figure is not a direct count of employees.

Supplementary

What is this coalition administration doing to promote the scheme?

Answer

It is a Department of Transport Scheme, however the Council does encourage employees to use alternative forms of transport for health and the environment. There is no coalition.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 9 from Councillor O'Brien**

How many cycle spaces/lockers has Fife Council provided for employees at workplaces?

Answer

Shelters can hold 6 bikes.

Building	Bike locker	Shelter
Kirkcaldy Townhouse	6	0
Carberry House	0	1
New City House	0	1
Dunfermline City Chambers	2	0
Fife House	5	2
County Buildings	0	1
Bankhead	18	2

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 10 from Councillor Goodall**

What is the current waiting time for a Housing Functional Needs Assessment across Fife?

**Answer**

We currently have forms dating back to October awaiting assessment. The Housing Occupational Therapy team who assess the Housing Functional Needs Assessments are currently experiencing high levels of absence, this coupled with an increase in demand for assessment has led to a significant back log.

We have streamlined the process and ensured the waiting times have stabilised regardless of the area of Fife you currently reside or have applied to be housed in. We are focusing on making our service accessible to all, increasing quality of assessments and triaging where necessary those in most need; whether that be through homelessness or hospital discharge. Their priority for assessment is those with the most critical need and risk therefore due to the volume of referrals they receive, they do have to operate a waiting list and therefore applicants may have to wait for assessment. Whilst applicants are waiting their housing application is live and available for offers of housing.

**Supplementary**

Can you give a rough estimation of when this backlog can be cleared?

**Answer**

Cannot provide a date for backlog to be cleared but the service is committed to clearing as soon as possible.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 11 from Councillor Dempsey**

What additional resources have been or will be deployed to deal with the considerable volume of work required in advance of implementing the ban on Pavement Parking?

Answer

Roads and Transportation staff resources have been working on the outline assessment of locations across Fife.

Fife Council has also been awarded £185,400 from The Scottish Government to help fund the assessment process.

Roads & Transportation Services are planning to utilise external resources to help with the delivery of the parking ban. It should be highlighted that identification and treatment of locations which will be exempt from the parking ban will require a considerable work focus.

In terms of timescale for implementation, Transport Scotland is still working on the secondary legislation which is required to provide local authorities with the necessary tools to enforce the pavement parking prohibitions. Transport Scotland has intimated that it is their intention to have this guidance available from late 2023 onwards. However, it should be noted that the development of all stages of the parking ban have taken longer than initially intimated.

Supplementary

The area roads programme that came to South and West Fife Area Committee contained no proposals in traffic management as behind schedule. Is what is being done adequate?

Answer

Secondary legislation is not yet in place so won't be on area roads programme. Happy to ask officers to work through the process with you.



**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 12 from Councillor Ballantyne-Wardlaw**

Can officers confirm if Thornton Greyhound Stadium comes under Fife Council regulatory and licencing framework in any way.

Answer

Fife Licensing Board has granted a premises licence under the Licensing (Scotland) Act 2005 to allow the sale of alcohol at Thornton Greyhound Stadium and also a betting track licence under the Gambling Act 2005. By law Licensing Boards must only make their decisions based on the criteria in the relevant Act.

Supplementary

Can the council have closer control over welfare of dogs at the stadium?

Answer

Refer to previous answer. Decisions are based on the criteria in the relevant act.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 13 from Councillor Lawson**

When will Fife Council start charging traders and hospitality venues for use of pavement and road space in St Andrews? The town is losing income from parking suspension in the “Spaces for People” extensions which were built out during Covid. Establishment of a clear charging structure for use of public spaces, and proper enforcement to remove unofficial obstructions on pavements is almost 6 months overdue, and would bring in much needed revenue.

**Answer**

Roads & Transportation staff are in the process of developing an approach to this. Unfortunately, through the extended absence of the Service Manager leading on this aspect, progress is not as advanced at this time as was initially hoped.

However, discussions with Fife Council Legal Services have highlighted that the issue of charging rent for the occupation of the public road is complex and depends on who is the owner of the solum of the road. So there is some complexity on the detail of any scheme to be developed. Roads & Transportation Services will continue to progress this matter and update members on any potential charging scheme for consideration.

**Supplementary**

Would it not be a good idea whilst legal check position to reintroduce the parking spaces to bring in the much needed revenue?

**Answer**

Not convinced that the outcome you are looking for is what the people of St Andrews are looking for but consultation will be undertaken.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 14 from Councillor Lawson**

When will transportation Department respond to repeated requests for an estimate of the costs to make St Andrews town entirely covered by a 20mph limit? A complete townwide 20mph limit is promoted by all four Ward Councillors and has the unanimous support of The Royal Burgh of St Andrews Community Council. This is an Active Travel issue which will make cycling and walking much safer and more pleasant for residents, students and tourists.

**Answer**

As context, I should like to highlight that approximately 95% of St Andrews is already covered by a 20 mph speed limit.

The roads not yet covered by a 20 mph speed limit are mainly the arterial routes in the town.

Roads & Transportation staff are currently undertaking work to determine the cost of introducing the 20 mph speed limit for these remaining areas and this is programmed to be complete by the end of April 2023.

**Supplementary**

There is a difference between a 20mph limit and 20mph zone – town should have signage advising that the speed limit is 20mph. Can there be a review of the signage in St Andrews?

**Answer**

Yes, officers will review the signage.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 15 from Councillor Lawson**

What has the cost been of energy, maintenance, and security on the empty Rothesay House over the last 12 months? What plans does the Council have for its future use or disposal?

**Answer**

**Costs for the year from 1 April 2022 to 10 March 2023 (note just short of 12 months).**

Energy (electricity, gas and heating) £34,900

Maintenance £5,270

Security £43,462

Whilst Rothesay House is largely empty, it is still in 24/7 use by the Community Alarms team. We were unable to transfer this team when the remainder of the building was mothballed, because of difficulties in relocating the system that supports their activity. These challenges have now been overcome and this team are due to relocate to Bankhead imminently, when the new cloud-based community alarm system becomes operational.

**Future Plans**

Market testing has identified no interest in the current building and so the intent is that, subject to approval, the property will be demolished. It is envisaged that redevelopment of the site of Rothesay House could offer a significant contribution to the regeneration of Glenrothes town centre, and any work that will be undertaken will be done as part of the Glenrothes Town centre masterplan.

**Supplementary**

Can the council undertake a review of all their empty buildings advise councillors of the plans for them going forward?

**Answer**

A review of empty council properties currently underway following the implementation of flexible working for staff.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 16 from Councillor Dempsey**

Does the Council consider trees to be an unmitigated good?

Answer

We do try and maintain trees as best we can with available resources and consider them a vital part of our greenspace. However sometimes the greater good for the community can only be served by the removal of healthy trees in certain situations therefore trees cannot always be considered to be an unmitigated good.

Supplementary

Can the council commit to a closer examination of dealing with complaints about trees?

Answer

Yes we will commit to looking at it but perceptions of the public may not agree with the outcomes.

**FIFE COUNCIL**  
**16<sup>TH</sup> MARCH 2023**

**QUESTION TIME**

**Question 17 from Councillor Wilson**

What discussions has the Council, both officers and Spokesperson(s) had with Network Rail in relation to the retention of the right-of-way at Doubledykes by Thornton?

Answer

Discussions are in process with the relevant officers of the Council and those in Network Rail regarding the Levenmouth Rail Link project. Included in these discussions are how best the network of paths in the area can be accommodated. The route known as Doubledykes is amongst the routes being discussed. The discussions are ongoing and as such, no confirmed position may be provided at this time.

Supplementary

Council officers have not come along to public meetings to explain the position so far, would you change this?

Answer

Yes

## **Fife Council Leader's Report**

**Thursday 11<sup>th</sup> May 2023**

### **Pay**

1. A pay offer for 2023/24 was made to the SJC trade unions following the meeting of COSLA Leaders held on 31<sup>st</sup> March. The trade unions put this to their members in consultative ballots with a recommendation to reject.
2. The SJC unions have now communicated to COSLA that the result of these ballots was a rejection of the offer and that they will now be considering progressing to ballot for industrial action.

### **Yes Recycling**

3. It is very disappointing that Yes Recycling went into administration recently. Yes Recycling operated a state of the art recycling facility in Glenrothes that took previously unrecyclable plastic films and turned them into a replacement for plywood.
4. Our economic development colleagues are working closely with the administrators, Grant Thornton, to find a positive outcome for the business.
5. Fife residents will be able to continue recycling plastic film as alternative outlets are available.

### **A New Deal with Scottish Government**

6. Discussions are on-going between COSLA and the Scottish Government with a view to resetting the relationship between central and local government through agreement on a 'New Deal'.
7. Among the key issue COSLA will be pressing for in any new deal will be commitment from the Scottish Government to progress as soon as possible the amendments necessary to have the European Charter on Local Self Government adopted into law, as well as the introduction of a fiscal framework that guarantees fair and sustainable funding for local government in the long term.
8. COSLA will also be pressing for substantial reduction in ring fenced funding as well as welcoming the commitments to regular formal and informal engagement with Scottish Government and to early engagement on the Scottish Budget and Local Government Settlement each year.

### **Dunfermline City Status Conference**

9. Arrangements for a Dunfermline City Conference are progressing with a provisional date of 27<sup>th</sup> June. The Conference will involve a wide range of stake

holders including community and business groups, building on the successful submission for city status and development of the local community plan, and discussing the future vision and actions for the City.

### **Decentralisation**

10. Development of the approach to decentralisation is continuing with a number of workshops involving the chairs and vice-chairs of the Area Committees. So far there has been consideration of Estate Management, Streetscape and Green Space services and Housing. Further workshops are planned to cover Property and Facilities, and Town Centre Development.
11. It is envisaged that a report will be brought to the Cabinet Committee later in June setting out progress and proposals so far together with consideration of the wider People and Place agenda.

### **Review of Standing Orders**

12. Work has been underway through a small working group and the Cross Party Leaders Group to review and revise the Council's Standing Orders. A report on proposed changes will be presented to the Council at its meeting in June.

### **Religious Representatives**

13. Members will be aware of the current discussion surrounding the voting status of religious representatives in relation to education matters. Particular concerns on this matter have been raised with the Council by the Archdiocese of St Andrews and Edinburgh and I have arranged to meet with representatives of the Archdiocese to listen directly to their concerns.
14. A report on this matter will be submitted to the Council in June as requested by Council.

### **Incidents in Schools**

15. A number of high profile incidents of violence and aggression in schools have been highlighted recently in the media and on social media. Whilst the level of such incidents is no higher in Fife than in many other parts of Scotland, this behaviour is unacceptable in our schools and is something the council takes very seriously.
16. A full report on the measures being taken to address these issues was considered by the Education Scrutiny Committee and the Committee will continue to keep these matters under review.
17. In addition I, together with the Council's Education Spokesperson and the Convenor of the Education Scrutiny Committee, met with a number of secondary head teachers and Education officials to discuss the nature and causes of these



incidents and what the Council can do in the longer term to address them through prevention and early intervention.

### **Bus Services**

18. The Spokesperson for Finance, Economy and Strategic Planning met recently with Stagecoach to discuss bus services in Fife and to express our concerns about ticket price rises and possible withdrawal of services.

### **Tackling Dampness and Mould in Council Houses**

19. Following the publication of the Coroner's Report into the tragic death of Awaab Ishak in Rochdale, the Housing Service moved quickly to review the Council's current approach to tackling complaints of dampness, condensation and black mould in council houses. An Elected Member briefing was issued in November 2022, outlining the steps being taken to undertake the review and a report on the outcome of the review and a revised approach to addressing these issues has been submitted to the Cabinet Committee for consideration on 4<sup>th</sup> May.

### **Fife Community Planning Partnership Board**

20. The Fife Community Planning Partnership Board met on 2<sup>nd</sup> May and considered three significant reports.

#### **Community Wealth Building**

The Board agreed a full and detailed response to the Scottish Government's current consultation on a Community Wealth Building Bill. Community Wealth Building has been included by the Scottish Government as a key aim within the National Strategy for Economic Transformation, as well as underpinning the Plan4Fife.

Fife was identified as one of five CWB pilot areas in Scotland and there is commitment from all the Fife Community Planning Partners to pursuing a CWB approach.

#### **Our Fife Leadership Summits and Next Steps**

The Fife Partnership Leadership Summits exercise was undertaken between August 2022 and January 2023 bringing together leaders from across the partnership. The Fife Partnership Board considered the feedback from this exercise in February and draft Strategic Change Ambitions and Leadership Commitments have been developed from the Leadership summits covering:

- Put Community Wealth Building at the heart of what we're doing;
- Live up to the Place Principle;
- Implement system change in how we are supporting people and families to improve their quality of opportunity and life;

- Prioritise health and wellbeing when we plan our places and services.

Partners have now undertaken to take these draft commitments away for further analysis and clarification, taking account of what they would mean for individual partner organisations.

### **Plan for Fife: Annual Review of Priorities and Ambitions**

The three year review of the Plan4Fife in 2021 established recovery and renewal priorities for the current 3 year planning period. It was agreed that an annual review of these would be required and the Partnership considered the first of these based on information for 2022.

This is not a performance report but rather sets our ambitions and priorities into the broader national and international economic and social context. This first review shows a mixed picture. Whilst some progress is apparent, Fife continues to face significant challenges, particularly around economic recovery.

21. The full papers for the fife Partnership Board are available online.

**Councillor David Ross**  
**Leader of Fife Council**  
**Fife House,**  
**North Street,**  
**Glenrothes**

11<sup>th</sup> May, 2023

Agenda Item No. 8

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## Committee Powers - Freedom of the City of Dunfermline & Annual Accounts

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**Report by:** Lindsay Thomson, Head of Legal & Democratic Services

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**Wards Affected:** All

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### Purpose

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This report proposes an amendment to the List of Committee Powers to allow the City of Dunfermline Area Committee to recommend the grant of the Freedom of the City of Dunfermline following the award of City Status in 2022. It also proposes a clarification to the remit of the Standards, Audit and Risk Committee in relation to the annual accounts process.

### Recommendation(s)

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Council is invited to:

- (1) agree that Committee Powers be amended to delegate authority to the City of Dunfermline Area Committee to determine the award of Freedom of the City of Dunfermline subject to ratification by two thirds of Fife Council
- (2) agree the proposed delegation to the remit of the Standards, Audit and Risk Committee as set out in paragraph 2.4;
- (3) note the protocol that will be adopted for the granting of the Freedom of the City of Dunfermline;
- (4) delegate authority for consequential amendment to Committee Powers in relation to recommendations 1 and 2 to the Head of Legal & Democratic Services; and
- (5) note that the Council will continue to award the Freedom of Fife and the Fife Medal.

### Resource Implications

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No direct implications. There is a small civic budget which could be utilised to mark the grant of city status.

## Legal & Risk Implications

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Section 26 of the Local Government (Scotland) Act 1973 section 26 gives local authorities the power to bestow the honour of the freedom of the city.

*“A local authority may by resolution passed by not less than two thirds of the members voting therein at a meeting of the authority, the notice of which specifies the proposed admission as an item of business admit to be Honorary Freemen of their area persons of distinction and any persons who have rendered eminent service to their area”.*

## Impact Assessment

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None

## Consultation

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The options for granting the Freedom of Fife were discussed at Cross Party Leaders Group. The Standards, Audit and Risk Committee has requested clarification of its remit in relation to annual accounts.

## 1.0 Background

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### Granting of Dunfermline’s City Status and Royal Visit

- 1.2 During 2021, Her late Majesty the Queen, agreed that a competition would be held for a grant of city status to mark her Platinum Jubilee in 2022. As members will be aware, in May 2022, the Cabinet Office announced that Her Majesty the Queen had accepted the Government’s recommendation to grant city status to Dunfermline. The granting of city status is made by way of Letters Patent.
- 1.3 The formal ceremony marking the grant of City Status took place on 3 October 2022 and was attended by King Charles III and Camilla Queen Consort.
- 1.4 The award of city status is a significant achievement. It will act as a catalyst to achieve the Council’s ambition for both Dunfermline and the wider Fife area in terms of economic development and regeneration. In addition, it brings the opportunity to formally include a civic honour relating to granting freedom of the city as other cities have adopted on the grant of their city status. This will be in addition to the two civic honours that Fife Council currently bestow.

### Freedom of Fife

- 1.5 For many years Fife Council has awarded the honour of the Freedom of Fife. The decision of who will receive the award is made by Council and there is a protocol which supports this process. To date the honour has been awarded to, amongst others, Sir Jimmy Shand, the Black Watch and former Cllr Willie Clarke. Fife Medal

### Fife Medal

- 1.6 Historically, Fife has also approved the bestowing of the Fife Medal although this has not been presented for several years.

## 2.0 Issues and Options

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### Granting Freedom of the City of Dunfermline

#### 2.1 Options

In order to comply with the legislative requirements, the full Council does need to have the final determination on Freedom of the City award. The following options were considered :

1. delegate authority to the City of Dunfermline Area Committee to determine the award of Freedom of the City of Dunfermline subject to ratification by two thirds of Fife Council; or
2. full council retain the decision to award the Freedom of the City of Dunfermline without Area Committee consideration.

Both options comply with the legal requirement that Council makes the final resolution, but the first option allows the City of Dunfermline Area Committee to make a recommendation, subject to ratification by full Council. This option allows local members from the City of Dunfermline to consider and make recommendations with the benefit of the additional local knowledge of the City in terms of informing recommendations made to full Council.

On this basis, option one is the recommended approach.

#### 2.2 Approach of other Council

During the preparation of this paper a number of other local authorities were contacted to establish what process had been adopted following the grant of City Status in their areas.

When Inverness was granted City Status, the Highland Council decided that the Inverness Area Committee should have the power to confer city status subject to the ratification of full Council. This is the model form option one in this paper. Perth and Kinross Council do not operate an Area Committee model and therefore the full Council receive reports about the conferring of the Freedom of the City of Perth. It is understood that Stirling Council is in a similar position.

The authorities which are comprised of a city and no surrounding area; Edinburgh, Glasgow, Aberdeen and Dundee were not reviewed as the same considerations did not apply.

#### 2.3 Protocol and Criteria for nominees

In recognising the significant honour that Freedom of the City of Dunfermline bestows on the recipient it is important that a protocol is agreed to ensure that the award is made appropriately. A protocol is appended and this will be adopted should Council agree to option 1 as detailed in section 2.1 of the report. This protocol is based on the protocol that has been adopted for the granting of the Freedom of Fife.

For every nomination that comes forward it is recommended that there is consultation with the Head of Legal and Democratic Services to ensure that the recipient meets the requirements of the protocol and the legislative provisions.

## **2.4 Standards, Audit and Risk Committee**

The current Committee Powers include the following in its remit “To review and recommend approval to the Council of the Annual Audited Accounts (paragraph 8.5.3)”. The intention behind this paragraph was that the Committee would sign off the Audited Annual Accounts on behalf of full Council as it is the Committee charged with governance, but it is recognised that this wording is insufficiently clear. To provide clarity it is proposed that the Standards, Audit and Risk Committee are explicitly delegated authority to approve the Annual Audited Accounts on behalf of Council as its predecessor Committees have done for many years.

## **3.0 Conclusions**

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- 3.1 The granting of City Status for Dunfermline brings with it many benefits, including the opportunity to grant the Freedom of the City to deserving recipients.
- 3.2 This paper provides a framework to address decision making and to ensure that the award is made appropriately. There is also an opportunity to clarify the annual accounts provisions in Committee Powers.

### **List of Appendices**

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1. Protocol

### **Background Papers**

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

None

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## Protocol

### **FIFE COUNCIL HONORARY FREEMEN AND FREEWOMEN OF DUNFERMLINE**

#### Criteria

1. The Fife Council, on receipt of a recommendation from the City of Dunfermline Area Committee will consider admitting as Honorary Freemen or Freewomen of Dunfermline, Persons of distinction or persons who have rendered eminent service to Dunfermline.

In this connection, regard will be paid to the following criteria, namely persons who have: -

- Given outstanding service, either in a public or private capacity, to the community of Dunfermline over a considerable period of time.
- Provided exceptional service or made an exceptional contribution to: -
  - o Good or charitable causes
  - o Academic, scientific or educational interests
  - o The arts, culture or sport
  - o The Government
  - o The military or other service on behalf of His Majesty

Thereby enhancing the good name of Dunfermline, nationally or internationally.

- Undertaken acts of heroism in Dunfermline or in respect of Dunfermline citizens
- Made an exceptional contribution to international peace or democracy, worthy of recognition on behalf of the people of Dunfermline.

#### Title

2. The Title to be bestowed on persons being admitted will be 'Honorary Freeman/Freewoman of the City of Dunfermline' as the case may be.

#### Approval

3. The formal approval of the Council is by resolution passed by not less than two-thirds of the members voting thereon at a meeting of the full Council, the notice which specifies the proposed admission as an item of business. This must Before formal resolution of the Area Committee recommendation is sought, it will be essential for any nominations to be discussed on a confidential basis with the Provost/ Convenor of the Dunfermline Area Committee who shall take advice from civic services and the Monitoring Officer.

#### Roll

4. A roll will be kept listing the persons admitted as Honorary Freemen/Freewomen.

#### Presentation

5. The Freedom of Dunfermline will be presented at a Civic reception for invited guests.

11<sup>th</sup> May, 2023

Agenda Item No. 9

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## NOTICE OF MOTIONS

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Report by: Head of Legal and Democratic Services

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Wards Affected: All

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### Purpose

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

### Recommendation(s)

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Council is asked to consider the motions.

### Resource Implications

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Not applicable.

### Legal & Risk Implications

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Not applicable.

### Impact Assessment

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Not applicable.

### Consultation

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Not applicable.

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## **Motion 1**

“Fife Council signed up to the Armed Forces Covenant in September 2020. Signing up to this, Council agreed that:

*The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.*

*Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.*

*This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.*

Council today notes that:

- There are children of serving Armed Forces personnel and veterans in nurseries and schools across Fife.
- That whilst in England there has been a Service Pupil Premium since 2011, no such equivalent exists in Scotland.
- Service families face specific and unique challenges in education.
- The Service Pupil Premium is currently worth £310 per service child and has been established to provide pastoral care and can also support academic progress and attainment.

Council continues to recognise the value Service personnel, both Regular & Reservist, veterans and military families contribute to our communities and our country. In that, we fully support them.

Council, therefore asks the Council Leader to write (with the support of all other political groups) to the Scottish Government to request consideration is given to introducing a Service Pupil Premium because this would target the specific challenges faced by these children and young people.”

Proposed by Councillor Kathleen Leslie

Seconded by Councillor Gavin Ellis

## **Motion 2**

“Fife Council notes the very serious and damaging environmental impacts of disposable vapes and recognizes an increase in these electronic devices being discarded in communities and public spaces across the council area.

Notes that the health implications of these disposable vapes are not yet known, and is concerned with their marketing and advertising towards children and young people.

Notes that disposable vapes contain a range of precious materials, including lithium and copper which can be collected if recycled in a safe and appropriate manner but are designed in a manner that does not allow for them to be disassembled and their recyclable materials separated. Council also considers there is heightened risk of damage to infrastructure due to the potential combustion of batteries contained in the devices both at Council run facilities and within communities.

Further anticipates the publication of the Scottish Government's urgent review into the environmental impact of disposable vapes, currently being undertaken by Zero Waste Scotland.

In light of the serious nature of these concerns, Council requests that the Chief Executive and the Leader of Fife Council to write on behalf of Fife Council, to Lorna Slater MSP, Scottish Government Minister for Green Skills, Circular Economy and Biodiversity, Michael Matheson MSP, Cabinet Secretary for NHS Recovery, Health and Social Care and Chief Executive of Zero Waste Scotland, Ian Gulland, conveying Council's view that a ban on the sale of so-called "disposable" vapes be introduced in Scotland as soon as practicably possible.”

Proposed by Councillor Bailey-Lee Robb  
Seconded by Councillor Stefan Hoggan-Radu

## **Motion 3**

### **Sewage overflows in Fife**

“Council notes with concern that a number of sewage overflows took place in Fife last year, including at Cupar Haugh Park, Ironmill Bay and at St Andrews.

Council believes that both Fife’s pristine coast and rivers should be free from pollution and that every effort should be made to avoid contamination through sewage.

Council therefore asks the Council leader to write to Scottish Water to ask them to explain these overflow events as well as what efforts are being taken to mitigate their impact and prevent a repeat in the future.”

Proposed by Councillor James Calder  
Seconded by Councillor Jane Ann Liston

## **Motion 4**

### **Provision of Hospice Service in Dunfermline & West Fife**

“That Council is aware of concern among communities in Dunfermline and West Fife regarding the future of hospice care at Queen Margaret Hospital in Dunfermline; notes

speculation that Fife Health and Social Care Partnership intends to close this service and shift all such care to the Queen Victoria Hospital in Kirkcaldy; supports moves by the Partnership to increase provision of home-based palliative care and values the homely setting provided by the hospice at Queen Margaret Hospital.

Council appreciates the work of staff to provide a home-based palliative care service at this most difficult time for both patients and their families but is concerned that this should be an alternative and not a replacement for local hospice provision. Council notes that members of Fife Council on Fife Health & Social Partnership Board may have an opportunity to oppose any move to close the hospice service at Queen Margaret Hospital and invites those members to consider the community concern when considering the Board decision.”

Proposed by Councillor Gordon Pryde  
Seconded by Councillor Cara Hilton