

Cabinet Committee

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



Thursday, 22nd September, 2022 - 10.00 a.m.

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of the meeting of the Cabinet Committee of 25th August, 2022. 3 - 15
4. **REVENUE MONITORING 2022-23** – Report by the Executive Director (Finance and Corporate Services). 16 – 28
5. **CAPITAL INVESTMENT PLAN UPDATE - PROJECTED OUTTURN 2022-23** – Report by the Executive Director (Finance and Corporate Services). 29 - 36
6. **HELP WITH COST OF LIVING: EXTENDING COMMUNITY SUPPORT** – Report by the Executive Director (Communities). 37 - 51
7. **LOCAL HOUSING STRATEGY (LHS) 2022- 2027** – Report by the Head of Housing Services. 52 – 57
8. **LICENSING OF SHORT-TERM LETS** – Joint report by the Head of Housing Services, Head of Legal and Democratic Services and Head of Protective Services. 58 - 91
9. **FORTH GREEN FREEPORT BID – FIFE COUNCIL AND FORTH PORTS JOINT WORKING FOR ROSYTH AND BURNTISLAND** – Report by the Head of Business and Employability Services. 92 - 110
10. **DOMESTIC WASTE OPERATIONS - BULKY UPLIFTS – FREE OF CHARGE SERVICE** – Report by the Executive Director (Enterprise and Environment). 111 – 113
11. **DOMESTIC WASTE SERVICE - SINGLE SHIFT PATTERN** – Report by the Executive Director (Enterprise and Environment). 114 – 116
12. **STATUTORY CONSULTATION FOR PROPOSED CHANGES TO THE SCHOOL ESTATE AND CATCHMENT AREAS** – Report by the Executive Director (Education and Children's Services). 117 - 264

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.

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15th September, 2022.

If telephoning, please ask for:

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THE FIFE COUNCIL - CABINET COMMITTEE – BLENDED MEETING

25th August, 2022

10.00 a.m. – 12.55 p.m.

PRESENT: Councillors David Ross (Convener), David Alexander, David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Dave Dempsey, Linda Erskine, Derek Glen, David Graham, Peter Gulline, Judy Hamilton, Alycia Hayes (substituting for Councillor Lindsay) Cara Hilton, Gary Holt, Rosemary Liewald, Jonny Tepp, Ann Verner (substituting for Councillor Backhouse), Ross Vettrano, Craig Walker and Jan Wincott.

ATTENDING: Steve Grimmond, Chief Executive; Mike Enston, Executive Director, Communities; Carrie Lindsay, Executive Director, Education & Children's Services; Kathy Henwood, Head Children & Families & Criminal Justice; Lynn Gillies, Service Manager, Family Support, Education & Children's Services; Eileen Rowand, Executive Director, Finance & Corporate Services; Elaine Muir, Head of Finance; John Mills, Head of Housing Services; Gavin Smith, Service Manager (Housing Management Executive); Paul D'Arcy, Project Manager, New Build Housing; Ken Gourlay, Executive Director, Enterprise & Environment; Gordon Mole, Head of Business & Employability; Peter Corbett, Lead Officer; Morag Millar, Programme Manager, Economy Tourism & Town Centre Economy, Planning & Employability Services; Lindsay Thomson, Head of Legal and Democratic Services; Helena Couperwhite, Service Manager, Committee Services; Lesley Robb, Lead Officer, Committee Services; and Diane Barnet, Committee Officer (minute taker), Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Lesley Backhouse and Carol Lindsay.

1. DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 7.1.

2. MEMBERSHIP AND REMIT OF COMMITTEE

The Committee considered a report by the Head of Legal and Democratic Services advising members of the membership and remit of the Cabinet Committee.

Decision

The Committee noted the report having acknowledged a recent change in membership - Councillor Dave Dempsey had replaced Councillor Kathleen Leslie as a permanent member of this Committee.

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3. APPOINTMENTS TO EXTERNAL ORGANISATIONS

The Committee considered a report by the Head of Legal and Democratic Services seeking nominations for member representation on those external organisations detailed in Appendix 1 of the report.

Decision

On a motion proposed by Councillor Craik, seconded by Councillor Erskine, the Committee agreed member appointments to the organisations detailed in the appendix to the report – as outlined in the appendix to this minute – nominations to be advised to the Head of Legal and Democratic Services.

4. CITY OF DUNFERMLINE - MEMBERSHIP OF THE SCOTTISH CITIES ALLIANCE

The Committee considered a joint report by the Head of Business and Employability Services and the Head of Communities and Neighbourhoods Service seeking approval of Fife Council's membership of the Scottish Cities Alliance.

Decision

The Committee:-

- (1) approved the membership of Scottish Cities Alliance following the conferment of city status for Dunfermline in Her Majesty The Queen's Platinum Jubilee Civic Honours competition;
- (2) noted the governance arrangements for the Alliance as set out in Section 2 of the report; and
- (3) noted the draft Operational Plan for 2022/2023 set out in Appendix 1 of the report.

5. REVENUE MONITORING - PROVISIONAL OUTTURN 2021-22

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic overview of Fife Council's finances and reporting on the provisional outturn position for 2021-22. The report also detailed the continued financial implications of Covid-19 and the impact of additional funding that had been provided for that purpose. Explanation was also provided detailing the exceptional financial position that would be short term given the extent of the economic conditions faced by the organisation.

Decision

The Committee:-

- (1) noted the scale and complexity of the financial impacts during the pandemic and the extent of additional funding provided over the course of the year;
- (2)/

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- (2) noted the high level financial position as detailed in the report;
- (3) noted that detailed monitoring reports would be submitted to the relevant Scrutiny Committees;
- (4) approved the earmarking of balances for Covid-19 funding for use in future years; and
- (5) approved the suspension of the Budget Carry Forward Scheme for 2021-22.

6. CAPITAL INVESTMENT PLAN UPDATE (PROVISIONAL OUTTURN 2021-22)

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic financial overview of the Capital Investment Plan and advising on the provisional outturn for the 2021-22 financial year.

Decision

The Committee noted:-

- (1) the provisional outturn position, that the level of financial risk appeared to be increasing and also noted the mitigating actions for the major projects within the Capital Investment Plan;
- (2) the provisional outturn position for the 2021-22 Capital Investment Plan;
- (3) that detailed outturn reports would be submitted to the relevant Scrutiny Committees; and
- (4) that budget variances would be managed by the appropriate Directorates in conjunction with the Investment Strategy Group.

7. BUDGET 2023-26 UPDATE

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing members with an update on the General Fund Revenue Budget for 2023 onwards, following the Scottish Government's Resource Spending Review (RSR) and the impact on the Council's financial planning assumptions and planned approach to achieve a sustainable budget.

Motion

Councillor Ross, seconded by Councillor Craik moved as follows:

"Committee notes the intention to bring a report on Tackling Poverty and Cost of Living to the September meeting of the Cabinet Committee and that this will include proposals for a Warm Places initiative, Hardship and Fuel Support. Food Support and review of school meal debt as part of an Autumn and Winter support programme.

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Committee requests officers to bring forward proposals for funding this programme taking account of the latest financial monitoring information.

Committee also agrees to allocate now £10m of balances earmarked for Covid recovery as a Community Recovery Fund and asks officers to bring detailed proposals for the operation of this fund to the September meeting of the Cabinet Committee."

Amendment

Councillor Beare, seconded by Councillor Barrett moved as an amendment to also include the following:

"The proposals noted above be considered by a members workshop(s) of the Cabinet Committee, working with Officers to develop the detail of the relevant programme proposals prior to the Cabinet Committee of 22nd September, comprising two members of each Group."

The proposer and seconder of the motion agreed to conjoin the motion and amendment.

Decision

The Committee:-

- (1) noted the impact of the RSR on previously published financial planning assumptions;
- (2) noted the continued uncertainty around those planning assumptions;
- (3) noted a planned approach to achieve a sustainable budget for 2023-24 and future years; and
- (4) agreed in terms of the conjoined Motion and Amendment that –

“Committee notes the intention to bring a report on Tackling Poverty and Cost of Living to the September meeting of the Cabinet Committee and that this will include proposals for a Warm Places initiative, Hardship and Fuel Support. Food Support and review of school meal debt as part of an Autumn and Winter support programme.

Committee requests officers to bring forward proposals for funding this programme taking account of the latest financial monitoring information.

Committee also agrees to allocate now £10m of balances earmarked for Covid recovery as a Community Recovery Fund and asks officers to bring detailed proposals for the operation of this fund to the September meeting of the Cabinet Committee.

The proposals noted above be considered by a members workshop(s) of the Cabinet Committee, working with Officers to develop the detail of the relevant programme proposals prior to the Cabinet Committee of 22nd September, comprising two members of each Group."

8. LEADING ECONOMIC RECOVERY (LER) ACTION PLAN: PROGRESS UPDATE (JUNE 2022)

The Committee considered a report by the Head of Business and Employability Services providing a six monthly update on progress against actions identified within the Leading Economic Recovery Action Plan agreed by the Policy and Co-ordination Committee at its meeting on 4th March, 2021 as part of Fife Council's wider Reform and Recovery Programme.

Decision

The Committee:-

- (1) noted the progress in relation to actions identified within the Leading Economic Recovery (LER) Action Plan;
- (2) recognised continuing uncertainties in terms of the economic impact of the Covid-19 pandemic, consequences of the EU Exit and associated government responses to both;
- (3) noted that the outcomes of the Leading Economic Recovery workstream (which formed part of the Council's wider Reform and Recovery Programme) had fed into the recent refresh of the Plan4Fife; and
- (4) noted that the LER Board, established as part of the recent review of Fife Partnership governance arrangements, was currently supporting a wider ranging review of the Fife Economic Strategy which was expected to be completed by autumn 2022. The refreshed Strategy would effectively replace the short-term LER Action Plan that was developed in response to the economic impact of the Covid-19 pandemic.

The Committee adjourned at 11.35 a.m. and reconvened at 11.50 a.m..

9. FIFE'S UK SHARED PROSPERITY INVESTMENT PLAN

The Committee considered a report by the Executive Director (Enterprise and Environment) advising of the steps taken to develop Fife's UK Shared Prosperity Investment Plan and seeking retrospective endorsement for the Plan that was submitted to the UK Government for the 1st August, 2022 deadline.

Decision

The Committee:-

- (1) endorsed the approach to developing the UKSPF Investment Plan set out in the report (due to the local government elections, there were no Committees during the development period so the priorities of the Plan4Fife 2017-27 and its Recovery and Renewal Plans 2021-2024 had formed the basis of the UKSPF Investment Plan);
- (2) retrospectively approved the Interventions for 2022-23 set out in Appendix 1 of the report (the report set out the approach, i.e. to allocate the UKSPF to/

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to each Investment Priority based on the historical investment levels for EU funding for similar activities in a "typical" year for that funding. This meant up to 50% for People and Skills, up to 29% for Supporting Local Businesses and at least 21% for Communities and Place);

- (3) approved the proposed governance, the prioritisation principles, allocations by UKSPF Investment Priority and process to confirm interventions for 2023/24 and 2024/25 as detailed in the report and noted that this aligned with the governance arrangements for the Plan4Fife;
- (4) noted that the revised Investment Plan would be submitted to the Cabinet Committee in February, 2023 to approve interventions for 2023/24 and 2024/25;
- (5) noted that there would be Annual Reviews of the UKSPF and reports of progress in Quarter 2 of each financial year and noted that the UK Government required these by Fife's four UK Parliamentary Constituencies; and
- (6) delegated to the Executive Director (Finance and Corporate Services) and Executive Director (Enterprise and Environment) to complete the negotiations with the UK Government on the terms of the Investment Plan to enter into the Legal Agreement to secure the funding.

10. LEVELLING UP FUND UPDATE

The Committee considered a report by the Executive Director (Enterprise and Environment) providing an update on the bids made to the UK Levelling Up Fund on 2nd August, 2022.

Decision

The Committee:-

- (1) noted the Bids submitted to the competitive UK Levelling Up Fund for a Fife transport bid and four Constituency bids on 2nd August, 2022;
- (2) endorsed the changes to the Bid for the North East Fife Constituency where the Park and Ride at Tay Bridge was substituted and to the Bid for Glenrothes and Central Fife where the two path projects were combined into a single submission; and
- (3) delegated to the Executive Director (Finance and Corporate Services) and Executive Director (Enterprise and Environment) to complete the Legal Agreements with the UK Government in the event any of the Bids were successful.

11. STRATEGIC COMMISSIONING UPDATE

The Committee considered a report by the Executive Director (Education and Children's Services) providing a summary of the progress in strategic commissioning activity, including plans associated with the next stage of work and recommendations for grant awards for the remainder of 2022-23 with respect to Service brief 2a and 6.

Decision/

Decision

The Committee:-

- (1) noted the progress on the proposals to further develop the programme of work associated with strategic commissioning in Children's Services for 2022/23 and onwards;
- (2) approved the recommendations for grant awards for 2022/23 in respect of organisations associated with service brief 2a (£400,000) and 6 (£178,298) for the remaining six months; and
- (3) approved the recommendation for grant award for 2022/23 for DAPL of £63,000 for the remaining six months.

12. RESETTLEMENT OF VULNERABLE PEOPLE IN FIFE

The Committee considered a report by the Head of Housing Services which followed on from a briefing to the former Policy and Co-ordination Committee outlining the proposed commitment to welcome Ukrainian Refugees to Fife. The report broadened the focus to all strands of Resettlement Work and placed this in a national context to support detailed consideration of the Fife Resettlement approach with a focus on the Ukrainian response.

Decision

The Committee agreed:-

- (1) the continued focus on private sector sponsors as the primary accommodation resource in Fife;
- (2) to identify a number of longer-term empty Council properties to be entered into the matching programme; and
- (3) the development of a longer-term housing approach with Registered Social Landlords (RSLs) and private sector landlords for all streams of resettlement activity.

13. VOLUNTARY SECTOR RECURRING GRANTS: NORTH EAST FIFE TENANTS & RESIDENTS FEDERATION (NEFTRF) SUPPLEMENTARY GRANT (3 YEARS 2022/23 - 2024/25)

The Committee considered a report by the Head of Housing Services requesting approval to award North East Fife Tenants and Residents Federation (NEFTRF) a supplementary grant for the purpose of expanding their services to include an accessible shopfront location in Cupar, for three years. The report detailed the funding requested and recommended by Housing Services.

Decision

The Committee:-

- (1) noted the work undertaken between NEFTRF and Housing Services Tenant Participation Team to reach agreement on service provision to be commissioned; and
- (2)/

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- (2) agreed the level of funding being recommended for the period of the three year lease (2022-2025).

14. HOUSING REVENUE CAPITAL ACCOUNT: PROPERTY ACQUISITIONS TO MARCH 2025

The Committee considered a report by the Head of Housing Services seeking agreement to increase the acquisition of housing in the private sector for the period 2022-2025.

Decision

The Committee accepted a revised recommendation and agreed to acquire properties beyond the annual target of 50 in 2022/23 to mitigate increasingly pressurised housing access operational requirements.

The Committee resolved, under Section 50(a)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph(s) 8 and 9 of part 1 of schedule 7A of the Act.

15. AFFORDABLE HOUSING PROGRAMME - 19 NEW HOUSES, ORDNANCE ROAD, CROMBIE

The Committee considered a report by the Head of Housing Services seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24) for Affordable Housing within Fife, to continue negotiations and conclude legally binding agreements with the Developer for the development of 19 new Affordable Houses in Crombie.

This was a change to a previous approval by Committee of 13th February 2020 for the purchase of 19 Affordable Houses as the Developer had withdrawn from this type of work due to market conditions.

The Developer had approached various other developers who operated in the affordable housing market and an alternative Developer had agreed terms with them to acquire the site known as Ordnance Road, Crombie and develop the affordable houses for Fife Council.

The new Developer provided Heads of Terms and offered Fife Council the same terms and price as previously agreed between Fife Council and the original Developer to develop these affordable houses.

Decision

The Committee agreed to authorise the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction for:

- (1)/

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- (1) the acquisition from the Developer of the site of the proposed housing development of 19 new Affordable Houses for rent at the site known as Ordnance Road, Crombie for an increased sum due to market inflation, as detailed in the report;
- (2) the direct award of a construction contract to the Developer for the construction of the development of 19 new Affordable Houses for social rent at the site known as Ordnance Road, Crombie for an increased sum due to market inflation and an increase of one additional house being supplied, recognising that figure may be adjusted as detail of the proposal was worked through; and
- (3) to suspend the CONTRACT STANDING ORDERS – Scheme of Tender Procedures 2018 in terms of Contract Standing Order 6.1 in respect of the proposed direct award of the construction contract to the Developer on the grounds of the special circumstances described in the report.

16. **AFFORDABLE HOUSING PROGRAMME - 42 NEW HOUSES, WESTWOOD PARK, GLENROTHES**

The Committee considered a report by the Head of Housing Services seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24) for Affordable Housing within Fife, to continue negotiations and conclude legally binding agreements with the Developer for the development of 42 new Affordable Houses in Glenrothes.

Committee approval was also sought for an alternative method of acquisition from a previous approval by Committee of 26th May, 2021 and 29th October, 2021 for the purchase 42 Affordable Houses. The previous Committee approval was for the acquisition of completed houses.

The Developer had requested and the Council had agreed to change the contract delivery method from an "Off the Shelf" purchase of 42 Affordable Houses to a standard Design and Build SBCC contract delivery method.

The Developer also requested a change of contracting method which provided an improved cash flow profile at the earlier part of the delivery programme. A full performance bond and the standard warranties would be provided.

Decision

The Committee authorised the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction for:

- (1) the acquisition from the Developer of the site of the proposed housing development of 42 new Affordable Houses for rent at the site known as Westwood Park, Glenrothes for the sum detailed in the report;
- (2)/

- (2) the direct award of a construction contract to the Developer for the construction of the development of 42 new Affordable Houses for social rent at the site known as Westwood Park, Glenrothes for the sum detailed in the report, plus an allowance beyond 2022 for inflation linked to national BCIS indices (including land acquisition and construction costs), recognising that the figure may be adjusted as detail of the proposal was worked through;
- (3) to suspend the CONTRACT STANDING ORDERS – Scheme of Tender Procedures 2018 in terms of Contract Standing Order 6.1 in respect of the proposed direct award of the construction contract to the Developer on the grounds of the special circumstances described in the report.

17. AFFORDABLE HOUSING PROGRAMME - 25 NEW HOUSES, COMMERCIAL CRESCENT, LADYBANK, CUPAR

The Committee considered a report by the Head of Housing Services seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24) for Affordable Housing within Fife, to continue negotiations and conclude legally binding agreements with the developer for the development of 25 new Affordable Council houses for rent at the site known as Commercial Crescent, Ladybank.

The revision was required following the previous Developer going into administration in August 2021 and the site subsequently being acquired from the Administrator by another Developer who approached Fife Council offering terms to complete the project.

The original terms were for Fife Council to acquire 34 built units from the original Developer for an agreed sum as detailed in the report. The units were partially built before the original developer went into administration. Under the new proposal, the Developer planned to site the SUDS pond on the development meaning fewer units would be delivered.

The proposal was now for Fife Council to acquire 25 completed houses on the Site from the Developer for a total sum as detailed in the report, recognising that figure may be adjusted as detail of the proposal was worked through, all as described in the report. There was no spend by Fife Council to the original developer.

Decision

The Committee agreed to authorise the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction for the acquisition from the Developer, the proposed housing development of 25 new Affordable Council houses for rent at the site known as Commercial Crescent, Ladybank for the sum detailed in the report, recognising that the figure may be adjusted as detail of the proposal was worked through, all as described in the report.

18./

18. AFFORDABLE HOUSING PROGRAMME - 39 NEW HOUSES, WEST ROAD, SALINE

The Committee considered a report by the Head of Housing Services seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24) for Affordable Housing within Fife, to continue negotiations and conclude legally binding agreements with the Developer for the development of 39 new Affordable Houses and one Staff and Tenant's communal facility at West Road, Saline.

Decision

The Committee agreed to authorise the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction for:

- (1) the acquisition from the Developer of the site of the proposed housing development of 39 new Affordable Houses and one Staff and Tenant's communal facility for social rent at the site known as West Road, Saline;
 - (2) the direct award of a construction contract to the Developer for the construction of 39 new Affordable Council houses and one Staff and Tenant's communal facility (total of 40 units) for social rent at the site known as West Road, Saline for the sum detailed in the report (including a sum for land acquisition and construction costs), recognising that figure may be adjusted as detail of the proposal was worked through;
 - (3) to suspend the CONTRACT STANDING ORDERS – Scheme of Tender Procedures 2018 in terms of Contract Standing Order 6.1 in respect of the proposed direct award of the construction contract to the Developer on the grounds of the special circumstances described in the report.
-

External Organisations Member Appointment from the Cabinet Committee

External Organisation	No of Members to be Appointed	Councillor(s) Appointed
Business Gateway Services (Fife)	1	Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee	2	<ul style="list-style-type: none"> • David Alexander (SNP) • Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
Fife Access Forum	2	<ul style="list-style-type: none"> • Louise Kennedy-Dalby (SNP) • Allan Knox (Liberal Democrats)
Fife Biodiversity Partnership	2	<ul style="list-style-type: none"> • Alycia Hayes (SNP) • Jan Wincott (Spokesperson for Environment and Climate Change)
Fife Corporate Parent Board	2	<ul style="list-style-type: none"> • Rosemary Liewald (SNP) • Andrew Verrecchia (Labour)
Fife Economy Partnership	2	<ul style="list-style-type: none"> • David Alexander (SNP) • Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
Fife Employment Access Trust	1	Alistair Suttie (SNP)
Fife Environmental Partnership	1	Jan Wincott (Spokesperson for Environment and Climate Change)
Fife Historic Buildings Trust	2	<ul style="list-style-type: none"> • Lesley Backhouse (SNP) • Kathleen Leslie (Conservative)
Fife Museums Forum	3	<ul style="list-style-type: none"> • Linda Erskine (Spokesperson for Communities and Leisure Services) • Sam Steele (SNP) • Jonny Tepp (Liberal Democrats)
Fife Tourism Partnership	1	Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
Industrial Communities Alliance	2	<ul style="list-style-type: none"> • Tom Adams (Labour) • Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
North Sea Commission	1	Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)

External Organisation	No of Members to be Appointed	Councillor(s) Appointed
Nuclear Free Local Authorities Scotland	1	Brian Goodall (SNP)
Opportunities Fife Partnership	1	Altany Craik (Spokesperson for Finance, Economy and Strategic Planning)
Respite Fife	1	Rosemary Liewald (SNP)
River Leven Trust	3	<ul style="list-style-type: none"> • Ken Caldwell (SNP) • Eugene Clarke (Liberal Democrats) • Colin Davidson (Labour)
seescape (previously Fife Society for the Blind)	1	Judy Hamilton (Labour)
SCORRS (Scottish Council's Committee on Radioactive Substances)	1	Brian Goodall (SNP)
Scottish Chamber Orchestra	1	Jonny Tepp (Liberal Democrats)

22nd September, 2022.
Agenda Item No. 4

Revenue Monitoring 2022-23

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

Wards Affected: All

Purpose

The purpose of this report is to provide members with a strategic overview of Fife Council's finances and to report the current forecast position for 2022-23.

Recommendations

It is recommended that members: -

- (i) note the ongoing financial impacts arising from recovery from the pandemic which continue to be managed using one off additional funding and from underspends;
- (ii) note the high-level financial position as detailed in this report; and
- (iii) note that detailed monitoring reports will be submitted to the relevant Scrutiny Committees.

Resource Implications

The financial consequences of COVID-19 are reducing and expected to be in the region of £11m this year. This additional cost is being funded from a combination of both specific and general revenue grant funding carried forward from previous years. Some of these impacts are likely to continue into future years and funding has been earmarked from balances in recognition of this.

Included in the current forecast is an estimate of the financial impacts for the Council as a result of ongoing pay negotiations. However, these estimates are based on pay offers known at the time of writing and may change as negotiations continue.

A recent change in the accounting treatment of grants received in year will impact on the current year's financial position resulting in an estimated underspend of £2.478m. The unused grant funding has been earmarked in balances to be used next financial year.

Although this is a positive position in the immediate term, the scale of financial pressures on the Council linked to the pandemic, supply chain problems and considerable inflationary cost pressures remain substantial and uncertain. Commitments against balances have been reviewed and taking these revised assumptions into account, including the agreed commitment of £10m for the Community Recovery Fund, the estimated level of uncommitted balances is £20.586m.

Legal & Risk Implications

There are no direct legal implications arising from this report.

Impact Assessment

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

Consultation

None.

1.0 Background

- 1.1 The Revenue Budget for 2022-23 focussed on the core revenue budget and also provided temporary investment for Street Cleaning, Roads Maintenance, Area Budgets, Tourism and Community Growing and Recovery initiatives. This report sets out the current forecast for 2022-23. The Council continues to deal with the continued financial implications arising from the pandemic as well as increased financial pressures and uncertainty brought about by the current economic crisis. The report provides a summary of the main budget variances and significant movements across the organisation.
- 1.2 Last year saw a significant underspend of £58.974m providing a positive contribution to balances and increased the level of reserves. The most significant contributing factors were the level of additional funding provided by the Scottish Government and the timing of that funding, as well as a change in the accounting treatment of grants received in year. This change in accounting treatment will continue to impact on the current year's financial position with an overall underspend of £2.478m forecast.
- 1.3 However, whilst the immediate position is favourable, there are still significant ongoing and future uncertainties and financial pressures associated with the costs of recovery from the pandemic, inflationary pressures impacting all supply chains (notably energy, fuel, construction costs and other commodities) and employee costs. Some of which have led to the need to earmark reserves to fund these significant financial risks and impacts (Appendix 4), leaving a level of £20.586m uncommitted balances.
- 1.4 More detailed financial reports will be presented to the relevant Scrutiny Committees as part of the Council's wider scrutiny and performance management reporting arrangements.

2.0 Financial Overview

COVID-19 Recovery

- 2.1 At this point in time, the additional net costs associated with COVID-19 are beginning to reduce and estimated to be in the region of £11m this year. These costs are likely to continue into future years and assumptions have been made to try and assess the possible impacts for both 2023-24 and 2024-25 and commitments are recognised against balances to cover these costs.

- 2.2 Following the Cabinet Committee meeting on 25th August 2022, £10m of the available COVID-19 funding has been committed to the Community Recovery Fund as outlined elsewhere on this agenda.

Funding

- 2.3 Additional funding was provided by the Scottish Government in both 2020-21 and 2021-22 for both general and specific costs associated with the pandemic. Unused funding was carried forward each year and earmarked as part of the general fund balances. Where specific costs are known, the Service budgets have been increased to allow expenditure to be incurred. All variances associated with COVID-19 are incorporated into the forecast position for the Council and are reflected in the narrative in Section 3.

Pay Award

- 2.4 At the time of writing, negotiations continue with the trade unions, COSLA and the Scottish Government in respect of the likely level of pay awards for 2022-23. At this time, it is prudent to reflect a level of indicative additional cost in the projection. In addition, the Scottish Government have given an indication that they will provide a level of additional funding to help offset some of these costs and the forecast reflects the estimated funding at the time of writing.

Other pressures

- 2.5 The current global economic crisis is concerning in terms of the possible financial repercussions of inflation for the Council. These inflationary pressures mean the Council will experience increased costs, most notably, energy costs along with others such as fuel and other commodities.

3.0 Revenue forecast – Main Variances

3.1 General Fund Services

Appendix 1 details the estimated expenditure and variances against the budget for all General Fund Services. A brief explanation of the main areas where there are variances of +/-£0.250m or 0.25%, whichever is the greater, is provided below.

Included in this year's service budgets is a level of temporary investment associated with recovery. £3.0m was included in the approved budget and a further £1.950m was subsequently approved by the Policy and Co-ordination Committee. These items were funded from grant carried forward from 2020-21.

The Council is experiencing a significant increase in energy prices, therefore, service budgets have been recalculated and increased using funding previously committed from balances.

Pay awards have not yet been settled however the forecast has been updated based on the known offer at the time of writing. The forecast and variances are detailed in sections 3.1.6 and 3.1.7 below. These forecasts are indicative and subject to change until the pay negotiations have been concluded.

Following the change in accounting treatment for some grant income, service forecasts now reflect the full level of income received. Where this income will not be fully used in this financial year, the result is a favourable variance which leads to a positive contribution and future commitments against balances.

Taking all of this into account, there is an overall underspend of £2.478m which equates to 0.2% of budget expenditure.

The revenue budget, as shown in Appendix 1, has increased since it was approved. The changes are summarised below: -

Table 1 - Budget Movement

	Total Expenditure £m
Approved 2022-23 Budget (Financial Plans)	942.320
Budgets Funded from/(to) Balances	
- Additional Investment agreed September 2021	1.950
- Business Support & Low Income Household	5.370
- Continuing Financial Consequences of COVID-19	3.000
- Energy Inflation	5.486
- Construction Inflation	3.079
- Carry Forward - DSM	3.625
- Carry Forward - Pupil Equity Funding	5.960
- Carry Forward - SG Specific Funding	2.737
- Carry Forward - LCP	1.635
- Carry Forward - Others	2.673
- Miscellaneous	0.452
Redetermination from SG	(20.999)
Current 2022-23 Budget (June)	957.288

3.1.1 Education and Children's Services

Directorate position: - Variance (£13.762m) underspend

Devolved School Management: - Variance (£8.579m) underspend

In line with the DSM Scheme, £3.625m was carried forward and is the main factor leading to the forecast underspend in schools' devolved budgets. Also included in the forecast is a projected underspend on schools' Pupil Equity Funding (PEF) of £5.000m as £5.9m of funding has been carried forward from previous years into 2022-23. Finally, the projections include COVID-19 funding from Scottish Government which will be spent on additional teacher staffing.

Non-DSM/Childcare: - Variance (£1.682m) underspend

Underspends include Special Education of £0.832m, relating to the Education element of secure placements. A further underspend of £5.436m within Nursery is due to the level of specific grant funding for Early Years provision and non-domestic rates relief to nurseries. A further projected underspend in Childcare Services of £0.306m is the net effect of reduced staffing costs and a related reduction in income. These are partly offset

by overspend relating to maternity pay and long-term absence of £3.015m and £0.636m respectively. These costs relate to teachers but are borne by the non-devolved central Education budget and not the DSM. A further projected overspend of £0.820m has arisen due to the inflationary increase in PPP charges.

In relation to COVID-19, the main costs are in relation to school transport, additional cleaning/catering and waste collection and PPE of £0.450m.

Children and Families / Criminal Justice Service: - Variance (£3.501m) underspend

The position for the service reflects a projected underspend for Children and Families / Criminal Justice Service, mainly due to third party payments for Purchased Placements of £3.400m, due to the continued effect of the reduction in placement numbers. Underspend of £0.796m within employee costs is due to staff turnover and, within foster care, where a projected underspend of £0.670m is due to lower than anticipated placements. Offsetting this are projected overspends in Continuing Care of £1.000m and in Kinship Care of £0.349m, reflecting changes in care arrangements.

In relation to COVID-19, costs of £1.2m are for additional support for looked after children and addressing the backlog of work in Criminal Justice are fully funded from Scottish Government funding and do not impact on the service variance.

3.1.2 **Health and Social Care**

Social Care: - Variance £0.000m overspend

The budget and forecast include income to be received from NHS of £2.407m for transfer of resource as agreed at budget-setting in March 2022.

The forecast position for Fife Council Social Care is a breakeven position after a contribution to IJB reserves of £0.711m.

The main variances are an underspend of £3.313m on Adults Supported Living primarily due to vacancies across the service which will not be filled until the future design of the service is established. Further staff vacancies have resulted in an underspend of £0.408m in Fieldwork and £0.553m in Older People Residential and Day-care due to difficulties recruiting.

Adults Fife wide has an underspend of £0.532m due to a reduced provision for new packages for service users where their current requirements are being considered. Older People Nursing and Residential has an underspend of £0.298m due to a reduction in the number of packages being provided.

These are offset by an overspend on adult placements of £4.311m due to a greater number of packages than budget and an overspend on Homecare of £0.373m made up of various smaller overspends on staffing, meals and wheels and travel. The balance of £0.711m will contribute towards IJB reserves.

There is expenditure forecast of £11.175m related to COVID-19 and remobilisation costs and it is assumed these costs will be funded from reserves in the IJB.

3.1.3 **Enterprise and Environment**

Directorate position: - Variance £0.251m overspend

Assets, Transportation and Environment: - Variance £1.423m overspend

The overspend includes estimated costs for winter maintenance of £0.506m based on trends of previous years' expenditure increased for likely inflationary pressures related to salt and fuel costs. In addition, reduced income in Car Parking of £0.446m due to continuing reduced levels of demand.

There is a projected overspend of £0.714m in Facilities Management predominantly related to reduced income within Catering because of the continuing impact of the COVID-19 pandemic.

Protective Services: - Variance (£0.678m) underspend

The underspend is a result of increased volume of Building Warrant applications and statutory fees of £0.472m as a result of the recovery from the COVID-19 pandemic. Underspend of £0.414m is due to part year vacancies and planned recruitment is progressing.

3.1.4 **Communities**

Directorate position: - Variance £2.255m overspend

Communities & Neighbourhood: - Variance £2.571m overspend

Fife Sports and Leisure Trust and Fife Cultural Trust both continue to suffer loss of income following the pandemic and this is estimated in the region of £1.178m. Council officers continue to work closely with these organisations to understand the short-term financial support they need. Community Use is forecasting lost income in the region of £0.614m and Halls and Centres are anticipating a reduction of £0.224m in income due to the continuing impact of closures resulting from COVID-19. There are overspends of £0.295m within Community use for Public Private Partnership (PPP) charges.

Unachieved savings of £0.736m remain across the service which have been delayed following the pandemic. The overspends are partially offset by staff vacancies across the service.

3.1.5 **Finance & Corporate Services**

Directorate position: - Variance (£0.171m) underspend

Directorate Service Managed position £0.797m overspend

Overspend predominantly relates to the impact of COVID-19 as a result of home and remote working and the workstyles project (£0.159m), additional staffing resources and delayed delivery of agreed savings (£0.542m).

Housing Benefits (£0.968m) underspend

Underspend relates to a projected reduction in Housing Benefit costs due to the incremental movement of benefit claimants nationally from Housing Benefits to Universal Credit.

3.1.6 **Additional Items**

Overall Position: - Variance £18.581m overspend

The net overspend on additional items is a result of estimates associated with the latest pay offer.

Legislative Obligations/Contingencies - £26.800m overspend

During the budget process, provision is made for additional costs associated with inflation, pay awards and additional government funding, and held centrally until the costs are known, and the budget is then transferred to Services reflecting where the costs will be incurred. The level of projected overspend reported reflects the estimated additional pay costs, over and above the budgeted level. However, these estimates are based on pay offers known at the time of writing and may change as a result of continued negotiations..

Capital Financed from Current Revenue - £8.100m underspend

During the pay negotiations, the Scottish Government have indicated that they will provide capital funding to meet some of the additional costs. Doing so will mean an increase in capital grant to the Council and a subsequent reduction in funding for Capital from revenue sources. This underspend will then be used to offset part of the estimated additional costs of the pay award above the budgeted level this year and next, with permanent funding being provided in future

3.1.7 **Income**

General Revenue Grant - £9.600m over recovery

General Revenue Grant is provided by the Scottish Government and the budget is based on the latest finance circular. The projected variance includes Fife's estimated share of additional funding that could be made available to offset some of the additional pay costs.

3.2 Housing Revenue Account

3.2.1 *Housing Revenue Account: - Breakeven Position*

There are a number of overspends across the HRA, the most significant being Repairs & Maintenance of £2.543m, mainly due to increased cost of repairs as a result of inflationary pressures. The overspend on Voids of £0.489m as a result of a recent court judgment on Temporary Accommodation meaning a large number of HRA rental properties are being reprovioned as temporary accommodation increasing the number of void properties expected in year. Other Expenditure is overspent by £0.736m, £0.492m relating to Hostels. The service is seeking to remove this pressure in year by implementing a revised model as part of wider reforms taking place across the Homelessness service which includes General Fund Housing Homelessness and HRA Hostels. The remaining overspend relates to Property Insurance costs which increased significantly in 2021-22.

Offsetting underspends relate to Supervision & Management Costs of £0.318m as a result of partial year vacancies. Dwelling Rents income is higher than anticipated by £0.781m due an increase in housing stock as the Affordable Housing Programme and Property Acquisitions progress.

As a result of the variances detailed above, the level of CFCR is likely to be lower than planned by £2.984m. As the year progresses, the final CFCR and the associated impact on the level of borrowing required to fund the HRA Capital Programme will become clearer.

4.0 2021-22 Revenue Budget Savings Progress

- 4.1 It is anticipated that the Council will achieve 84% of 2022-23 budget savings. This is an improvement on the last two years when the ability of services to deliver savings on time was significantly impacted in some areas as a direct result of the pandemic.
- 4.2 Directorates are working to deliver all savings as soon as possible and more detailed reports on the progress of savings will be presented to the relevant Committees as part of the Council's wider scrutiny and performance management reporting arrangements.

5.0 Balances

5.1 *General Fund Services*

- 5.1.1 Appendix 4 details the forecast balances position of the general fund services. Balances are held to fund specific one-off expenditure, provide funding to contribute to change initiatives, accumulate funds for a specific or "earmarked" purposes and to mitigate against risk by providing a level of uncommitted reserves which can be drawn on to respond to "shocks" such as unforeseen cost increases. It is important to note balances are split into two categories – committed and uncommitted.
- 5.1.2 Whilst the opening general fund balances of £182.813m was exceptional and was a direct result of increased one-off funding levels late in the year and a change in accounting treatment of various Government Grants. Adjustments are made to balances reflecting funding being transferred to Services budgets as detailed in Table 1 of Section 3. The forecast underspend provides a positive contribution to the balances position, with the estimated level before commitments, reduced to £151.225m.
- 5.1.3 Some of the current commitments against balances have yet to be added to Service budgets depending on the timing of expenditure. However, there is a high level of commitments, bringing uncommitted balances to £20.586m.

Earmarked and Commitments against Balances

- 5.1.4 The earmarked balances reflect the unused specific grants and ring-fenced income which have accumulated to fund specific expenditure such as Early Learning and Affordable Housing. Balances are also earmarked for dealing with the ongoing costs associated with recovery from the pandemic and the impacts of inflation and supply chain disruption.
- 5.1.5 Commitments represent items for which provision has been made but as yet the costs are yet to be incurred but represent the amounts needed to fund change and the continued response to inflationary and other financial challenges.
- 5.1.6 After taking account of all commitments against balances, the level of uncommitted balances at 31 March 2025 is expected to be £20.586m which equates to approximately 2.2% of the revenue budget.

HRA Balances

- 5.1.7 The opening HRA balance was £7.005m. There are approved commitments that reduce the level of balances; £2.5m for the Transitional Affordable Housing Programme 2022-24 and £1.5m for improving Estates Management in 2022-23. After taking these commitments into account, the level of uncommitted balances is £3.005m which is above the policy minimum of £2.5m.

6.0 Conclusions

- 6.1 There is currently a forecast underspend of £2.478m. However, the level of financial risk and inflation moving forward is beyond that seen in decades. The positive balances position will provide the Council with a level of protection from these significant cost increases but, given balances is one off in nature, will only be able to assist the Council's financial sustainability in the immediate term, leaving challenges ahead for the medium and longer term.
- 6.2 However, whilst the forecast position remains favourable in the short term, it will provide a level of one-off protection from the future financial shocks resulting from rapidly increasing inflation as well as the continuing financial consequences of COVID-19. Allowing for all commitments will take the uncommitted level of balances to £20.586m in future years. Balances can only be used once and it is important that the focus continues to be on a sustainable level of core funding and decisions are taken wisely on use of balances without adding to recurring expenditure in future years.
- 6.3 The forecast position for the Council's Housing Revenue Account in 2022-23 is a break-even position. The level of HRA balances, allowing for all commitments, is £3.005m which is above the policy minimum.

List of Appendices

1. General Fund Revenue Summary 2022-23
2. Housing Revenue Account Summary 2022-23
3. Approved Savings 2022-23
4. Summary of Balances

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Appendix 1

FIFE COUNCIL GENERAL FUND REVENUE SUMMARY 2022-2023

	Annual Budget £m	Forecast £m	Annual Variance £m
EDUCATION & CHILDREN'S SERVICES			
Education (Devolved)	222.203	213.624	(8.579)
Education (Non Devolved)	125.468	123.786	(1.682)
Children and Families/CJS	65.547	62.046	(3.501)
	413.218	399.456	(13.762)
HEALTH & SOCIAL CARE			
Health & Social Care	209.073	208.362	(0.711)
Contribution from IJB	0.000	0.711	0.711
	209.073	209.073	0.000
ENTERPRISE & ENVIRONMENT			
Assets, Transportation and Environment Planning	91.869	93.292	1.423
Protective Services	1.624	1.379	(0.245)
Business & Employability Service	3.053	2.375	(0.678)
Property Repairs and Maintenance	8.139	7.890	(0.249)
	14.442	14.442	0.000
	119.127	119.378	0.251
COMMUNITIES			
Housing & Neighbourhood Services	12.785	12.640	(0.145)
Communities & Neighbourhood Customer & Online Services	50.259	52.830	2.571
	12.270	12.099	(0.171)
	75.314	77.569	2.255
FINANCE & CORPORATE SERVICES			
Assessors	1.758	1.779	0.021
Finance	4.598	4.786	0.188
Revenue & Commercial Services	14.330	13.961	(0.369)
Human Resources	6.269	6.373	0.104
Business Technology Solutions	15.995	16.755	0.760
Legal & Democratic Services	4.800	4.893	0.093
	47.750	48.547	0.797
Miscellaneous	0.127	0.127	0.000
Housing Benefits	1.986	1.018	(0.968)
	49.863	49.692	(0.171)
CHIEF EXECUTIVE			
Chief Executive	0.298	0.249	(0.049)
Corporate and Democratic Core	2.204	2.221	0.017
	2.502	2.470	(0.032)
SERVICE TOTALS	869.097	857.638	(11.459)
ADDITIONAL ITEMS			
Loan Charges (including interest on revenue balances)	57.930	57.811	(0.119)
Capital Expenditure Financed from Current Revenue	9.918	1.818	(8.100)
Legislative Obligations/Contingencies	20.343	47.143	26.800
	88.191	106.772	18.581
TOTAL EXPENDITURE	957.288	964.410	7.122
FINANCED BY:			
General Revenue Grant	(562.777)	(572.377)	(9.600)
Non Domestic Rates	(179.690)	(179.690)	0.000
Council Tax Income	(180.755)	(180.755)	0.000
Budgets transferred to/(from) Balances (previous years carry forwards etc)	(34.066)	(34.066)	0.000
TOTAL INCOME	(957.288)	(966.888)	(9.600)
CONTRIBUTION (TO)/FROM BALANCES	0.000	(2.478)	(2.478)

Appendix 2

FIFE COUNCIL HOUSING REVENUE ACCOUNT SUMMARY 2022-2023

	Annual Budget £m	Forecast £m	Annual Variance £m
BUDGETED EXPENDITURE			
Repairs and Maintenance	36.598	39.140	2.543
Supervision and Management	20.065	19.747	(0.318)
Funding Investment			
Cost of Borrowing	29.925	30.033	0.108
Revenue Contribution (incl CFCR)	29.327	26.343	(2.984)
	<u>115.914</u>	<u>115.263</u>	<u>(0.651)</u>
Voids	2.146	2.636	0.489
Housing Support costs	(0.448)	(0.457)	(0.008)
Garden Care Scheme	0.395	0.395	0.000
Bad or Doubtful Debts	3.000	3.000	0.000
Other Expenditure	10.191	10.927	0.736
Covid Expenditure	0.000	0.005	0.005
	<u>131.197</u>	<u>131.769</u>	<u>0.571</u>
FINANCED BY			
Dwelling Rents (Gross)	(123.910)	(124.691)	(0.781)
Non Dwelling Rents (Gross)	(3.494)	(3.494)	0.000
Hostels - Accommodation charges	(2.397)	(2.325)	0.072
Other Income	(1.397)	(1.259)	0.138
	<u>(131.197)</u>	<u>(131.769)</u>	<u>(0.571)</u>
CONTRIBUTION (TO) / FROM BALANCES	0.000	0.000	0.000

FIFE COUNCIL
APPROVED SAVINGS FOR 2022-23
June 2022

Directorate	Savings Target £m	Forecast £m	(Under)/Over £m	Forecast to be Achieved %
Education & Childrens Services	0.350	0.350	0.000	100%
Enterprise & Environment	0.175	0.082	(0.093)	47%
Finance & Corporate Services	0.040	0.040	0.000	100%
	0.565	0.472	(0.093)	84%

FIFE COUNCIL
BALANCE - GENERAL FUND SERVICES

	2022-23 £m	2023-24 £m	2024-25 £m	Future Years £m
Balance at 1 April 2022	(182.813)	(62.706)	(36.091)	(20.586)
- (Audit Adjustment)	0.000			
Revised Balance at 1 April 2022	(182.813)			
Budgets transferred (to)/from balances	34.066			
Add Overall budget variance 2022-23 (Appendix 1)	(2.478)			
Estimated General Fund Balance at 31 March	(151.225)	(62.706)	(36.091)	(20.586)
Earmarked Balance				
Devolved School Management	3.579			
Energy Management Fund	2.447			
Council Tax - Second Homes	10.231			
SG Specific funding	33.111			
COVID-19 Funding:				
Continuing Financial Consequences of COVID-19	14.597	4.400	1.257	
Community Recovery Fund	5.000	5.000		
COMIS/SWIFT delay	0.000	2.185		
Inflation - Supplies & Services	2.114	1.700		
Construction Inflation :-				
Unallocated	9.907			
Total Earmarked	80.986	13.285	1.257	0.000
	(70.239)	(49.421)	(34.834)	(20.586)
Commitments against balance				
Budget Carry Forward Scheme	0.000			
Change Programme		5.000	5.000	
Dempgraphics/Pay/Pensions	5.000	6.000	7.000	
Fife Job Contract	0.300	0.300	0.216	
Barclay Funding - Assessors	0.147	0.030	0.032	
Workforce Change	2.000	2.000	2.000	
Other Commitments	0.086			
Total Commitments	7.533	13.330	14.248	0.000
Estimated uncommitted balance at 31 March	(62.706)	(36.091)	(20.586)	(20.586)

BALANCE - HOUSING REVENUE ACCOUNT

	2022-23 £M	2023-24 £M	2024-25 £M	Future Years £M
Balance at 1 April 2022	(7.005)	(7.005)	(5.505)	(3.005)
Add Overall budget variance 2022-23 (Appendix 2)	0.000			
Estimated Balance at 31 March	(7.005)	(5.505)	(3.005)	(3.005)
Earmarked Balance				
COVID Mitigation				
Estates Management Improvement	1.500			
Transitional Affordable Housing		2.500		
	1.500	2.500	0.000	0.000
Estimated uncommitted balance at 31 March	(5.505)	(3.005)	(3.005)	(3.005)

22 September 2022

Agenda Item No. 5

Capital Investment Plan Update – Projected Outturn 2022-23

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

Wards Affected: All

Purpose

The purpose of this report is to provide a strategic financial overview of the Capital Investment Plan, and to advise on the projected outturn for the 2022-23 financial year.

Recommendations

The Cabinet Committee is asked to:-

- i) approve the proposed Capital Investment Plan re-profiling in Appendix 1 to deal with carry forward budgets from 2021-22 into later years of the plan;
- ii) note the projected outturn position, that the level of financial risk appears to be increasing and also note the mitigating actions for the major projects within the Capital Investment Plan;
- iii) note that more detailed capital outturn reports for 2022-23 will be submitted to relevant Scrutiny Committees of the Council, in accordance with agreed financial reporting arrangements; and
- iv) note that budget variances will be managed by the appropriate Directorate in conjunction with the Investment Strategy Group.

Resource Implications

At this time, it is anticipated that the capital plan will be fully delivered in 2022-23 and there will be advancement of £1.280m which will be managed through slippage and additional borrowing. The level of financial risk associated with inflation, and difficulties in supply chains continues with the impact on rising prices likely to continue for some time to come. At this point in time there is estimated to be an unfunded overspend of £1.379m on the major capital projects which will require a funding solution.

Legal & Risk Implications

Potential risks include the continuing difficulties across supply chains, rising inflation on costs of construction and availability of funding streams for larger capital projects e.g. Developers Contributions. Further detail relating to the current risks is contained in section 2.2.

Impact Assessment

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

Consultation

Financial projections are agreed in consultation with each Directorate and are based around the expected progress and delivery of individual projects.

1.0 Background

- 1.1 The purpose of this report is to advise members of the high level projected outturn position for the Council's Capital Investment Plan (the Plan) for the financial year 2022-23. The report also highlights the projected outturn position for major projects over £5.000m along with any potential risks associated with these projects. Explanation is provided at Section 2.1 where there is deemed to be a greater level of financial risk linked to major projects. The Plan covers capital expenditure on all Council Services including Housing, which is managed separately from the General Fund.
- 1.2 The report also includes details of the re-phasing of the capital plan reflecting the slippage from 2021-22 which has been carried forward and phased appropriately across the plan reflecting likely timing of projects. Details are provided in Appendix 1.

2.0 Issues

2.1 Major Projects

- 2.1.1 Appendix 2 provides a summary of the major projects within the Plan. There are 25 projects / programmes in this category with an overall budget of £999.017m.
- 2.1.2 At this stage, cost estimates suggest that there could be an overspend of £1.379m across the major projects in the programme. The variance relates to "Opportunities for All" theme. The overspend relates to 2 projects, the Viewforth High School extension project (£0.634m) and the construction of the Methil Care Home (£0.745m), both as a result of increased materials and labour costs. Estimates are to be firmed up and potentially funding solutions may need found.

2.2 Potential Risks and Issues

- 2.2.1 There is a risk across the Capital Investment Plan continues to be both the timing and the costs of projects are adversely affected as a result of the current economic climate. Throughout the programme issues are continuing to be identified in relation to the supply of construction materials which are resulting in delays to projects, which in turn could lead to increased slippage and increased costs. However, the

overall future impact of this is difficult to predict with any degree of certainty and the forecasts in this report for 2022-23 relate to projects that are currently in progress with contracts that are already agreed. Monitoring of the impact of any additional costs on projects still in their infancy will continue, and any impact on timescales and associated risks will be reported to this committee. Where appropriate, any known impact on timing of delivery of projects has been built in to the rephased plan and the overall scale of any additional costs or further delays will be kept under review in future reports and through the upcoming review of the Capital Investment Plan.

- 2.2.3 The Council's approved Capital Plan includes £213m investment in respect of Secondary Schools in West Fife, which includes Dunfermline Learning Campus (DLC) and the Inverkeithing High School replacement. The budgets for the projects reflect the funding arrangements of the Scottish Government's Learning Estate Investment Programme, which requires the Council to fund the up-front cost of construction, with Government support coming in the form of a revenue contribution based on the achievement of outcomes. This investment is intended to address both school condition and the need for additional school places arising from housing development. The potential risks associated with the DLC project have significantly reduced following financial close in July 2022 (award of the construction contract), which now limits the impact of inflation on the project. In addition, negotiations with the Scottish Government have been positive and it is anticipated that a funding model that is more reflective of current costs will be agreed in the near future. The project is currently progressing in line with the required timeline.
- 2.2.4 Whilst there has been no further update from Scottish Government, it is still their policy intention to expand the provision of Free School Meals to all Primary pupils (currently up to and including P5). Work has been undertaken to estimate the costs associated with expanding provision in terms of the capital investment works required to school kitchens and dining rooms. It will be critical that funding is forthcoming to cover these costs in advance of further expansion.

2.3 Financial Performance – 2022-23 Total Expenditure - Projected Outturn

Appendix 3 provides a summary by capital theme of projected expenditure and income for 2022-23 showing the total reprofiled expenditure budget of £196.411m and projected spend of £197.691m in the 2022-23 financial year, including £1.280m advancement across the plan. Comparable expenditure for the previous 3 years was £163.805m (2021-22), £138.473m (2020-21) and £175.104m (2019-20).

3.0 Budgets and Funding

3.1 Budget

The Capital Investment Plan 2021-31 was approved by Fife Council in March 2021. At the end of each financial year, any budget which has not been spent is rolled forward into the next financial year as slippage. Services are asked to re-profile their project budgets in light of this slippage and the result of this can be seen in Appendix 1. The re-phasing has been reviewed and endorsed by the Investment Strategy Group.

The re-profiled budget has also been updated to reflect further changes in respect of additional income received and CFCR contributions, as per the table below. The results of these amendments are fully reflected in Appendix 3 and become the Current Budget.

	Total Expenditure £m
Approved Capital Investment Plan	208.007
Slippage from 2021-22	27.972
Re-profiling	(40.343)
Rephased Capital Plan per Appendix 1	195.636
CFCR	0.639
Increased Grant and Contribution Income	0.136
Current Capital Investment Plan as at June 2022	196.411

3.2 Total Expenditure £1.280m advancement

Expenditure variances are projected across all themes within the plan, the most significant being: -

3.2.1 Opportunities for All - £0.745m

There is an overspend of £0.745m for Methilhaven Care Home. This is due to the extended time the project is taking to complete, attributed to material/supply delays, leading to additional contractor claims for extended periods on site. In addition, there has been increases in sub-contractor labour costs as well as material costs.

3.2.2 Housing Revenue Account - £0.561m

Regeneration works have been taking place at HRA properties in Golfdrum Street, Dunfermline. Additional roofing works will now take place which will increase the total project cost by £0.250m. There is an estimated advancement of £0.311m relating to Property Acquisitions which is on track to purchase in excess of 50 additional properties in year to help meet housing requirements in high demand areas.

3.3 Total Income

3.3.1 Capital expenditure is funded from several income sources, some of which contribute specifically to individual projects in the plan. These income sources are Capital Financed from Current Revenue (CFCR), Scottish Government Specific Capital Grant and other grants and contributions (e.g., lottery funding).

3.3.2 Appendix 3 shows that there is a total income budget of £64.144m against a forecast of £62.134m giving a projected variance of £2.010m. This variance results from 2 main factors, a decrease in the expected CFCR and increased grant income both in respect of the Housing Revenue Account.

3.3.3 Overspends and pressures within the Housing Revenue Account means that the Service cannot commit to the level of CFCR which was originally budgeted, detail is presented in the revenue monitoring report on this agenda. Increased grant relates to the Tarvit Mill Gypsy Travellers Site and the property acquisitions programme.

3.4 Total Funding

Within the total funding section of Appendix 3, the other income such as General Capital Grant and Capital Receipts are not specifically related to any capital project but is funding for the plan overall. The overall variance of £3.291m is mainly due to an increase in HRA borrowing to offset the reduction in expected CFCR ensuring the plan remains fully funded.

4.0 Conclusions

- 4.1 The current total expenditure budget is £196.411m, and the Council is estimated to deliver £197.691m investment in the year including advancement of £1.280m.
- 4.2 This level of projected expenditure demonstrates continued progress on the delivery of a wide range of capital projects. Major capital investment by Fife Council continues, however, there is still a level of uncertainty associated with speed of delivery and future costs.
- 4.3 There are 25 projects/programmes within the Plan which have a value of £5.000m or greater. The overall budget for these projects is £999.017m, the Council is showing estimated expenditure of £1,000.396m and an estimated overspend of £1.379m.
- 4.4 Where significant variances arise, these are reviewed by the Investment Strategy Group in conjunction with the appropriate Directorate and reflected in any future capital plan reports.
- 4.5 Services have reviewed expected project delivery timescales and have re-profiled expenditure into future years where appropriate to reflect a more realistic investment profile

List of Appendices

1. Capital Plan 2021-31 Project Re-Profiling
2. Major Capital Projects Total Cost Monitor
3. Monitoring Report by Capital Theme

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FIFE COUNCIL
CAPITAL INVESTMENT PLAN 2022-31
REPROFILED BUDGETS

Appendix 1

Capital Theme	Budget 2022-23 £m	Budget 2023-24 £m	Budget 2024-25 £m	Budget 2025-26 £m	Budget 2026-27 £m	Budget 2027-28 £m	Budget 2028-29 £m	Budget 2029-30 £m	Budget 2030-31 £m	TOTAL BUDGET £m
Opportunities for All	42.474	71.248	58.209	71.676	52.275	50.183	36.734	19.018	6.897	408.712
Thriving Places	16.485	18.598	19.557	14.551	5.706	6.218	6.463	1.553	4.520	93.651
Inclusive Growth and Jobs	5.947	13.522	8.929	5.730	6.307	2.205	1.003	0.133	0.246	44.023
Maintaining Our Assets - Rolling Programmes	42.437	29.481	33.864	26.520	28.757	27.511	25.672	22.459	20.215	256.916
Maintaining Our Assets - Specific Programmes	6.099	5.766	2.760	2.465	2.145	2.402	1.753	0.645	0.661	24.696
Housing Revenue Account	80.195	137.065	103.975	47.641	48.226	50.094	50.744	52.063	52.486	622.489
Corporate Items	2.000	2.000	2.000	12.500	12.500	13.000	13.000	3.000	3.289	63.289
TOTAL EXPENDITURE	195.636	277.679	229.294	181.083	155.916	151.614	135.369	98.870	88.314	1,513.776
Scottish Government Specific Capital Grants	(1.429)	(1.429)	(1.005)	0.000	0.000	0.000	0.000	0.000	0.000	(3.862)
Other Grants and Contributions	(18.502)	(39.005)	(35.770)	(17.509)	(16.711)	(30.731)	(35.366)	(20.783)	(11.780)	(226.156)
Capital Financed from Current Revenue (CFCR)	(43.440)	(34.626)	(32.200)	(32.200)	(32.200)	(32.200)	(32.200)	(32.200)	(32.200)	(303.463)
TOTAL INCOME	(63.370)	(75.060)	(68.974)	(49.709)	(48.910)	(62.931)	(67.565)	(52.983)	(43.980)	(533.482)
TOTAL NET EXPENDITURE	132.266	202.620	160.319	131.375	107.006	88.684	67.803	45.888	44.335	980.295
Scottish Government General Capital Grant	(24.806)	(25.000)	(25.000)	(25.000)	(25.000)	(25.000)	(25.000)	(25.000)	(25.000)	(224.806)
Capital Receipts	(10.480)	(1.139)	(1.500)	(7.089)	0.000	(0.346)	(0.274)	(0.082)	(4.649)	(25.557)
NHT Loan Repayments	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Borrowing from Loans Fund - General Fund	(56.743)	(105.319)	(82.325)	(83.845)	(65.980)	(45.443)	(23.985)	(0.943)	5.600	(458.982)
Borrowing from Loans Fund - HRA	(40.237)	(71.162)	(51.494)	(15.441)	(16.026)	(17.895)	(18.545)	(19.863)	(20.286)	(270.950)
TOTAL FUNDING	(132.266)	(202.620)	(160.319)	(131.375)	(107.006)	(88.684)	(67.803)	(45.888)	(44.335)	(980.295)

FIFE COUNCIL
CAPITAL INVESTMENT PLAN 2021-31
TOTAL COST MONITOR - MAJOR CAPITAL PROJECTS

	Service	Original Approved Budget £m	Current Project Budget £m	Total Projected Outturn £m	Variance £m	Variance %	Current Project Status	Expected Project Completion Date
Opportunities for All								
Madras College - Langlands	E&CS	50.170	58.313	58.313	0.000	0.00%	Completed Project	2021-22
Madras College Extension	E&CS		5.709	5.709	0.000	0.00%	Future Project	2026-27
Dunfermline Learning Campus	E&CS		122.025	122.025	0.000	0.00%	Current Project	2024-25
Extension Secondary School - Viewforth	E&CS	5.989	6.335	6.969	0.634	10.01%	Future Project	2030-31
New Secondary School - Glenrothes /Glenwood	E&CS	27.532	78.937	78.937	0.000	0.00%	Future Project	2028-29
Queen Anne High School Extension	E&CS		6.626	6.626	0.000	0.00%	Future Project	2030-31
Inverkeithing High School	E&CS		85.000	85.000	0.000	0.00%	Future Project	2026-27
Primary School Development Future Projects	E&CS		79.357	79.357	0.000	0.00%	Future Project	2029-30
Methil Care Home	H&SC	6.620	7.277	8.022	0.745	10.24%	Current Project	2022-23
Cupar Care Home	H&SC	5.580	7.879	7.879	0.000	0.00%	Current Project	2023-24
Anstruther Care Home	H&SC	6.145	6.595	6.595	0.000	0.00%	Feasibility	2024-25
		102.036	464.053	465.432	1.379	0.30%		
Thriving Places								
Glenrothes District Heat	ATE	10.320	9.449	9.449	0.000	0.00%	Current Project	2023-24
Northern Road Link East End	ATE		11.171	11.171	0.000	0.00%	Preparatory Works	2026-27
Western Distributer Road	ATE		10.326	10.326	0.000	0.00%	Future Project	2028-29
Northern Road A823	ATE		8.568	8.568	0.000	0.00%	Preparatory Works	2025-26
Adam Smith Creative Hub	Communities		6.221	6.221	0.000	0.00%	Current Project	2023-24
Abbeyview Integrated Hub	Communities	1.500	7.506	7.506	0.000	0.00%	Current Project	2023-24
Templehall Community Hub	Communities	1.500	9.004	9.004	0.000	0.00%	Current Project	2025-26
		13.320	62.246	62.246	0.000	0.00%		
Inclusive Growth and Jobs								
Fife Interchange Business Units - Phase 1 & 2	Bus & Employ	8.129	11.068	11.068	0.000	0.00%	Current Project	2024-25
John Smith Business Park Business Units	Bus & Employ	3.644	5.517	5.517	0.000	0.00%	Current Project	2026-27
		11.773	16.585	16.585	0.000	0.00%		
Housing Revenue Account								
Affordable Housing	Housing	281.869	424.238	424.238	0.000	0.00%	Current Project	2022-23
		281.869	424.238	424.238	0.000	0.00%		
Maintaing Our Assets								
West Fife Depot	ATE	4.525	8.041	8.041	0.000	0.00%	Completed Project	2019-20
Leven Railway Bridge & Bawbee Bridge	ATE	2.279	8.247	8.247	0.000	0.00%	Preparatory Work	2023-24
Local Area Network	BTS	7.200	7.308	7.308	0.000	0.00%	Current Project	2023-24
Balwearie High School	E&CS	8.300	8.300	8.300	0.000	0.00%	Future Project	2026-27
		22.304	31.896	31.896	0.000	0.00%		
Grand Total		431.302	999.017	1,000.396	1.379	0.14%		

**FIFE COUNCIL
CAPITAL INVESTMENT PLAN 2022-23
MONITORING REPORT**

Appendix 3

Capital Theme	Approved Budget £m	Current Budget £m	Actual to Date £m	Projected Outturn £m	Projected Variance £m	Projected Outturn as % of Plan
Opportunities for All	42.474	42.474	3.452	43.219	0.745	102%
Thriving Places	16.485	15.504	0.252	15.608	0.104	101%
Inclusive Growth and Jobs	5.947	5.947	1.202	5.652	(0.296)	95%
Maintaining Our Assets - Rolling Programmes	42.437	46.642	5.386	46.809	0.166	100%
Maintaining Our Assets - Specific Programmes	6.099	3.649	1.395	3.649	0.000	100%
Housing Revenue Account	80.195	80.195	17.898	80.756	0.561	101%
Corporate Items	2.000	2.000	0.000	2.000	0.000	100%
TOTAL EXPENDITURE	195.636	196.411	29.583	197.691	1.280	101%
Scottish Government Specific Capital Grants	(1.429)	(1.429)	(1.578)	(2.373)	(0.945)	166%
Other Grants and Contributions	(18.502)	(18.637)	(5.671)	(18.650)	(0.013)	100%
Capital Financed from Current Revenue (CFCR)	(43.440)	(44.079)	(3.718)	(41.110)	2.968	93%
TOTAL INCOME	(63.370)	(64.144)	(10.967)	(62.134)	2.010	97%
TOTAL NET EXPENDITURE	132.266	132.266	18.616	135.557	3.291	102%
Scottish Government General Capital Grant	(24.806)	(24.806)	(6.327)	(24.806)	0.000	100%
Capital Receipts	(10.480)	(10.480)	(2.347)	(10.632)	(0.152)	101%
NHT Loan Repayments	0.000	0.000	0.000	0.000	0.000	0%
Borrowing from Loans Fund - General Fund	(56.743)	(56.743)	0.000	(57.315)	(0.572)	101%
Borrowing from Loans Fund - HRA	(40.237)	(40.237)	0.000	(42.804)	(2.567)	106%
TOTAL FUNDING	(132.266)	(132.266)	(8.674)	(135.557)	(3.291)	102%

22nd September, 2022.
Agenda Item No. 6

Help with Cost of Living : Extending Community Support

Report by: Michael Enston, Executive Director (Communities)

Wards Affected: All Wards

Purpose

To propose an extension to existing community support provision and the delivery of a coordinated programme of targeted support to help vulnerable people and communities through the cost-of-living crisis over the coming winter months. The report also proposes criteria for the delivery of the Community Recovery Fund agreed at the previous Cabinet.

Recommendation(s)

It is recommended that Cabinet: -

1. note current provision and agree plans to extend this into a coordinated winter programme of targeted support for vulnerable individuals and families;
2. agree the allocation and criteria for the £10m Community Recovery Fund; and
3. discuss the ongoing challenges and advise on other measures or areas of support that should be considered as part of the ongoing development of work to tackle poverty and prevent crisis.

Resource Implications

The additional proposals for 2022/23 as outlined in this report will be funded through the use of unallocated covid grant carry forward of £2.1m from 2021/22. This is additional to previously agreed funding of £5.6m for the current year. The report also provides an update on progress with the previously agreed initiatives through the Local Authority Covid Economic Recovery (LACER) funding. These are non-recurring funds and evaluation of projects and measures will be undertaken and reported in Spring 23. The creation of a £10m Community Recovery Fund was agreed at the previous meeting funded from balances.

Legal and Risk Implications

There is a continuing risk that provision of crisis support at these levels is unsustainable given pressure on Council Budgets. This is an unavoidable risk with the challenges facing people. Longer term, the policy intention is to shift the balance from crisis intervention to prevention and self-reliance.

Impact Assessment

An impact assessment is attached as Appendix 4.

Service and partner representatives on the Tackling Poverty and Crisis Prevention Board, which was set up in late 2021 as part of the revised Plan for Fife delivery arrangements, were involved in shaping the content outlined in this report. This Board is one of four whose role is to deliver the reform agenda which was agreed by the Council and Fife Partnership in Spring 2021. Representatives also draw on input from a wider group of organisations and with area teams.

1.0 Background

- 1.1 This report builds on the Tackling Poverty member working group recommendations agreed at Policy and Co-ordination Committee in March 2021 together with the funding proposals for 2022/23 agreed earlier this year.
- 1.2 The additional proposals outlined here balance the need for immediate support and crisis intervention with the shift towards supporting people to achieve financial stability. The measures rely on good partnership working between services and the community: a critical requirement if we are to redesign service to deliver a 'no wrong door' ethos to service delivery.
- 1.3 The experience of providing support during the pandemic showed that the issues facing many households were not new, just more acute. Before the pandemic, 58% of Fifers were managing well financially while 32% were getting by alright. 8% were not managing well and 1% were in deep financial trouble. (Scottish Household Survey, 2019.) The pandemic brought issues around the financial security and resilience of some households into sharp relief, particularly in relation to food, fuel and finances. This year, Cost of Living has replaced NHS / Hospitals / Healthcare as the main issue facing all areas of Fife (Fife People's Panel Survey 35, 2022). The situation is not static but dynamic and changing rapidly. Early indications suggest those who may have been managing well or have been just about managing, are starting to tip into crisis.
- 1.4 Before the pandemic, 24% (41,000) of Fife households were in fuel poverty (needing to spend 10% or more of their income on fuel costs) and 11% (19,000) were in extreme fuel poverty (needing to spend more than 20% of their income on fuel costs) (Scottish House Condition Survey, 2017-2019). It is estimated that by January 2023 many more households will face fuel poverty or extreme fuel poverty (University of York for Child Poverty Action Group, August 2022). There is a strong association between low income and fuel poverty, with as many as 4 out of 5 low-income households expected to be in fuel poverty in the new year, particularly large families, lone parents and pensioner couples.
- 1.5 Each year under the Child Poverty (Scotland) Act 2017, a Local Child Poverty Action Report is prepared to provide an update on progress on local activity aimed at reducing child poverty levels. The report is jointly prepared by Fife Council and NHS Fife in collaboration with third sector partners. Fife's latest report for 2021/22 reports that:
 - 17.3% of children in Fife (13,724 aged under 16) are living in relative poverty (less than 60% of median household income) before housing costs
 - 9,047 children (14.1%) are living in absolute poverty before housing costs
 - Both are above the Scottish average (15.9 and 12.9 respectively)
 - Whilst there has been little change in absolute poverty since 2014/15, relative poverty increased in Fife from 16% to 21% between 2014/15 and 2019/20 (DWP, Children in Low Income Families, 2020/21)

- 1.6 Understanding the impact at a very local level is key to our response and developing the right interventions. A new approach to help us interpret data and information underpin the measures described here. Most notably, the procurement of the Low-Income Family Tracker (LIFT) system. LIFT will help to anticipate the needs of households on lower income with greater accuracy, informing policy and practice and increasing our capability to track and assess the impact of change. LIFT should also help to maximise household income through better targeting of support and benefits uptake.
- 1.7 Learning from the pandemic, we know that when crisis hits we need to be able to mobilise food and personal support quickly. That needs to be provided locally and as close to where people live as possible. Staff need to be empowered to 'just do it' where help is needed and everything needs driven from the community and individual's point of view. The measures outlined here continue to build on that approach.

2.0 Current Cost of Living Support

- 2.1 For the current financial year, extra resources were added to the Scottish Welfare Fund, the Council's Hardship Grant Fund was extended, support was given to ensure the distribution of household goods through the Big Hoose project and significant additional resources were allocated to combat fuel poverty.
- 2.2 Funding has also been allocated through CARF to develop a proactive and co-ordinated programme of benefits uptake. To support this, a simple benefits calculator has been procured which a range of front-line staff can use in helping identify benefits which people may be missing out on. The Health Promotion training team are currently rolling out a programme of staff awareness and training on this.
- 2.3 The Hardship Fund was introduced by the Council during the pandemic to address needs for those not entitled to a Scottish Welfare Fund payment. Earlier this year the decision was taken to extend the scheme for a further year recognising continuing need. Typically, payments support people as they wait for benefits, when they are sick and only receive statutory sick pay, when they are managing debt or experiencing issues/expenses around relationship breakdown. The total number of applications approved across Fife between April and June 2022 (inclusive) was 326, with a total amount of £180,535 and an average payment of £554. Of these applications, 44 were from large families, 50 were from people in work and there was a total of 10 re-applications.
- 2.4 In terms of concessions, costs to take part in school subjects, such as Home Economics for example, and all music tuition have been removed in all schools and every young person is given a digital device (not a phone) to enable them to complete schoolwork at home, if required. Out of school, free after school clubs and activities are now available in most Fife schools through the Active Schools programme. And, during the summer months, the existing free swimming and quid a kid-schemes were expanded to provide free access for children and young people across a wider range of hours.
- 2.5 Support for food initiatives has continued alongside provision of holiday food programmes such as Café Inc: supplying 106,000 meals this summer alone. Funding of £250,000 has been made available to help community food providers to support the growth of projects, the purchase of items like fridges and the training and support of the volunteers that operate them. Additionally, and increasingly the funds are being used to buy food as donations reduce and the need for food support increases.

- 2.6 Sustainable and dignified responses to food insecurity are being supported, such as community led food pantries, local growing projects and support for people to develop skills and knowledge around affordable, healthy food. Community Food Champions are trained and supported to work in their local communities and the Feeding Fifers Facebook page provides online support and resources both to households and community food providers, showcasing different food projects, sharing healthy recipes, etc.
- 2.7 Longer term, the Food for Fife Partnership is developing a ten-year strategy action plan to make all aspects of Fife's food system – including farmers and food producers, procurement, community food providers and growing projects – support a sustainable, healthy, affordable local food environment.
- 2.8 Fife Council Housing Services provides help to support tenants reduce their fuel bills and help them avoid debt and crisis with their utility costs. The Council also partners and financially supports Cosy Kingdom which is a free and impartial energy and debt advice service available to all tenants and homeowners across Fife. It is a partnership between Greener Kirkcaldy, St Andrews Environmental Network and Citizen's Advice & Rights Fife. The energy advisors can work with people to find practical and affordable ways to save energy, understand their gas and electricity bills and tariffs, switch supplier, advise on gas and electricity utility debt and help with Warm Home Discount. They provide benefit checks, refer to free and impartial debt advice and offer a free Handy Service.
- 2.9 Recognising the increasing challenges of fuel poverty, the Council allocated an additional £0.5m in the HRA revenue budget for 2022/23. This was matched by an allocation through the LACER funds of £0.5m to Cosy Kingdom to provide wider support. Overall, these funds make provision for fuel top ups, boiler repairs, thermal curtains, low energy light bulbs and small works to help with insulation. The funds supplement existing advice and support to people taking on a tenancy and to people with pre-payment meters.

3.0 Winter 22 : Extended Community Support

- 3.1 The above measures will be maintained and extended to help mitigate the increased and combined risks of weather, seasonal health, rising costs and lower disposable income. Support will be tailored to the needs of those already experiencing difficulties that are likely to become more extreme and the challenges for those tipping into poverty for the first time.
- 3.2 A co-ordinated programme of online, self-service, phone, face-to-face and print-based information, support and services will be provided. This will be underpinned by an improved and co-ordinated approach to contact, referral, information, promotion and joint working across services, community organisations and voluntary services.
- 3.3 Whilst website and social resources are critical, other communication channels will be used to reach those not online. The website will be supported by the Fife Community Support Helpline (formerly, Community Assistance during Covid). This will be a targeted service intended to support those without access to the intranet or in immediate crisis. Advisors will provide information, advice, set up appointments and ensure appropriate follow-up with people as required to ensure the support required has been received. Fife Health and social Care Partnership is also providing emotional and mental health support focussed on those struggling with the cost-of-living crisis. Support, advice and guidance is available from frontline staff. Training is being provided to employees in good conversation techniques to support people in Fife and support employees in dealing with citizens requiring assistance.

- 3.4 **Food Grants** - There is growing demand combined with a decrease in donations, supermarket surpluses and volunteer capacity to support existing food provision. The Trussell Trust are advising food banks to budget for £2.34 per kg of food – up from £1.75 a year ago. The long-term aim is to eradicate the need for food aid but it is obvious the demand and costs short-term are only set to rise. To respond to this, it is proposed to increase grant provision for food and to augment the budget with an additional £180,000.
- 3.5 As part of work to develop sustainable community-based responses, we are specifically looking at the delivery of a Community Shop model working with a national social enterprise. This combines a low-cost supermarket with a training kitchen and café, creating access to affordable, healthy food and opportunities to learn, develop skills, volunteer and, potentially, find employment.
- 3.6 **Community Warm Spaces** - for the coming winter it is proposed to work with community organisations, local churches and others to support them to enhance their local provision of warm and welcoming places to meet. A small grant scheme is proposed to help providers with costs and to develop support activities, social interaction and advice and guidance. From our pandemic and summer holiday Café Inc provision, we know that basing provision around the opportunity for food and eating is an effective way to reach out to people. Additional budget provision of £150,000 will also enable us to put on additional activity in Council venues with support and food. This will be co-ordinated by area teams.
- 3.7 **Winter Warmer Packs** – as with last winter it is proposed to provide at least 1000 winter warmer packs including, for example, essential warm clothing and insulated drinks containers. A budget allocation of £30,000 is proposed.
- 3.8 **Debt including School Meals** - the Council already operates a “fair collections policy” for all debt recovery supporting households who cannot meet their debt obligations. We plan to extend the criteria for this debt support to include wider indicators of vulnerability. This will provide targeted relief to people in specific situations by, for example, writing debt off and establish a more holistic approach to debt management by considering all circumstances people and families are facing in the round. Specifically, it is proposed to make provision of £65,000 to help up to 404 Households in Fife who have unpaid school meal debt. The debt ranges from £10.84 to over £1184. Work is ongoing to identify any further debt held currently in the pupil payment system not yet transferred to the corporate debt system.
- 3.9 **The Scottish Welfare Fund** (Crisis and Community Care grants) will run out of funds during the last quarter of 2022/23 if allocations continue at the current level. An additional £863,000 is proposed to maintain the fund until the end of the financial year. This will include broadening the range of support provided through Community Care grants for example to include thermal curtains and improved carpeting. This is additional to support for supplies of winter clothing, curtains and duvets through the Big Hoose distribution of household goods.
- 3.10 **Benefit Uptake** -There is an estimated £10m worth of unclaimed pension credit in Fife alone. We know many are not receiving all they are entitled to. We propose to introduce a new online and face-to-face appointment service to support people to check their benefits and entitlement and make new applications. The benefit checking doesn't only help those in receipt of benefits. People in work can be entitled to additional help. Tax relief for childcare costs is an example of an underclaimed benefit for those on low pay and paying for childcare. The provision of £100,000 will enable an increase in staff hours to support benefit checks.

Table 1 – Estimates of Unclaimed Pension Credit in Fife (Source: Policy in Practice)

Local Authority	Estimated unclaimed PC	Pension age households	Eligible for PC and not claiming	Expected take up	Average PC award of £2,700 per annum	Passported benefits	Annual economic impact	Lifetime value (to 82 years)
Fife Council	£10,990,548	7,235	398	133	£358,133	£87,411	£445,543	£2,673,260

- 3.11 **Hardship Fund** - there is a need to top up this fund if it is to continue awarding support at the current level. An additional sum of £240,000 is proposed bringing the total budget to £720,000.
- 3.12 **Community Support Helpline** is a core part of the winter support programme acting as a contact and referral route as well as having a role in supporting benefit checks and help with food and fuel support. The sum of £100,000 is to maintain the increase in staffing for the Contact Centre.
- 3.13 **Rating Relief** – An investment of £240,000 was agreed in April 2022 as part of the LACER proposals. This has been largely used providing some £800,000 of rates relief to struggling businesses affected by the pandemic and rising costs. It is proposed to allocate a further £200,000 for the remainder of the year.
- 3.14 **Leisure access** - during the summer months the existing free swimming and quid a kid schemes were expanded to provide free access for children and young people across a wider range of hours. It is proposed to continue with this approach through the winter programme recognising the importance of participation in physical activity to wellbeing and the role of our leisure centres as welcoming warm places. The additional provision of £200,000 will be used to work with Fife Sports and leisure Trust in increasing daytime activities, providing leisure access cards and developing discounted activities such as free swimming and quid a kid.

4.0 Local Delivery and Community Recovery

- 4.1 As in the pandemic, a co-ordinated effort between the Council and other organisations is needed to help people manage through this winter. The area-based People and Place groups were established following the successful operation of local multi agency working during the pandemic. While there is considerable scope to improve joint working arrangements, these groups are well placed to oversee provision and impact across an area. In turn, area-based Welfare Reform and Anti-Poverty Groups (WRAAPS) continue as a valuable way of shaping and co-ordinating support across front line agencies.
- 4.2 For the successful operation of the proposals contained in this report, it will be important to maintain short lines of communication between local work and staff and overall leadership, to ensure resource allocation, address any barriers or issues and to support staff to take decisions and act on issues. Regular liaison with Area Committee Chairs will be key and a sub-group of the Tackling Poverty Board will meet on a more frequent basis to support local delivery, oversee expenditure and promote communication with the area teams.
- 4.3 Flexibility will be needed to respond to issues as they arise and potentially to shift funding across the different provisions outlined in the previous section. The challenges of the coming winter are not certain and, as with the pandemic, there will be a need to quickly build on what works best and to shape responses to unforeseen challenges as they

arise. The proposals in this report seek to allocate covid grant carry forward fully rather than building in any contingency. Should the need for contingency funding arise then a further report would be prepared for Cabinet.

- 4.4 The cost-of-living crisis is happening whilst local communities still recover from the pandemic. A £10m Community Recovery Fund was agreed at the previous Cabinet meeting to provide additional local support in the period ahead. Proposed criteria and operating arrangements are set out below. These are designed to make the operation of the fund straightforward with simple application and reporting arrangements.

Approach

- Area Committees will decide allocations from the fund
- Communities should help identify priorities and projects
- The fund can be used flexibly across the next two financial years
- Projects and spend should support wider community recovery as well as shorter term challenges e.g. cost of living
- Minimise any recurring revenue spend but promote innovation and pilot schemes which may influence future delivery

Specific Criteria

- Projects should link to local community plan priorities
- Projects should take account of Plan for Fife recovery priorities (Community Wealth Building, Tackling Poverty, Economic Recovery, Climate)
- Projects should provide assessment of benefit to ensure no unintended consequences

- 4.5 It is proposed to allocate the fund on the basis of £1m per Area Committee supplemented with an allocation based on population and deprivation. It is also proposed that £1m be used to support initiatives spanning a number of areas or of Fife wide significance with decisions taken by the Cabinet. This will help avoid a situation where organisations make application to a number of Area Committees for the same project. The allocations are as shown in table 2 below. A monitoring schedule will be produced to ensure projects are progressing as anticipated and an overall report on progress will come to the Cabinet in Spring 2023.

Table 2 : Community Recovery Fund Allocation

	£m
South and West Fife	1.196
Dunfermline	1.266
Cowdenbeath	1.297
Glenrothes	1.303
Kirkcaldy	1.360
Leven	1.338
North East Fife	1.240
FIFE	1.000

Distribution of £1m per area plus a share of £2m based on equal weighting of population and SIMD. £1m reserved for Fife wide projects.

5.0 Conclusion

- 5.1 Previous reports, including the report of the Fairer Fife Commission in 2015, have stressed the importance of shifting focus from crisis support and spend to investment which helps people out of poverty. The report of the Council's tackling poverty member working group stressed that this is not a simple choice between areas of spend but is also about how services work with each other and with people. For example, the report highlighted the importance of multi-agency working around people and place, the need to promote a no wrong door ethos to service access, contact and referral and the importance of investing in building relationships and trust.
- 5.2 These ambitions remain and are part of current work on change planning in the Council around family and household support. Early indications from a test of change underway in Kirkcaldy are showing positive signs of improved outcomes for people through adoption of common approaches across services and investment of time with customers. The Tackling Poverty Board will continue to focus on the question of service design and prevention even though the immediate operational focus is necessarily on effective and responsive crisis support measures and spend.
- 5.3 This report has focussed on the content of a programme of support for winter 2022/23 drawing on both previously allocated and proposed funding. Additionally, there is a range of recurring budgets which support tackling poverty work such as free school meal and clothing grant payments, discretionary housing payments, funding for benefits work and advice through CARF and area anti-poverty budgets. The Board has a continuing remit to look at the operation of these and related funds, to evaluate impact and gaps and to make recommendations for change. In this context, Cabinet may want to identify any particular areas of funding, support and eligibility which should be developed for a future report.

List of Appendices

1. Summary of proposed additional measures – Winter 2022
2. Local Authority Covid Economic Recovery Fund (LACER) Proposals Update
3. Welfare and Government Payments
4. Equality Impact Assessment

COVID Carry Forward – Proposals for Additional Funding

Description of Award	Previously Agreed 2022/23 Temporary Additional Funding	Proposed Temporary Additional Funding	TOTAL
	£	£	£
Food			
Increase in small grants for food providers	250,000	180,000	430,000
Cafe inc	150,000		150,000
Fuel			
Provision of community-located Warm Spaces	75,000	150,000	225,000
Tackling Fuel Poverty	500,000		500,000
Tackling Fuel Poverty - HRA	500,000		500,000
Winter Warmer Packs		30,000	30,000
Financial			
Targeted relief on school meal debt		65,000	65,000
Scottish Welfare fund payments	1,000,000	863,000	1,863,000
Additional staffing for Scottish welfare fund	120,000		120,000
Staff for the benefit checking and benefit campaigning		100,000	100,000
Fife Hardship Grants	480,000	240,000	720,000
Staffing for Helpline Costs		100,000	100,000
Rates relief funds to be increased*	240,000	200,000	440,000
Leisure Concessions		200,000	200,000
Benefits Maximisation and Money Matters	230,000		230,000
LIFT Policy and Practice	90,000		90,000
Gingerbread - Child Maintenance	26,000		26,000
Employment			
Pre employment Training	700,000		700,000
Childcare/After school clubs and breakfast clubs	750,000		750,000
Other			
Staffing Support for organisations that provide charitable goods (Big Hoose)	200,000		200,000
Poverty Awareness Training	50,000		50,000
Youth work Research	70,000		70,000
Putting People First	106,000		106,000
Various Projects	79,000		79,000

TOTAL **5,616,000** **2,128,000** **7,744,000**

* LACER approved for support to businesses

Source of Funding	
LACER for individuals	3,630,000
LACER for rate relief	240,000
COVID Carry Forward – allocated	1,096,000
COVID Carry Forward – Proposals for Additional Funding	2,128,000
Additional Investment -Cafe Inc	150,000
HRA - Fuel Poverty	500,000
TOTAL	7,744,000

LACER Funding: Support for individuals (the Lacer funds have also supported businesses in Fife)

Description	Funding Allocation	Projected Expenditure	
<p>Scottish Welfare Fund Additional funding to address the shortfall in available funding for the Scottish Welfare Fund</p>	£1.000m	£1.000m	Forecast to spend in full as prioritising use of temporary funding.
<p>Cosy Kingdom Supporting people who are suffering from fuel poverty with the aim being to alleviate fuel poverty</p>	£0.500m	£0.500m	This funding is in addition to £0.5m for Council tenants.
<p>Hardship Payments Providing Hardship Payments to those who are not eligible for the Scottish Welfare Fund and need basic need covered such as fuel top-ups, weekly shopping and other emergencies</p>	£0.480m	£0.480m	Fife Hardship Grants have awarded 56% of their total allocation and anticipate requiring an additional £0.240m if the same level of awards and demand for the second half of the year.
<p>Staffing support Providing staffing support for projects that supply charitable goods (including excess goods) and services to vulnerable households in Fife, including the Big Hoose Project</p>	£0.200m	£0.200m	£0.150m service level agreement and additional £0.050m support.
<p>Pre-employment training Facilitate pre-employment training to address long-term unemployment and enable grass roots work to promote positive destinations for young people</p>	£0.700m	£0.700m	Half of High Schools engaged in Fife Youth Initiative, one pre-employment academy has been delivered. Voluntary Pathways to Work Program has been designed and resources in place to start the first Cohort in September, with a second Cohort in January. Priority young people and

Description	Funding Allocation	Projected Expenditure	
			<p>recovering sectors have been identified to allow transition into sustainable jobs and MAs, thereby gaining employment and contribution to help reduce skills deficits. Engagement occurring across different Services/Lived Experience groups to ensure Employability provisions/pre-employment training is focused on the correct groups</p>
<p>Childcare Providing additional funding for Breakfast Clubs, After School Clubs and childcare</p>	<p>£0.750m</p>	<p>£0.750m</p>	<p>Plans are in place. Staffing is being organised to take this forward and they will progress the plan for childcare. Some of the funding will be used to provide spaces for kids in FC childcare services so that parents can access work. Spend will be commencing from now (after the summer school holidays).</p>

Welfare and Government Payments

Future payments

UK Government payments -

£650 Cost of Living Payment

- Eligibility: Those on a qualifying low income/means-tested benefit or Tax Credits
- Paid in two instalments of £326 and £324
- £326 paid in July for some benefit claimants; £326 paid in September for those on Tax Credits
- £324 to be paid in Autumn 2022
- This is paid per claim, so a couple claiming would qualify for one payment
- Administered by DWP

£150 Disability Cost of Living Payment

- Eligibility: Those on a qualifying disability benefit
- Payments will be made from 20 September 2022, most people will receive their payment by early October 2022
- This is paid per individual claim
- Administered by DWP

£300 Pensioner Cost of Living Payment

- Eligibility: Those entitled to a Winter Fuel Payment for Winter 2022 to 2023
- Paid in November 2022 and will be added to the normal Winter Fuel Payment – the full amount of Winter Fuel Payment depends on individual circumstance
- This is paid per claim, so a couple claiming would qualify for one payment
- Administered by DWP

More information - <https://www.gov.uk/guidance/cost-of-living-payment>

£400 Energy Bills Support Scheme

- Eligibility: All households with a domestic electricity connection in Great Britain are eligible for the £400 discount.
- £66 discount applied to energy bills in October and November, rising to £67 each month from December through to March 2023
- Administered by energy suppliers
- More information - <https://www.gov.uk/government/news/energy-bills-support-scheme-explainer>

Scottish Government payments -

Scottish Child Payment

- Eligibility: Available to families who are in receipt of certain benefits
- Increasing the Scottish Child Payment from £20 per child per week to £25 per child per week from 14 November 2022
- Extending eligibility to cover children under-16 (currently only open to children under 6)
- Administered by Social Security Scotland
- More information - <https://www.gov.scot/news/cost-crisis-programme-for-government/>

Child Bridging Payment x2

- Eligibility: Available for each child who gets free school meals
- Four equal payments of £130 over the year – paid in Easter, Summer, October and Christmas in line with the start of the school holidays
- Administered by Local Authorities
- More information - <https://www.mygov.scot/scottish-child-bridging-payments>

Discretionary Housing Payment

- Eligibility: Available to those on Housing Benefit or in receipt of Housing Cost Element as part of their Universal Credit award
- Funding increase of £5million for Discretionary Housing Payments to give more flexibility to local authorities to help with energy costs as well as rent payments
- Administered by Local Authorities

Previous payments

£150 Cost of Living Payment (Scottish Government)

- Awarded to everyone liable to pay council tax and living in properties in Bands A-D, everyone receiving Council Tax Reduction or exempt from council tax

£130 Child Bridging Payment x2

- Awarded in Easter and Summer to families with children eligible for free school meals

Equality Impact Assessment Summary Report

(to be attached as an Appendix to the committee report or for consideration by any other partnership forum, board or advisory group as appropriate)

<p>Which Committee report does this IA relate to (specify meeting date)?</p> <p>Cabinet Committee – Thursday 22nd September 2022</p>
<p>What are the main impacts on equality?</p> <p>Those who are living in poverty frequently are unable to take part in everyday activities and by increasing their income they can be more fully part of the communities they live in. Both the Covid Carry forward funds and Community Recovery Funding being considered in this report will address social exclusion by enabling people living in poverty to take part more fully in the everyday activities of the communities they live in and by doing so address inequality and disadvantage. .</p>
<p>In relation to a strategic decision, how will inequalities of outcome caused by economic disadvantage be reduced?</p> <p>The Low-Income Family Tracker (LIFT) system will help to anticipate the needs of households on lower income with greater accuracy, informing policy and practice and increasing our capability to track and assess the impact of change. LIFT should also help to maximise household income through better targeting of support and benefits uptake and reduce inequalities caused by low income. The formula recommended to allocate the Community Recovery Fund with a supplemented allocation based on population and deprivation will supports this.</p>
<p>What are the main recommendations to enhance or mitigate the impacts identified?</p> <ol style="list-style-type: none"> 1. That consideration on the approaches to signpost and refer people to the available help takes account of barriers that minority ethnic and those with disabilities may face in accessing the information. 2. That partnership work is developed with agencies and organisations working with the groups identified, in order to increase the likelihood of the funding reaching those groups.
<p>If there are no equality impacts on any of the protected characteristics, please explain.</p>
<p>Further information is available from: Name / position / contact details:</p> <p>Sheena Watson Programme Manager Tackling Poverty and Preventing Crisis Board sheena.watson@fife.gov.uk</p>

22nd September, 2022.
Agenda Item No. 7

Local Housing Strategy (LHS) 2022-2027

Report by: John Mills, Head of Housing Services

Wards Affected: Fife-wide

Purpose

The report seeks to consult with Committee on the Final Draft Local Housing Strategy (LHS) 2022-2027, provided as a five-year strategy to meet the requirements of the housing legislation and Scottish Government guidance.

Recommendation(s)

Members are asked to:

- (i) consider and agree the content of the draft LHS 2022-2027 including the actions embedded in the outcome plan;
- (ii) delegate final approval of the LHS to the Executive Director (Communities) following Fife Housing Partnership approval after public consultation and the Scottish Government review is complete; and
- (iii) approve the 2022 Scheme of Assistance.

Resource Implications

The LHS 2022-2027 takes into consideration the resources available to deliver each priority area. There are no additional resource implications associated with the recommendations of this report other than those already identified.

Legal & Risk Implications

A risk assessment has been completed as part of the process for developing the LHS 2022-2027, with mitigation actions incorporated into the LHS outcome plan. There are no additional legal and risk implications arising from the recommendations of this report other than those previously identified. The full risk assessment can be viewed through the following link: [Local Housing Strategy | Fife Council](#)

Impact Assessment

An equalities impact assessment of the LHS 2022-2027 has been undertaken and a summary is shown in Appendix 1. The full equalities impact assessment can be viewed through the following link: [Local Housing Strategy | Fife Council](#). An application was submitted to the Strategic Environmental Assessment Gateway and the consultation authorities (Historic Scotland, Scottish Environment Protection Agency and Scottish Natural Heritage) individually supported the view that there are unlikely to be significant environmental effects arising through the LHS 2022-2027.

The development of the LHS 2022-2027 was informed by consultation approaches outlined in paras. 3.4 and 3.5, although it is recognised that during the Covid-19 lockdowns, it was not possible to fully meet the advice around best practice in consultation as set out in Scottish Government LHS guidance. The majority of consultations have been held virtually to comply with government guidelines at the time of engagement and to prioritise the safety of people and communities. Details of all consultations held, including how outcomes have influenced the LHS, can be found in the LHS 2022-2027 Consultation Report which can be accessed through the following link: [Local Housing Strategy | Fife Council](#). Consultation on the Scheme of Assistance has taken place through the Fife Housing Partnership.

1.0 Background

- 1.1 The Housing (Scotland) Act 2001 places a statutory duty on local authorities to prepare an LHS and that should be supported by an assessment of housing need, demand and provision. The Scottish Government provided revised guidance for Housing Need and Demand Assessments in 2020 and for Local Housing Strategies in 2019.
- 1.2 The LHS 2022-2027 provides a plan for improvement across all housing tenures, addressing national and local priorities and directing investment in housing and related services. Since 2002, Fife Council has delegated responsibility for the LHS to the Fife Housing Partnership, this being the fifth Strategy developed through this arrangement.
- 1.3 The Scottish Government expects local authorities to prepare and submit an LHS for formal assessment every five-years, supported by a 'robust and credible' Housing Need and Demand Assessment (HNDA). The geography of Fife requires joint working across two regional areas to provide an HNDA for Fife. In 2021, respective HNDAs were produced with Tayside local authorities (Angus, Dundee City and Perth & Kinross) and South East Scotland local authorities (City of Edinburgh, East Lothian, Midlothian, Scottish Borders, West Lothian). The South East Scotland HNDA was signed off as robust and credible on 28th July, 2022. First appraisal has been received on the Tayside HNDA with recommendations being progressed by Tayside partners.

2.0 Timescales

- 2.1 A draft Fife LHS 2022-2027 has been prepared and is subject to public consultation and Scottish Government review prior to final sign off. LHSs are not linked to a fixed submission date to the Scottish Government, however, they do recommend HNDAs are signed off as robust and credible prior to the LHS submission. This ensures the evidence and methodology forming housing provision and supply targets has Centre for Housing Market Analysis (CHMA) seal of approval.
- 2.2 The submission of LHS 2022-2027 currently depends on the approval of the Tayside regional HNDA. The Tayside HNDA appraisal has been received with recommendations being progressed by Tayside partners. The LHS will be submitted to the Scottish Government following the Tayside HNDA approval.
- 2.3 Cabinet is asked to delegate responsibility to the Executive Director (Communities) to approve the Strategy once endorsed by the Fife Housing Partnership after the conclusion of the public consultation and Scottish Government review.

3.0 Local Housing Strategy 2022-2027

3.1 The LHS 2022-2027 presents Fife's vision for everyone to have a safe, high-quality home that is affordable and meets their needs in the place they want to be. In line with this vision, the Fife LHS 2022-2027 aims to 'provide housing choices for people in Fife'. Five key housing priorities forming the LHS 2022-2027 outcome plan have been established through strategic analysis, housing need and demand assessment and stakeholder consultation to promote equality in housing, help eradicate poverty, provide physical housing improvement and maintain recovery from the Covid-19 pandemic whilst also supporting local priorities.

The LHS 2022-2027 priorities are:



3.2 Across the LHS priorities, ten customer outcomes have been identified, presented with milestones and targets for delivery within the LHS Outcome Plan. The LHS 2022-2027 is supported by an LHS Equalities Impact Assessment, LHS Strategic Environmental Assessment, LHS Risk Assessment and LHS Consultation Report (all documents can be accessed through the following link: [Local Housing Strategy | Fife Council](#)).

3.3 The Fife Housing Partnership recognises that the success of the LHS depends on effective engagement with Fife's tenants and residents, community representatives, community planning partners and statutory bodies. Although consultation methods were severely restricted during the Covid-19 pandemic, the Fife Housing Partnership has undertaken and contributed to a programme of regular consultations, exploring key housing issues, generating options and prioritising actions for the LHS.

3.4 The consultations informing the LHS 2022-2027, include:

- **Conferences** – Fuel Poverty; Housing First showcase.
- **Workshops** – Housing to 2040; Plan for Fife Recovery and Renewal; Local Housing Strategy; Housing Need and Demand Assessments; National Planning Framework 4; Strategic Housing Investment Plan; short-term lets; private landlord forum; wheelchair housing study, Gypsy/Traveller site improvements.
- **Surveys** – Handy Person service; empty homes; factored owners; Covid-19 housing financial impact; Gypsy/Traveller satisfaction; homeless person satisfaction; residents of Fife; residents of Fife specific needs.
- **Area-based** – walkabouts; regeneration projects; external wall insulation projects

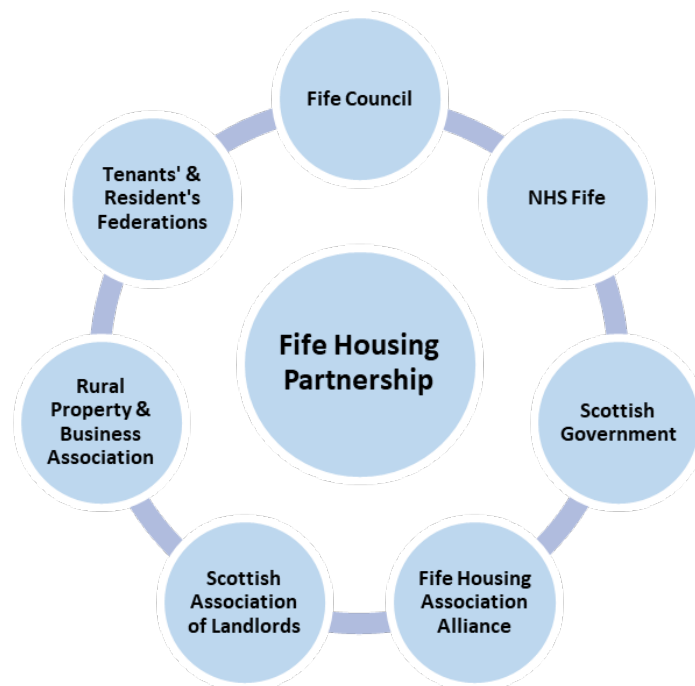
3.5 LHS workshops were also held during June 2022 to provide elected members, housing partners and stakeholders with an opportunity to review and validate LHS priorities, outcomes and actions. The feedback from these workshops helped shape the LHS outcome plan. A workshop feedback report is available through the following link: [Local Housing Strategy | Fife Council](#)

- 3.6 The Housing (Scotland) Act 2006 (Part 2) requires local authorities to produce a statement setting out how they will aid residents in relation to repairs, maintenance, improvements and adaptations in privately owned or rented properties.
- 3.7 The Scheme of Assistance is an integral part of the Local Housing Strategy. It outlines how Partners in Fife will work with homeowners to:
- Encourage repairs and improvements of private housing
 - Promote a culture of responsibility for private sector property maintenance
 - Reduce sub-standard housing and make better use of existing housing
 - Provide assistance to enable older and disabled people to live independently
 - Improve energy efficiency and reduce fuel poverty
- 3.8 Forms of assistance offered under the Scheme of Assistance include information and advice, practical assistance and financial assistance.
- 3.9 Consultation on the Scheme has taken place through the Fife Housing Partnership, and the draft scheme can be viewed through the following link: [Final-Draft-Scheme-of-Assistance-2022.pdf \(fife.gov.uk\)](#) .

4.0 Fife Housing Partnership

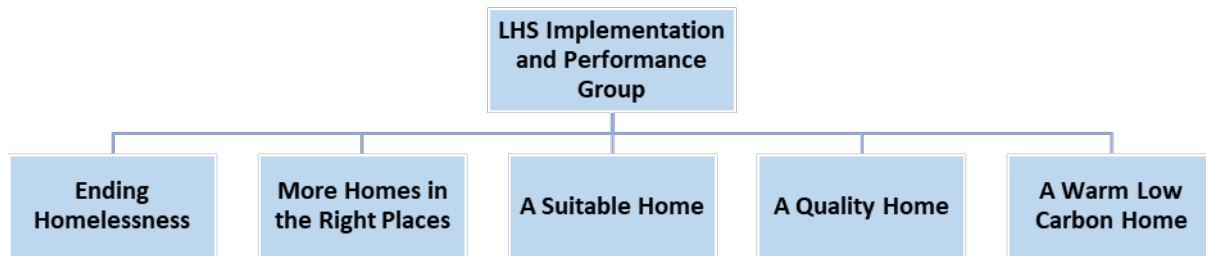
- 4.1 Since 2002, the Fife Housing Partnership has taken a leading role in the LHS on behalf of Fife Council. Membership has been reviewed at regular intervals to ensure that the partnership is best placed to deliver LHS outcomes and move the housing agenda forward in Fife. The existing partners are Fife Council, Fife Housing Association Alliance, Scottish Government, NHS Fife, Scottish Association of Landlords, Rural Property & Business Association and Tenants' & Residents' Federations.

Membership of the Fife Housing Partnership



- 4.2 The Fife Housing Partnership has developed a structure to take forward the development and delivery of the LHS, led by the LHS Implementation and Performance Group. Activities are progressed through operational partnerships supporting each of the LHS priorities, providing collaboration and joint working across all LHS activities. Performance through the LHS framework is monitored quarterly with a more comprehensive annual review of progress against LHS outcomes.

LHS Implementation and Performance Framework



- 4.3 The Fife Housing Partnership follows guidance provided by the Scottish Government in bringing forward the LHS, reflecting national priorities, Plan4Fife objectives and local housing need and demands. The structures in place to support delivery of the LHS have been built up over time and have proved robust in achieving specific housing outcomes on behalf of Fife Council. The membership of the Fife Housing Partnership will be subject to review following the LHS sign off to ensure relevant partners are involved to successfully deliver LHS outcomes.

5.0 Conclusion

- 5.1 The report considers the content of the Local Housing Strategy 2022-2027, alongside the actions embedded in the outcome plan. It is recommended that final approval is delegated to the Executive Director (Communities) following Fife Housing Partnership approval after public consultation and Scottish Government review is complete.

John Mills
Head of Housing Services

List of Appendices

1. Equality Impact Assessment Summary Report

Report Contact

Mhairi Mullen
Service Manager (Income, Poverty & Private Housing)
Housing Services
Email: Mhairi.Mullen@fife.gov.uk

Appendix 1 Equality Impact Assessment Summary Report

Which Committee report does this IA relate to (specify meeting date)? Cabinet Committee 22 nd September 2022
What are the main impacts on equality? The LHS is likely to impact on a range of equality groups and other communities of interest, this depending on circumstances of the individual LHS priorities. Across all parts of the LHS, the people who will predominantly benefit from the strategy are older people, children and young people, people with a physical disability, single people, families and those on low income or employment deprived. Any negative impacts were not specific to people within the main equality strands but related more to income/employment status.
What are the main recommendations to enhance or mitigate the impacts identified? Continued advice, support and in some cases financial assistance to those most vulnerable in Fife across housing tenures.
If there are no equality impacts on any of the protected characteristics, please explain. N/A
Further information is available from: Name / position / contact details: John Mills, Head of Housing Services

22nd September, 2022.
Agenda Item No. 8

Licensing of Short-Term Lets

Report by: John Mills, Head of Housing Services
Lindsay Thomson, Head of Legal and Democratic Services
Nigel Kerr, Head of Protective Services

Wards Affected: All

Purpose

The report invites members to consider and approve the Short-term Let Licensing Policy for implementing the licensing scheme for short-term lets under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, which came into force on 1st March, 2022.

Recommendation(s)

Cabinet is asked to:

- (i) consider and approve the Short-term Let Licensing Policy for implementation on 1st October, 2022;
- (ii) agree the 2022/23 proposed fees for Short-term licenses as detailed in Section 6.3; and
- (iii) agree that a review is completed on the initial implementation of the policy with a report back in November 2023, pending a full review after 3 years of operation in 2025.

Resource Implications

The introduction of the Short-term Let Licensing Scheme will be resourced with appropriate staffing levels and operational systems within Housing Services, Protective Services and Legal Services. Legislation requires the scheme to be self-funding with fee income set by the Council expected to cover all service costs.

Legal & Risk Implications

The Council is required to set up a licensing scheme in compliance with The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 and to have this in place by 1st October, 2022. Given the interest in the scheme, it is likely that the scheme may be judicially challenged whatever form it takes. It is therefore important that each aspect of it can be defended.

Impact Assessment

An EqIA is included as Appendix 1.
A Fife Environmental Impact Assessment is included as Appendix 2.

Consultation

Consultation has been carried out with relevant Council Services, including Housing Services, Protective Services, Financial Services, Legal and Democratic Services and Planning Services. The Housing & Building Spokesperson has also been consulted.

A public consultation exercise was carried out between 25th May and 12th June, 2022 and an elected member workshop was held 24th June 2022.

1.0 Background

- 1.1 In 2020, the Scottish Government announced the intention to establish a licensing scheme for short-term lets using powers under the Civic Government (Scotland) Act 1982, with mandatory safety components applying to all short-term lets across Scotland. The Licensing Order came into force on 1st March 2022. The legislation was developed in response to concerns raised by residents and communities about the impact of short-term let properties on local communities. All short-term let properties will require a licence including requirements to meet Health and Safety standards and for hosts and operators to meet fit and proper requirements.
- 1.2 The Order requires Licensing Authorities to have a Short-term Let licensing scheme in place by 1st October, 2022. The Short-term Let Licensing Policy outlines how the Council will operate the scheme can be found in Appendix 3.
- 1.3 The Scottish Government are funding a national campaign to promote the scheme and the Council will make available resources online and by request, including a fact sheet, guidance and application process to support hosts and operators.
- 1.4 Existing hosts must apply for a provisional licence by 1st April, 2023 and from 1st October, 2022 all new short-term lets must be licenced before they can operate. The final deadline for all hosts and operators to have a licence is 1st July, 2024.
- 1.5 The Order defines a short-term let where the following criteria are met:
 - The guest does not use the accommodation as their only or principal home
 - The short-term let is entered into for commercial consideration
 - The guest is not:
 - an immediate family member of the host
 - sharing the accommodation with the host for educational reasons
 - an owner or part-owner of the accommodation
 - the accommodation is not provided to facilitate work or services by the guest to the host
- 1.6 **The accommodation does not fall into an excluded category:**
Excluded accommodation includes an aparthotel, premises licenced under the Licensing (Scotland) Act 2005 with the provision of accommodation on the licence, a hotel, a hostel, residential accommodation where personal care is provided to residents, a hospital or nursing home, residential school, college or training centre, secure residential accommodation, a refuge, student accommodation, accommodation which otherwise requires a licence for overnight stays, accommodation provided by the guest, accommodation capable of transporting guests to another location, a bothy or accommodation provided by an employer to an employee for the better performance of their duties.

- 1.7 Applicants will be required to specify the type of short-term let licence being applied for which can be secondary letting, home letting, home sharing or both home letting and home sharing.
- 1.8 Scottish Government guidance sets out mandatory conditions which apply to all licences and include requirements in relation to:
- Day to day management of the short-term let
 - Only operating under the type of licence granted
 - Fire safety
 - Gas safety
 - Electrical safety
 - Water safety
 - Safety and repair standards
 - Maximum occupancy
 - Displaying information
 - Planning permission
 - Listing of licence number on adverts
 - Insurance
 - Payment of fees
 - Providing true and accurate information
- 1.9 The Guidance also outlines discretionary elements for Licensing Authorities to consider relating to 'additional conditions' and to temporary exemptions and temporary licences.

2.0 Consultation

- 2.1 A report was presented to the Policy and Co-ordination Committee on 14th April, 2022 outlining the requirements for a Short-term Let scheme. Subsequently, two consultation exercises took place to assist the development of the Short-term Let Policy for Fife and inform the design of the licensing scheme.
- 2.2 A consultation survey was carried out from 25th May to 12th June, 2022 with residents, communities and businesses seeking views on how the licensing of short-term lets should work in Fife, 386 responses were received, summary below:

STL Consultation Results: Respondents:
50% - Individuals, 42% - STL Hosts, 8% - Others

<p>Response for a 3-year licence:</p> <ul style="list-style-type: none"> ○ 55% - Secondary Letting ○ 41% - Home Letting ○ 49% - Home Sharing ○ 45% - Home Letting & Sharing 	<p>57% would like inspections to premises:</p> <ul style="list-style-type: none"> ○ 97% - Secondary Letting ○ 89% - Home Letting ○ 65% - Home Sharing ○ 78% - Home Letting & Sharing
<p>70% would like to see additional conditions:</p> <ul style="list-style-type: none"> ○ 66% for ASB ○ 64% for noise and nuisance ○ 60% for unlawful activity ○ 60% for overcrowding ○ 50% for litter in common areas 	<p>42% would like temporary exemptions:</p> <ul style="list-style-type: none"> ○ 37% for major sporting events ○ 34% for major international events ○ 43% for trial of STLs ○ 1% don't know ○ 4% for other reasons

Link to STL survey results:

<https://forms.office.com/Pages/AnalysisPage.aspx?AnalyzerToken=dMtUK0X19TT1sFHd6YOtk63PLCVN1E p4&id=L6Vp-cBC8UCYutrtbEMIfGVP3iv3NFhJgQJY1G-0kNJUMzBYRzFTUkFVTjRBVIXtkHRkpNRzk0Ti4u>

- 2.3 An elected member workshop was held in June 22, to allow elected members to consider survey results, discretionary elements, comment on recommendations and understand the fee criteria for STLs.
- 2.4 Key themes incorporated into the final scheme include the desire for a balanced and proportionate approach which supports hosts and operators to become licenced, with oversight to ensure safety and a view to protecting community interests. The scheme design reflects the support for including additional conditions as part of the scheme.

3.0 Temporary Exemptions and Temporary Licences

- 3.1 During consultation, views were expressed that it would be beneficial to offer flexibility for hosts and operators and grant temporary exemptions or temporary licences for large national events, such as the Golf Open. This would be available for operators who had not licenced their accommodation for short-term letting and were looking to operate for a short period for an individual event.

3.2 Temporary Exemption Licence

Legislation allows licensing authorities to grant temporary exemptions to the requirement to have a full licence, however, this is discretionary. Temporary exemptions can be granted for a specified single continuous period not exceeding 6 weeks in any period of 12 months. Operators and host must apply for and be issued with a temporary exemption licence number in order to let out their property.

Authorities:

- May also decide to adopt a policy of granting temporary exemptions for specific types of licences
- May also attach conditions to an exemption
- Have the power to consult the Chief Constable and the Scottish Fire and Rescue Service in respect of applications for temporary exemptions

- 3.3 To administer temporary exemptions for a national event where it is anticipated there would be high numbers of applications over a short period, for practical considerations self-declaration evidence would be provided to demonstrate mandatory conditions in relation to safety. Risk will be assessed on this basis. Inspections would not normally be undertaken and no consultation would take place with Fife and Police Services. This will allow for a more affordable fee cost for a temporary exemption which would be valid for a maximum period of 6 weeks in a year.

- 3.4 Given one of the reasons behind legislation being introduced is to ensure safety standards are in place across all short-term letting, on this basis, temporary exemptions will not normally be granted. This would mean that where a person is using their premises as a STL, at any time throughout the year, a licence would be required. However, the policy allows for the granting of temporary exemptions in exceptional circumstances for national events within Fife.

3.5 Temporary Licences

Licensing authorities may also decide to grant temporary licences. A temporary licence may be granted for a duration of up to six weeks in a twelve-month period, or longer if the host or operator makes an application for a full licence. In the case of temporary licences, hosts and operators must comply with all the mandatory conditions and licensing authorities must consult with the Chief Constable and Scottish Fire and Rescue Service.

- 3.6 Temporary Licences would not be a suitable option for a national event due to the requirements and timescales for application checks. However, the policy allows for Temporary Licences to be granted for new operators who are trialling short-term letting and may decide to apply for a subsequent full licence.
- 3.7 It is noted that it is a statutory requirement to review the temporary exemption policy and to publish it every three years.

4.0 Additional Conditions

- 4.1 In addition to the inclusion of mandatory conditions (outlined in para 1.8), licensing authorities have the authority to include additional conditions as they see fit.
- 4.2 Additional conditions include reference to privacy and security, overcrowding, noise, nuisance, smoking, drinking, drugs, litter and mess in common areas, repairs and maintenance (including common areas), damage and unlawful activity.
- 4.3 Consultation feedback indicated the need for additional conditions in relation to avoiding any anti-social behaviour negatively impacting on communities. This has been reflected in the Policy. Additional conditions to supplement mandatory conditions in relation to safety have been included to provide clarity and reflect experience from other licensing schemes.

5.0 Compliance and Enforcement

- 5.1 A proportionate and risk-based approach has been adopted for compliance, applicants will be required to evidence they meet mandatory and additional conditions by completing a self-declaration and property inspection documentation. In addition, for short-term licences, these checks will be enhanced by 10 percent of properties subject to physical inspections, based on a risk approach. Mandatory fire service and police consultation will be undertaken in line with requirements.
- 5.2 Legislation provides the licensing authority with options for enforcement action as required and outlined below:
- Serve enforcement notices to require licence holder to take action to put right any condition that has been breached
 - Include additional licence conditions
 - Vary, suspend, or revoke a licence
 - Pursuance of prosecution in respect of an offence under Civic Government (Scotland) Act 1982
- 5.3 The Council have 12 months initially to approve applications and will work with hosts and operators to meet the required standards of compliance.

6.0 Duration of Licence and Fee Setting

- 6.1 The Licensing Order allows licensing authorities to renew licences for such periods as they see fit. Authorities are encouraged to renew licences for a period of three years, unless they have good reasons to do otherwise. In line with consultation responses, a 3-year licence period will be standard within the policy, which provides an affordable option whilst allowing robust compliance. The option of offering shorter licences in exceptional circumstances is available.

6.2 Fee structures are required to recover establishment and running costs specific to the local authority. Fees must be reviewed to ensure that revenue from fees remains in line with the running costs of the licensing scheme including administration and inspections to allow the scheme to be managed. The fee structure set out below was developed taking account of elected member consultation which indicated that the scheme should operate in a way which balances host liability and provides a proportionate fee for applicants. The licence fees will be reviewed over the first year of licensing to ensure full cost recovery and may be subject to change.

6.3 Table of Fees

Occupancy	Temporary Exemption	Temporary Licence	First Full Licence	Renewed Full Licence
1 - 2	£190	£215	£264	£264
3 - 4	£190	£243	£292	£292
5 - 6	£190	£272	£320	£320
7 - 8	£190	£300	£348	£348
9 - 10	£190	£328	£377	£377
11 - 12	£195	£356	£405	£405
13 - 14	£195	£385	£433	£433
15 - 16	£195	£413	£461	£461
17 - 18	£195	£441	£490	£490
19 - 20	£195	£469	£518	£518
<i>Where hosts and operator have a greater occupancy than those noted above the charge for each 2 additional guests is £28</i>				

7.0 Planning Control

7.1 A key benefit of the short-term let licensing scheme will be an improved understanding of the scale and distribution of short-term lets across Fife to allow analysis of the impact on communities. Research by the Scottish Government found that there were 2,356 self-catering properties in Fife in 2016.

Current indicative information is included below:

Data Source	Total	Notes
CT Second Homes	2,257	It is not expected all properties will be used as a STL
Non-Domestic Rates Self-catering Units	768	These will be in scope for licensing
Booking Sites	5,000	Unclear if the Golf Open impacted in a higher number

7.2 Local authorities can consider the introduction of control areas to ensure that planning permission is required for the change of use of a property to a short-term let. Home sharing and home letting will not be affected by control areas.

7.3 The purpose of control areas is to:

- Help manage high concentrations of secondary letting where it affects the availability of residential housing or the character of a neighbourhood.
- Restrict or prevent short-term lets in places or types of building where it is not appropriate.
- Help local authorities ensure that homes are used to best effect in their areas.

7.4 In line with the Control Area Regulations, which came into force on 1st April 2021, consideration of control areas for short-term let's will be progressed as part of the evidence gathering stage in Fife's local development plan review. An Evidence Report is expected to be submitted for committee approval in early 2023.

8.0 Governance

- 8.1 The List of Committee Powers does not require to be updated. The Directorate List of Officer Powers will be updated, replicating the wording references to Houses in Multiple Occupation (HMO) for Short-term Lets.
- 8.2 It is proposed to replicate the existing system of governance for HMO licensing. Where six or more valid representations (that is, notes of opposition to the granting of a licence) are received, the decision to refuse or grant a licence will be made by the Regulation and Licensing Committee.
- 8.3 The Housing Decision Panel (HDP) is composed of senior officers of the Council, resourced with a Legal Advisor. It is not a statutory body. The HDP will decide on applications where there are five or less valid representations, except in the situation described below. Currently, the HDP meets around monthly to decide HMO decisions. This division of responsibility between the Committee and the HDP works well for HMO decisions and appeals to the Sheriff Court have been minimised.
- 8.4 In the current scheme, the HDP is often required to convene when there is a single representation. This is a waste of resources. It is proposed that in the STL scheme the HDP may choose to delegate to Housing Officers decisions where there are two or less representations where those representations solely consist of points that the HDP could not lawfully utilise as the basis for refusing the application – such as where the representation proposes that the HDP refuse the application on discriminatory grounds. Housing Officers will be required to take legal advice before reaching any decision. If the legal advice is that the application may be lawfully refused on the basis proposed in the representation, the HDP will be required to convene and decide on the application.
- 8.5 Licensing authorities are required to maintain a public register of short-term let licences and share the content of the register with Scottish Government on an ongoing regular basis in a format that enables analysis of the information.

9.0 Review

- 9.1 The first year of the implementation of the scheme may present unanticipated issues which Services will work through and resolve. It is intended to review and report progress with the scheme after 12 months, pending a full review to Committee after 3 years.

10.0 Conclusions

- 10.1 The report invites members to consider and agree the policy for implementing the licensing of short-term lets from 1st October, 2022 in line with legislative requirements.

List of Appendices

1. EqIA Summary
2. Fife Environmental Impact Assessment
3. Short-term Let Licensing Policy

Background Papers

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

- The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (legislation.gov.uk)
- The Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 (legislation.gov.uk)
- Planning Circular 21/2021: Short-term Let Control Areas - gov.scot (www.gov.scot)

Scottish Government Guidance:

[Part 1: Guidance for Hosts and Operators](#)

[Part 2: Supplementary Guidance for Licensing Authorities, Letting Agencies and Platforms](#)

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<p>Which Committee report does this IA relate to (specify meeting date)?</p> <p>Cabinet Committee on 22nd September 2022</p>
<p>What are the main impacts on equality?</p> <p>Impacts will be on owners of STL licenced properties and there will be no direct equality impact. In general, STL licensing is intended to improve the conditions and safety of certain types of rented property which should benefit STL renters.</p>
<p>In relation to a strategic decision, how will inequalities of outcome caused by economic disadvantage be reduced?</p> <p>No impact. The policy will apply to anyone who is renting out a property on short-term let irrespective of protected characteristics.</p>
<p>What are the main recommendations to enhance or mitigate the impacts identified?</p> <p>No recommendations other than to monitor any potential impacts through future reviews.</p>
<p>If there are no equality impacts on any of the protected characteristics, please explain.</p> <p>As above, there will be no direct impact on equality groups.</p>
<p>Further information is available from: Name / position / contact details:</p> <p>Mhairi Mullen Service Manager (Income, Poverty & Private Housing) Housing Services Email: Mhairi.mullen@fife.gov.uk</p>

Appendix 2 - Fife Environmental Impact Assessment

Project name:	Short-term Let Licensing	Committee report title:	Short-term Let Licensing
Committee name & date:	Policy and Coordination Committee	Have the proposals been subject to any other formal environmental assessment?	No
Completed by:	Tracey Drummond	Completed on:	1st August 2022

A. Wildlife and biodiversity		Answer	Comments
Fife Council is committed to protecting and enhancing Fife's natural heritage.			

1	What impact will the proposals have on wildlife (including protected sites and species)?	No impacts / not applicable	No response
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B. Impacts on people		Answer	Comments
Fife Council is committed to protecting and enhancing the wellbeing of our people.			

2	What impact will the proposals have on environmental nuisance? (i.e. visual impacts, traffic, noise, vibration, odour, dust, particulates, smoke)	No impacts / not applicable	No response
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3	What impact will the proposals have on human health or wellbeing?	Beneficial impact	Short Term Let Licensing will have a positive impact to ensure properties let meet safety standards
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C. Pollution		Answer	Comments
Fife Council is committed to protecting and improving air, water and soil quality.			

4	What impact will the proposals have on pollution (including pollution to air, water or soil)?	No impacts / not applicable	No response
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D. Climate change		Answer	Comments
Fife Council is committed to cutting carbon emissions and making Fife more resilient.			

5	What impact will the proposals have on greenhouse gas emissions?	No impacts / not applicable	No response
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6	What impact will the proposals have on resilience to the adverse effects of severe weather events, including flooding and landslips?	No impacts / not applicable	No response
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7	What impact will the proposals have on flooding and sites designated as being at risk of flooding or sea level rise?	No impacts / not applicable	No response
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E. Resources and waste		Answer	Comments
Fife Council is committed to using resources efficiently and minimising waste. Please clarify your response			

8	What impact will the proposals have on how much waste is generated or how waste is managed?	Beneficial impact	Short-term Let hosts and operators will be responsible to ensure waste is managed effectively
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9	What impact will the proposals have on energy use and the consumption of material resources?	No impacts / not applicable	No response
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F. Cultural heritage		Answer	Comments
Fife Council is committed to protecting Fife's Please select an option: Please clarify your response			

10	What impact will the proposals have on cultural heritage (including designated heritage / archaeology sites or listed buildings)?	No impacts / not applicable	No response
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Good practice	2
Data gaps or mixed impacts	0
Environmental red flags	0
No impacts identified	8



Short-Term Let DRAFT Policy

Short-Term Let

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1.0 Introduction

- 1.1 All short-term let properties require a licence to increase the probability that they are safe and the people providing them are fit and proper, under legislation approved by the Scottish Parliament. Local authorities are required to establish a short-term let licensing scheme by 1st October 2022, and existing hosts and operators will have until 1st April 2023 to apply for a licence.
- 1.2 The legislation was developed in response to concerns raised by residents and communities about the impact of short-term let properties on their local communities, including noise, antisocial behaviour, and the impact on the supply of housing in some areas.
- 1.3 The licensing scheme will allow local authorities and communities to take action to manage issues more effectively, without unduly curtailing the many benefits of short-term lets to hosts, visitors and the economy. This legislation covers the whole of Scotland, including island and rural communities, and offers a degree of flexibility to local authorities in how it is implemented based on local needs and concerns.
- 1.4 This policy should be read in conjunction with the legislation and supporting documents issued by the Scottish Government. Some of these are noted below in section 15.

1.5 What is a Short-term Let?

If you are providing anyone with residential accommodation anywhere in Scotland, then you might be providing short-term lets. It may be rooms in your home, a whole house or something more unusual like a yurt or a treehouse. You need a licence for each premises in which you let out accommodation. Example:

- Two neighbouring cottages are likely to be separate premises (each will require a licence)
- 15 yurts in one field are likely to be counted as one premises (requiring one licence)
- For a self-catering cottage, the accommodation and the premises are one and the same. If you are letting out two rooms in your own home, both are classed as accommodation (assuming they can be let out separately) and the whole home is the premises

2.0 Background

- 2.1 The Scottish Government brought into force The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 on 1st March 2022. This 2022 Order introduced a requirement for Local Authorities to develop a licensing scheme for Short-term Lets (STL). All STL premises must be licensed by 1st April 2024. Prior to the introduction of this Order, there was no requirement to licence STL in Scotland.
- 2.2 **After 1st October 2022:**
 - **New hosts and operators** need to have a licence. This means that, if you were not using your premises to provide short-term lets before 1st October 2022, you can advertise but not take bookings or receive guests until you have obtained a licence.
 - **Existing hosts/operators** have until 1st April 2023 to apply for a licence if the accommodation the licence is for, was used as a short-term let before 1st October 2022. During this period, you can operate without a licence (by continuing to take bookings and receiving guests) unless your licence has been determined, and your application rejected. You will need to be able to prove that you used the property for short-term lets, for example through evidence of

bookings and payments, as part of your initial application. After 1st April 2023, existing hosts can only continue to operate if they have:

- a) Submitted an application for a licence on or before 1st April 2023 that has not yet been determined, or
- b) Been granted a short-term let licence

- 2.3 The Council will issue a provisional licence number to existing hosts/operators on receipt of the Licence application so they can continue to operate. Provisional licence numbers will not be issued to new hosts from 1st October 2022, or anyone applying after 1st April 2023, as they cannot operate whilst their application is being determined.
- 2.4 On or after 1st October 2022, it is a criminal offence for any person to continue to operate after their licence application has been determined and refused.

From 1st July 2024 operating without a licence is unlawful in all cases

3.0 Aims of the Policy

- 3.1 This Short-Term Let Policy describes how the Council will manage the licensing scheme of short-term lets, including setting out applicable fees, types of licence, refunds policy and complaints and enforcement options.
- 3.2 The overall aim of the policy is to ensure the licensing scheme is:
- In line with the Scottish Government's guidance for short-term let licencing
 - Efficient, effective, and proportionate to the issues faced by residents and local communities
 - Customised to the Council's local policies along with the needs and circumstances of the local areas
- 3.3 The licensing scheme aims to increase the probability that short-term lets are safe and address issues faced by communities, and to facilitate the Council in understanding what is happening in the area as well as assistance with handling complaints effectively.

4.0 Consultation

- 4.1 A consultation was carried out in June 2022 with local residents, communities and businesses, seeking views on how the licensing of short-term lets could work in Fife. 386 responses were received, 50% from individuals, 42% from short-term let host/operators and 8% from others.

5.0 License Types and Conditions

5.1 There are four types of short-term let accommodation:

Secondary letting	The letting of property where you do not normally live, for example a second home let to guests
Home letting	Using all or part of your own home for short-term lets whilst you are absent, for example whilst you are on holiday
Home sharing	Using all or part of your own home for short-term lets whilst you are there
Home letting and home sharing	Operating short-term lets from your own home while you are living there and for periods when you are absent

5.2 Licence Types and Term Time

Short-term Let Licence Type	Accommodation Type	Term of Licence
Temporary Exemption	Secondary Letting Home Letting Home Share Home Letting and Home Share	6 continuous weeks in a 12-month period
Temporary Licence	Secondary Letting Home Letting Home Share Home Letting and Home Share	6 continuous weeks in a 12-month period
Full First Licence	Secondary Letting Home Letting Home Share Home Letting and Home Share	3-years
Renewed Full Licence	Secondary Letting Home Letting Home Share Home Letting and Home Share	3-years

5.3 Property Types Excluded from Licencing:

- a. Licensed accommodation: such as licenced hotels and licenced caravan sites
- b. Accommodation provided by guests: such as their own tent
- c. Mobile accommodation capable of transporting guests at the time of their stay
- d. Hotels with planning consent to operate as a hotel
- e. Aparthotels comprising five or more serviced apartments in a residential building
- f. Health and care accommodation: such as residential care homes, hospitals, nursing homes
- g. Educational accommodation: such as residential schools, colleges, training centres and student accommodation
- h. Secure residential accommodation including prisons, young offenders' institutions, detention centres, secure training centres, custody centres, short-term holding centres, secure hospitals, secure local authority accommodation or military barracks
- i. Hostels and refuges, such as accommodation for women escaping domestic abuse

5.4 **Mandatory Licence Conditions**

The licensing scheme requires all short-term lets to comply with mandatory conditions which apply in Scotland. Hosts and operators should check compliance before making an application and, if relevant, undertake work so the conditions are met.

5.5 The mandatory conditions relate to: (See Appendix 1 for details):

- Day to day management of the short-term let
- Only operating under the type of licence granted
- Fire safety
- Gas safety
- Electrical safety
- Water safety
- Safety and repair standards
- Maximum occupancy
- Displaying information
- Planning permission
- Listing of licence number on adverts
- Insurance
- Payment of fees
- Providing true and accurate information

5.6 **Additional Licence Conditions**

In addition to the mandatory licence conditions, which apply to all short-term lets across Scotland, licensing authorities may impose additional conditions. Additional conditions can help licensing authorities to respond to local challenges and concerns specific to certain models of short-term letting. Fife Council will impose additional conditions for Short-term Let Licencing for the benefit of neighbouring residents against issues such as anti-social behaviour, noise and nuisance, unlawful activity, privacy and security -while still allowing the use of premises for Short-term Lets. See Appendix 2.

Scottish Government Guidance: Section 3B of the 1982 Act gives licensing authorities the power to determine conditions to which licences are to be subject (“standard conditions”) which we are calling “additional conditions” in this guidance because they are additional to the mandatory conditions

5.7 **Fit and Proper Person**

The Council must refuse an application for a short-term let licence if satisfied that the applicant is not a fit and proper person. The Council will carry out necessary checks to establish whether the applicant is a fit and proper person. This may include a visit to the premises, where required. The statutory consultees for the fit and proper test are Police Scotland.

5.8 **Neighbour Notification**

Applicant hosts and operators applying for a 3-year licence are required to display a public site notice at or near the premises which can be conveniently read by the public for a period of 21 days beginning with the date on which the application was submitted to the licensing authority. This will allow public to make a representation regarding the licence. The notice must state:

- That an application has been made for a licence
- The main facts of the application

- That objections and representations in relation to the application can be made to the Council, and
- How to make objections or representations

Applicants are required by the 1982 Act to provide a Certificate of Compliance to the Council as soon as possible after the 21 days has expired, alternatively confirmation of display can be submitted in writing and signed, together with full applicant and property details.

You will find a Neighbourhood Notification form and Certificate of Compliance on the link below:

- [Short term lets | Fife Council](#)

Under the terms of the 1982 Act there is no objections process for temporary licence applications or for temporary exemption applications

5.9 Public Objections

Objections may be made by neighbours or any other person who wants to raise an objection on the Short-term Let application. Competent grounds for objection may include:

- Concerns that the application is inaccurate or misleading
- Concerns about the safety of guests, neighbours, or others
- Concerns about noise or nuisance; and
- Concerns that the application runs contrary to other legal or contractual requirements

Public objections should be made within 28 days of the public site notice of the application being given. The Council will send the host or operator copy of any relevant objections. The host/operator will have the chance to respond to any objections, either in writing or in person.

5.10 Objection Hearing

The Council will decide whether to hold a hearing in respect of objections. It does not have to do so and cannot be challenged, although you can appeal the decision on your application. If the Council does not hold a hearing, we will give you at least seven days to give your views in writing on all the objections received. It is for the Council to determine whether any objection received has a material impact upon the licensing application. Any hearing will be held by the Housing Decision Panel, which already deals with HMO applications, or the Licensing & Regulation Committee which already deals with applications for other licences under the 1982 Act.

5.11 No Objections

Where there are no objections, and the Council is not aware of any reason not to grant the application the Council will write to the applicant and advise that the Council is inclined to grant the application. Provided that the applicant has no opposition, it is proposed that such applications will be dealt with administratively without the need for a hearing.

5.12 Maximum Occupancy Condition

It is a mandatory condition that hosts and operators ensure that they do not exceed the maximum number of guests for their premises. This includes making the maximum occupancy clear on adverts and listings and in booking terms and conditions. Hosts and operators must state in the application how many guests they would like to accommodate at any one time.

5.13 The Council will provide a maximum number of guests who can stay on the premises at any one time on the short-term let licence when it is issued. This is known as “maximum capacity”.

5.14 Children under the age of two years old who occupy a cot will not be included in the number of guests for the purposes of calculating the fee or the maximum capacity. Children who do not satisfy these requirements would count towards the occupancy.

5.15 In order for the Council and Scottish Fire and Rescue Service to undertake an assessment of the maximum number of guests that can be accommodated safely, hosts and operators may be asked to submit floor plans where this is required.

6.0 Application Process

6.1 The Council will provide a dedicated section on the Fife Council website for their short-term let licensing scheme where hosts and operators can find all the information required to apply. Information will include:

- Links to Scottish Government guidance
- Fees for applications and renewals (and any other fees)
- Additional information and guidance about relevant policies
- Additional conditions or measures specific to the Council area
- The application form
- How to make an appeal

6.2 The Council would like to conduct as many transactions as possible in an online or electronic format. The Council will provide on request paper copies of relevant information and the application form.

6.3 Application Form and Documentation

The applicant must complete and return a copy of the Short Term Let Application form along with any relevant documentation and certificates relating to the application. It is a requirement to provide the following documentation with the application form if relevant for the premises to be licenced:

- Gas Safety Certificate (for premises with gas supply)
- Electrical Installation Condition Report (EICR)
- Portable Appliance Testing Report
- Planning permission (if required)
- Licence Fee

Floor plans may be required if requested.

6.4 Timescale for Application Determination

<p>Existing Hosts (Applying before 1st April 2023)</p>	<p>The Council have 12 months to determine these applications, beginning with the date on which the application was made.</p> <p>Existing hosts who make an application before 1st April 2023 can continue operating whilst their application is being determined.</p> <p><i>This extension, to the time limit for determining an initial application, is designed to manage the volume of applications received.</i></p>
<p>New Hosts</p>	<p>The Council have 9 months from the date on which the application was made to consider and determine each</p>

6.5 If the Council fails to determine an application within the timescales set out above, your licence will be deemed to have been granted, unless the Council has been granted an extension by the court:

- If your licence were deemed to be granted, it would be valid for one year

The mandatory licence conditions that apply to all short-term lets would also apply to the deemed grant of a licence

6.6 Licence Renewal

Where an application for a short-term let licence renewal has been made to the Council before the expiry date of the current licence, the licence will remain valid until a final decision on the renewal application has been made. If a renewal application has been refused, the existing licence will remain in effect for a period of 28 days from the date of the decision, the appeal period, and where an appeal has been lodged, until such time as the appeal has been determined by the Court.

6.7 Grounds to Refuse a Licence

The Council will grant your application unless there are grounds to refuse it. Possible grounds for refusing your application may include:

- Anybody named on the application is disqualified from having a licence
- Anybody named on the application is not a fit and proper person
- Some other person is benefiting from the activity who would be refused a licence if they made the application themselves
- The premises are not suitable or convenient having regard to:
 - a) The location, character, or condition of the premises
 - b) The nature and extent of the proposed activity
 - c) The kind of persons likely to be in the premises
 - d) The possibility of undue public nuisance; or
 - e) Public order or public safety; or
- There is other good reason for refusing the application (this cannot be applied in a blanket fashion without considering the merits of a particular application)
- You cannot demonstrate, or secure, compliance of the mandatory conditions
- You cannot demonstrate, or secure, compliance of the additional conditions

6.8 Appeal a Decision

If your application for a licence is refused you can appeal against the decision by [summary application](#) to the sheriff. A Summary Application is made by initial writ and a style can be accessed here ([Form 1](#)). You may wish to familiarise yourself with the relevant [Summary Application Rules](#). You may also wish to seek advice and can contact your local [Citizens Advice Bureau](#) or you can get contact details for solicitors from the [Law Society of Scotland](#). Sheriff court staff cannot give you legal advice in respect of your appeal.

6.9 You have 28 days to appeal from the date of the licence decision, unless you have a good reason for being late. The Sheriff can decide whether to consider a late application for an appeal.

Application forms can be found online or by contacting the Short-term Licence Team:

Online: [Short term lets | Fife Council](#)

Email: shortterlet@fife.gov.uk

Address: Short-term Let Licencing, Housing Services, Fife House (3rd Floor),

Fife Council may share personal data with relevant public authorities as part of the notification process to carry out background checks

7.0 License Fees

7.1 Licence Fee Setting

The Council is responsible for setting the appropriate fee for each licence type. The fees set will be based on the running cost to manage the scheme and will take regard to limiting the costs through:

- Economies of scale
- Integrating service delivery with other housing and licensing functions
- Using online and digital verification where possible, for example through photo and video evidence instead of a visit
- and taking a proportionate, risk-based approach to checks and verification

7.2 Licence applications will not be considered unless the relevant fee is paid. The licence will not be renewed if the renewal fee is not paid.

7.3 Licence Duration

The Council will generally grant a full licence for a period of up to 3 years, after which the licence will need to be renewed. The Council may grant licences for different time periods to different applicants and/or for different types of short-term let licence. The duration applies from the date on which the licence comes into force. To ensure compliance with licence conditions throughout the duration of the licence period the Council may request documentation or visit the property.

7.4 Table of Fees

Occupancy	Temporary Exemption	Temporary Licence	First Full Licence	Renewed Full Licence
1 - 2	£190	£215	£264	£264
3 - 4	£190	£243	£292	£292
5 - 6	£190	£272	£320	£320
7 - 8	£190	£300	£348	£348
9 - 10	£190	£328	£377	£377
11 - 12	£195	£356	£405	£405
13 - 14	£195	£385	£433	£433
15 - 16	£195	£413	£461	£461
17 - 18	£195	£441	£490	£490
19 - 20	£195	£469	£518	£518

7.5 Where hosts and operator have a greater occupancy than those noted above the charge for each 1-2 additional guests is £28; 3-4 additional guests would be £56; 5-6 additional guests would be £84 and so on.

7.6 The licence fees are set to cover the costs of administration and risk-based inspection to allow for the management of the Short-term Let Licencing Scheme. The licence fees will be reviewed over the first year of licencing to ensure full cost recovery and may be subject to change. The fee structure will be published @:

- [Short term lets | Fife Council](#)

7.7 Fees for Visits to Premises

The Council may charge a fee to a host or operator for a visit to their premises, where the visit results from their failure to comply with licence conditions or a complaint relating to the premises. Where a fee is charged for such a visit, the Council must provide a report of its findings to the host or operator within 28 days of the inspection. Where a report is not provided within 28 days of the inspection, the Council must refund the fee charged to the licence holder.

Additional Fees	Fee
Visit - Alleged breach of conditions or following a complaint	Up to £282*
Duplicate / Copy Licence	£26
Licence Variation	£75

*Visits will be based on Officer hourly rate and administration charges

The applicant or licence holder may dispute the additional fee. The Council may choose not to charge the additional fee if this is considered appropriate in all the circumstance. This could apply, for example, where an inspection took place following what turned out to be a vexatious complaint.

The additional fees will be reviewed over the first year of licencing to ensure full cost recovery and may be subject to change. The fee structure will be published @:

- [Short term lets | Fife Council](#)

7.8 Licence Variation

The Council and the License Holder may both apply to vary a term of the license. Where the License Holder is the applicant for the variation, the Council may charge a fee to the License Holder. Where the License Holder intends to increase the maximum occupancy the License Holder will be requested to apply for a new license, rather than to vary the existing license. This is to acknowledge the additional risk with increasing the maximum occupancy.

7.9 Refunds and Refused Applications

Whether a licence is granted or not, the application fee is non-refundable. The fee is set for the administration to determine the Licence. Where the Council refuses to consider an application because the host or operator needs to obtain planning permission the fee is non-refundable. However, the Council will not charge a further fee in respect of a resubmitted licensing application made within 28 days of planning permission being granted.

8.0 Complaints

8.1 All complaints received will be taken seriously as they provide an opportunity to improve and maintain standards. As a general principle, the Council will seek to try to resolve a complaint through engagement with the host or operator in the first instance. The Council will:

- Ensure that all complaints are investigated fairly and in a timely way
- Ensure that complaints are, wherever possible resolved
- Gather information which improves standards in relation to the licence

8.2 In the first instance guests should raise any concerns with their host or operator, letting agency or platform. If they remain unsatisfied or the issue is sufficiently grave, they may contact the Council. The Council may take action to remedy the source of the complaint. This may range from informal

advice to variation or suspension of a licence. Some complaints may not require enforcement action from the Council, for example:

- Where the Council determines that the complaint is frivolous or vexatious
- The complaint relates to a matter which has already been investigated and the complaint was found to be unjustified
- Action has already been taken or is in progress
- The complaint relates to a matter which is outside the scope of the licensing scheme, for example around the quality of the stay

8.3 Complaints about suspected unlicensed operators should be directed to Police Scotland.

8.4 The Council will aim to acknowledge complaints within 5 working days.

8.5 Short-term lets complaints should be made in writing:

Online: [Short term lets | Fife Council](#)

Email: shorttermlets@fife.gov.uk

Address: Short-term Lets, Housing Services, Fife House (3rd Floor),
Glenrothes, KY7 5LT

9.0 Compliance and Enforcement

9.1 The Council will take a risk-based approach to ensuring compliance. This includes allowing self-certification for applications and a risk-based approach for inspections. Some factors considered when deciding whether to carry out an inspection of a particular premises might be:

- Another accreditation obtained by the host or operator
- Feedback from Police Scotland and the Scottish Fire and Rescue Service
- Peculiarities of the operation (e.g., unconventional accommodation)
- Pattern of complaints associated with the host, operator, or premises
- Intelligence from other inspections (which may indicate a higher incidence of issue or non-compliance with hosts or operators or premises of that type or in that area); and
- Reputational evidence (where available) from guest reviews and internet profile

9.2 The Council will determine the appropriate balance of:

- Self-declaration from hosts and operators
- Checking relevant documentation
- Allowing for third-party accreditation; and
- Visits to premises by the Council and other officials

9.3 There is no specific liability on the Council in terms of a “failure to inspect”; the licensing authority’s duties to consider an application and grant a licence, and thereafter to ensure adherence with a licence’s conditions, remain in line with the 1982 Act provisions and the current licensing framework.

9.4 The Council have the power to serve enforcement notices. Where complaints, visits to premises or other information suggest that any licence condition has been breached, the Council can require a licence holder to take action to put it right. This will usually be done by serving an enforcement notice (“non-compliance” or “improvement” notice). Such notices must set out the matters

constituting a breach or a likely breach, the action required to rectify or prevent the breach and the date by which the action must be taken.

- 9.5 Enforcement notices can also be served if a licence condition is felt likely to be breached, for example, a host or operator is advertising property with a maximum capacity of ten guests in breach of a licence condition specifying no more than eight. This would be evidenced in a listing or advertisement.
- 9.6 If satisfactory action is not taken by the required date(s) to address the issues set out in a notice, the Council have powers to vary, suspend or revoke a licence. The Council may order the suspension or revocation of a licence if:
- The licence holder is not a fit and proper person to hold the licence
 - The licence holder is managing the property on behalf of someone who would have been refused the grant or renewal of the licence
 - The short-term let is causing or is likely to cause undue public nuisance or a threat to public order or public safety
 - A condition of the licence has been contravened
- 9.7 Where the Council revokes a licence, no further application can be made by that host or operator in respect of that premises within one year of the date of revocation.
- 9.8 Hosts and operators can appeal against being served with a notice of variation, suspension, or revocation. Hosts and operators can take bookings and provide accommodation whilst they appeal a revocation or suspension, and they have 28 days in which to lodge an appeal. (See section 6.8)

10.0 Temporary Exemption Policy Statement

- 10.1 The Council must publish a Temporary Exemption Policy Statement on or before 1st October 2022 and review every three years thereafter.
- 10.2 The Council may grant temporary exemptions to the requirement to have a licence for a specified single continuous period not exceeding 6 weeks in any period of 12 months. The 6-week limit is a maximum, and not a default.
- 10.3 In order to obtain a temporary exemption from the requirement to have a licence, hosts and operators must apply for a temporary exemption to let premises, where this is offered by the Council. Applications must be submitted 6 months in advance.
- 10.4 The Council may grant temporary exempt licences for significant/National events to meet the requirements for an influx of visitors. The Head of Housing Services would make the decision when temporary exemptions may be granted for National events.
- 10.5 The Council may grant temporary exempt licences for the accommodation types below:
- Secondary Letting
 - Home Letting
 - Home Share
 - Home Letting and Home Share

- 10.6 Hosts and operators must:

- Apply for a temporary exemption licence before letting premises
- Comply with all mandatory conditions for a short-term let (see Appendix 1)
- Comply with all additional conditions (see Appendix 2)
- Self-declare all conditions will be met

10.7 The Council can choose to, but do not need to, inspect every premises. The Council are not liable for any failures of the host or operator. The Council may:

- Consult the Chief Constable and the Scottish Fire and Rescue Service in respect of applications for temporary exemptions
- Visit premises to inspect or check documentation

10.8 The Council aim to determine a temporary exemption within 6 months of receipt of the application:

- The application process is noted in section 6
- The fee for a temporary exemption is noted in section 7
- Grounds for refusal of an application is noted in section 6
- Grounds to appeal a licence decision is noted in section 6

10.9 The Council can grant or refuse an application for a temporary exemption. If the Council grant a temporary exemption, the Council will provide the host or operator with a temporary exemption number (like a licence number).

Under the terms of the 1982 Act there is no objections process for temporary licence applications or for temporary exemption applications

11.0 Temporary Licence Policy Statement

11.1 Licensing authorities may also decide to grant temporary licences. The Scottish Government expects licensing authorities to develop and publish a policy setting out:

- The licensing authority's criteria for issuing temporary licences
- The fees payable; and
- Any additional conditions which apply (in addition to the mandatory conditions which apply to all licences, including temporary licences)

11.2 Under the Act the Council may grant a temporary licence for a duration of up to six weeks, or longer if the host or operator has also made an application for a full licence. If they have applied for a licence, their temporary licence will last until their licence application is finally determined (this includes an appeal if one has been lodged within 28 days of the decision).

11.3 In order to obtain a temporary licence, hosts and operators must apply for a temporary licence to let premises, where this is offered by the Council.

11.4 The Council may grant a temporary licence for new hosts and operators and for a trial period.

11.5 The Council may grant temporary licences for the accommodation types below:

- Secondary Letting
- Home Letting
- Home Share
- Home Letting and Home Share

11.6 Hosts and operators must:

- Apply for a temporary licence before letting premises
- Comply with all mandatory conditions for a short-term let (see Appendix 1)
- Comply with all additional conditions (see Appendix 2)
- Self-declare all conditions will be met
- Provide documentation requested in the application

11.7 The Council can choose to, but do not need to, inspect every premises, the Council are not liable for any failures of the host or operator. The Council must:

- Consult the Chief Constable and the Scottish Fire and Rescue Service in respect of applications for a temporary licence

11.8 The Council aim to determine a temporary licence within 6 months of receipt of the application:

- The application process is noted in section 6
- The fee for a temporary licence is noted in section 7
- Grounds for refusal of an application is noted in section 6
- Grounds to appeal a licence decision is noted in section 6

11.9 The Council can grant or refuse an application for a temporary licence. If the Council grant a temporary licence, the Council will provide the host or operator with a temporary licence number.

Under the terms of the 1982 Act there is no objections process for temporary licence applications or for temporary exemption applications

12.0 Control Areas and Planning

12.1 Control Areas

In addition to the above licensing requirements, under Section 26B of the Town & Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2019 (the 1997 Act) the Scottish Government has given planning authorities the power to designate Short-Term Let Control Areas. The purpose of control areas is to:

- Help manage high concentrations of secondary letting where it affects the availability of residential housing or the character of a neighbourhood
- To restrict or prevent short-term lets in places or types of building where it is not appropriate; and
- To help local authorities ensure that homes are used to best effect in their areas

12.2 The Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 implemented on 1st April 2021 set out the process for designation and Scottish Government Circular 1/2021 sets out policy on the implementation of the legislation. Ultimately, it is for local authorities to determine whether a control area is required, taking all relevant local circumstances into account.

12.3 In line with the Control Area Regulations, consideration of control areas for short-term lets in Fife will be progressed as part of the evidence gathering stage in Fife's Local Development Plan review.

12.4 Current Planning and Policy Context

At present, planning permission is only required for the use of a property as a short term let if a material change of use occurs, currently this is determined on a case-by-case basis so advice should be sought from the Planning Authority. Outside of a control area, this will continue to be the case.

12.5 Implications of Control Area Designation

Use of a dwellinghouse for the purpose of providing short-term lets is deemed to be a material change of use in a control area. Planning permission is therefore required for short-term letting of any house or flat within a control area.

12.6 People wishing to use such properties for a short-term let will require to apply for planning permission, unless these have been in use for 10 years and no planning enforcement action has been taken, as set out under section 124 of the 1997 Act.

12.7 The designation of a short-term let control area, does not mean a blanket ban on such uses: each case will have to be assessed on its own merits. The planning application process involves notification of neighbours and provides an opportunity for public comments.

12.8 Applications for Planning Permission for Change of Use and Certificates of Lawfulness can be made online at eplanning.scotland.gov.uk. Guidance on how to apply for planning permission is available on Fife Council's website via the following link:

- [Apply & pay for Planning Permission | Fife Council](#)

12.9 Your licence application may require you to provide evidence that you either:

- Have planning permission to use the property as a short-term let
- Have a certificate of lawfulness of use confirming you do not need planning permission

For very large, one-off events (such as the Commonwealth Games, Olympics or COP26), the Scottish Ministers can make a special development order to grant planning permission for change of use for an area and to require discontinuance of use after a certain period. In such circumstances, temporary exemptions could be granted in respect of secondary letting without any concern about breach of planning control.

13.0 Data Protection

13.1 For more information about how Fife Council manage the information you provide please read our privacy statement:

- <https://www.fife.gov.uk/kb/docs/articles/privacy-notice/housing>

13.2 Public Register of Short-term Lets

The Council are required to maintain a public register of short-term let licences and share the content of the register with Scottish Government on an ongoing regular basis in a format that enables analysis of the information. The Council must:

- Make the register available to the public electronically

- Publish or update the register on at least a quarterly basis
- By 1st October 2023, the Scottish Government expects licensing authorities to provide more frequent or live updates where it is possible to do so

14.0 Review

14.1 As this is a new licencing scheme the Council will review the policy over the next 12 months. The Council must publish a Policy Statement on or before 1st October 2022. It may be reviewed by 1st October 2023 but in any event by 1st October 2025, and every three years thereafter.

15.0 Further Information

Fife Council Short-term Let Licencing:

Online: [Short term lets | Fife Council](#)
Email: shorttermlets@fife.gov.uk
Address: Short-term Lets, Housing Services, Fife House (3rd Floor),
Glenrothes, KY7 5LT

Scottish Government Guidance:

- [Part 1: Guidance for Hosts and Operators](#)
- [Part 2: Supplementary Guidance for Licensing Authorities, Letting Agencies and Platforms](#)
- [Guidance for Hosts and Operators - Short term lets: planning guidance for hosts and operators - gov.scot \(www.gov.scot\)](#)

Legislation:

- [The Civic Government \(Scotland\) Act 1982 \(Licensing of Short-term Lets\) Order 2022 \(legislation.gov.uk\)](#)

Appendix 1 - Mandatory Short-term Let Licence Conditions

Agents

1. Only those named as a holder of the licence can carry out the day-to-day management of the short-term let of the premises.

Type of licence

2. The holder of the licence may only offer the type of short-term let for which the licence has been granted.

Fire safety

3. The holder of the licence must ensure the premises has satisfactory equipment installed for detecting, and for giving warning of—
 - (a) fire or suspected fire, and
 - (b) the presence of carbon monoxide in a concentration that is hazardous to health.
4. The holder of the licence must keep records showing that all upholstered furnishings and mattresses within the parts of the premises which are for guest use, or to which the guests are otherwise permitted to have access, comply with the Furniture and Furnishings (Fire Safety) Regulations 1988(a).

Gas safety

5. Where the premises has a gas supply—
 - (a) the holder of the licence must arrange for an annual gas safety inspection of all gas pipes, flues and appliances in the premises,
 - (b) if, after an annual inspection, any appliance does not meet the required safety standard, the holder of the licence must not allow a short-term let of the premises until the works necessary to bring the appliance to the required safety standard have been carried out.

Electrical safety

6. Where there are electrical fittings or items within the parts of the premises which are for guest use, or to which the guests are permitted to have access, the holder of the licence must—
 - (a) ensure that any electrical fittings and items are in—
 - (i) a reasonable state of repair, and
 - (ii) proper and safe working order,
 - (b) arrange for an electrical safety inspection to be carried out by a competent person at least every five years or more frequently if directed by the competent person,
 - (c) ensure that, following an electrical safety inspection, the competent person produces an Electrical Installation Condition Report on any fixed installations,
 - (d) arrange for a competent person to—
 - (i) produce a Portable Appliance Testing Report on moveable appliances to which a guest has access, and
 - (ii) date label and sign all moveable appliances which have been inspected.
7. In determining who is competent, the holder of the licence must have regard to guidance issued by the Scottish Ministers under section 19B(4) of the Housing (Scotland) Act 2006(a).

Water Safety: Private Water Supplies

8. Where the premises are served by a private water supply, the licence holder must comply with the requirements on the owners of private dwellings set out in the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017(b).

Water Safety: Legionella

9. The holder of the licence must assess the risk from exposure to legionella within the premises, whether or not the premises are served by a private water supply.

Safety & Repair Standards

10. (1) The holder of the licence must take all reasonable steps to ensure the premises are safe for residential use.
(2) Where the premises are subject to the requirements of Chapter 4 of Part 1 of the Housing (Scotland) Act 2006, the holder of the licence must ensure that the premises meet the repairing standard.

Maximum Occupancy

11. The licence holder must ensure that the number of guests residing on the premises does not exceed the number specified in the licence.

Information to be Displayed

12. The holder of the licence must make the following information available within the premises in a place where it is accessible to all guests—
 - (a) a certified copy of the licence and the licence conditions,
 - (b) fire, gas and electrical safety information,
 - (c) details of how to summon the assistance of emergency services,
 - (d) a copy of the gas safety report,
 - (e) a copy of the Electrical Installation Condition Report, and
 - (f) a copy of the Portable Appliance Testing Report.

Planning Permission

13. Where the premises is in a short-term let control area for the purposes of section 26B of the Town and Country Planning (Scotland) Act 1997(c) (“the 1997 Act”), the holder of the licence must, where the use of the premises for a short-term let requires planning permission under the 1997 Act, ensure that either—
 - (a) an application has been made for planning permission under the 1997 Act and has not yet been determined, or
 - (b) planning permission under the 1997 Act is in force.

Listings

14. (1) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises includes—
 - (a) the licence number, and
 - (b) a valid Energy Performance Certificate rating if an Energy Performance Certificate is required for the premises, in accordance with the Energy Performance of Buildings (Scotland) Regulations 2008(a).

(2) The holder of the licence must ensure that any listing or advert (whether electronic or otherwise) for the short-term let of the premises is consistent with the terms of the short-term let licence.

Insurance

15. The holder of the licence must ensure that there is in place for the premises—
- (a) valid buildings insurance for the duration of the licence, and
 - (b) valid public liability insurance for the duration of each short-term let agreement.

Payment of Fees

16. The holder of the licence must pay any fees due to the Council in respect of the licence on demand.

False or Misleading Information

17. The holder of the licence must not provide any false or misleading information to the Council in relation to Short-term Let Licensing.

Appendix 2 - Additional Short-term Let Licence Conditions

1. **Manage the Premises** - The licence holder must take reasonable steps to manage the premises in such a way as to seek and prevent and deal effectively with any anti-social behaviour by guests to anyone else in the short-term let and in the locality of the short-term let.
2. **Noise and Nuisance** - The licence holder must take reasonable steps to:
 - Ensure that no disturbance or nuisance arises within or from the premises, for example by explaining the house rules to the guests
 - Deal effectively with any disturbance or nuisance arising within or from the premises, as soon as practicable after the licence holder is made aware of it; and
 - Ensure any vehicles belonging to guests are parked lawfully, for example explaining where any designated parking spaces are to be found and highlighting any local rules
3. **Privacy and Security** - The licence holder must manage the premises in such a way as to respect and protect the privacy and security of neighbours. The licence holder must ensure:
 - Guests know and understand any particular rules applying to shared areas and entrances
 - Guests understand that shared doors should be properly and securely closed after use; and
 - The provision of access codes or keys to guests cannot be used by guests to gain access to shared areas after they have finally departed
4. **Noise Conditions** - The licence holder must take reasonable steps to minimise noise impact on neighbouring properties to short-term lets. Reasonable steps may include:
 - Physical moderations to the property in order to minimise noise impact on neighbours, such as:
 - Replacing wood/laminate/vinyl floors with carpets; or
 - Installing door closers to prevent doors being slammed
5. **Guest Arrival** - The licence holder must take reasonable steps to ensure that guests do not first arrive or finally depart from the property between the hours of 11pm to 7am. The licence holder must advise guests of this as part of their booking terms and conditions. (“Reasonable steps” allows for exceptions, such as significantly delayed transport).
6. **Recycling and Waste** - The licence holder must provide adequate information on, and facilities for, the storage, recycling and disposal of waste.

The licence holder must provide written documentation to guests, advising them of:

- Their responsibilities
- The use of the bins/sacks provided for the premises
- The location of the nearest recycling centre or recycling point

The licence holder must:

- Clearly label bins belonging to the premises
- Ensure that guests manage their waste in compliance when they depart

- Maintain the bin storage area and the exterior of the premises in a clean and tidy condition

- 7. **Common Areas** - The Licence holder must not affix a key box, or other device to facilitate guest entry to the property, to any public or jointly owned private infrastructure without prior written permission of the relevant authority or owner(s). The licence holder must be able to produce the permission to the licensing authority on request.

- **Maintenance** - The Licence Holder must take steps to ensure that the property, fittings and furniture, water, drainage, gas and electrical installations, are maintained throughout the period of the Licence to the standard required. The licence holder should hold all the necessary certificates. This is supplementary to the mandatory conditions.

- **Emergency Instructions** - The Licence Holder must ensure that instructions to occupiers on action to be taken in the event of an emergency, together with details of who to contact in an emergency along with their contact details, is clearly and prominently displayed within the living accommodation. This is supplementary to the mandatory conditions.

- **Living Conditions** - The Licence Holder must ensure that the physical standards for the living accommodation remain suitable for the duration of the licence.

- **Licence** - This licence is not transferrable, and the Licence Holder must not sublet the property for use as a Short-term Let to any party. This is supplementary to the mandatory conditions.

- **Repossession** - The Licence Holder must ensure that actions to secure repossession are only by lawful means.

- **LPG** - Prohibition of Liquefied Petroleum Gas (LPG) room-heaters and storage of inflammable liquids:
 - The licence holder shall not permit the use or storage on the premises of LPG room-heaters or, unless in an external store designed and approved for such storage, the storage of any liquified petroleum gas (LPG) or any highly inflammable liquid, gas, or substance
 - This condition shall not apply to small amounts of liquids or gas sold in small non-refillable retail packs (e.g. lighter fuel or cosmetic appliance cartridges) kept by guests for their own use. Nor shall it apply to the external storage of LPG in cylinders or tanks which are provided by the licence holder for the provision of gas for cooking or for water or space heating or other domestic use, provided the storage complies fully with LPGA Codes of Practice and Building Regulation Technical Standards and that any installation connected to such cylinders or tanks complies with The Gas Safety (Installation and Use) Regulations 1998 or any amendment thereto

- **Solid Fuel Appliances** - Where there is a solid fuel appliance within the premises (e.g. open fire and/or wood burning stove), the holder of the licence shall ensure:
 - the chimney/flue associated with the appliance is inspected and cleaned annually by a suitably competent person
 - a record of the annual inspection and cleaning of the flue is able to be produced, on request by the Council

- **Hot Tubs** - Where there is a hot tub provided at the premises, the holder of the licence shall ensure:
 - (a) that it is suitably located and maintained so as to ensure it can be safely operated and used by guests
 - (b) that suitable and sufficient cleaning and disinfection procedures are in place
 - (c) that guests are provided with clear instructions on its safe use and any restrictions on its use
 - (d) that it is kept securely covered when not in use
- **Gas and Electricity** - The Licence Holder shall comply with the current Ofgem provisions regarding the maximum re-sale prices of gas and electricity supplied, as appropriate.
- **Insurance** - The certificates of building insurance and public liability insurance must be clearly and prominently displayed within the living accommodation for the duration of the licence.
- **Fit and Proper** - The Licence Holder together with, (if applicable, any director, partner or other person concerned in the management of the licence holder) and if applicable the licence holder's agent (including any director, partner or other person concerned in the management of the agent) have been deemed fit and proper to hold a licence. In the event that any party aforementioned behaves in a way which would call into question their suitability to hold a licence, including but not limited to, any finding by a court or tribunal that they have practised unlawful discrimination; being charged with a criminal offence or of any civil or criminal proceedings relating to housing, public health, environmental health or landlord and tenant law resulting in a judgement or finding being made against them, then the Licence Holder must advise Fife Council as soon as reasonably practicable, and no later than 14 days from the date of the incident. This is supplementary to the mandatory conditions.
- **Visitor List** - The Licence Holder must maintain up-to-date records of guests to include the following information:
 - (a) Guest full name and contact details
 - (b) Dates of entry and departure of each occupant

This information must be made available to Officers of Fife Council on request.

- **Obstruction** - The Licence Holder must ensure that all approaches, staircases and passageways shall be kept entirely free from obstructions. All emergency exits or means of escape shall be available at all times and either capable of being opened from the inside without recourse to a key or, if a key is required, that key can be easily accessed. The layout and arrangement of premises shall be such as Fife Council consider satisfactory, where the property is inspected, to allow and permit the safe and orderly evacuation of the premises in the event of an emergency.
- **Repair** - The Licence Holder must ensure that the building is maintained to a reasonable state of repair, having regard to its age, type and location. Garden and environmental areas should also be safe and adequately maintained. Both the exterior and interior of the property must be maintained in reasonable decorative order. This is supplementary to the mandatory conditions.

- **Common Repairs and Maintenance** - Where the premises is in a shared building the Licence Holder should co-operate and participate in the general repair and maintenance of the building and the cleaning of common parts.
- **Tradesperson** - Any repairs, safety checks, maintenance work, pest treatment or any other work carried out in respect to the property or any installations, facilities or equipment within it are carried out by a suitably competent person (relevant current training/qualifications and experience). This is supplementary to the mandatory conditions.
- **Premises Alterations** - No alterations to the layout of the property including structural or non-structural shall be carried out within the licensed premises without the prior approval of the licensing authority, in writing. This is supplementary to the mandatory conditions.
- **Material Change** - If there is a material change of circumstance affecting the Licence Holder, their agent or the operation of the premises; the Licence Holder, their agent or their legal representative must inform the licensing authority as soon as possible.
- **Access to the Premises** - The Licence Holder shall ensure that, access is permitted to Fife Council Officers in connection with carrying out statutory duties, whether such inspections are scheduled or unannounced.

Forth Green Freeport Bid – Fife Council and Forth Ports Joint Working for Rosyth and Burntisland

Report by: Gordon Mole, Head of Business and Employability Services

Wards Affected: Fife Wide

Purpose

This report advises Cabinet Committee that a Forth Green Freeport (FGFP) designation submission has been made by Forth Ports with the support of Fife Council. Endorsement of this and the continued Fife Council involvement in the prospective FGFP designation is therefore sought, if the submitted bid is successful. This report also seeks agreement of the proposed governance arrangements for the FGFP including noting that detailed arrangements will be subject to outline and full business planning processes.

Recommendation(s)

It is recommended that Committee members:

- (i) endorse and approve Fife Council involvement in the prospective Forth Green Freeport (FGFP) designation;
- (ii) approve in principle the proposed FGFP designation Governance arrangements;
- (iii) note that the Council is subject to a Memorandum of Understanding signed on behalf of the Council by Legal Services, requiring commercial confidentiality of the FGFP Bid document to reflect the competitive nature of the Green Freeport bidding process; and
- (iv) note that two Scottish locations will be announced in the Autumn of 2022 with outline and full business planning then required to occur.

Resource Implications

Currently, no additional resource implications arise on approved Service budgets as progress on providing input to the bid submission is being undertaken as part of existing (Business and Employability Service) economic development activity.

Any additional resourcing and the establishment of necessary governance arrangements will be collectively agreed by the FGFP lead (Forth Ports) and partners, including in part, Fife Council. The proposed Governance approach is summarised in outline within this report (paragraphs 3.1.6 - 3.1.8). This will occur through the progression of outline and full business cases.

Legal & Risk Implications

It is a requirement of public sector partners to ensure that appropriate arrangements are in place for the governance of the prospective designation. Scoping has therefore occurred between Fife Council, Falkirk Council and City of Edinburgh Council with West Lothian Council also being regularly briefed. From this, it is proposed that Falkirk Council are to be the required FGFP '*accountable public body*' and that a Green Freeport governance arrangement is to be put in place. The latter will include an appointed

Governing Board who will be responsible for managing a formal risk register. The Board will also utilise Forth Ports experience in running a designated Freeport within England to help meet the anticipated specific requirements of UK and Scottish Governments.

Impact Assessment

An Equalities Impact Assessment has not been completed and is not necessary at this stage as the proposals within the report do not currently represent a change to policy. The Fairer Scotland Duty, which came into force on 1st April, 2018, requires the Council to consider how it can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. The development of a Green Freeport will provide opportunities for net zero and economic growth in Fife, enabling future jobs and sector success for the region.

Consultation

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

Input to the FGFP Bid to date has been provided from Planning Services, Fife Assessors and Economic Development officers. A letter of support endorsing the Bid has also been provided on behalf of Fife Council by the Council Leader following a previous stakeholder session earlier this year.

1.0 Background

- 1.1 In August 2019, the UK Government announced its intention to establish Freeports. Eight English locations were identified and a commitment given in February 2022 for further likely designations in Scotland (2), Wales (1) and Northern Ireland (1).
- 1.2 Following submission of a 'Forth Freeport' Proposition document in February 2021, Forth Ports, Falkirk Council, Fife Council and City of Edinburgh Council have been monitoring the UK Government and Scottish Governments ambitions for Freeport designations in Scotland. From this, locations at Grangemouth, Rosyth Waterfront, Burntisland, Edinburgh Airport and Leith respectively were identified as prospective customs or tax sites. Beyond these locations a prospective 45km 'outer boundary' was also identified to encourage supply chain business activity or ancillary supporting investment to locate and grow.
- 1.3 The bidding for the Scottish designations started on 25th March, 2022 upon publication of the Green Freeports prospectus by UK and Scottish Government, respectively. The stated (socio-economic, sustainable growth and enhanced trade) themes included a focus on investing in skills and training, creating well-paid local jobs and harnessing new, green infrastructure to regenerate communities. The bidders also required to set out how they proposed to generate trade and investment opportunities, support sector activity such as advanced manufacturing and mitigate the climate emergency by increasing progress towards net zero objectives and the green economy.
- 1.4 The closing date for the Green Freeports candidate location submissions occurred on 20th June, 2022 with a Forth Green Freeport Bid (FGFP) submitted at that time, as set out in Appendix 1 to this report. It in summary seeks to re-industrialise Scotland, create large scale economic development, boost local supply chain growth, skills development and create a world-class manufacturing cluster. The FGFP bid has the potential to generate up to 50,000 new green jobs and intends to act as a catalyst for new green technologies and renewable energy manufacturing, unlocking an anticipated £6 billion of potential private and public investment.

- 1.5 Assessments and decision-making stages have been scheduled (by UK and Scottish Governments) to enable the announcement of two Scottish locations in the autumn of 2022. Forth Ports Plc are leading the Forth Green Freeport (FGFP) bid supported by consultants and Bid partners' input. If successful and subject to the business planning processes noted, it is intended that the designation will apply from mid-2023.
- 1.6 Fife Council involvement in the FGFP bid is consistent with our economic development objectives as set out within the Plan for Fife 2017 Local Outcome Improvement Plan to secure 'Inclusive Growth and Jobs'. It is also directly aligned with Fife Council and partners agreed regional objectives as approved within the Edinburgh and South East Scotland City Deal Regional Prosperity Framework (RPF) in September 2021. Those specifically include realisation of two RPF 'Big Moves' namely, '*Regenerating the Forth Estuary*' and '*Support for Enterprise*.'

2.0 Issues and Options

Purpose and Designation Objectives

- 2.1 A Green Freeport designation is a policy and fiscal tool which seeks to create high quality jobs and to help decarbonise the UK economy. It can encourage increased trade or export activity, stimulate appropriate economic growth at designated locations (identified tax and customs site/s) in addition to supporting existing business and industrial port users to transition into modern, clean economic activities. This is enabled through tax or national insurance and business rates incentivisation within the identified tax or customs site/s, in addition to the establishment of simplified regulatory processes. The latter may include the partial relaxation of planning regulations through the identification of masterplan consent areas in Rosyth and Burntisland in addition to streamlined customs processes or related actions.
- 2.2 Four main objectives for Green Freeports are identified by the Scottish and UK Governments, each of which are to be met by Green Freeport bidders. These objectives are to:
 - a. promote regeneration and high-quality job creation – lead policy objective
 - b. promote decarbonisation and a just transition to a net zero economy
 - c. establish hubs for global trade and investment
 - d. foster an innovative environment

Locational Focus

- 2.3 Specific locations are identified, namely sites at Rosyth, Grangemouth and Leith in addition to Burntisland and Edinburgh Airport. Specific fiscal and regulatory incentives will apply for a period of up to 5 years at these sites in addition to streamlined import and export processes including favourable duty arrangements. Encompassing all locations, a FGFP 'Outer Boundary' is also identified and extends for 45Km.
- 2.4 For the Fife Council local authority area, Councillor Ward areas 1-9 are in whole or partially affected. Specifically, a dedicated 'tax and customs' site is identified at Rosyth and a 'customs' site at Burntisland with an 'outer boundary' identified which includes South West Fife and parts of Mid Fife. Within that, strategic economic development opportunities are respectively identified. The most significant within South West Fife is that of the former Longannet Power Station site where consideration can be given to the mutual benefit that enhanced rail freight connections would have in linking Rosyth or Grangemouth via Longannet.

- 2.5 Into Mid Fife, strategic opportunities within the proposed Green Freeport area have been identified through recognition of the M90/A92 road corridors and the 'Fife Forth' coast linking Rosyth to strategic economic sites including those of Burntisland and Levenmouth areas including Energy Park Fife. To assist the realisation of all of these and specifically Burntisland Port itself (a FGFP customs site), emphasis will continue to be placed on the economic priorities and principles set out within the Mid Fife Economic Action Plan published in 2021. This should ensure that the secondary benefits of the proposed Green Freeport are maximised across the Mid Fife area.

Job Outcomes and Sector Prioritisation

- 2.6 The strategic case for a Forth Green Freeport (FGFP) designation lies in the potential to significantly contribute to net zero goals by supporting decarbonisation in the emissions intensive chemicals and transport sectors and furthering novel innovative technologies such as hydrogen production. A FGFP designation may also be critical in safeguarding and creating local jobs including specifically repurposing the existing highly skilled engineering base within Fife to net zero activities.
- 2.7 Newly created jobs at Rosyth and Burntisland are envisaged to potentially serve shipping logistics, advanced manufacturing, in addition to the assembly of offshore wind and low carbon energy generation. This is expected to support delivery of sustainable and just economic growth by capitalising on proven skilled labour markets.
- 2.8 For Fife, sector growth is a central objective with advanced manufacturing, low carbon (offshore wind and tidal), digital innovation and trade (passenger and freight) activities all capable of being incentivised and accommodated within the Rosyth waterfront (tax site) and Burntisland (customs site) area or across the wider FGFP 'outer boundary'. As the outer boundary will also encompass infrastructure assets including Fife Circle railway connections, digital networks, and other areas of strategic or local employment land; an objective also arises within Fife, to seek enhanced investment in these.
- 2.9 Focus within Fife is being placed on an industry and sector led approach which recognises the strength of manufacturing activity across the Council area. That sector offers the opportunity for digital technologies, advanced manufacturing techniques and research investment to be harnessed. This may not only improve productivity and sector growth but should also ensure that Fife remains above the national average (7%) in employing 10.5% of the Fife labour market (est.14,000 people) within this part of the local economy.

3.0 Partnerships and Promotion

- 3.1 Detailed engagement has been undertaken with Babcock International, located at Rosyth, to secure their involvement in Forth Green Freeport (FGFP) bidding but to also ensure that their proposition for the 'Arrol Gibb Innovation Campus' (AGIC) is progressed as an early indication of economic transition on the Forth. This will also be a means of increasing inward investment and supporting existing businesses in developing or applying global advanced manufacturing sector activity within Fife. The goal of AGIC is to create a centre of excellence for advanced manufacturing, aided by the expertise of Babcock within Fife. Promotion of that is now underway with a marketing proposition document now published and the official launch of AGIC complete. Work is also continuing, supported by Fife Council Economic Development, Scottish Enterprise and Babcock, to configure a masterplan for the campus thereby maximising site infrastructure and complementing business innovation support services which is being configured via academic partners and key partners.

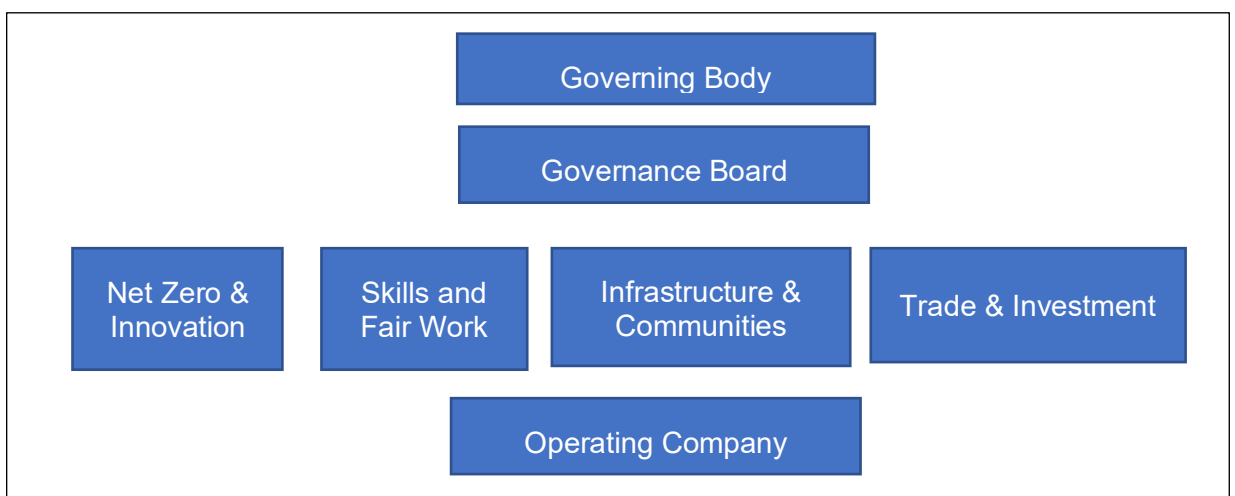
- 3.2 Collaboration with other landowners at Rosyth Waterfront is also progressing including regular liaison with the Scarborough Mur Group (SMG) who control land to the eastern end of Rosyth waterfront and are actively marketing inward investment business opportunities there. This location is promoted in part as ‘*Queensferry One*’ and forms a key part of the strategic investment propositions which Fife Council supports. The availability of such SMG land and similar extents to accommodate future business growth at Rosyth as identified by Babcock, is likely to be particularly important to the FGFP bid.
- 3.3 The support of these key private sector partners at Rosyth including that of Forth Ports as lead bid promoter, is a requirement of the Green Freeport bidding prospectus. Likewise, Forth Ports have confirmed that they are confident that the inclusion of Burntisland maximises FGFP opportunities within Mid Fife and aligns with their investment planning as majority landowner of Burntisland Port.
- 3.4 Agreement has been reached amongst the relevant Edinburgh and South East Scotland City Deal stakeholders with a letter of FGFP support also submitted as part of the bid. This recognises the relevance of prospective Green Freeport status to achieving mutual sustainable growth and economic goals. It will also specifically enable strategic priorities identified in progressing the agreed Regional Prosperity Framework (RPF) to be cross referenced and delivered. An action plan discussing these RPF strategic priorities in more detail is in preparation regionally and it may therefore be used to inform future FGFP business case stages, if the proposed designation is successful

Land Use and Infrastructure Planning

- 3.5 Whilst a Green Freeport designation will focus on the value of additional economic activity arising, the resultant place led investment is also critical to ensure land use integration and realisation of sustained community benefits. Further work is therefore necessary to ensure that FGFP investment proposals and planned growth contribute positively to the ongoing reviews of the Fife Local Development Plan and Fife Local Transport Strategy respectively. In addition, consideration will require to be given to any simplified planning powers that are understood to be applicable to Green Freeport designations. The nature and form of this is however currently subject to agreement/s, definition and relevant Scottish Government planning legislation.

Governance Arrangements

- 3.6 The proposed governance structure is to be organised to ensure delivery of the four Green Freeport objectives (para. 2.2). The intended structure is therefore as follows:



- 3.7 To date, a FGFP bid steering group has been established consisting of proposed Governance Board members and further regional public and private sector stakeholders. These arrangements inform the formation of a FGFP interim Governance Board which will progress outline and full business case development, if the FGFP Bid is successful. Falkirk Council have also agreed to become the required '*accountable public body*' for the part of the Bid local authority partners. This role is a requirement of the Green Freeport model and they are therefore to be responsible for the full business case submission including the co-ordination of non-domestic rate retention to respective local authority areas. Fife Council (as an equal FGFP bid partner) will however retain control of any apportioned monies and will, through normal economic development and financial management processes, work proactively to maximise local infrastructure and economic benefits within Fife.
- 3.8 It is proposed that when fully enacted, the FGFP Governance Board is to be made up of 11 voting members, with a mix of public and private sector experience. Proposed membership of this will include 1 seat for an independent voting chair, to be recruited following due process, 4 seats for tax site landowners, 3 seats for local government representatives and 1 seat for the nominated sub-committees' representatives of net zero/innovation, skills/fair work and trade/investment. The trade and investment sub-committee may, in that respect, include regional representatives from Edinburgh and South East Scotland City Deal Regional Economic Partnership, or Forth Valley Regional Economic Partnership.

4.0 Conclusions

- 4.1 The FGFP submission is framed as having the potential to be Scotland's only Green Freeport opportunity at scale to deliver a just transition to net zero by 2045. It is also expected to attract inward investment (£6bn), build trade, create well paid jobs with skills (up to an estimated 50,000 jobs) and address areas of significant deprivation within associated communities.
- 4.2 The Forth Green Freeport is expected to deliver high quality green manufacturing and logistics jobs, repurpose existing assets and drive new skills to accelerate a just transition to a low carbon future. It also provides an opportunity for the bid partners of Fife Council, City of Edinburgh Council, Falkirk Council, Forth Ports, Babcock, Edinburgh Airport and INEOS to realise accelerated economic growth and to deliver new or enhanced economic infrastructure to benefit our business and community needs, sustainably.
- 4.3 The new, high-quality employment proposed at Rosyth and Burntisland should build upon the existing business supply chain and sector expertise and will help drive regenerate Mid Fife and beyond. The bid is also aligned with activity within the Edinburgh and South East Scotland City Region Deal and the Falkirk Growth Fund respectively, in addition to being consistent with the Plan4Fife, Fife's Economic Strategy and Fife Development Plan.
- 4.4 The potential economic gains set out and the range of Fife sites and associated public or private infrastructure investment which would help to achieve the Forth Green Freeport bid objectives are established. There is a proven capability of the Fife Forth coast and Mid Fife in serving the renewable, low carbon and advanced manufacturing sectors – areas of strength which the Council recognised in its 2021 Mid Fife Economic Investment Prospectus and Action Plan. The Fife Council area therefore forms a central component of the Bid, which seeks to ensure that the Forth corridor is revitalised to meet future economic needs in a just and sustainable way.

List of Appendices

1. Forth Green Freeport Bid – Submission Overview & Infographic (June 2022)

Background Papers

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

- Green Freeports in Scotland - Bidding Prospectus 2022

Report Contact

Andrew Sim
Project Manager
Fife Council (Economic Development)
Tel. 07713088420
Email: andrew.sim@fife.gov.uk

The vision for a Forth Green Freeport

June 2022

F  **RTH**
GREEN FREEPORT

An introduction to Green Freeports in Scotland and the policy objectives

Policy Objectives

- Promote regeneration and high-quality job creation – lead policy objective
- Promote decarbonisation and a just transition to a net zero economy
- Establish hubs for global trade and investment
- Foster an innovative environment





Timeline

Prospectus Published

Announcement of winning bids



Scotland's Green Freeport package provides a generous suite of incentives to encourage investment and regeneration

Policy	Offer to Green Freeport sites
Tax incentives at tax sites 	<ul style="list-style-type: none"> • 100% non-domestic rate relief for 5 years. • 100% Enhanced Capital Allowances for the first year of qualifying expenditure. • Employers forego NIC contributions on salaries up to £25,000 for new hires in first three years. • 10% rate of structures and buildings allowance p.a. for 10 years on renovation or construction. • Land purchases on tax sites benefit land and building transaction tax (LBTT) relief (to be defined in Scottish Parliament legislation).
Customs freedoms at customs zones 	<ul style="list-style-type: none"> • Duty deferral automatically granted within customs zone until goods leave site. • Duty inversion for goods entering customs zone with higher tariff than final product. • Customs duty exemption on imported goods processed in the Freeport and re-exported (subject to Free Trade Agreements). • The import VAT on goods entering the Freeport is suspended. • Authorisation to use simplified import and export procedures.
Investment and spending 	<ul style="list-style-type: none"> • £25 million in seed capital to improve land preparation and infrastructure in outer boundary. • Freeport local authorities retain 100% of uplift in non-domestic rates revenues for 25 years. Local authorities can borrow against future business rates revenue to invest upfront in infrastructure and skills programmes.
Innovation and regulation 	<ul style="list-style-type: none"> • Regulatory sandboxes that will relax specific regulations, e.g. drone flights, automated vehicles. • A Green Freeport collaboration hub gives a platform to create regional innovation hubs.
Planning support 	<ul style="list-style-type: none"> • Local authorities encouraged to adopt simple planning regimes and Masterplan Consent Areas (MCAs) aligned to National Planning Framework 4 ambitions.

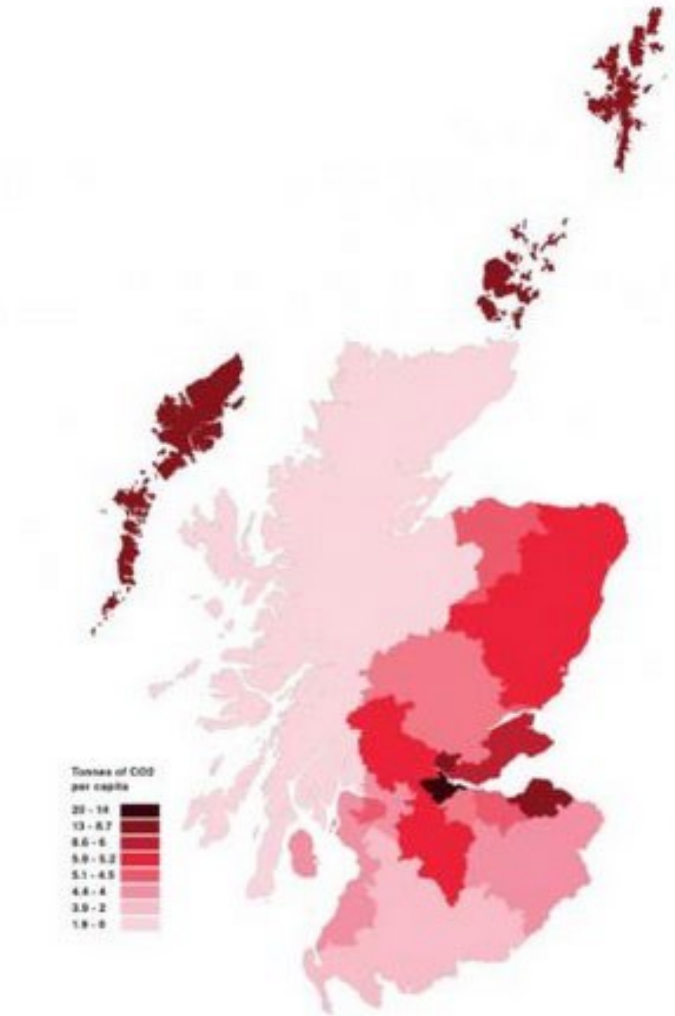
To achieve Scotland's 2045 net zero target, urgent action is needed to decarbonise the Firth of Forth

Companies in Grangemouth alone emit 33% of Scotland's industrial emissions. Across the Outer Boundary, the Firth of Forth accounts for over 40% of Scotland's industrial emissions.

Falkirk Council has the highest emissions per capita of any Scottish local authority, emitting 8% of Scotland's emissions with only 2.9% of the population.

Scotland cannot achieve net zero by 2045 without a credible plan for reducing the emissions intensity of the Firth of Forth.

We believe that the Forth Green Freeport can be the driving force of this plan.

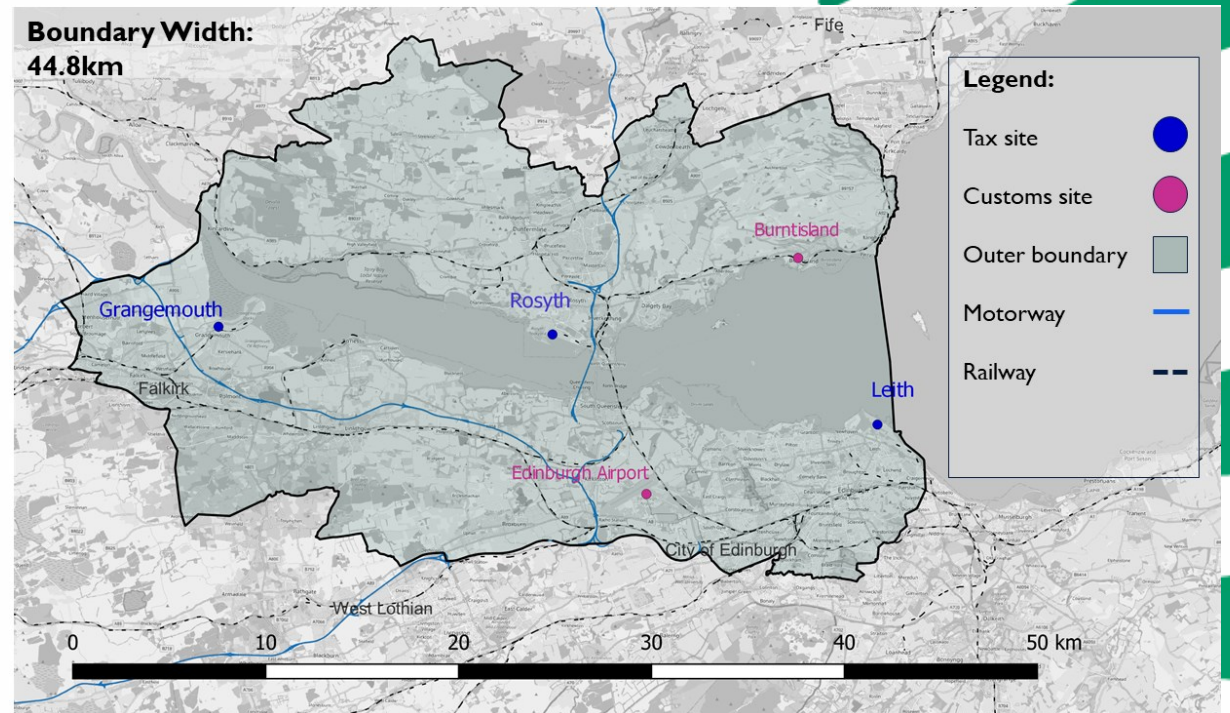


Our planned tax and customs sites will work together to deliver the economic benefits of the net zero transition across the region

The proposed complementary tax sites at Grangemouth, Rosyth, and Leith will provide the space for strategic cluster development in key sectors needed for a just transition.

This will be supported by the trade benefits of customs sites at Edinburgh Airport and Burntisland, providing opportunities for inclusive growth to the North and South of the Forth Estuary, as well as East and West across Central Scotland.

The Forth Green Freeport Governing Body will ensure collaboration across geography and sectors, for example, linking innovative businesses with academia.



The Forth Green Freeport will create a green growth corridor across Central Scotland and beyond

Without an accelerated green pathway for the nation's industrial cluster, skills, people and carbon will drain from the system. Our bid provides underdeveloped land to **sustainably generate green business growth with export potential** through the nation's logistics centre, as Scotland competes with England and northern Europe for international investment.



The Forth Green Freeport will act as a **catalyst for the re-industrialisation of Scotland**, attracting significant investment into key industrial infrastructure for the future economy, and growing an **innovation ecosystem for SMEs** across the Firth of Forth



A successful bid has the ambition to create **high quality, green jobs** in areas of local deprivation across the UK and support skill development for local communities



It will make a major contribution to Scotland's Net Zero carbon emissions target, support innovation in net zero technologies including **offshore wind, hydrogen, and sustainable aviation fuels**, and build Scotland an export base grounded in green growth

The proposed sites will develop complementary innovative clusters to secure this just transition

Leith: Create the **nation's largest offshore renewable energy hub.** Delivering new manufacturing facilities, port infrastructure upgrades and green incubators to drive SME and start-up business growth, creating the supply chain and skills development needed to support the renewables sector.



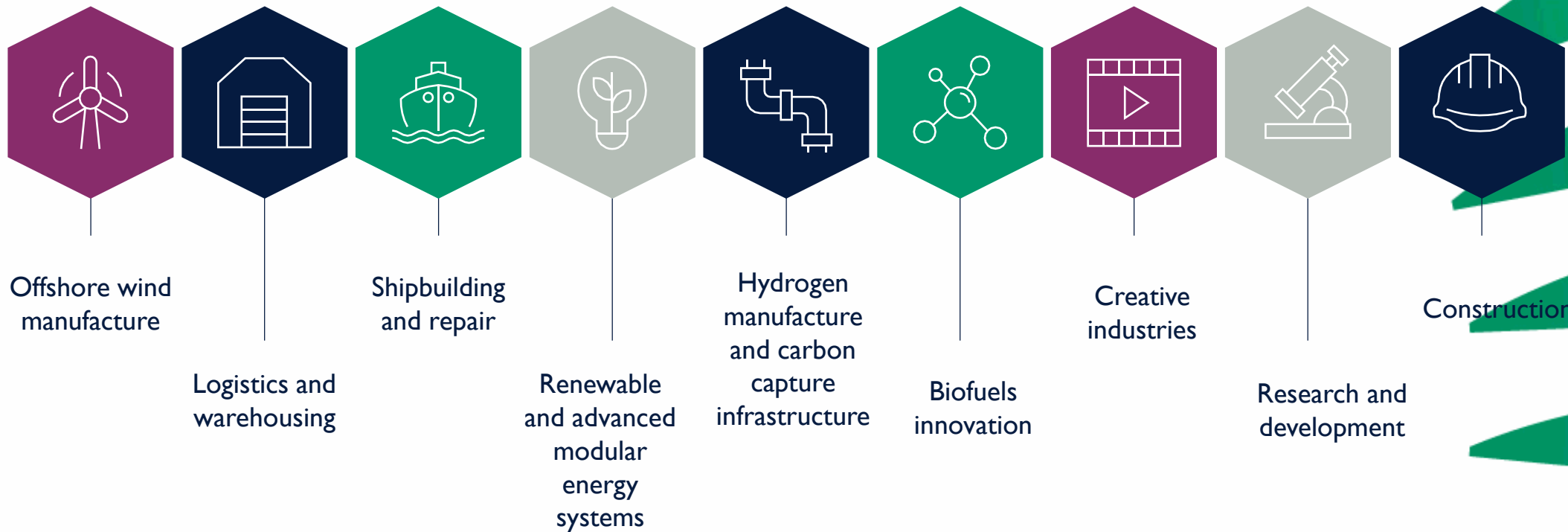
Grangemouth: Build on strengths as **Scotland's largest port** and principal export hub and **regenerate the petrochemical cluster for a net zero transition**, supporting an innovation cluster in clean chemicals such as CO2 utilisation and industrial biotechnology.



Rosyth: Support **large scale digitally enabled manufacturing and shipbuilding**, further developing the Arrol Gibb Innovation Campus, and strengthening the nation's agribulks hub by expanding and creating new trade routes to continental Europe.



We expect these sites to deliver supply chain opportunities in diverse sectors key to Scotland's future growth



Our bid draws together a cohesive partnership between public and private sector partners across the Firth of Forth

Core private sector partners



Innovation and skills partners



Public sector partners



Other supportive partners



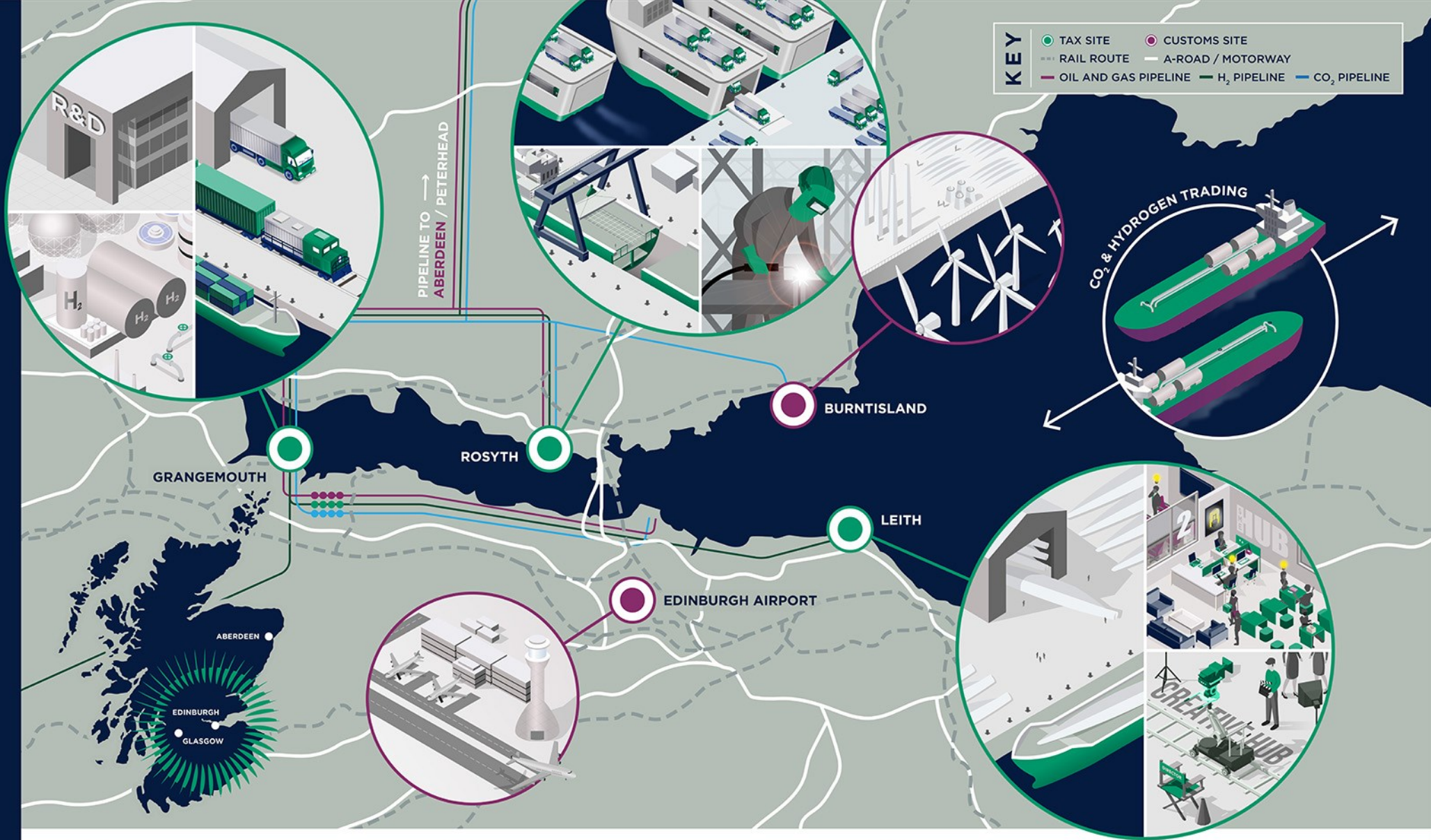
CENTRAL TO SCOTLAND'S GREEN AMBITIONS

2045: ACCELERATING SCOTLAND'S NET ZERO TRANSITION

DRIVING: INNOVATION & FUTURE SKILLS

QUALITY WELL PAID JOBS RELIEVING DEPRIVATION

£6 BILLION INVESTMENT	550 LAND DEVELOPMENT HECTARES
50,000 NEW JOBS	£4 BILLION ADDITIONAL GVA

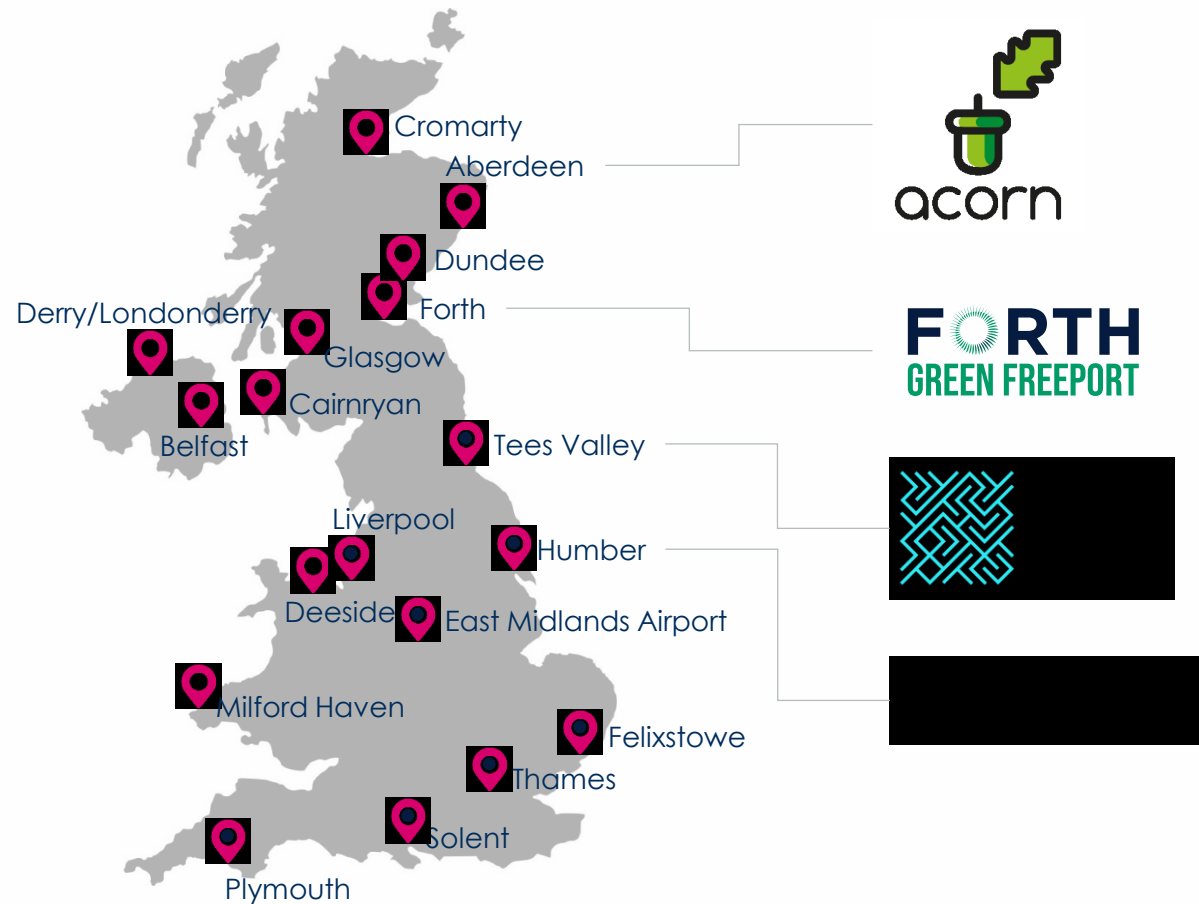


- FUTURE SKILLS FOR GREEN INDUSTRIES
- SHIPBUILDING, RENEWABLE & ADVANCED MANUFACTURING
- R&D CENTRES, SME / START-UP INCUBATOR
- HYDROGEN, BIOFUELS, CO₂
- GLOBAL TRADE HUBS
- VR / SIMULATION TRAINING
- CREATIVE LINK-UP

FORTH GREEN FREEPORT

The Forth Green Freeport could be the fulcrum of a renewable energy corridor along the UK's East Coast

-  Potential UK Freeports and Green Freeports
-  Designated England Freeports



FORTH
GREEN FREEPORT

We need your support...

A strong bid can lose if the political message is not articulated

Summer 2021

- Make the case to Scottish and UK ministers and advisers
- Be available and supportive through social and conventional media

22nd September, 2022.
Agenda Item No. 10

Domestic Waste Operations Bulky Uplifts – Free of Charge Service

Paper by: Executive Director (Enterprise and Environment)

Purpose

To consider the removal of charges for bulky uplifts across Fife.

Recommendation

Cabinet is asked to:

- (i) remove the charge for bulky uplifts from April 2023 subject to the consideration of additional resources being funded through the budget process; and
- (ii) note that a review of the current criteria for the bulky uplift service will be undertaken prior to April 2023 to assess recycling and landfill implications and qualifying criteria for uplifting goods. Any proposed changes to the current policy will be brought to Cabinet for approval.

Resource Implications

The removal of charges for bulky uplifts will result in reduced income of circa £250k. In addition, assuming an increase in the level of demand, additional resources are likely to be required. There could also be an increase in the cost of landfill tax.

The resources required will be assessed as part of the review of the current criteria for bulky uplifts and this will be considered through the budget setting process.

Legal & Risk Implications

There are no legal implications, however an unmanageable increase in requests may give rise to public complaint if resources cannot meet demand.

Impact Assessment

An Environmental Impact Assessment will be required as part of the review of the criteria for bulky collections.

Consultation

Consultation has been undertaken with Finance Service, Human Resources and Fife Resource Solutions.

1.0 Background

- 1.1 There are currently approximately 13,500 bulky uplift collections per year across Fife. Concerns are growing that the current cost of living crisis will see some residents unable to pay for the uplift of bulky items they cannot dispose of in their domestic waste bins.
- 1.2 The removal of bulky uplift charges will support residents with financial challenges and help them to dispose of their waste in a responsible manner.

2.0 Current Situation

- 2.1 The current bulky uplift service is based on a points per item system that generates a charge of £15 or £30 depending on the type and volume of items to be collected.
- 2.2 Bulky collections are done on blue bin landfill collection dates so refuse vehicles can uplift as part of their usual route. Box vans are also deployed to pick up some of the bulky uplifts.
- 2.3 In 2021/22, 13,596 bulky items were uplifted generating an income of £254,182.

3.0 Proposal

- 3.1 A review of the current criteria for the bulky uplift service will be undertaken prior to April 2023 and options for managing demand will be presented as part of this. From April 2023, all bulky uplift charges will be removed subject to identifying required funding resources through the budget process.
- 3.2 Bulky uplifts will continue to be ordered online via our Fife.Gov customer portal.
- 3.3 Uplifts will be scheduled on a first come first served basis.
- 3.4 Over the first 6 months of operation the following information will be gathered:
 - Number of uplifts
 - Number of uplift requests
 - Number of items per uplift
 - Weight of uplift items
 - Cost of landfill tax for uplifted items
 - Damage to RCV's caused by uplifted items
 - Volume of recycled uplifts
 - Volume of uplifts to landfill
 - Volume of uplifts to landfill that could have been recycled
- 3.5 After this period, a report will be prepared on the findings. This will consider resources available versus demand levels.
- 3.6 An increase in demand is likely with a free of charge service and, as such, the Service will need to consider means of resourcing this anticipated demand. There is a risk that there may be increased waiting times for the service if demand increases to such a level that it cannot be met, however, this will be monitored. It is expected that, after an initial increase in demand, there will be a levelling off and a more consistent demand moving forward.

- 3.7 As part of the review for the free service, there will be a push to ensure less material goes to landfill and more material is recycled.

4.0 Conclusion

- 4.1 A review of the current criteria for the bulky uplift service will be undertaken prior to April 2023. The Service can remove the charge for bulky uplifts from April 2023 but will likely incur additional costs and require additional resource.
- 4.2 A future assessment of the service will identify the resource and cost implications of running the free bulky uplift service and will be considered as part of the budget process.

Contact

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Glenrothes
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Email: john.rodigan@fife.gov.uk

22nd September, 2022.
Agenda Item No. 11

Domestic Waste Service - Single Shift Pattern

Report by: Ken Gourlay, Executive Director (Enterprise and Environment)

Wards Affected: All

Purpose

The report outlines the potential benefits of returning to a single shift system for domestic waste collection.

Recommendation(s)

Cabinet is asked to support the consideration of an alternative shift pattern for the Domestic Waste service and allow management to develop proposals and engage the Trade Unions accordingly.

Resource Implications

The workforce consultation will be managed within existing resources but a return to a single shift system will have financial implications that will have to be considered as part of the future proposal.

Legal & Risk Implications

The workforce consultation will establish support for a single shift system and the implications associated with a preferred working pattern. The findings will inform decisions to mitigate the legal risks and exposures of any prospective change.

Impact Assessment

None required at this stage. An Environmental Impact Assessment will be needed as part of any future shift change.

Consultation

Consultation has been undertaken with Finance Service and Human Resources.

1.0 Background

- 1.1 The current twin shift pattern was introduced in 2012 to achieve annual revenue savings through a reduction in refuse collection vehicles.
- 1.2 The twin shift system pattern comprises a day shift working from 6.00 a.m. to 1.40 p.m. and a backshift starting at 1.20 p.m. and finishing at 9.00 p.m. Staff alternate shifts on a week-to-week basis.
- 1.3 The last 10 years have seen many industry challenges and unforeseen consequences of the twin system impacting domestic waste collection.
- 1.4 The last three years have seen collection services delayed across Fife with HGV driver shortages, difficulties with vehicle parts supply, increased maintenance with older vehicles and high staff absence levels.
- 1.5 Recurring delayed collections are frustrating residents and causing reputational damage for the Council. Without some form of intervention and change, a level of service failure will continue into the foreseeable future.
- 1.6 Current performance has stabilised and all bins are being collected as scheduled. Attendance has improved and mitigating actions such as overtime, extension of seasonal worker contracts and the acquisition of hire or demonstrator RCVs have contributed to the recovery.
- 1.7 Returning to a single shift pattern and normal working hours is a significant change that may be central to ensuring a consistent quality service going forward.

2.0 Main Benefits of a Single Shift Pattern

- 2.1 The Service currently loses nearly two productive hours per day per vehicle during the shift change between crews at depots as they leave and return to unfinished routes. This inefficiency is removed with a single shift pattern which will see crews and their vehicles stay out till route completion.
- 2.2 A single shift pattern will need a complete redesign of routes and that will provide the opportunity to build in capacity for new build housing development.
- 2.3 Returning to collect missed bins costs the service nearly £300k every year. CCTV on RCVs shows that the vast majority of missed bins were not actually presented at the kerbside between 6.00 a.m. and 7.00 a.m. It was too early for residents who forgot to put them out the night before.
- 2.4 A single shift pattern would see collections happening in normal working hours which would allow more time for residents to present their bins in the morning. This would prevent the costs of return journeys and reduce reports of missed bins.
- 2.5 Operating during normal working hours will also stop the noise and disruption caused by vehicles and crews while people are sleeping.
- 2.6 Operating in normal hours means more daylight working in the winter and a safer environment for the public and waste collectors alike.
- 2.7 New route designs and the cessation of shift change journeys will reduce fuel usage and carbon emissions.

- 2.8 An earlier finishing time will mean landfill sites will be able to close earlier because RCVs will not need to discharge waste in the evening. This will reduce staffing and infrastructure costs for Fife Resource Solutions.
- 2.9 The removal of unsociable hours will help to attract and retain staff.
- 2.10 Working normal hours will improve the work/life balance for staff, particularly those with young families. This change supports the Council's new workstyles agenda and affords waste collectors the same benefits enjoyed by colleagues in other Services.
- 2.11 The only obvious disbenefits are the removal of unsociable hours payments for staff and the requirement for additional capital investment in vehicles.

3.0 Process

- 3.1 Introducing a single shift system would require investment in additional refuse collection vehicles, the number of vehicles required is dependent on the shift pattern adopted.
- 3.2 To establish a new shift pattern, the workforce and Trade Unions must be engaged. That consultation cannot happen without Cabinet approval.
- 3.3 If management, the workforce and Trade Unions can reach agreement on a suitable new shift pattern, it would become a costed proposal for Cabinet to consider.
- 3.4 If Cabinet approve the proposed new shift pattern and related investment, a formal Managing Change process would be initiated and new terms and conditions agreed with the workforce and Trade Unions.
- 3.5 Once the new contracts were established, the additional RCVs would be ordered. Current procurement information indicates that a 3-month design and tender process would precede a 12-month manufacture and delivery period.
- 3.6 Mitigating actions will be taken to minimise service disruption while the process is being worked through.

4.0 Conclusion

- 4.1 The introduction of a single shift system and preferred working pattern presents an opportunity to modernise and reset a service which has struggled in recent years. The workforce wants to take ownership of routes, vehicles and area performance and engaging them to establish a working pattern of their choice is the first step to achieving that commitment.

Report Contact

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22nd September, 2022.
Agenda Item No. 12

Statutory Consultation for Proposed Changes to the School Estate and Catchment Areas

Report by: Carrie Lindsay, Executive Director (Education and Children's Services)

Wards Affected: Wards 3, 15, 16,17,18,20

Purpose

The purpose of this report is to present the statutory consultation proposal papers relating to: the proposal to close Milton of Balgonie Primary School and to rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools; the proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College; the proposal to rezone the catchment areas of Carnegie Primary School and Touch Primary School, to seek approval of their content and to authorise officers to proceed to statutory consultation

Recommendation

The Cabinet Committee is asked to:-

- (i) approve the content of the statutory Consultation Proposal paper, in terms of the Schools (Consultation) (Scotland) Act 2010, relating to the proposed closure of Milton of Balgonie Primary School and rezoning of the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools;
- (ii) approve the content of the statutory Consultation Proposal paper, in terms of the Schools (Consultation) (Scotland) Act 2010, relating to the proposed rezoning of the catchment areas of Bell Baxter High School and Madras College;
- (iii) approve the content of the statutory Consultation Proposal paper, in terms of the Schools (Consultation) (Scotland) Act 2010, relating to the proposed rezoning of the catchment areas of Carnegie Primary School and Touch Primary School;
- (iv) authorise officers to proceed to statutory consultation in terms of each Consultation Proposals;
- (v) authorise officers to make such amendments to the Consultation Proposal papers (including the timeline) as may be necessary; and
- (vi) note that the Consultation Reports will be brought forward to a future Committee of the Council.

Resource Implications

There are no resource implications relating to finance, people or assets. A significant amount of officer time will be dedicated to the consultation process

Legal & Risk Implications

The consideration and determination of this report is by the Council acting as education authority.

Impact Assessment

An EIA (Equalities Impact Assessment) was not required in the preparation of this report. Full impact assessments will be carried out as part of any statutory consultation process.

Consultation

Discussion has taken place with the Headteachers of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools.

The Education Service wrote to all parents living in the Milton of Balgonie Primary School catchment area in July 2019 to advise them on the position of the school. The Education Service also held a parental meeting, in Coaltown of Balgonie Primary School on 28 January 2020 to allow parents an opportunity to ask questions about education provision. A further letter was sent to parents in January 2021 advising them of the current position with Milton of Balgonie Primary School and to notify parents that the Education Service would be seeking approval by the Education & Children's Services Sub-Committee to mothball the school with immediate effect.

Discussion has taken place with the Headteachers of Balmerino Primary School, Bell Baxter High School and Madras College.

Discussion has taken place with the Headteachers of Carnegie Primary School and Touch Primary School.

1.0 Background

1.1 The proposal to close Milton of Balgonie Primary School and rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools

1.1.1 Milton of Balgonie is a small rural school with capacity for 75 pupils.

Year	School Roll
2013	27
2014	24
2015	26
2016	26
2017	23
2018	14
2019	0
2020	0
2021	0
2022	0

1.1.2 The Milton of Balgonie Primary School roll has steadily declined in recent years. The school roll for this year, and the previous 6 years, is as follows:

1.1.3 At the end of academic session 2018/19, the expected school roll for August 2019 was to be one pupil. The Headteacher advised the parent of the pupil that this would be the case after which the parent decided to move their child to Coaltown of Balgonie Primary School. The school was therefore not operational from August 2019.

- 1.1.4 The Education and Children's Services Sub-Committee, on 26 January 2021, considered the recommendation to formally mothball Milton of Balgonie Primary School as the school had had no pupils enrolled for the academic session from August 2019, August 2020 or for August 2021.
- 1.1.5 The school has been formally mothballed since January 2021 and there has been no attempt by parents to seek the reopening of Milton of Balgonie Primary School for academic session 2019/20, 2020/21 or 2021/22. All pupils in this area have enrolled at Coaltown of Balgonie Primary School or made placing requests to attend other schools.
- 1.1.6 The Committee Decision of 26 January 2021 was:
- (a) to mothball Milton of Balgonie Primary School with immediate effect;
 - (b) that, during the mothballing period, any children wishing to enrol at Milton of Balgonie Primary school would be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they meet the distance criteria;
 - (c) that the resources and furniture within the school be offered to surrounding schools; and
 - (d) that a further report reviewing the decision be considered by the Sub-Committee in September 2021.
- 1.1.7 The Education Service wrote out to all parents of pupils living in the Milton of Balgonie Primary School catchment area on 1 November 2021 advising that an update paper regarding Milton of Balgonie Primary School would be submitted to the Education and Children's Services Sub-Committee on 9 November 2021. On that date, the Committee agreed:-
- (1) to continue with the existing mothballing arrangements for Milton of Balgonie Primary School;
 - (2) that, during the mothballing period, any children wishing to enrol at Milton of Balgonie Primary School would continue to be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they met the distance criteria; and
 - (3) that a further review by the Education Service would take place in June 2022, reporting the outcomes to the earliest relevant and available Committee of the Council thereafter.
- 1.1.8 The school has been mothballed since January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight. There has been no attempt by parents to enrol any pupils in Milton of Balgonie Primary School for academic sessions 2020/21, 2021/22 or 2022/23. For session 2022/23, there are fewer than 5 possible pupils living in the Milton of Balgonie Primary School catchment area, each of whom have enrolled at Coaltown of Balgonie Primary School.+
- 1.1.9 The term 'mothballing' is used to refer to a temporary decision to close a school where the roll has fallen to zero. Mothballing, rather than closing a school, gives the opportunity for it to reopen should circumstances change. Therefore, the decision to mothball the school was taken, as temporary measure at that point in time, as an alternative to full closure which would require statutory consultation in accordance with the Schools (Consultation) (Scotland) Act 2010.

1.1.10 The recommendations in this report reflect the outcome of the review of the decision to mothball the school.

1.2 Review of the decision to mothball Milton of Balgonie Primary School

1.2.1 Milton of Balgonie Primary School has remained mothballed since January 2021. A review of the decision to mothball the school was carried out in November 2021 based on the current status of the school roll, the projected roll and any feedback received from stakeholders. The outcome of the review was to continue with the mothballing and review the number of catchment pupils and their enrolment choices for session 2022/23.

1.2.2. No parents of pupils living in this area have requested that Milton of Balgonie Primary School be reopened for the August 2022/23 session.

1.2.3 Updated birth information has shown that the births in the catchment area have not significantly increased in the last year and there is no other significant increased growth in pupil population anticipated in this area.

1.2.4 There have been no requests to enrol a pupil and no feedback has been received following the letter of 1st November 2021. This letter provided information on the decision of the Education and Children's Sub-Committee of 26 January 2021, update on house building and births in the area and notification that the Education Service would be seeking recommendation at Committee on 9 November 2021 to continue with existing mothballing arrangements.

1.2.5 Therefore, the review concluded that, considering the above, and the extant decision to mothball the school and the most recent review in June 2022 of the mothballing arrangements, the Education Service should move toward closure of the school. The reasons for mothballing remain and there is unlikely to be any change.

1.2.6 Therefore, the Education Service is presenting a proposal paper for the closure of Milton of Balgonie Primary School and the rezoning of the catchment area of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools.

1.2.7 As part of the review process, the Education Service took the opportunity to review the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools alongside the proposed Milton of Balgonie Primary School closure. This allowed an opportunity to realign the school catchment areas whilst maximising occupancy at Thornton and Pitteuchar East Primary Schools based on existing and future housing plans.

1.3 The proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College

1.3.1 Rathillet Primary School has not operated as a primary school since academic session 2009/2010. The school was mothballed until a statutory consultation was held in September 2013 to close the primary school. The school formally closed in April 2014 and the catchment area of Rathillet Primary School was rezoned to Balmerino Primary School. The former Rathillet Primary School catchment area falls within the Bell Baxter High School catchment area and the Balmerino Primary School catchment area falls within the Madras College catchment area.

1.3.2 At the time of formulating a proposal to close Rathillet Primary School, a proposal was not formed to rezone the secondary school catchment areas. Until such time as a proposal was completed, the pupils residing in the former Rathillet Primary School catchment area were afforded the opportunity to attend either their catchment secondary school, Bell Baxter High School or Madras College by making a placing request.

- 1.3.3 Although this does not represent a sizeable number of pupils who are affected by the catchment anomaly, a decision is required to formally change the secondary catchment area of Balmerino Primary School to ensure that it is zoned to one secondary school.
- 1.3.4 Prior to formulating the proposal, officers reviewed all the relevant data and information on pupil location and pupil choices for both Bell Baxter High School and Madras College.
- 1.3.5 It was concluded that the recommendation within the proposal should be that the catchment area of Balmerino Primary School, as a whole, should be included in the Madras College cluster and within the Madras College catchment area.

1.4 The proposal to rezone the catchment areas of Carnegie Primary School and Touch Primary School

- 1.4.1 The Education Service is required to plan and review its learning estate based on current and future role projection information to mitigate any capacity pressures on schools because of new housing developments in the catchment areas or demographic trends.
- 1.4.2 In Fife, the education authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated to a denominational (Roman Catholic) and non-denominational primary and secondary school known as catchment schools.
- 1.4.3 The number of proposed homes in each school catchment area varies and the expected number of new homes built will change year by year, largely dependent upon the market rate of the sale of new homes. Fife Council must be responsive to these variations to ensure that the school estate is sufficient in size to manage pupil demand. This response may require the review of primary and secondary school catchment areas.
- 1.4.4 Carnegie Primary School was opened to pupils in August 2011 with a maximum capacity at that time for 434 pupils. Due to the expansion of this area to include new housing developments, multi-purpose rooms and the 3 classrooms available to support children with additional support needs were reconfigured to support the increase in the school roll. This increase has continued and because of new housing in the catchment area, not previously designated for housing, a 4 classroom extension was completed in 2016 to accommodate new pupils.
- 1.4.5 The demand for places within Carnegie Primary School has continued although the full number of catchment pupils are not attending the school. This may be down to parental choice or pupils choosing to attend denominational schools. With this in mind, the school has continued to operate above the maximum occupancy (based on the number of designated teaching spaces) with the use of multi-purpose areas to accommodate pupils which has impacted of the ability of staff to deliver the full breadth of the curriculum in different learning spaces.
- 1.4.6 The remaining housing sites within the Carnegie Primary School catchment area are planned or are currently on site and there is no opportunity for additional pupils to be accommodated within Carnegie Primary School. There is no opportunity to add on temporary accommodation to Carnegie Primary School due to site constraints.
- 1.4.7 Touch Primary School has been extended by 4 classes to support house building in its catchment area with the proposed development of the former Lynebank Hospital North site. Other development sites, Lynebank Hospital South and South Fod are in close proximity to each other, however, the Lynebank Hospital South is partially contained in both the Carnegie Primary School and Touch Primary School catchments areas. The

decision to increase the school by 4 classes was made to ensure that sufficient capacity exists across primary education in this part of Dunfermline to accommodate new pupils from these developments.

- 1.4.8 To resolve these catchment anomalies and to ensure that new housing developments can be, as far as possible, zoned to one primary school catchment area, a proposal has been formulated to rezone the catchment areas.
- 1.4.9 Prior to formulating the proposal, officers have reviewed all the relevant data and information on pupil locations and pupil choices in this area of Dunfermline.
- 1.4.10 It was concluded that the recommendation within the proposal should be that the primary catchment areas of Carnegie Primary School and Touch Primary School should be rezoned to ensure that sufficient capacity is available across the area to respond to the challenges of new developments and to ensure the school estate is sufficient in size to manage the pupil demand.

2.0 Consultation Documents

2.1 The Schools (Consultation) (Scotland) Act 2010, as amended, provides for the publication of a proposal paper that:

- Sets out the details of the relevant proposal
- Proposes a date for the implementation of the proposal
- Contains the educational benefits statement for the proposal
- Refers to such evidence or other information in support of the proposal as the Council considers appropriate.

2.2 The three specific proposal documents are attached as Appendices to this report. The documents will form the basis of the statutory consultations. Copies of the proposal documents will be made available to all the relevant statutory consultees.

2.3 The statutory consultees are:

- The parent council of any affected school
- The parents of the pupils at any affected school
- The parents of any children expected by the Council to attend the school in the next two years
- The pupils at any affected school (in so far as the Council considers them to be of suitable age and maturity)
- The staff of any affected school
- Relevant trade unions
- The community council
- The users of any affected school that the Council considers relevant.
- Community Planning Partnership (if any)
- Any other Community Partnership the Council considers relevant
- Any other education authority the Council considers relevant

3.0 Proposed Consultation Timeline

3.1 The proposed timeline for the proposal to close Milton of Balgonie Primary School and rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools is as follows:

22 September 2022	Consultation proposal considered by Fife Council 's Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation
5 October – 1 December 2022	Consultation live (period of 31 school days)
10 October – 21 October 2022	School holidays
	<p>Public meetings held on:</p> <ul style="list-style-type: none"> •Coaltown of Balgonie PS on Wednesday 26 October from 6-7 pm •Pitteuchar East PS on Wednesday 2 November from 6-7 pm •Thornton PS on Wednesday 23 November from 6-7 pm <p>Drop-in sessions at:</p> <ul style="list-style-type: none"> •Village Hall, Dickson Lane, Milton of Balgonie on Wednesday 26 October from 3.30-4.30 pm •Coaltown of Balgonie PS on Wednesday 26 October from 5-6 pm •Pitteuchar East PS on Wednesday 2 November from 6-7 pm •Pitteuchar East PS on Thursday 10 November from 2.30-3.30 pm •Coaltown of Balgonie PS on Monday 14 November from 2.30-3.30 pm •Thornton PS on Wednesday 15 November 2022 from 2.30-3.30 pm •Thornton PS on Wednesday 23 November 2022 from 6-7 pm
1 December 2022	Consultation Close
9 December 2022	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3-week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before the Cabinet Committee.
9 March 2023	Report submitted to the Cabinet Committee

3.2 The proposed timeline for the proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College is as follows:

22 September 2022	Consultation proposal considered by Fife Council's Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation.

5 October – 1 December	Consultation live (period of 31 school days)
10 October – 21 October 2022	School holidays
	<p>Public meetings held on:</p> <ul style="list-style-type: none"> • Madras College High School on Thursday 27 October from 6-7 pm • Bell Baxter High School on Thursday 10 November 2022 from 6-7 pm <p>Drop-in sessions at:</p> <ul style="list-style-type: none"> • Balmerino Primary School on Thursday 26 October 2022 from 2.45-3.30 pm • Madras College on Thursday 26 October from 5-6 pm • Balmerino Primary School on Thursday 10 November from 2.45-3.30 pm • Bell Baxter High School on Thursday 10 November from 5-6 pm
1 December	Consultation close
9 December	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3-week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before Cabinet Committee
9 March 2023	Report submitted to the Cabinet Committee

3.3 The proposed timeline for the proposal to rezone the catchment areas of Carnegie Primary School and Touch Primary School is as follows:

22 September 2022	Consultation proposal considered by Fife Council's Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation
5 October – 1 December 2022	Consultation live (period of 31 school days)
10 October – 21 October 2022	School holidays
	<p>Public meetings held on:</p> <ul style="list-style-type: none"> • Carnegie Primary School on Wednesday 26 October from 6.00-7.00 pm • Touch Primary School on Tuesday 1 November 2022 from 6.00-7.00 pm <p>Drop in sessions at:</p> <ul style="list-style-type: none"> • Carnegie Primary School on Tuesday 25 October 2022 from 8.45-9.30 am • Carnegie Primary School on Wednesday 26 October from 5-6 pm

	<ul style="list-style-type: none"> • Carnegie Primary School on Tuesday 1 November from 2.30-3.30 pm • Touch Primary School on Tuesday 25 October at 2.30 - 3.30 pm • Touch Primary School on Wednesday 26 October 2022 from 8.45-9.30 am • Touch Primary School on Tuesday 1 November from 5-6 pm
1 December 2022	Consultation Close
9 December 2022	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3 week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before the Cabinet Committee
9 March 2023	Report submitted to the Cabinet Committee

4.0 Conclusions

4.1 This report provides the detailed proposal papers relating to:

the proposal to close Milton of Balgonie Primary School and to rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools; the proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College and the proposal to rezone the primary catchment areas of Carnegie Primary School and Touch Primary School. These proposal papers meet the requirements of the Schools (Consultation) (Scotland) Act 2010.

List of Appendices

Appendix A - Proposal Document: The proposal to close Milton of Balgonie Primary School and to rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools

Appendix B - Proposal Document: The proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College

Appendix C - Proposal Document: The proposal to rezone the primary catchment areas of Carnegie Primary School and Touch Primary School.

Background Papers

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

Schools (Consultation) (Scotland) Act 2010

<https://www2.gov.scot/Resource/0047/00477028.pdf>

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FIFE COUNCIL EDUCATION & CHILDREN'S SERVICES DIRECTORATE

THE CONSULTATION PROCESS

The following schools are affected by this Proposal Document:

- Milton of Balgonie Primary School
- Pitteuchar East Primary School
- Coaltown of Balgonie Primary School
- Thornton Primary School

This document has been issued by Fife Council as a proposal paper in terms of the Schools (Consultation) (Scotland) Act 2010.

DISTRIBUTION

A copy of this document is available on the Fife Council website:

<http://www.fife.gov.uk/miltonofbalgonieprimary>

A copy of this document will be provided to:

- The Parent Council of the affected schools
- The parents of the pupils at the affected schools
- The parents of those pupils expected to attend the affected schools within 2 years
- The parents of those pupils expected in any of the nurseries associated within the primary school catchment areas listed above
- The pupils at the affected schools
- School staff at the affected schools
- The trade unions representatives of the above staff
- The Community Councils (Milton & Coaltown of Balgonie, Pitteuchar, Stenton & Finglassie and Thornton)
- Relevant users of the affected schools
- Community Associations
- Community Planning Partnerships
- MSPs for the area (Jenny Gilruth, Murdo Fraser, Alex Rowley, Liz Smith, Claire Baker, Dean Lockhart, Alexander Stewart, Mark Ruskell)
- The Constituency MP (Peter Grant)

A copy of this document is also available from:

- Main Reception, Fife House, Glenrothes KY7 5LT
- The primary schools affected by the proposal (Coaltown of Balgonie, Thornton and Pitteuchar East Primary Schools)
- Auchmuty High School, Dovecot Road, Glenrothes, KY7 5JL
- Or email sustainableschoolestate.enquiries@fife.gov.uk

This document can be made available, on request, free of charge, in alternative formats or in translated form for readers whose first language is not English. Please apply in writing to: Education & Children's Services Directorate, 4th Floor, Fife House North Street, Glenrothes or by email to: avril.graham@fife.gov.uk (Telephone 03451 555555 ext. 444204). Page 43 of this document provides additional contact numbers, in different languages.

SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT

1. Consideration by the Cabinet Committee

This Proposal Document has been issued as a result of a decision taken by the Cabinet Committee of Fife Council on Thursday 22 September 2022. Views are now sought in formal consultation on the proposals in this document.

2. Proposal Document issued to consultees and published on Council Website

A copy of this document will be issued free of charge on request by emailing sustainableschoolestate.enquiries@fife.gov.uk, and will also be published on the Council website: <http://www.fife.gov.uk/miltonofbalgonieprimary>

3. Publication of advertisement in local newspapers

An advertisement will be placed in the relevant local newspapers and information provided through Fife Council's social media – Facebook and Twitter. An advertisement will be placed in local newspapers, week commencing Monday 3 October 2022.

4. Length of Consultation period

The consultation will commence on Wednesday 5th October and will, thereafter, run until close of business on Thursday 1 December 2022, which covers the minimum statutory consultation period of 30 school days (31 days).

5. Public meeting/information sessions

Although only one public meeting is required, the Education Service will hold a public meeting in each of the following schools:

- Pitteuchar East Primary School on Monday 24 October 2022 from 6-7 pm
- Coaltown of Balgonie Primary School on Monday 31 October from 6-7 pm
- Thornton Primary School on Monday 14 November 2022 from 6-7 pm.

At the public meeting there will be opportunities for parents/carers/pupils and other stakeholders to:

- hear more about the proposal and any alternatives to the proposal considered by the Council
- ask questions about the proposal and the alternatives
- have your views recorded so that they can be taken into account as part of the consultation process, including views on any alternatives to the proposal.

In addition to the public meetings offered above, informal drop-in sessions will be offered at the following venues:

- Coaltown of Balgonie Primary School on Monday 24 October from 2.30-3.30 pm
- Village Hall, Dickson Lane, Milton of Balgonie on Monday 24 October from 3.45-4.30 pm
- Pitteuchar East Primary School on Monday 24 October from 5-6 pm
- Thornton Primary School on Monday 31 October 2022 from 8.45-9.30 am
- Thornton Primary School on Monday 31 October 2022 from 2.30-3.30 pm
- Coaltown of Balgonie Primary School on Monday 31 October from 5-6 pm
- Coaltown of Balgonie Primary School on Wednesday 9 November from 8.45-9.30 am
- Pitteuchar East Primary School on Monday 14 November 2022 from 8.45-9.30 am
- Thornton Primary School on Monday 14 November 2022 from 5-6 pm

At the informal drop-in sessions, there will be opportunities for parents/carers/pupils and other stakeholders to:

- hear more about the proposal and any alternatives to the proposal considered by the Council
- ask questions about the proposal and the alternatives
- complete a consultation response form.

6. Responding to the Proposal

Interested parties can also respond to this proposal document by making a written representation by letter, email or completion of a Consultation Response Form on the proposal before Thursday 1 December 2022, to any of the following:

- sustainableschoolestate.enquiries@fife.gov.uk
- Milton of Balgonie Primary School Proposal, Education & Children's Services Directorate, Fife Council, 4th Floor (West), Fife House, North Street, Glenrothes KY7 5LT
- Completing an online Consultation Response Form at ([Managing Our School Estate | Fife Council](#))

7. Involvement of Education Scotland

A copy of the proposal paper will be sent to Education Scotland by Fife Council. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agrees, a summary of them. Education Scotland will further receive a summary of any oral representation made to the Council at the public meetings and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare and submit a report on the educational aspects of the proposal within a 3-week period (unless the Council and Education Scotland agree a longer period) after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3-week period will not start until after the consultation period ends. Education Scotland may make such reasonable enquiries of such people at the school as they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

8. Preparation of Consultation Report

The Council will review the proposal having regard to the Education Scotland Report and written representations that it has received. In addition, oral representations made at the public meetings will form part of that review. It will then prepare a Consultation Report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations and a summary of the oral representations made at the public meeting as well as a copy of the Education Scotland Report and any other relevant information, including details of any alleged inaccuracies and how these have been handled. The report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the Education Scotland Report and representations (both written and oral) that it received. It will also explain the opportunity that may arise for making representations to Scottish Ministers in respect of call-in of the proposal. The Consultation Report will be published and available for further consideration for a period of 3 weeks.

9. Decision

The Consultation Report, together with any other relevant documentation, will be considered by the Cabinet Committee of Fife Council, which will come to a decision whether to implement the proposal, in whole or in part, or not. The decision of the Cabinet Committee will be subject to the Council's internal governance procedures before it becomes final. If the Council decides to implement the proposal, in whole or in part, the decision will be notified to the Scottish Ministers.

10. Scottish Ministers Call-in

Fife Council will notify the Scottish Ministers of the decision and give them a copy of the Proposal Paper and Consultation Report within 6 days of the Council making a decision to implement the proposal in whole or in part. The Council will also publish the fact it has done so on its website together with details on how to make representations to Scottish Ministers. The Scottish Ministers have an 8-week period, from the date of the Council's decision, to decide if they will call-in the proposal. Any call-in by the Scottish Ministers will only apply to the closure of Milton of Balgonie Primary School. Within the first 3 weeks of that 8-week period, the Scottish Ministers will take account of any relevant representations made to them by any person. Unless the Scottish Ministers inform the Council that they do not intend to call-in the proposal before the end of the 8-week period, the Council will not proceed to implement any proposal during the 8-week period. If the Scottish Ministers decide to call in a closure proposal, they must refer it to the Convener of the School Closure Review Panels for determination by a School Closure Review Panel. The authority may not implement the proposal in whole or in part unless the Panel has granted consent to it (with or without conditions) and either the period for making an appeal to the sheriff has expired or, if an appeal has been made, it has either been abandoned or the sheriff has confirmed the Panel's decision.

Until the outcome of any call-in has been notified to the Council, it is unable to proceed to implement the proposal.

The Scottish Ministers can issue a call-in notice if they consider that the Council has failed in a significant regard to comply with the requirements of the Schools (Consultation) (Scotland) Act 2010, which are relevant to the closure proposal or if they consider that the Council has failed to take proper account of a material consideration relevant to the decision to implement the closure proposal.

11. Note on Corrections

If during the consultation period any inaccuracy or omission is discovered in this proposal document, either by the Council or any other person, the Council will determine whether relevant information has in its opinion been omitted or if there is in fact an inaccuracy. It will then take appropriate action in respect of the inaccuracy or omission which may include issuing a notice in respect of the inaccuracy or omission, extending the consultation period or publishing a correct proposal document and giving revised notice of the consultation. Where applicable, the notifier of the inaccuracy or omission will be advised of the determination, the reasons for that determination and the action (if any) it is taking and of the reasons why it is or is not taking such action and the notifier will be invited to make representations to the Council if they disagree with the determination or decision whether to take action.

Fife Council

Education & Children's Services Directorate

THE CONSULTATION PROPOSAL

**PROPOSAL TO CLOSE MILTON OF BALGONIE PRIMARY SCHOOL
AND TO REZONE THE CATCHMENT AREAS OF COALTOWN OF
BALGONIE, PITTEUCHAR EAST AND THORNTON PRIMARY
SCHOOLS**

Format of the Proposal Document

1. Introduction
2. The Proposal
3. Contextual Analysis
4. Milton of Balgonie Primary School - The Case for Closure
5. Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools - The Case for Rezoning the Catchment Areas
6. Educational Benefits Statement
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11. Financial Implications
12. Grant Aided Expenditure (GAE)
13. Future Use of The Site
14. Community Impact of the Closure
15. Summary of Proposal
16. Proposed Date for Implementation
17. Statutory Consultation Process – Proposed Timeline

Appendices

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| Appendix 1 | Map of existing catchment areas – Coaltown of Balgonie and Milton of Balgonie |
| Appendix 2 | Map of existing catchment areas including Pitteuchar East and Thornton Primary Schools |
| Appendix 3 | Map of existing Milton community and wider community |
| Appendix 4 | Map of proposed Coaltown of Balgonie Primary School catchment area |
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| Appendix 6 | Map of proposed Thornton Primary School catchment area |
| Appendix 7 | Map showing proposed catchment areas with the A92 regional road |
| Appendix 8 | Travel route currently in use by pupils being transported from Milton of Balgonie village to Coaltown of Balgonie Primary School. |
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1 Introduction

- 1.1 This consultation paper documents the rationale and implications in respect of the proposal to close Milton of Balgonie Primary School and to rezone the primary catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools.
- 1.2 This paper also sets out the consultation process, the timescales and the ways by which parents/carers and stakeholders can give feedback/make representations on the proposal.
- 1.3 To ensure that the school estate provides best value, the Education and Children's Services Directorate must ensure that the number of pupil places is matched as efficiently as possible to the numbers of pupils living in each catchment area.
- 1.4 In Fife, the Education Authority discharges its duty to secure adequate and efficient education for the local authority area by operating a "catchment" system, to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated with a denominational (Roman Catholic) and non-denominational primary and secondary school, known as catchment schools. Parents can check their catchment area at [Check school catchment areas | Fife Council](#).
- 1.5 There are no proposed changes to the denominational primary and secondary catchment areas associated within the proposal.
- 1.6 This paper details the closure proposal for Milton of Balgonie Primary School and the rezoning of the catchment area for Coaltown of Balgonie Primary School. Whilst reviewing the information in respect of the proposal to close Milton of Balgonie Primary School, the Education Service also appraised the school occupancy, catchment boundaries, births and proposed housing development sites in Coaltown of Balgonie, Milton of Balgonie, Pitteuchar East and Thornton Primary Schools. In light of that, this paper also details the proposal to rezone the catchment areas of Pitteuchar East and Thornton Primary Schools. However, parents will continue to have the right to exercise parental choice and to make placing requests to alternative schools, subject to the normal constraints of school capacity.
- 1.7 The catchment areas of all 4 primary schools were established before the A92 regional road was constructed. The A92 now intercepts these catchment areas. This has resulted in catchment boundary anomalies for housing development sites situated on the west of the A92 regional road, having been constructed many years after catchment areas were formed. For example, part of the planned new housing at Westwood Park and the entire completed site of Lochtyview Way currently lie within the Coaltown of Balgonie Primary School catchment area.
- 1.8 Taking the opportunity to review this alongside the proposed Milton of Balgonie Primary School closure will allow the Education Service an opportunity to realign the school catchment areas whilst maximising occupancy at Thornton and Pitteuchar East Primary Schools based on existing and future house plans.
- 1.9 A number of factors have been considered in carrying out the review. These include incorporating potential additional pupils from the 2 new housing developments (one in Coaltown and one in Milton village with no planning consent), reviewing latest placing request statistics and trends, and potential opportunities to realign catchments geographically. The inclusion of these factors demonstrate that the Education Service is anticipating future housing development and building capacity and resilience, ensuring that school occupancy levels now, and in the future, can be managed.

- 1.10 During academic session 2018/19, Milton of Balgonie operated as a single teacher primary school covering all primary stages within one class. At the end of academic session 2018/19 the expected school roll for August 2019 was to be one pupil. The Headteacher advised the parent of the pupil that this would be the case, after which the parent decided to move their child to Coaltown of Balgonie Primary School. For session 2019/20, all Primary 1 pupils living in the Milton of Balgonie Primary School catchment area had enrolled within Coaltown of Balgonie Primary School or made a placing request to other primary schools.
- 1.11 Due to this unanticipated situation, the Education Service wrote to all parents, in June 2019, and arranged free school transport to Coaltown of Balgonie Primary School for those distance entitled pupils living in the Milton of Balgonie Primary School catchment area, commencing from August 2019. There are currently fewer than 10 pupils living in the Milton of Balgonie Primary School catchment who receive free transport to Coaltown of Balgonie Primary School. There is one collection point in Milton of Balgonie and the drop off point at Coaltown of Balgonie is in the car park adjacent to the school. Pupils are escorted from the school to the taxi or minibus.
- 1.12 In terms of staff resources, for the last academic session where the school was operational, Milton of Balgonie Primary School had one teacher, one Pupil Support Assistant (PSA) and one Clerical Assistant (i.e. as at June 2019). A Catering Assistant was also employed by the Council's Facilities Management Service. These members of staff accepted transfer to alternative schools, to suit their own individual circumstances. The PSA from Milton of Balgonie joined the staff at Coaltown of Balgonie Primary School, which supported effective transition for existing Milton of Balgonie Primary School pupils.
- 1.13 Engagement continued with the parents/carers within the Milton of Balgonie Primary School catchment area. The Education Service invited nursery parents, with children due to start Primary 1 in August 2020, to a meeting in Coaltown of Balgonie Primary School on 28 January 2020. Two families attended this meeting with the Head of Service and the Coaltown of Balgonie Primary School Headteacher. This meeting was held to allow parents an opportunity to ask questions about education provision.
- 1.14 In January 2020, the Education Service was aware that all the expected Primary 1 pupils living in the Milton of Balgonie School catchment area had enrolled at either Coaltown of Balgonie Primary School for session 2020/21 or made placing requests to other primary schools. The Milton of Balgonie school roll remained 0 for session 2020/21.
- 1.15 The Education Service wrote to parents in January 2021 advising them of their decision to request the mothballing of Milton of Balgonie Primary School and asked parents to provide any feedback if they were unhappy with this approach. No feedback was received by the Education Service or through direct contact with the Headteacher.
- 1.16 Therefore, as Milton of Balgonie Primary School was again expected to have no pupils for session 2021/22, the Education Service sought permission to mothball the school, through a report to the Education & Children's Services Sub-Committee on 26 January 2021.
- 1.17 The Education & Children's Services Sub-Committee, on 26 January 2021 considered the recommendation to mothball Milton of Balgonie Primary School as the school had had no pupils enrolled for any academic session from August 2019 onwards. The Committee Decision of 26 January 2021 was:

- (a) to Mothball Milton of Balgonie Primary School with immediate effect.
- (b) that during the mothballing period, any children wishing to enrol at Milton of Balgonie Primary School will be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they meet the distance criteria.
- (c) that the resources and furniture within the school be offered to surrounding schools; and
- (d) that a further report reviewing the decision be considered by the Sub-Committee in September 2021.

1.18 The Education Service wrote to all parents of pupils living in the Milton of Balgonie Primary School catchment area on 1 November 2021 advising that an update paper regarding Milton of Balgonie Primary School would be submitted to the Education & Children's Services Sub-Committee on 9 November 2021. The Committee on the 9 November agreed:

- (1) to continue with the existing mothballing arrangements for Milton of Balgonie Primary School;
- (2) that, during the mothballing period, any children wishing to enrol at Milton of Balgonie Primary School would continue to be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they met the distance criteria; and
- (3) that a further review by the Education Service would take place in June 2022, reporting the outcomes to the earliest relevant and available Committee of the Council thereafter.

1.19 The school has been mothballed since January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight. There has been no attempt by parents to enrol any pupils in Milton of Balgonie Primary School for academic sessions 2020/21, 2021/22 or 2022/23. For session 2022/23 fewer than 5 pupils from the Milton of Balgonie Primary School catchment area enrolled at Coaltown of Balgonie Primary School.

1.20 This proposal paper reflects the outcome of the review of the decision to mothball the school, which is to proceed with this proposal to close Milton of Balgonie Primary School and rezone the catchment area of Coaltown of Balgonie Primary School and also to rezone the catchment areas of Pitteuchar East and Thornton Primary Schools. As Milton of Balgonie Primary School is a rural school, as required by Section 12A (2) (a), of the Schools (Consultation) (Scotland) Act 2010, this proposal identifies the reasons for formulating the proposal. These are:

- (a) Milton of Balgonie Primary School has had no pupils enrolled for academic sessions 2019/20, 2020/21, 2021/22 and 2022/23.
- (b) Milton of Balgonie Primary School has been mothballed since January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight.
- (c) There has been no attempt by parents living in the Milton of Balgonie Primary School catchment area to seek to enrol pupils in Milton of Balgonie Primary School since August 2019.

- (d) Updated birth information has shown that the births in the catchment area have not significantly increased in the last year and there is no other anticipated increased growth in pupil population in the catchment area from, for example, large scale housing development of over 100 units.
- (e) Milton of Balgonie Primary School does not meet 2 of the Fife Council guiding principles as outlined in para. 3.1.

2 The Proposal

2.1 The proposal is to:

- (a) Close Milton of Balgonie Primary School on 30 June 2023.
- (b) Rezone the catchment area of Coaltown of Balgonie Primary School to incorporate all the current catchment area of Milton of Balgonie Primary School, from 30 June 2023.
- (c) Seek alternative uses for the Milton of Balgonie Primary School site.
- (d) Rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools, to realign these primary school catchments from 30 June 2023.

2.2 After the consultation, a final report will be submitted to a future meeting of the Cabinet Committee. If approved, the closure and changes to the catchment areas would be implemented on 30 June 2023. Nursery aged pupils transferring to Primary 1 in August 2023 would enrol in their existing primary school in January 2023. The new primary catchment areas will take effect from 30 June 2023 for all future pupils.

3 Contextual Analysis

3.1 Guiding Principles

3.1.1 The Council has set a number of guiding principles for reviewing the school estate, which were agreed by the Council's Executive Committee on 2 October 2012, following a Fife school review, and more recently at the Education & Children's Services Committee on 28 August 2018:

- (a) Every school should be rated as 'A' or 'B' for both condition and suitability, to include a number of accessible schools in each geographical area.
- (b) Schools should have an occupancy rate greater than 60% of capacity and, in order to ensure equity in provision, schools should be operating within an optimal occupancy and efficiency range of 80-100%. Consideration should be given to establishing a minimum number of pupils in any school which is less than 5 miles from another school; therefore, schools should have a minimum of 3 classes, recognising that effective learning requires interaction between pupils. This group activity is most effective when children are of a similar age and, to enable this, where possible schools should have a minimum roll of 50 pupils.
- (c) A strategy for a sustainable school estate should support the progressive reduction in the overall carbon footprint for the Council.

3.2 Review Factors

3.2.1 The factors considered in the review of the school estate include:

- Educational benefits
- Condition surveys

- Suitability assessments
- Recent investment in school buildings
- Energy performance data
- School roll projections and capacities
- Catchment areas, including impact of Strategic Development Allocations and Local Development Plans
- Cost per pupil
- Distance to nearest school
- Best Value model for existing Public Private Partnership (PPP) contracts i.e. increasing occupancy.

3.3 New Housing Developments within Milton of Balgonie, Coaltown of Balgonie, Pitteuchar East and Thornton Primary School Catchment Areas

- 3.3.1 Fife Council adopted the Fife Local Development Plan on 21 September 2017, following a review by the Scottish Government. This plan sets out the planning policies and proposals for the development and use of land across Fife.
- 3.3.2 The roll projection model includes methodology to identify pupil numbers from new housing development sites that are included in the Housing Land Audit. This is published annually and provides the most up to date information on site status, including whether sites have planning consent, are under construction, have no consent or indeed whether there are any constraints such as marketing or no interest demonstrated by a developer.
- 3.3.3 Included in the latest publication there is a single site with an estimated capacity of 63 units (Balfour Place/Main Street GLE144) in the Milton of Balgonie Primary School catchment area. This site is projected to start with 6 units built within 2025 and 51 units built post 2026. In the Coaltown of Balgonie Primary School catchment area there are 3 sites, 2 with marketing constraints and a single site at Pytree Road North for 23 units. The Pytree Road North site has been included in the school roll projections for Coaltown of Balgonie Primary School and is expected to start in 2024/25. To date, there have been no formal planning applications received for these sites.
- 3.3.4 Westwood Park (GLE102) is a strategic development area for 420 units, which currently extends into both catchment areas for Pitteuchar East Primary School and Coaltown of Balgonie Primary School. Although this site is split between these 2 catchment areas, the Education Service has assumed within the projected school rolls for Pitteuchar East that new projected pupils from the entire site would attend Pitteuchar East Primary School. This site is in the initial stages of construction with a phasing of 24 units per year over a 15-year period (2022-2039).
- 3.3.5 A planning application for the first 300 units of a Strategic Development Area (SDA) site within the Thornton Primary School catchment area has been received. Although new pupils from the first 300 units can be accommodated, together with the pupils from the Lochtyview development, an extension is required for the pupils from the additional 600 units, for which an education solution has been developed to be fully funded by the developer. There is no planning consent for this application to date.

4 Milton of Balgonie Primary School - The Case for Closure

4.1 Milton of Balgonie - Background Information

4.1.1 Milton of Balgonie Primary School is a small rural school with a maximum capacity for 75 pupils. The school roll for Milton of Balgonie Primary School has steadily declined over the past 9 years and for the last 3 academic sessions no pupils have enrolled in the school. There are currently 201 residential homes in the Milton of Balgonie catchment area. The previous rolls and occupancy rates were as follows:

School Year	School Roll	Capacity	Occupancy
2022	No census data available		
2021	0	75	0%
2020	0	75	0%
2019	0	75	0%
2018	14	75	19%
2017	23	75	31%
2016	26	75	35%
2015	26	75	35%
2014	24	75	32%
2013	27	75	36%
2012	29	75	39%
2011	27	75	36%
2010	24	75	32%

4.1.2 For academic session 2018/19 the school roll at Milton of Balgonie Primary School, of 14 pupils, consisted of 9 catchment pupils and 5 placing requests. There were 3 pupils who had no peers at the same primary stage. At the end of that academic session, 3 primary 7 pupils moved to secondary school and the remainder of the pupils moved to other primary schools for session 2019/20 as a result of parental choice. Therefore, in academic session 2019/20, there was one catchment pupil, due to start Primary 1, who would attend the school. Following a discussion with the Headteacher, this family enrolled at Coaltown of Balgonie Primary School. At that point it was agreed that the school would not be operational in August 2019.

4.1.3 The analysis of the census 2021 data highlights there were 11 pupils living in the catchment area. 6 of these 11 are enrolled within Coaltown of Balgonie and the other 5 have chosen alternative primary schools in the area. All pupils (fewer than 5) in the catchment area for session 2022/23 have enrolled at Coaltown of Balgonie Primary School or made a placing request to attend other primary schools.

4.1.4 Although there is planned housing development within the Local Development Plan for Fife within the existing Milton of Balgonie Primary School catchment area, which may have supported a declining school roll, there has been no formal planning application received to date. As detailed in section 3.3, this housing site has been available for construction since 2015 and phasing within the Housing Land Audit 2021 is highlighted as 2025/2026 for the development of this site.

4.1.5 Information provided by the NHS (Community Health Index records births up to 28 February 2022) has been used to identify the number of births in the Milton of Balgonie Primary School catchment area of those pupils who would be due to start school in the next 4 years. This figure is a snapshot of residence at birth and is subject to change where families may relocate into and out of a school catchment area. These are listed below:

August 2022	Fewer than 5 pupils
August 2023	Fewer than 5 pupils
August 2024	Fewer than 5 pupils
August 2025	Fewer than 5 pupils
August 2026	Fewer than 5 pupils

- 4.1.6 Prior to mothballing the school, the Education Service held a meeting with parents/carers, in January 2020, to outline the position. The Education Service monitored the school roll and reviewed the number of nursery pupils eligible to commence P1 in August 2020. None of the parents of nursery pupils formally requested a place for Primary 1 in Milton of Balgonie Primary School. The Education Service subsequently wrote to parents/carers of pupils living in the Milton of Balgonie Primary School catchment area to advise moving forward with a formal committee paper seeking approval to mothball the school. The Education Service did not receive any concerns in writing by parents.
- 4.1.7 Milton of Balgonie Primary School has been formally mothballed since January 2021 and has not been operational with staff and pupils since July 2019. The school building is currently being maintained by Property Services to ensure it is wind and watertight and all resources removed from the building to comply with Risk Management guidance. There has been no attempt by parents to enrol any pupils in Milton of Balgonie Primary School for academic session 2020/21, 2021/22 or 2022/23.
- 4.1.8 The transfer of existing pupils to Milton of Balgonie Primary School, prior to academic session 2019/2020, was managed appropriately by Education and Children Service's Directorate staff, school staff and parents/carers to ensure that children were supported through their transition of moving from one school to another. School staff supported the pupils, who moved from Milton of Balgonie Primary School to Coaltown of Balgonie Primary School in August 2019, to integrate into their new class setting and establish new friendships.
- 4.1.9 To date, the current Headteacher has not received any concerns from parents regarding the learning experience of Milton of Balgonie pupils within Coaltown of Balgonie Primary School. Parents of pupils from Milton of Balgonie have been very supportive and are happy with the current arrangement, as the small number of pupils have a much larger peer group within each of the primary stages.
- 4.1.10 Although Milton of Balgonie Primary School had a small area used for pupil dining, the school was not used for any (non-school) community activities during academic sessions 2016/17, 2017/18 and 2018/19. During the time the school was operational, Milton of Balgonie Primary school did not run a breakfast or after school club for pupils to attend as numbers would not have been financially viable.
- 4.1.11 A community centre is situated on Dickson Lane, which is used by local residents for community activities as well as used for voting during local elections. This is located 0.16 miles (250 metres) from Milton of Balgonie Primary School.

4.2 Milton of Balgonie – A Rural School

- 4.2.1 Milton of Balgonie Primary School is classified as an accessible rural school based on the criteria applied by the Scottish Government. As a result of this classification, and because fewer than 70 children were attending the school up until August 2019, the local authority received additional funding of £2900 per pupil per annum as a contribution to the higher cost of educating children in such settings.

4.2.2 As Milton of Balgonie Primary School is a rural school, when formulating this proposal the Council is required to:

- i. Identify the reasons for formulating the proposal, and
- ii. Consider whether there are any reasonable alternatives to the proposal as a response to those reasons.

4.2.3 In addition, to para 4.2.2, in the proposal the Council must also give special regard to:

- i. The likely effect on the local community in consequence of the proposal (if implemented), and
- ii. The likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).

4.3 The reasons for formulating the proposal

4.3.1 The Schools (Consultation) Scotland Act 2010 states that education authorities must identify the reasons for formulating a proposal to close a rural school. This proposal was formulated for the following reasons:

- (a) Milton of Balgonie Primary School has had no pupils enrolled for academic sessions 2019/20, 2020/21, 2021/22 and 2022/23.
- (b) Milton of Balgonie Primary School has been mothballed since January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight.
- (c) There has been no attempt by parents living in the Milton of Balgonie Primary School catchment area to seek to enrol pupils in Milton of Balgonie Primary School since August 2019.
- (d) Updated birth information has shown that the births in the catchment area have not significantly increased in the last year and there is no other anticipated increased growth in pupil population in the catchment area from, for example, large scale housing development of over 100 units.
- (e) Milton of Balgonie Primary School does not meet two of the Fife Council guiding principles as outlined in para. 3.1.

4.4 Reasonable alternatives to the proposal as a response to those reasons

4.4.1 The Education Service is required to consider whether there are any reasonable alternatives to the proposal when considering the reasons for the proposal as provided above.

4.4.2 Mothballing of Milton of Balgonie Primary School

4.4.3 As contained within the Schools (Consultation) (Scotland) Act 2010 Statutory Guidance, mothballing is an alternative to closure for local authorities. The term 'mothballing' is used to refer to a temporary decision to close a school where the roll has fallen to zero. Mothballing, rather than closing a school, gives the opportunity for it to reopen should circumstances change. Therefore, the decision to mothball the school was taken, as a temporary measure at that point in time, as an alternative to full closure which would require statutory consultation in accordance with the Schools (Consultation) (Scotland) Act 2010.

- 4.4.4 In circumstances where a school is mothballed rather than closed and some children and young people remain in the catchment area, this decision should be taken in consultation with parents involved, and the possibility should be raised as early as possible.
- 4.4.5 The Education Service arranged a meeting for any parent affected by the declining school roll in January 2020 and wrote to all parents advising them that as no pupils had requested to enrol at Milton of Balgonie Primary School for session 2020/21, that the Education Service would take forward a paper to the Education & Children's Services Sub-Committee on 26 January 2021 to seek approval to mothball the school.
- 4.4.6 The Education & Children's Services Sub-Committee, on 26 January 2021, considered the recommendation to mothball Milton of Balgonie Primary School as the school had had no pupils enrolled for the academic session from August 2020. The Committee Decision of 26 January 2021 was:
- (a) to Mothball Milton of Balgonie Primary School with immediate effect.
 - (b) that during the mothballing period, any children wishing to enrol at Milton of Balgonie Primary School will be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they meet the distance criteria.
 - (c) that the resources and furniture within the school be offered to surrounding schools; and
 - (d) that a further report reviewing the decision be considered by the Sub-Committee in September 2021.
- 4.4.7 The school has been mothballed since 26 January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight. There has been no attempt by parents to seek the reopening of Milton of Balgonie Primary School for academic sessions 2020/21 or 2021/22 or 2022/23. All pupils in this area have enrolled at Coaltown of Balgonie Primary School or other schools.
- 4.4.8 This proposal paper reflects the outcome of the review of the decision to mothball the school, which is to proceed with this proposal to close Milton of Balgonie Primary School and rezone the catchment area of Coaltown of Balgonie Primary School.
- 4.4.9 The Education Service does not consider that continuing with the current mothballing arrangements is a reasonable alternative to the proposal as a response to the reasons for formulating the proposal.**
- It would not be in the interests of the pupils and wider community to continue with the existing mothballing arrangements. To retain a building, which is empty and not in operation, for another year, would require Fife Council to continue to ensure security, undertake repairs and sustain maintenance contracts. Where there are no anticipated enrolments of pupils, continued mothballing of the school is not justified.**
- 4.4.10 Milton of Balgonie Primary School to reopen
- 4.4.11 The parents within the village have chosen to make placing requests to other schools in the last few years and therefore the parents have chosen their preferred primary provision. The school roll at September 2018 census was 14 pupils (19% occupancy). Fife Council believes that whilst the school was in operation with 14 pupils, the educational experience would be different to other schools with a higher occupancy and bigger peer group and that the Milton of Balgonie Primary school catchment pupils are now benefitting from being part of a larger school. There is no mechanism available to the Council to increase the school roll.

4.4.12 The parents who attended the parents' meeting were disappointed that the school roll could not be sustained in Milton of Balgonie Primary School. However, the parents/carers have acknowledged that at Coaltown of Balgonie Primary School there is a larger peer group to support pupils. The current Headteacher has advised that there is no suggestion by parents that they are not happy with the education provision on offer within Coaltown of Balgonie Primary School. Parents have advised that their children are thriving within this learning environment.

4.4.13 The Education Service does not consider that reopening Milton of Balgonie Primary School a reasonable alternative to the proposal as a response to the reasons for formulating the proposal. It would not be in the interests of the pupils and wider community to reopen because the projected pupil roll (based on birth rates and known pupils living in the catchment area) falls short of one of the guiding principles.

4.4.14 Consider the rezoning of the nearest primary catchment schools

4.4.15 There are 2 other schools in close proximity to Milton of Balgonie Primary School where consideration could be given to rezoning their catchment areas to increase the occupancy of Milton of Balgonie Primary School. The closest primary schools to Milton of Balgonie Primary School are:

- (a) Coaltown of Balgonie Primary School (1.7 miles)
- (b) Balcurvie Primary School PS (1.8 miles)

4.4.16 (a) Coaltown of Balgonie Primary School

4.4.17 Coaltown of Balgonie Primary School is located 1.7 miles from Milton of Balgonie Primary School, with a published capacity for 100 pupils. In accordance with the committee decision of 26 January 2021, any pupil of school age currently living in the Milton of Balgonie Primary School catchment area or any new pupils to the village are advised Coaltown of Balgonie is their local school. The small number of pupils currently living in Milton of Balgonie Primary School have been accommodated in Coaltown of Balgonie and integrated within the school.

4.4.18 To increase the occupancy of Milton of Balgonie Primary School, at least 55 pupils would need to be rezoned to Milton of Balgonie Primary School to increase the occupancy to over 2 classes. This would result in the closest school, Coaltown of Balgonie, then reducing to 2 classes. By reducing the catchment area of Coaltown of Balgonie Primary School this would result in 2 small schools with 2 classes, which does not meet the guiding principles set out in para. 3.1 above. Reducing the catchment area of Coaltown of Balgonie Primary School, by rezoning part of the catchment to Milton of Balgonie Primary School, would also affect the long-term sustainability of Coaltown of Balgonie Primary School. There is new local plan housing expected within the Coaltown of Balgonie Primary School catchment area. These anticipated new pupils can be accommodated within Coaltown of Balgonie Primary School, as well as the pupils residing in the Milton of Balgonie Primary School catchment area.

4.4.19 It would not be practicable to rezone properties from Coaltown of Balgonie Primary School catchment area to Milton of Balgonie Primary School, as this would result in a declining school roll and occupancy for Coaltown of Balgonie. In addition, an increased number of pupils would require transport to Milton of Balgonie Primary School and the school may still only have 1 or 2 classes. This would mean that both schools would operate with 2 classes, with neither meeting some of the guiding principles as outlined in para 3.1.

4.4.20 This scenario would also result in an increased revenue cost for the Education Service, by procuring a larger transport vehicle to transport pupils from Coaltown of Balgonie Primary School to Milton of Balgonie Primary School. At present the vehicle(s) transport 6 pupils from Milton of Balgonie to Coaltown of Balgonie. It would also take away the opportunity to build independence for those Coaltown of Balgonie Primary School pupils who currently walk to school.

4.4.21 The Education Service does not consider rezoning part of the catchment area of Coaltown of Balgonie Primary School to Milton of Balgonie Primary School a reasonable alternative to the proposal as a response to the reasons for formulating the proposal. It would not be in the interests of the pupils and wider community to rezone pupils from another community to sustain Milton of Balgonie Primary School. It would not provide any educational benefits to the children living in the catchment areas of either Milton of Balgonie Primary School or Coaltown of Balgonie Primary School.

4.4.22 (b) Balcurvie Primary School

4.4.23 Balcurvie Primary School has a maximum capacity of 217 pupils, located in 7 classrooms, and could also accommodate the small number of catchment pupils from Milton of Balgonie Primary School. However, there is temporary modular accommodation on site. It would be the intention of the Education Service to remove this accommodation once the school roll declines to 5 classes. This would remove the long-term requirement to sustain temporary hatted accommodation and reduce the footprint on site, thus providing a saving on energy for the Council.

4.4.24 Balcurvie Primary School is part of a different secondary school cluster and is associated with Levenmouth Academy and for this reason alone it would not be an appropriate option to rezone pupils from the Balcurvie Primary School catchment area to Milton of Balgonie.

4.4.25 Balcurvie Primary School is located 1.5 miles from Milton of Balgonie and can be accessed off the busy A911. The A911 to and from Milton of Balgonie village to Balcurvie Primary School is a main commuter route from Glenrothes to Leven and the speed limit is 60 mph with no pedestrian footpaths.

4.4.26 Rezoning some of the properties within this catchment area would result in additional revenue expenditure for the Education Service. At present there are very few pupils transported to Balcurvie Primary School, as most residential houses are within the one mile criterion and therefore pupils will be walking to school. This would result in additional revenue expenditure for the Education Service to provide free transport, whilst currently most Balcurvie Primary School pupils are able to walk to their primary school.

4.4.27 This option would result in a number of pupils travelling past Balcurvie Primary School to attend Milton of Balgonie Primary School. This option would also take away the opportunity to build independence for those Balcurvie Primary School pupils who currently walk to school.

4.4.28 The Education Service does not consider rezoning part of the catchment area of Balcurvie Primary School to Milton of Balgonie Primary School a reasonable alternative to the proposal as a response to the reasons for formulating the proposal. It would not be in the interests of the pupils and wider community to rezone pupils from another community to sustain Milton of Balgonie Primary School. It would not provide any educational benefits to the children living in the catchment areas of either Milton of Balgonie Primary School or Balcurvie Primary School.

4.5 The likely effect on the local community

- 4.5.1 The local community has been defined in three ways, as demonstrated in Appendix 3.
- 4.5.2 The first community considered is the school community. The existing school community of Milton of Balgonie has already become part of a larger, sustainable school community and as such brings together all the children within the Coaltown of Balgonie community. The Parent Council of Milton of Balgonie Primary School was made up of a number of parents/carers of P7 stage whilst in operation. As the P7 pupils moved on, the number of parents reduced. Coaltown of Balgonie Parent Council would welcome more parents onto the Parent Council. This Parent Council meets regularly and has continued to meet during the period of the COVID-19 pandemic.
- 4.5.3 Neither school community has previously had any significant engagement or links to the joint Coaltown of Balgonie and Milton Community Council, however links are made with the community hall where activities have been undertaken.
- 4.5.4 As stated above, the school community made no use of the school building for activities involving the local community, and no impact in this respect is anticipated.
- 4.5.5 The second community considered is the Milton of Balgonie village community. This community makes no use of the school building for community activities. The community can make use of a village hall situated on Dickson Lane, approximately 250 metres from the school, and implementation of the proposal would therefore not affect the holding of community events in the village. It is the view of the Council that the loss of the school premises would not adversely affect the community. The school, prior to mothballing, did not have any links with the Community Council.
- 4.5.6 If the proposal is implemented, it is the view of the Council that the sustainability of the Milton of Balgonie village community will not be effected and the community will continue. Children will continue to live in the community and will attend a school less than 2 miles from their existing school. In August 2018, the Headteacher of Coaltown and Milton of Balgonie Primary Schools worked to enhance the link between the two communities. Combined activities such as woodland visits, school excursion to Ardoy for P7 pupils, special assemblies once a term, where Milton of Balgonie pupils would join pupils in Coaltown of Balgonie, and peer mediation training, commenced. This allowed pupils and parents/carers an opportunity to hear about the joint activities and gave the pupils a wider experience.
- 4.5.7 It is also the view of the Council that there will be no significant impact on the desire for housing in the area. As outlined previously, the site that is included within the Fife Local Development Plan 2017 and Housing Land Audit 2015 can still be progressed at a time to suit a developer. The expected number of pupils is likely to have no significant impact for the Education Service and would not be likely to lead to refusal to support any planning application.
- 4.5.8 A more detailed analysis of local community impact is provided in section 12.
- 4.5.9 Finally, the wider community which Milton of Balgonie village is a part of, will benefit from the development of a more sustainable school estate, with a reduction in the costs resulting from maintaining another council asset. The longevity of the remaining schools will be improved, providing stability to the area. There will be no impact on the use of shops, services and facilities in this wider community by residents of the Milton of Balgonie community because of the closure of Milton of Balgonie Primary School.

4.5.10 If the proposal is implemented, the Council does not consider that there will be any adverse effect on the local community, whether defined as the school community, the village community or the wider rural community surrounding the village of Milton of Balgonie. Overall, the Council considers that there will be a positive effect on the local community.

4.6 The likely effect caused by any different travelling arrangements

4.6.1 Coaltown of Balgonie Primary School is situated 1.7 miles from Milton of Balgonie Primary School. Primary age pupils who live more than one mile from their catchment school are entitled to free transport under the present Council policy. As a result of pupils moving at the end of session 2018/19, Fife Council offered all parents residing in the Milton of Balgonie Primary School catchment area, who were already attending Coaltown of Balgonie Primary School because of a placing request, and any new pupils, free transport to Coaltown of Balgonie Primary School. For those pupils who meet the distance criteria, this arrangement will continue for their school duration. The journey time from Milton of Balgonie Primary School to Coaltown of Balgonie Primary School is less than 10 minutes by mini-bus or car, and whilst there will be variations in this for some pupils, the Council does not consider that there will be any significant adverse effects in consequence of this proposal. There will be a small environmental impact of bussing all the Milton of Balgonie pupils who may have previously walked to school.

4.6.2 It is unlikely that the arrangements school staff make to get to school will change in any significant way. There is unlikely to be any environmental impact arising from the arrangements staff make to get to school.

4.6.3 Other users of the school premises or facilities will not be affected in relation to transport arrangements. The village hall is approximately 250 metres from the school. There were no other users of the school premises prior to the mothballing of Milton of Balgonie Primary School and therefore there is no effect on transport.

4.7 Therefore, the Education Service has concluded that there is no reasonable alternative to the proposal to close Milton of Balgonie Primary School and rezone the catchment area to Coaltown of Balgonie Primary School. The rezoning of Coaltown of Balgonie Primary School catchment area will sustain the long-term school roll at Coaltown of Balgonie Primary School, as well as meet the occupancy rate of above 60% and allow Coaltown of Balgonie Primary School to continue to operate with more than 3 Primary classes. Implementation of the proposal to close Milton of Balgonie Primary School is the most appropriate response to the reasons for this proposal as outlined above at paragraph 1.17 and 4.3.1.

5. Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools - The Case for Rezoning the Catchment Areas

5.1 Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools are not classified as rural schools in accordance with the Scottish Government Rural Schools Classification dated October 2021.

5.2 Coaltown of Balgonie Primary School

5.2.1 Coaltown of Balgonie Primary School is the nearest primary school to the Milton of Balgonie village and is also located in a small village. Coaltown of Balgonie Primary School is situated 1.7 miles from the Milton of Balgonie Primary School building and the journey from school to school takes less than 10 minutes by mini-bus or car. There are currently 731 residential homes in the Coaltown of Balgonie catchment area. Pupils from the Milton of Balgonie Primary School catchment area, who have attended Coaltown of Balgonie

Primary School in the last 3 academic sessions, have helped sustain the roll at Coaltown of Balgonie. The school has also accepted approximately 20 placing requests across P1-P7 (excluding the pupils from Milton of Balgonie)

5.2.2 The accommodation for Coaltown of Balgonie Primary School is situated in 2 separate buildings near each other. The infant building has one classroom and a dining/gym hall, whilst the main building has 4 classroom spaces, with one currently allocated as a multi-purpose room, as well as office accommodation. The published maximum pupil capacity within Coaltown of Balgonie Primary School is 100 pupils, consisting of 4 composite classes of 25 pupils. However, use of the 5th classroom would accommodate an increase to the pupil roll if required, up to 125.

5.2.3 The school roll at Coaltown of Balgonie Primary School was recorded as 95 pupils in the September 2021 census, with an occupancy of 95%. The figures below include pupils from the Milton of Balgonie Primary School catchment area who made placing requests to Coaltown of Balgonie Primary School prior to session 2019/20, when the school was last operational.

5.2.4 The addition of Milton of Balgonie Primary School catchment pupils into the Coaltown of Balgonie Primary School catchment area would help to ensure the continued sustainability of this school roll, with more

Academic Year	School Roll	Academic Year	School Roll
2022	No census data available		
2021	95	2015	83
2020	89	2014	88
2019	83	2013	96
2018	81	2012	96
2017	75	2011	88
2016	79	2010	82

than 50 pupils, 3 classes and an occupancy over 60%, thus continuing to meet the guiding principles as set out in para 3.1. School roll projections for Coaltown of Balgonie Primary School, based on the 2021 pupil census, indicate that Coaltown of Balgonie Primary School is expected to decline over a 10 year period to an occupancy of 84% in 2032 (without any additional pupils).

5.2.5 The projected school roll (based on the 2022 pupil numbers) of Coaltown of Balgonie Primary School (excluding Milton of Balgonie pupils) is as follows. This projection includes the Housing Land Audit 2020 sites expected to be built in the Coaltown of Balgonie Primary School catchment area.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Roll	101	97	99	101	99	95	90	91	85	83	84	84
Capacity	100	100	100	100	100	100	100	100	100	100	100	100

5.2.6 The projected school roll of Coaltown of Balgonie Primary School, including pupils from the Milton of Balgonie Primary School catchment area is as follows. This projection includes the Housing Land Audit 2020 sites expected to be built in the Coaltown of Balgonie Primary School catchment area and any future pupils from the development site in Milton of Balgonie (Balfour Place/Main Street) if it were to receive planning consent.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Roll	101	98	101	96	104	107	109	112	116	112	109	108
Capacity	100	100	100	100	100	100	100	100	100	100	100	100

- 5.2.7 The above table demonstrates that pupils from the Milton of Balgonie Primary School catchment area can be accommodated within the existing accommodation at Coaltown of Balgonie Primary School, with the 5 classroom spaces being used as learning spaces.
- 5.2.8 The table in para 5.2.5 includes the development sites contained within the Housing Land Audit 2020 which are part of the Fife Local Development Plan (as described in para 3.3). The numbers projected include any new pupils which may result from the proposed local plan developments in Milton and Coaltown of Balgonie catchment areas and demonstrate that new pupils could be accommodated within Coaltown of Balgonie Primary School. The proposed units will be constructed on a phased basis and therefore any pupils will also come forward to enrol on a phased basis.
- 5.2.9 However, these projected pupil numbers include all pupils currently within the Coaltown of Balgonie and Milton of Balgonie catchment areas, while the full proposal includes the option to realign the primary school catchment of Thornton Primary School. This option will remove some addresses from the Coaltown of Balgonie projected numbers, allowing the occupancy of this school to remain below the published capacity of 100. This will provide continued flexibility in the use of the accommodation.
- 5.2.10 There is planned housing development within the Local Development Plan for Fife within Milton of Balgonie Primary School catchment area, which may have supported a declining school roll, however, to date, no formal planning application has been received for this development. As detailed in section 3.3, this housing site has been available for construction since 2015 and phasing within the Housing Land Audit 2021 is highlighted as 2025/2026 for the development. As outlined in section 5.2.5, new pupils from the new housing site within the Milton of Balgonie Primary School can be accommodated within the school.
- 5.2.11 There is no nursery provision on site at Coaltown of Balgonie Primary School. The local nurseries for pupils living in Milton of Balgonie are situated at either: Carleton Nursery, Ladybird Nursery and within the primary schools of Pitteuchar East, Pitteuchar West, Collydean, Pitcoudie or Markinch. In addition, there are a number of private nursery providers in this geographical area. Most pupils from the catchment areas of Milton of Balgonie and Coaltown of Balgonie have chosen to attend Carleton nursery.
- 5.2.12 Coaltown of Balgonie Primary School does not operate a morning or after school childcare service. The nearest childcare club is run from Carleton Primary School, which is situated 2.4 miles from Milton of Balgonie Primary School and 1 mile from Coaltown of Balgonie Primary School.
- 5.2.13 Coaltown of Balgonie Primary School does have its own separate dining/ assembly hall located a short walk from the main school. However, on occasions such as school performances or a Christmas Fayre, the school has used the Victoria Hall on Rosebine Gardens, which is situated 320 metres away from the school. This building is less than a 10 minute walk from the school and classes are accompanied by the correct ratio of adults to pupils to ensure pupil safety.
- 5.2.14 The school has access to the public park which is located approximately 60 metres from the Coaltown of Balgonie Primary School playground.
- 5.2.15 The proposed new catchment area for Coaltown of Balgonie Primary School, from 30 June 2023, is shown within Appendix 4.

5.3 Pitteuchar East Primary School

5.3.1 The projected school roll at Pitteuchar East Primary School, at census 2021, was 257 pupils, with a maximum pupil capacity of 367 pupils (13 classes).

5.3.2 Without the new development in the Pitteuchar East Primary School catchment area, the school roll, as shown below, would decline over a 10 year period to 55%, which is lower than the 60% guiding principle.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Roll	245	222	230	227	225	216	218	215	219	214	209	209
Capacity	367	367	367	367	367	367	367	367	367	367	367	367
Classes	9	9	9	9	9	8	9	9	9	8	8	8

5.3.3 The projected roll of Pitteuchar East Primary School can accommodate the projected new pupils from the development at Westwood Park, which has been modelled below as follows:

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Roll	245	229	245	248	249	246	252	254	259	257	258	259
Capacity	367	367	367	367	367	367	367	367	367	367	367	367
Classes	9	9	9	10	10	10	10	10	10	10	10	10

5.3.4 The school roll projection, as shown above, demonstrates the housing development at Westwood Park can be accommodated within Pitteuchar East Primary School and will help sustain the school roll of Pitteuchar East Primary School in the long term. Planning consent has been granted and construction is in the preliminary stages. The current occupancy of the school is 70% and with any new pupils, the school roll is not expected to exceed 75% occupancy.

5.3.5 Pitteuchar East Primary School does have an out of school club to support childcare for parents/carers in this catchment area.

5.3.6 The Headteacher of Pitteuchar East manages the nursery annex which is located approximately 2 minutes walk from the main school building. This nursery accommodates 122 pupils on a term time model (9am-3pm, 39 weeks per year).

5.3.7 As illustrated in appendix 5, it is proposed that the partial site of GLE102 Westwood Park, that is currently within the Coaltown of Balgonie Primary School catchment area, will be rezoned to Pitteuchar East Primary School. This will mean that all new pupils from this development site will be zoned to the same school.

5.3.8 The proposed new catchment area for Pitteuchar East Primary School, from 30 June 2023, is shown within appendix 5.

5.4 Thornton Primary School

5.4.1 The school roll at Thornton Primary School, at census 2021, was 172 pupils, with a maximum pupil capacity of 261 pupils (9 classes). The projected roll of Thornton Primary School can accommodate the projected number of pupils from the Lochtyview Way development, as well as the pupils projected from 300 of the 900 units of the Strategic Development Area (SDA) development for Thornton.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Roll	191	189	207	210	212	222	230	229	228	218	209	202
Capacity	261	261	261	261	261	261	261	261	261	261	261	261
Classes	7	8	8	9	9	9	9	9	9	9	8	8

- 5.4.2 There are currently 23 pupils from the Lochtyview area in our primary schools. 78% attend Coaltown of Balgonie and 22% attend other schools, including Pitteuchar East and Thornton Primary Schools. The Education Service would not expect parents to move their children to Thornton Primary School unless parents wished to do so. This proposal, if approved for August 2023, would mean that for any new primary pupils living in this area, the catchment area would be Thornton Primary School.
- 5.4.3 As illustrated in appendix 6, it is proposed that the housing within the Lochtyview development is rezoned, in full, from Coaltown of Balgonie to Thornton Primary School. This means that all new pupils from this development site from 30 June 2022 will be zoned to this school.
- 5.4.4 There is a nursery on site within Thornton Primary School, located in a separate building in the playground. This nursery can accommodate 60 pupils within a full year model of 30 pupils in the morning and 30 pupils in the afternoon. The full year model is open during most of the school holiday periods (49 weeks).
- 5.4.5 A review of out of school childcare provision is considering delivering this provision within the existing accommodation at Thornton Primary School, to support parents/carers who require childcare before or after school.
- 5.4.6 The Lochtyview housing site has been established for several years and is expected in the future to result in very few new pupils. However, the likely numbers from this development will be able to be accommodated within Thornton Primary School.
- 5.4.7 A proposed new catchment area for Thornton Primary School, from 30 June 2023, is shown within appendix 6.

6. Educational Benefits Statement

- 6.1** The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. The education authority must prepare an educational benefits statement which includes:
- (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,
 - (b) the authority's assessment of any other likely effects of the proposal (if implemented),
 - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
 - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).

6.2 Educational benefits for Milton of Balgonie Primary School pupils

6.2.1 In making this proposal, the Education and Children Service's Directorate believes that being part of a larger school will enable both the existing pupils living in the Coaltown of Balgonie Primary School catchment area, and those pupils from Milton of Balgonie catchment area attending Coaltown of Balgonie Primary School, to continue to benefit from an enhanced range of curricular experiences, providing more opportunities to become successful learners, confident individuals, effective contributors and responsible citizens.

6.2.2 Pupils

6.2.2.1 An increased pupil population (less than 30 moving to more than 90) will enable Milton of Balgonie catchment pupils to be educated in classes organised in a narrower range of school years (e.g. P1 - P2 instead of P1 - P7). This allows for more targeted teacher planning, taking account of the 7 principles of Curriculum for Excellence design, ensuring learner's experience a coherent curriculum across all 4 contexts (opportunities for personal achievement, interdisciplinary learning, ethos and life of the school and Curriculum areas and subjects). It also provides more opportunities for children to collaborate during planned learning activities as well as the learning environment more closely reflecting the age and stage of the pupils learning within it.

6.2.2.2. Composite class organisation spanning 3 or fewer primary year groups provides greater opportunities for planned and focused collaborative and cooperative learning activities, supporting a more rigorous development and progression of pupils' skills and knowledge. Importantly, pupils will have opportunities to learn with and from their similar age peers. They will have more opportunities to consolidate and extend their learning, articulate arguments, explore new ideas and find creative solutions to problems within groups of their peers.

6.2.2.3 Pupils from Milton of Balgonie village are thriving within Coaltown of Balgonie Primary School and the advantage for Milton pupils is that they now have a bigger peer group at each stage. It is no longer the case where a single pupil from one primary stage is now playing with pupils from an older or younger year group, as previously there were no other pupils at the same age. This has reduced the risk of social isolation as a result of having no other peer group of same age. This has also reduced the lack of uncertainty with new pupils as Coaltown of Balgonie has 4 classes (for the past 13 years) which are organised in composite classes. When possible, there has always been a minimum of at least 4 pupils of each stage which provides greater peer support in each class setting.

6.2.2.4 Within the larger school, learners will have the opportunity to develop wider relationships and friendships which will see them better prepared to meet the social and learning opportunities and challenges ahead in the large context of secondary school. This is important in terms of developing their learner journey from 3 to 18 years of age.

6.2.2.5 Attending a larger school provides pupils from Milton of Balgonie with the opportunity to undertake a wider range of leadership and team roles during a wider variety of planned pupil experiences.

6.2.2.6 It is anticipated that the larger occupied school will provide more flexible support to children with additional support needs and will provide opportunities for these children to be supported by a range of adults over time. A greater pool of adults can help facilitate the development of children's independence and their capacity to interact with others.

- 6.2.2.7 A larger school roll at Coaltown of Balgonie Primary School offers children from the Milton of Balgonie Primary School catchment area an increased possibility of participating in teams in a range of local and national competitions and events. These educational, cultural, and sporting activities provide a number of benefits for children in terms of both academic and social development, whilst also supporting the process of transition towards the larger and more varied educational setting of secondary school.
- 6.2.2.8 Pupils currently transitioning from Nursery to Coaltown of Balgonie Primary School Primary 1 are more likely to have attended Nursery with a child who is also transitioning to the same primary school. This will provide peer familiarity and reassurance for pupils. Similarly, a greater number of children transitioning from P7 at Coaltown of Balgonie to Auchmuty High School will ensure similar benefits for young people.
- 6.2.2.9 There are 17 nursery aged pupils living in the Coaltown of Balgonie and Milton of Balgonie Primary School catchment areas attending Fife Council nurseries or partner providers. 10 of the 17 attend Carleton nursery, fewer than 5 attend other Fife Council nurseries and fewer than 5 attend partner providers.
- 6.2.2.10 It was previously exceptionally difficult to facilitate any after school activities at Milton of Balgonie, with a single teacher working within the school (in 3 of the last 10 years) as well as small numbers making some activities non-viable. Alongside a larger pool of teachers, partners offer a range of more viable opportunities for children in Coaltown of Balgonie, with activities taking place at lunchtime and after school.

6.2.3 **Staff**

- 6.2.3.1 The number of pupils in Milton of Balgonie, for the last 2 academic sessions it was operational, resulted in a single class school. The Education Service policy in Fife is to ensure a school of more than 19 pupils but less than 25 is split into 2 classes. Operating as a single class for an academic session results in limited opportunities for staff collaboration. As a result of an increased pupil roll at Coaltown of Balgonie Primary School there will be a larger staff team who will have opportunities to work in collaboration with additional peers for a variety of different purposes. These opportunities include self-evaluation for self-improvement activities, developing and implementing school improvement priorities, as well as assessment and moderation activities to ensure consistent standards and expectations for all pupils.
- 6.2.3.2 At Coaltown of Balgonie Primary School, there will be a greater number of staff than previously located within Milton of Balgonie Primary School. This will result in an increased range of staff specialism, knowledge, expertise, skills and talent as well as increased scope in the deployment of staff to meet the needs and respond to the differing interests and curricular choices of individuals.
- 6.2.3.3 Increased opportunities for collaborative working between a larger number of teachers and pupil support staff will provide a wider range of learning and teaching approaches, develop a consistency of expectations and opportunities to share good practice, leading to better outcomes for children. Furthermore, collective professional learning activity will offer increased opportunities for moderation and curriculum development which will directly impact on school improvement. This will support the national and Fife-wide empowerment agenda.
- 6.2.3.4 The larger occupied school will provide a progressive and coherent curriculum, based on an enhanced range of planned learning and teaching approaches, which will have a potential positive impact on the quality of pupils' wider achievements. More teachers and more Pupil Support Assistants will help ensure high quality staff interaction through joint planning and shared career-long professional learning opportunities.

6.2.4 Facilities

- 6.2.4.1 Milton of Balgonie Primary school comprises 3 classrooms smaller than the 57 sqm standard size. The school hall is considerably smaller than the size recommended by Sport Scotland.
- 6.2.4.2 Pupils who previously attended Milton of Balgonie Primary school will benefit from the enhanced facilities available at Coaltown of Balgonie Primary School. This will provide staff with greater flexibility of opportunities to use different types of learning environments that better support a range of learning activities and opportunities for all learners.
- 6.2.4.3 Outdoor physical education facilities at Coaltown of Balgonie can deliver the recommended 2 hours of physical education per week, to all pupils, throughout the year. This is crucial to the physical and emotional wellbeing of the children. The school has a larger dining hall which can also accommodate different types of physical activity. The local park is a 2 min walk from the school and provides plenty of outdoor space. The available greenspace at Milton was located 290 metres away from the school on Dickson Lane. A greater adult:pupil ratio would be required to take pupils to this greenspace for physical activity.

6.2.5 Parents

- 6.2.5.1 In the session 18/19, Milton of Balgonie Primary School did have a Parent Council comprising of parents from the Primary 7 cohort which looked unlikely to continue after the P7 pupils transferred to secondary school.
- 6.2.5.2 The increased number of pupils attending Coaltown of Balgonie Primary School provides all parents from the Milton of Balgonie catchment area the opportunity to be part of a larger parent forum of the school and wider geographical community area.
- 6.2.5.3 An active Parent Council at Coaltown of Balgonie gives the opportunity for parents from Milton of Balgonie catchment area to become a member of a supportive group which has regular meetings and fundraising events, including during the COVID-19 pandemic. All parents of COB and MOB are invited to join every meeting.
- 6.2.5.4 Parents from the Milton of Balgonie catchment area will be able to attend a wider range of events on offer at Coaltown of Balgonie, as a result of the enhanced curricular opportunities made available to pupils during and beyond the school day. The benefits of parental involvement in their children's education are clearly recognised and any increase in parental involvement has the potential to directly benefit children in their learning.

6.2.6 Community

- 6.2.6.1 Due to the number of community facilities in Milton of Balgonie, pupils had limited opportunities to be active members of the immediate school community. However, this contrasts with the experience available in Coaltown of Balgonie Primary School, where pupils are an integral part of the community. Prior to COVID-19, pupils would carry out litter picks in the community which enhanced their sustainability learning; visits with the bowling club, and visits to the local shop.
- 6.2.6.2 Pupils from Milton of Balgonie catchment area will also benefit from links with the local convenience store, which has supported Coaltown of Balgonie Primary School through their generous donations for sports days and donations for McMillan coffee mornings. Pupils will also benefit from partnerships with businesses located at the local retail area at Bankhead roundabout. These include excellent links with McDonalds who provide opportunities to enhance pupil's learning experiences.

6.3 Educational benefits for pupils of Coaltown of Balgonie Primary School

- 6.3.1 The gradual move of children from Milton of Balgonie Primary School has resulted in no negative impact for pupils attending Coaltown of Balgonie Primary School from the Milton of Balgonie catchment area.
- 6.3.2 Coaltown of Balgonie Primary School pupils will have increased opportunities to develop relationships and friendships with peers from a wider geographical area. They will also have greater opportunities to participate in co-operative and shared learning experiences with more peers of a similar age.
- 6.3.3 An increased school roll supports the sustainability and viability of the school, offering greater certainty to learners within the Coaltown of Balgonie Primary School community. There will be a narrower age range of pupils in each composite class.
- 6.3.4 There will be same stage learning for all pupils in Coaltown of Balgonie Primary School but this would not be the case at Milton of Balgonie Primary School. For example, the last academic session saw pupils from 3 of the primary stages as a single class stage which meant that there were no other peers of the same age.
- 6.3.5 Pupils within Coaltown of Balgonie will continue to have access to any lunchtime and after school clubs on offer which are managed by school staff or Active Schools. The addition of pupils from Milton of Balgonie will provide an enhanced number of pupils to take part in teams organised by age.
- 6.3.6 There will be opportunities for pupils to get involved with any evening activities run by outside agencies. Prior to Covid, a local dancing group hired the school hall in the Annex building on a weekly basis.
- 6.3.7 Coaltown of Balgonie Primary School pupils will benefit from additional learning spaces if the proposal to rezone the Thornton Primary School catchment area is approved.

6.4 Education benefits for pupils of Thornton Primary School

- 6.4.1 Pupils living at the new housing development at Lochtyview will benefit from being able to walk to school with peers living in the local community. This area is less than one mile to Thornton Primary School.
- 6.4.2 Pupils currently living in the Lochtyview area are bused to Coaltown of Balgonie. While there is an available footpath on the B9130 (Blackwood Route), the route is longer than 1 mile to Coaltown of Balgonie Primary School. This road is 40 mph until the beginning of Main Street, Coaltown of Balgonie and the footpath on B9130 has the A92 underneath. The pupils will benefit by being able to develop their independence by walking using an available walk route, which is under a mile to Thornton Primary School and the opportunity to socialise with peers who live nearby before and after school.
- 6.4.3 Pupils from Lochtyview would more than likely be part of a single stream class based on the higher numbers of pupils at the same age, rather than a small number of pupils from a variety of stages within a composite class. For example, in session 2020/21 there were 6 classes of straight primary classes and 2 composite classes. Therefore, pupils are more likely to have only 2 primary stages in their class at any one term of their education provision within Thornton Primary School.

6.4.4 As the nursery is located within Thornton Primary School, parents/carers have the opportunity of reducing their travel by walking both nursery and primary age children to school, where applicable.

6.5 Education benefits for pupils of Pitteuchar East Primary School

6.5.1 Re-zoning the Westwood Park area currently part zoned to Coaltown of Balgonie, will ensure that as the site is developed, pupils will be associated with an established school community that they are living in, being educated with peers living in close proximity.

6.5.2 Allocating all the 420 units to the Pitteuchar East catchment area will sustain the school roll and ensure the projected occupancy remains above 60%.

6.6 Benefits for other users of the school

6.6.1 Milton of Balgonie Primary School has not been used by the community in the last 3 academic sessions. The nearby village hall is available for wider community use. Should this proposal be implemented, any new community activities could be staged in the nearby village hall which is less than 275 metres from the existing school building.

6.7 Benefits for children who will/are likely to become pupils at the school (but for implementation of the proposal)

6.7.1 The closure of Milton of Balgonie Primary School from 30 June 2023 will alleviate uncertainties for current and future pupils and their families and will provide long term stability.

6.7.2 At Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools all pupils and parents will benefit from a sustained school roll which will support continuity in school leadership team allocations, along with support for learning and admin support. These positions are allocated to schools based on the size of the school roll.

6.8 Benefits for other pupils in the authority area

6.8.1 The formal closure of Milton of Balgonie Primary School would reduce inefficient operating expenditure, thus allowing redirection of resources to support pupils across Fife. The more efficient use of resources will result in a more equitable and “best value” model for deployment of resources across Fife schools. This has implications for the school estate, resources and staffing, all of which are considered to impact positively on children’s learning. The financial operating costs of Coaltown of Balgonie have not increased from the time of Milton of Balgonie Primary School being mothballed.

6.8.2 As outlined in Appendix 10, the long term a transport saving will be achieved as the transport costs of £21,906 for pupils travelling from Lochtyview to Coaltown of Balgonie Primary School will be offset against the costs to transport for pupils from the Milton of Balgonie Primary School catchment area to Coaltown of Balgonie Primary School. This ensures that revenue funding can be directed towards learning and teaching.

6.8.3 The school catchment reviews at Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools will benefit other pupils in the local authority because those living in the same communities as them will be able to attend school alongside them, strengthening peer relationships both in and out of school.

6.9 How the Authority intends to minimise or avoid any adverse effects

- 6.9.1 Milton of Balgonie Primary School catchment pupils are well established within the Coaltown of Balgonie Primary School community, following successful transition prior to mothballing. Comprehensive transition arrangements continue to be in place at Coaltown of Balgonie to welcome children from a variety of nursery settings.
- 6.9.2 The school catchment reviews at Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools may result in siblings attending different schools, however, every effort will be made to support families to attend the same school. Where necessary, families will be supported to move to their new catchment school with enhanced transition arrangements in place to minimise impact.
- 6.9.3 Priority will be given to ensuring continuity and support for children with additional support needs.

6.10 Any other likely effects of the proposal

- 6.10.1 As all the Milton of Balgonie Primary School catchment area pupils live more than 1 mile from Coaltown of Balgonie Primary School, free transport will continue to be provided for all, in line with current Fife Council policy.

6.11 Benefits the Authority believes will result from implementation of the proposal (and reasons for this belief)

- 6.11.1 The education of current and future pupils from Milton of Balgonie village and the surrounding area will take place in a larger setting which will facilitate delivery of improved educational opportunities in a more sustainable context. Broadly, the Council believes the larger setting of Coaltown of Balgonie Primary School provides an increased range of opportunities to deliver Curriculum for Excellence for existing Coaltown of Balgonie pupils and to enable any new and future Milton of Balgonie catchment pupils to benefit from an educational setting organised to meet their identified needs.
- 6.11.2 The expenditure currently required to maintain Milton of Balgonie Primary School will be redirected to the benefit of all learners in schools across Fife. This redirection can positively impact directly on staffing, resourcing and school estate management, and enhance educational opportunities for a larger group of children and young people. Taking account of the financial constraints which apply to all local authorities currently, and in the foreseeable future, this intention is consistent with prudent and efficient management of public funds.

7. Transport Arrangements

- 7.1 Included in this proposal paper is the opportunity to rezone part of the Coaltown of Balgonie Primary School catchment area to Thornton and part of the Coaltown of Balgonie Primary School catchment area to Pitteuchar East. The rezoning of these parts will ensure that the catchment areas are balanced and will ensure that pupils are not situated on the opposite side of the A92 from their catchment area primary school.
- 7.2 A pupil is legally entitled to free transport to school if:
- they're under 8 and live more than 2 miles from their catchment school or
 - they're over 8 and live more than 3 miles from their catchment school

7.3 However, in terms of the current school transport policy, Fife Council currently provides free school transport to all primary pupils living more than one mile and all secondary pupils living more than two miles from their catchment area school. Any distance entitled pupils will be entitled to free school transport according to the policy in place at that time.

7.4 Milton of Balgonie Primary School Catchment Pupils

7.4.1 There is no available walking route from Milton of Balgonie village to Coaltown of Balgonie Village.

7.4.2 For the last academic session (2021/22), all pupils living in the Milton of Balgonie Primary School catchment area who were attending Coaltown of Balgonie Primary School were offered free transport. This applied to the new pupils who commenced Primary 1 in August 2021 and those pupils who previously attended Coaltown of Balgonie Primary School following their placing request applications (prior to academic session 2019/20).

7.4.3 Whilst Milton of Balgonie Primary School was in operation, there was no school transport provided for academic sessions 2016/17, 2017/18 and 2018/19 as none of the pupils qualified for free transport in accordance with the transport policy. Several previously enrolled pupils within Milton of Balgonie Primary School were placing requests to Milton of Balgonie Primary school and were not entitled to transport.

7.4.4 Should the proposal to close Milton of Balgonie Primary School be implemented, free transport will continue to be provided for pupils living in the Milton of Balgonie Primary School catchment area who are living more than 1 mile from Coaltown of Balgonie Primary School, in line with current Council policy.

7.4.5 The current arrangement has identified a pick-up point for all pupils within Milton of Balgonie village, situated near the pub/restaurant. Pupils are then dropped off in the car park situated 50 metres from the school. Pupils at the end of the day are escorted to the taxi or minibus.

7.5 Coaltown of Balgonie Primary School Catchment Pupils

7.5.1 In relation to the proposal to rezone the Lochtyview Way part of the Coaltown of Balgonie Primary School catchment area, this area is currently provided with free transport to Coaltown of Balgonie. Should the proposal be implemented, transport will be provided for existing pupils who continue to attend Coaltown of Balgonie Primary School.

7.6 Pitteuchar East Primary School Catchment Pupils

7.6.1 There are pupils within the existing Pitteuchar East Primary School catchment area who are entitled to receive free transport as they are living more than one mile away from the school. Following the completion of new housing units within the Westwood Park area, when footpath infrastructure is in place, a walking route assessment will be carried out to assess available walking routes. Should the proposal be implemented, free transport will be provided for any pupil in accordance with the current policy.

7.7 Thornton Primary School Catchment Pupils

7.7.1 A walking route assessment will be carried out to establish any available walking route from the Lochtyview area to Thornton Primary School. Should the proposal be implemented, and the area of Lochtyview is rezoned from Coaltown of Balgonie Primary School, most pupils from this area will be able to walk to Thornton Primary School as the distance is less than one mile. Should the proposal be implemented, free transport will be provided for any pupil in accordance with the current policy.

8. Nursery Provision

- 8.1 The closure of Milton of Balgonie Primary School, the transferring of the catchment to Coaltown of Balgonie, the catchment rezoning of Pitteuchar East and the catchment rezoning Thornton Primary Schools have no impact on nursery provision available.
- 8.2 In addition to the nursery settings managed by the Education Service, there are a number of private nursery providers/childminders in this geographical area. These nurseries will offer a variety of operational models to enable parents/carers to select their choices for nursery provision to suit their own individual family circumstances.
- 8.3 There is sufficient capacity across the wider local nursery area to accommodate all the nursery aged pupils from the Milton of Balgonie Primary School catchment area.

9. Secondary School Implications

- 9.1 In terms of the School Admissions Policy for Primary and Secondary Schools in Fife, enrolment at a secondary school is based on the catchment area in which a pupil's home address is situated. No changes to secondary school catchments are being proposed as part of this consultation.
- 9.2 The policy also provides that standard enrolment for transfer from primary to secondary are organised annually between the secondary school and its associated primary schools.
- 9.3 Milton of Balgonie Primary School, Coaltown of Balgonie Primary School, Pitteuchar East and Thornton Primary Schools are all associated primary schools for Auchmuty High School.
- 9.4 The denominational schools associated with these primary schools are St Paul's Roman Catholic Primary School in Glenrothes and St Andrew's Roman Catholic High School in Kirkcaldy. As indicated in para 1.5, there are no proposed changes to the denominational primary and secondary catchment areas associated within the proposal.
- 9.5 Parents have the right to request that their child attend a school other than their designated catchment school (or to their designated catchment school if the child has not been offered a place there). Any such request is called a placing request and is governed by the Education (Scotland) Act 1980. In most circumstances placing requests will be granted where pupil places are available, but the pupil will not be entitled to free or subsidised school transport. Further information on placing requests and the procedure involved can be found in the School Admissions Policy for Primary and Secondary Schools in Fife which can be found at [Apply for a school place | Fife Council](#).

10. Cost per Pupil Calculation

- 10.1 The cost per pupil equates to the total expenditure for all running costs associated with a primary or secondary school, divided by the number of pupils enrolled in the school at the September census.
- 10.2 The cost per pupil for the schools was as follows:

	Academic Session 2018/19	Academic Session 2021/22
Milton of Balgonie PS	£7,302 *	
Coaltown of Balgonie PS	£4,767	£4,767 **
Pitteuchar East PS		£4,433 **
Thornton PS		£5,063 **

* based on the budgets from 2019-2020 and excludes any Pupil Equity Funding (PEF).

** which excludes any Pupil Equity Fund (PEF) and additional teachers funding as part of any Scottish Government initiative to increase teacher posts through the COVID-19 pandemic.

11. Financial Implications

- 11.1 Some savings have been realised as a result of the mothballing of Milton of Balgonie Primary School. If Milton of Balgonie Primary School were to close on 30 June 2022, and the building is disposed of, a detailed financial breakdown of the savings proposals, including transport, is contained within Appendix 10.
- 11.2 There have been increased travel costs to Coaltown of Balgonie for Milton of Balgonie pupils, amounting to £5,685. These costs can be offset against the £21,906 that will be saved in the long term from transporting pupils from the Lochtyview area to Coaltown of Balgonie Primary School.

12. Grant Aided Expenditure (GAE)

- 12.1 Milton of Balgonie is currently mothballed and the proposed closure of the school will have no impact on GAE allocations. GAE allocations are determined by school roll numbers and the school currently has no pupils. Any decrease in the number of pupils in rural schools does not necessarily result in a decrease in total GAE flowing to Fife. Any decrease is calculated relative to the movement over the other 31 authorities. GAE figures do not represent budgets, targets or expenditure guidelines but are simply a distribution method of determining each local authority's share of total revenue budget funding based on relative need. The GAE process is complex and the implications of one school closure cannot be calculated based on the overall allocation of GAE.

13. Future Use of the Site

- 13.1 Milton of Balgonie Primary School is situated on Main Street, Milton of Balgonie. The school is currently maintained by our Property Services Team and Orbis to ensure it is wind and watertight and is regularly checked by Janitorial Services. The school resources were removed in November 2021 to ensure compliance with Fife Council's insurance.
- 13.2 If the closure proposal is approved by the Cabinet Committee, consideration will be given to other educational uses for the school. If none can be identified other uses by the Council will be considered. If no alternative uses can be identified in this way the site will be disposed of.

14. Community Impact of the Closure

- 14.1 In preparing this proposal the Council has considered then ways in which the closure of Milton of Balgonie Primary School might impact on the community, taking account of research published by the Scottish Government in 2012 (Robinson and Whittaker, EAS Learning Research). This research identifies a number of key areas for consideration.
- 14.2 On the basis of this proposal all children from the Milton of Balgonie community would be educated within Coaltown of Balgonie Primary School. Coaltown of Balgonie Primary School already has a small number of Milton of Balgonie Primary School catchment area pupils enrolled, following successful placing requests. As no pupils are currently enrolled at Milton of Balgonie Primary School, in practical terms, no pupils will require to transfer to Coaltown of Balgonie Primary School, upon closure of the school.

14.3 **Loss of social resource and community resource**

Milton of Balgonie Primary School has not been used by other community users during the last 3 academic sessions (2018/19, 2019/20 and 2021/22 or currently). The community of Milton of Balgonie has access to a Community Centre, managed by Fife Council's Community Services less than 500 metres from the existing school building. Closure of the school would have no impact on this aspect of village life.

14.4 **Economic impact**

Milton of Balgonie Primary School is not a major employer within the community and in this respect the closure of the school will not have any significant economic impact. In addition, there are currently no large retail or service facilities located within Milton of Balgonie village whose continued viability might be dependent on the school. From a google maps search it appears there is a Gift Shop and Kilt Hire shop listed as local businesses. More retail and service facilities are located in Coaltown of Balgonie (1.7 miles) and within Glenrothes at the Bankhead Roundabout (petrol station, McDonalds, nearby restaurants 3.8 miles) and in the Carleton Primary School area a selection of local shops (hairdresser, pub, post office and food shop/takeaways - 3.1 miles). There is no evidence to suggest that the proposed school closure will have any impact on the desirability of houses for purchase or let, and comparable Fife communities without schools continue to flourish.

14.5 **Community and parental involvement**

The education of children at Coaltown of Balgonie Primary School has not impacted on parents' desire to be involved in their children's education.

14.6 **Impact on pupils**

During academic session 2018/19, the Headteacher started to increase the educational and social links between Milton of Balgonie and Coaltown of Balgonie Primary Schools and this continues with the current headteacher and pupils/parents/carers. Currently, all children within Coaltown of Balgonie are benefitting from having access to larger peer groups, increased friendships and the increased social opportunities which this offers, such as Christmas Fayres and movie nights.

14.7 **Attitudes to school closure**

Prior to the decision to mothball Milton of Balgonie Primary School, all parents/carers of those pupils from the Milton of Balgonie Primary School catchment area attending Coaltown of Balgonie Primary School or any other primary school in Fife were invited to provide feedback on the Council's proposal to mothball the school. However, to date there has been no formal feedback from parents to suggest any concern with mothballing Milton of Balgonie Primary School. It is unfortunate that the school roll has declined in previous years, but in practical terms, parents understand the decisions that have been made.

14.8 **Loss of close relationship between headteachers/teachers and the local community**

In August 2019, there were no pupils enrolled in Milton of Balgonie Primary School. In the previous session, staff at Milton of Balgonie Primary School had established good communication and strong links with parents/carers from the Milton of Balgonie school community. To support the transition to Coaltown of Balgonie Primary School in August 2019, the Pupil Support Assistant transferred from Milton of Balgonie Primary School to Coaltown of Balgonie Primary School. This member of staff was able to maintain the link with pupils which provided continuity for the pupil being supported, as well other former pupils from Milton of Balgonie Primary School. In session 2018/19, the Headteacher at Coaltown of Balgonie was also the Headteacher for Milton of Balgonie, providing continuity of leadership for the transition of pupils. There was also a class teacher who worked in Milton of Balgonie Primary School covering non-class contact time who became a Principal Teacher within Coaltown of Balgonie Primary School. Arrangements have been in place to ensure that these links are maintained with parents/carers, and it is anticipated that there will be no impact on such relationships.

14.9 **Pupils' sense of community identity**

The current participation of children in activities in the wider community would indicate that this does not represent an area of significant impact. Links were already being established in 2019/20. The staff within Coaltown of Balgonie Primary School do not make any pupils feel any different and all pupils are part of the same school community. Milton of Balgonie pupils have integrated into the school community and the school continues to reinforce links back to community groups to ensure all pupils from Coaltown of Balgonie Primary School are included.

14.10 **Loss of community confidence and a general decline in quality of life**

The potential impact of the closure of the school in terms of community confidence and quality of life, while limited, is recognised. However, there is a Community Council in operation for the Milton and Coaltown of Balgonie settlements and this should continue to maintain the community aspect for both small villages

14.11 In summary, if the proposal is implemented the Council does not consider that there will be any adverse effect on the local community, whether defined as the school community, the village community or the wider rural community surrounding the village of Milton of Balgonie. Overall, the Council considers that there will be a positive effect on the local community. The Council considers that any adverse impact is unlikely to be significant, but where identified, this will be addressed through a range of measures.

15. **Summary of Proposal**

15.1 The proposal is to:

- (a) Close Milton of Balgonie Primary School on 30 June 2023.
- (b) Rezone the catchment area of Coaltown of Balgonie Primary School to incorporate all the current catchment area of Milton of Balgonie Primary School from 30 June 2023.
- (c) Seek alternative uses for the Milton of Balgonie Primary School site.
- (d) Rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools, to realign these primary school catchments from 30 June 2023.

15.2 The school roll of Milton of Balgonie Primary School was 0 pupils for academic session 2019/20, 2020/21 and 2021/22 and with a maximum pupil capacity of 75 this represents 0% occupancy. There have been no requests for primary one enrolment for session 2022/23, representing an occupancy level of 0%. The school does not meet the guiding principles of being more than 60% occupied, having more than 50 pupils or 3 classes or more. The school roll is unlikely to increase with the current demographic profile of the catchment area and there are no housing sites with approved planning consent within the school catchment area, which will support a declining school roll, expected to start in the near future. The school was formally mothballed, following the decision by the Education & Children's Services Sub-Committee on 26 January 2021, with no formal feedback being received from parents in the Milton of Balgonie catchment area to request that the school remains open.

15.3 Having identified the reasons for this proposal and considered whether there are any reasonable alternatives to the proposal, as a response to those reasons, the Council considers closure would be the most appropriate response to those reasons.

15.4 **The reasons for formulating this proposal**

The Schools (Consultation) Scotland Act 2010 states that education authorities must identify the reasons for formulating a proposal to close a rural school. This proposal was formulated for the following reasons:

- a) Milton of Balgonie Primary School has had no pupils enrolled for academic sessions 2019/20, 2020/21, 2021/22 and 2022/23.
- b) Milton of Balgonie Primary School has been mothballed since January 2021. The school building is currently being maintained by Property Services to ensure it is wind and watertight.
- c) There has been no attempt by parents living in the Milton of Balgonie Primary School catchment area to seek to enrol pupils in Milton of Balgonie Primary School since August 2019.
- d) Updated birth information has shown that the births in the catchment area have not significantly increased in the last year and there is no other anticipated increased growth in pupil population in the catchment area from, for example, large scale housing development of over 100 units.
- e) Milton of Balgonie Primary School meets two of the Fife Council guiding principles as outlined in para. 3.1.

15.5 Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools are not classified as rural schools in accordance with the Scottish Government Rural Schools Classification dated October 2021.

15.6 Pupils from the Milton of Balgonie Primary School catchment area can be accommodated within the existing accommodation at Coaltown of Balgonie Primary School, however, these projected pupil numbers include all pupils currently within the Coaltown of Balgonie and Milton of Balgonie catchment areas, while the full proposal includes the option to realign the primary school catchment of Thornton Primary School. This option will remove some addresses from the Coaltown of Balgonie projected numbers, allowing the occupancy of this school to remain below the published capacity of 100. This will provide continued flexibility in the use of the accommodation.

15.7 The projected school roll at Pitteuchar East Primary School, at census 2021, was 257 pupils, with a maximum pupil capacity of 367 pupils (13 classes). Without the new development in the Pitteuchar East Primary School catchment area, the school roll would decline over a 10 year period to 55%, which is lower than the 60% guiding principle. The school roll projection demonstrates the housing development at Westwood Park can be accommodated within Pitteuchar East Primary School and this will help sustain the school roll of Pitteuchar East Primary School in the long term. Therefore, it is proposed that the partial site of GLE102 Westwood Park, that is currently within the Coaltown of Balgonie Primary School catchment area, will be rezoned to Pitteuchar East Primary School. This will mean that all new pupils from this development site will be zoned to the same school.

15.8 The school roll at Thornton Primary School, at census 2021, was 172 pupils, with a maximum pupil capacity of 261 pupils (9 classes). The projected roll of Thornton Primary School can accommodate the projected number of pupils from the Lochtyview Way development, as well as the pupils projected from 300 of the 900 units of the Strategic Development Area (SDA) development for Thornton. Therefore, it is proposed that the housing within the Lochtyview development is rezoned, in full, from Coaltown of Balgonie to Thornton Primary School. This means that all new pupils from this development site from 30 June 2022 will be zoned to this school.

16 Proposed Date for Implementation

16.1 It is intended that the proposal, if approved by the Cabinet Committee of Fife Council on 9 March 2023 (or a subsequent Cabinet Committee), would be implemented on 30 June 2023. Nursery aged pupils transferring to Primary 1 in August 2023 would enrol in their existing primary school in January 2023. If approved, the new catchment areas will take effect from 30 June 2023 for all enrolments, including placing requests, from this date.

17 **Statutory Consultation Process – Proposed Timeline**

22 September 2022	Consultation proposal considered by Fife Council 's Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation
5 October – 1 December 2022	Consultation live (period of 31 school days)
10 – 21 October 2022	School holidays
	<p>Public meetings held on:</p> <ul style="list-style-type: none"> • Pitteuchar East Primary School on Monday 24 October 2022 from 6-7 pm • Coaltown of Balgonie Primary School on Monday 31 October from 6-7 pm • Thornton Primary School on Monday 14 November 2022 from 6-7 pm <p>Drop-in sessions at:</p> <ul style="list-style-type: none"> • Coaltown of Balgonie Primary School on Monday 24 October from 2.30-3.30 pm • Village Hall, Dickson Lane, Milton of Balgonie on Monday 24 October from 3.45-4.30 pm • Pitteuchar East Primary School on Monday 24 October from 5-6 pm • Thornton Primary School on Monday 31 October 2022 from 8.45-9.30 am • Thornton Primary School on Monday 31 October 2022 from 2.30-3.30 pm • Coaltown of Balgonie Primary School on Monday 31 October from 5-6 pm • Coaltown of Balgonie Primary School on Wednesday 9 November from 8.45-9.30 am 18. Pitteuchar East Primary School on Monday 14 November 2022 from 8.45-9.30 am 19. Thornton Primary School on Monday 14 November 2022 from 5-6 pm
1 December 2022	Consultation Close
9 December 2022	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3-week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before the Cabinet Committee.
9 March 2023	Report submitted to the Cabinet Committee

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এ নথিতে যেসব তথ্য আছে তা 03451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/টেপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।

কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارة البريطانية من خلال الاتصال بالرقم 03451 55 55 77 تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 03451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 03451 55 55 44.

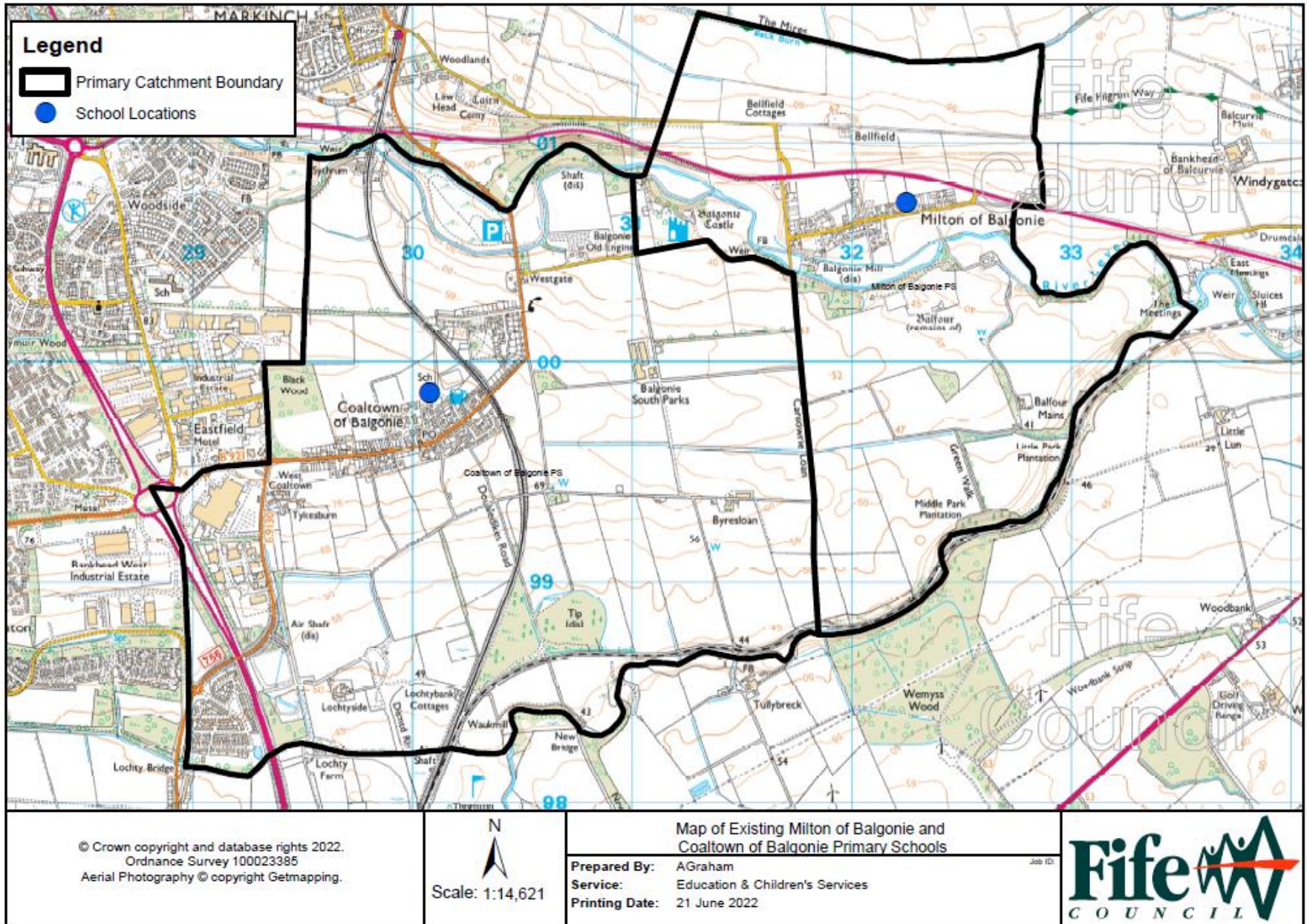
Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 03451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

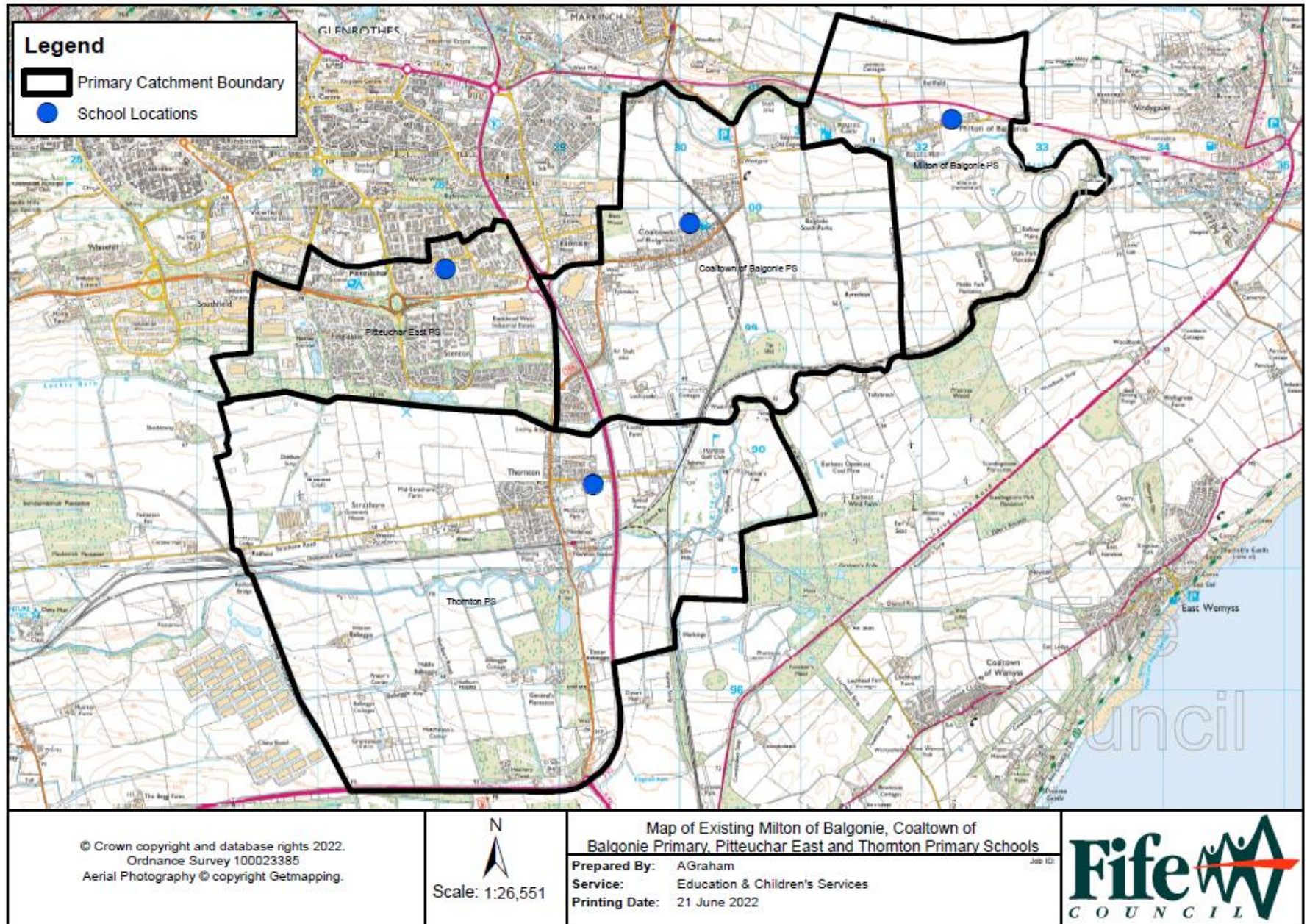
ਯੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

03451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹ 'بریل' آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔ کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پنس فی منٹ ہیں' موبائل کے نرخ مختلف ہوسکتے ہیں۔

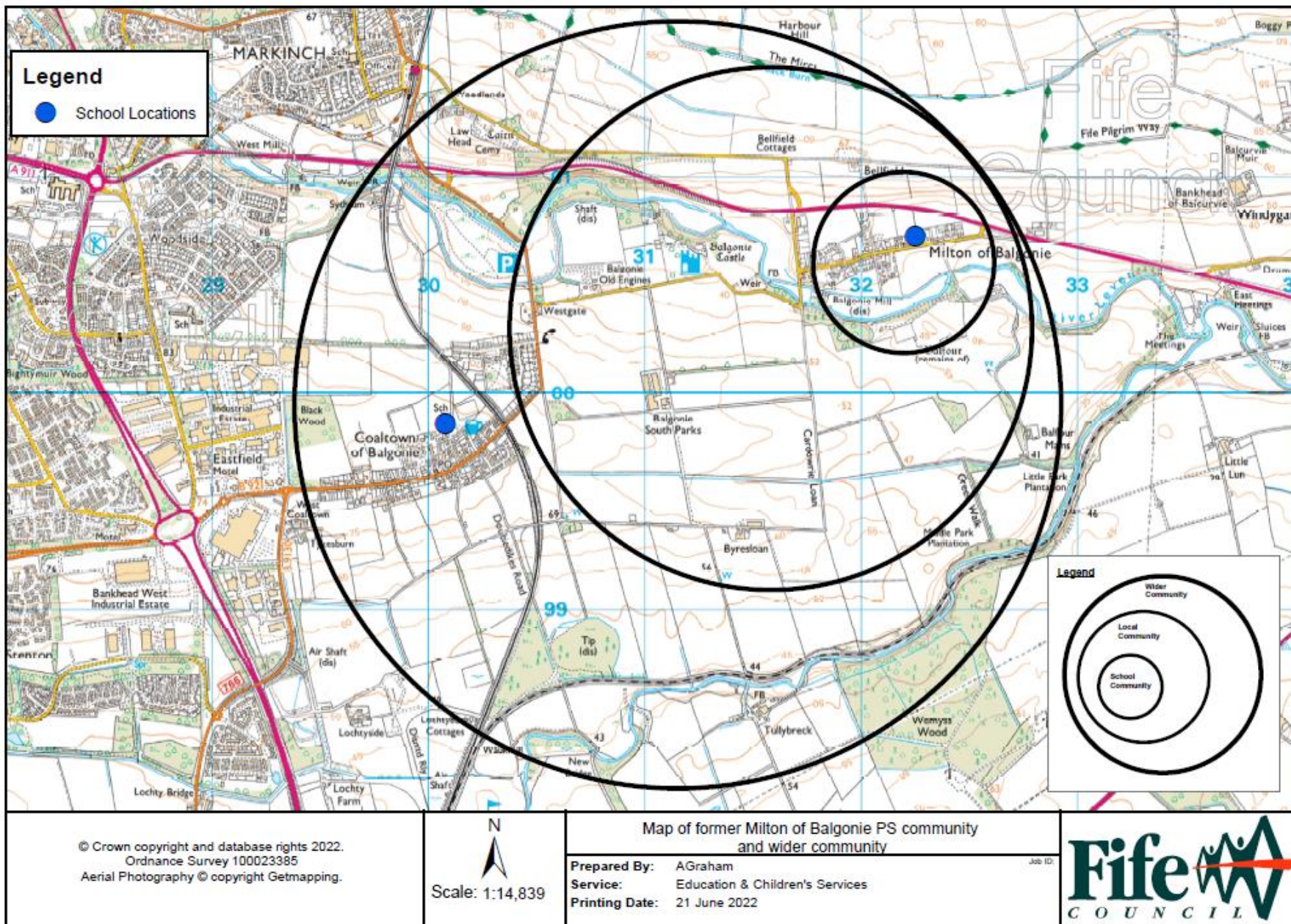
Appendix 1 - Map of existing catchment areas – Coaltown of Balgonie and Milton of Balgonie



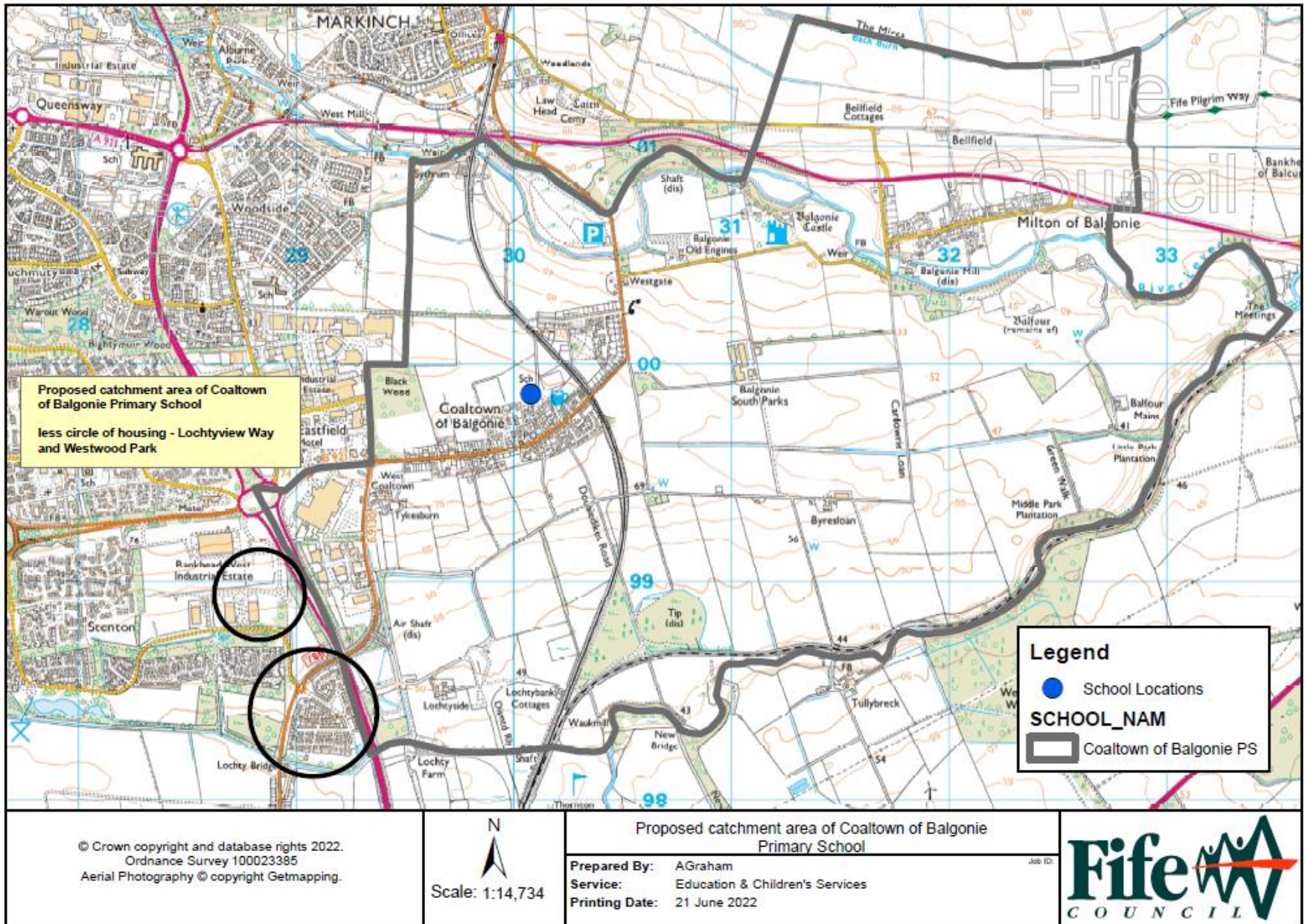
Appendix 2 - Map of existing catchment areas including Pitteuchar East and Thornton Primary Schools



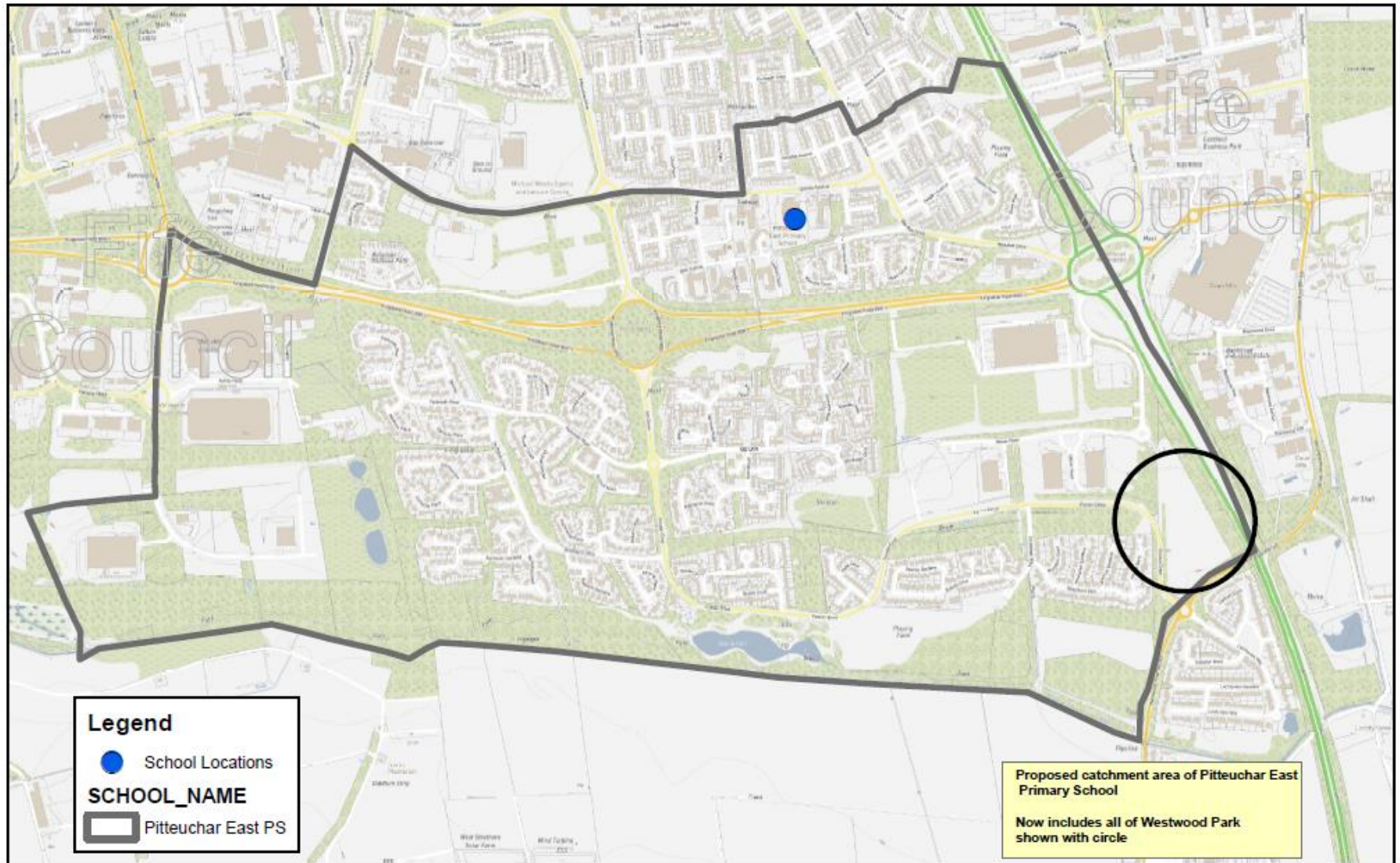
Appendix 3 - Map of existing Milton community and wider community



Appendix 4 - Map of proposed Coaltown of Balgonie Primary School catchment area

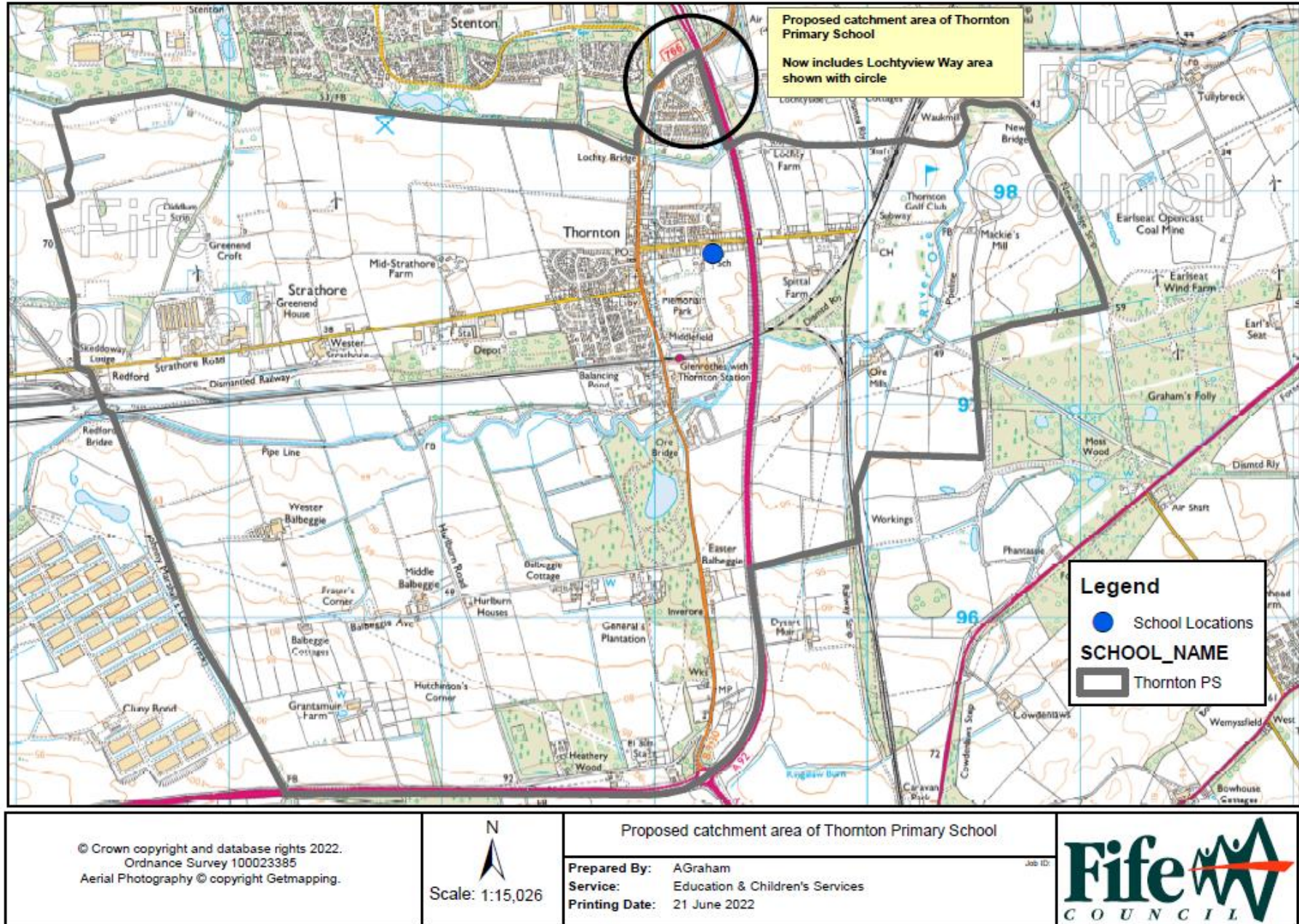


Appendix 5 - Map of proposed Pitteuchar East Primary School catchment area

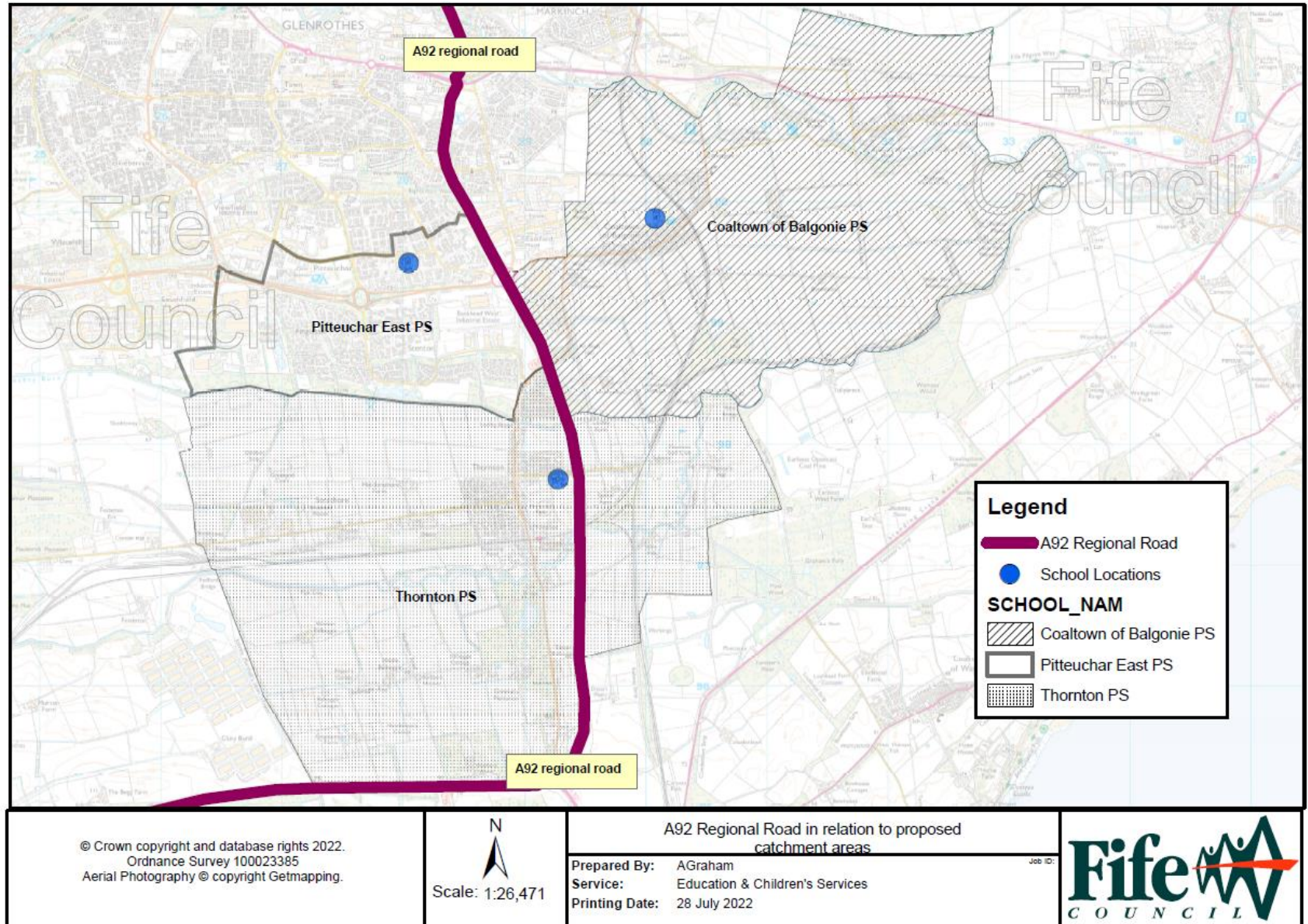


<p>© Crown copyright and database rights 2022. Ordnance Survey 100023385 Aerial Photography © copyright Getmapping.</p>	<p>N Scale: 1:8,628</p>	<p>Proposed catchment area of Pitteuchar East Primary School</p> <p>Prepared By: AGraham Service: Education & Children's Services Printing Date: 21 June 2022</p>	<p>Job ID: Fife COUNCIL</p>
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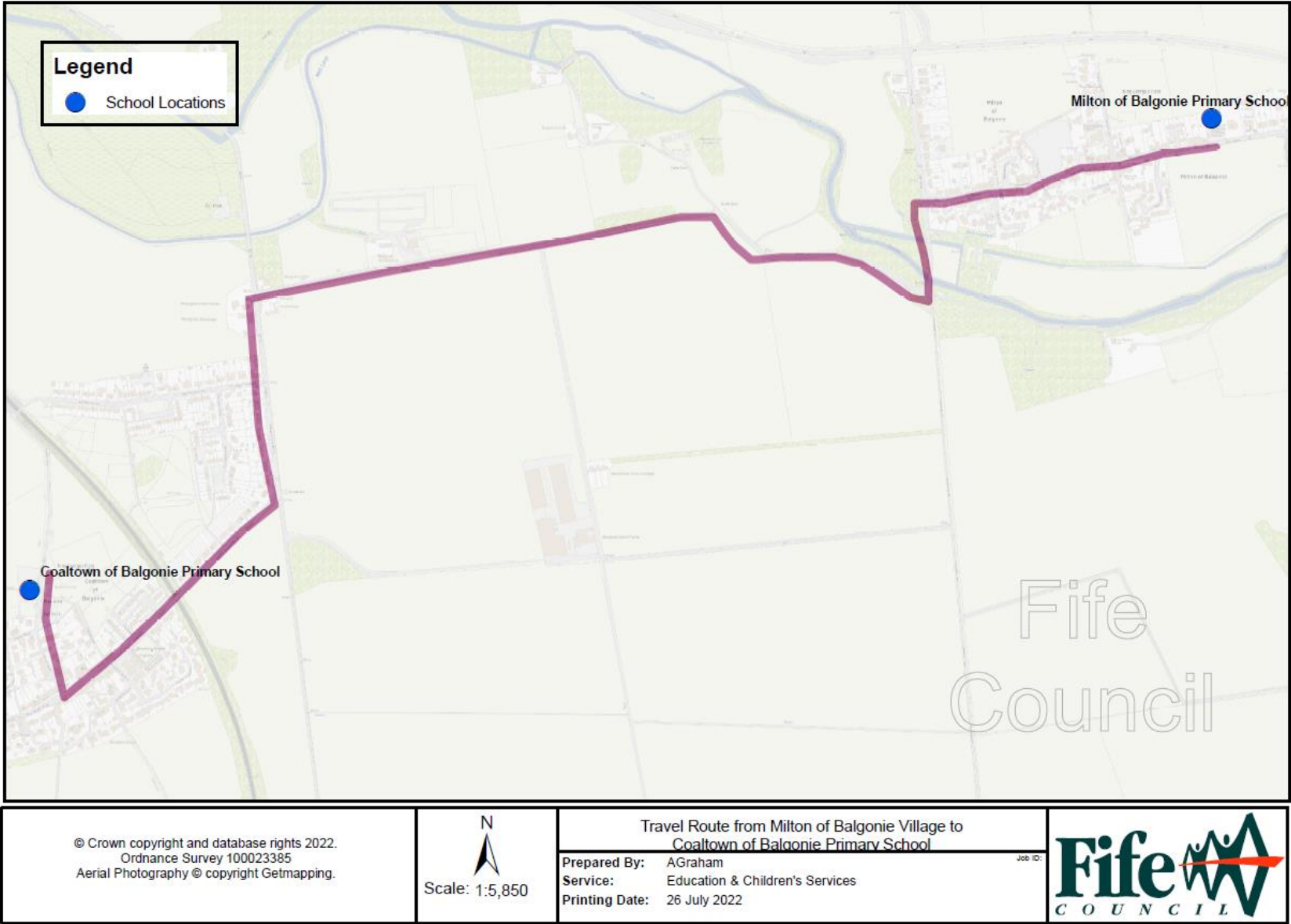
Appendix 6 - Map of proposed Thornton Primary School catchment area



Appendix 7 - Map showing proposed catchment areas with the A92 regional road



Appendix 8 – Travel route currently in use by pupils being transported from Milton of Balgonie village to Coaltown of Balgonie Primary School



Appendix 9 – Core Facts

School Name	Milton of Balgonie	Coaltown of Balgonie	Pitteuchar East	Thornton
Condition	B	B	B	B
Suitability	B	B	B	A
Accessibility	D	C	B	B
Capacity May 2021	75	100	367	261
School Roll Sept 2021	0	95	257	172
Distance from Milton	-	1.7 miles	3.1 miles	3.4 miles
Nursery on site	No	No	Yes	Yes
Rural school	Yes	No	No	No
Out of School club	No	At Carleton PS	Yes	In discussion
Village Hall	Yes	Yes	-	Yes
Transport Costs	£5,685	£21,906	-	-

Appendix 10 - Financial analysis

Proposal for the Closure of Milton of Balgonie Primary School and the rezoning of Coaltown of Balgonie		
Estimated savings from closure		
Staff Costs	£	
Teachers staffing	54,184	Assuming no increase in classes/job-sizing at Coaltown of Balgonie as pupils have been absorbed into existing classes in the receiving school
Admin & clerical	17,116	No additional Admin & clerical resource required in Coaltown of Balgonie which is a receiving school
Classroom assistant	11,525	No increase in Coaltown of Balgonie required
Teacher training	10	Saving
Other training	44	Saving
Saving on Staff Costs	82,879	
Premises Costs		
Saving on Premises Costs	14,722	Assumed full amount saved once building is disposed.
Other Costs		
Travel Exp-Mileage	41	Saving
Furniture	100	Saving
A Allocation (Classroom Resources)	470	Saving
B Allocation (Facilities Management Resources)	400	Saving
Parents Council	370	Saving
Supplies & Services	0	
Saving on Other Costs	1,381	
Transport Costs		
Milton of Balgonie to Coaltown of Balgonie	(5,685)	
MILTON OF BALGONIE SAVINGS	93,297	

Receiving Schools Additional Costs		
As a consequence of closing Milton of Balgonie and rezoning the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary School – the transportation from Lochtyview will continue for a period	£21,906	Costs will diminish over time as pupils progress through the school
NET SAVINGS	£71,391	

Core Facts

Core Facts are a series of data which are collected by local authorities to measure progress and success of a school estate strategy as well as benchmarking against other local authorities in Scotland. The core facts are used at both local and national level to:

- establish a baseline
- inform targets
- inform spending decisions
- support monitoring and evaluation of progress over time
- support assessments of value for money.

More information is available at: [School estates: core facts overview - gov.scot \(www.gov.scot\)](http://www.gov.scot/School-estates-core-facts-overview)

School Condition Rating

Condition core facts are established by professional review, carried out by the Council's Asset & Facilities Management Service. Schools are assessed against a range of criteria set down by the Scottish Government and are examined on a 5-year rolling programme.

- A: Good – Performing well and operating efficiently
- B: Satisfactory – Performing adequately but showing minor deterioration
- C: Poor – Showing major defects and/or not operating adequately
- D: Bad – Life expired and/or serious risk of imminent failure.

School Suitability Rating

Suitability core facts are established through a similar process to the condition core facts process, undertaken by Headteacher and Business Managers.

This information assesses how well the school environment supports the delivery of the curriculum against criteria laid down by the Scottish Government.

- A: Good – Performing well and operating efficiently (the school buildings support the delivery of services to children and communities)
- B: Satisfactory – Performing well but with minor problems (the school buildings generally support the delivery of services to children and communities)
- C: Poor – Showing major problems and/or not operating optimally (the school buildings impede the delivery of activities that are needed for children and communities in the school)
- D: Bad – Does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

Suitability surveys are reviewed by Headteachers/Business Managers every 5 years. The last survey was completed by Headteachers in 2010. Where school investment has been carried out in a particular school, the following year's Core Facts Update will be amended to reflect any subsequent change to the condition, suitability or accessibility rating.

School Accessibility Rating

Accessibility ratings are collated by the School Estate Team, along with the Education Access Officer, who undertake surveys of all the school buildings.

These ratings are then ratified by the Accessibility Strategy Group. The ratings are classified as follows:

- A: Fully accessible
- B: Building partially accessible but Curriculum accessible
- C: Partially accessible or not currently accessible but has the potential to be made accessible
- D: Inaccessible and unable to be reasonably adapted to be made accessible.

As part of the Accessibility Strategy, there will be a number of accessible schools in each geographical area.

Strategic Land Allocations

Strategic Land Allocations are housing developments sites within Fife identified through Fife Council's Structure Plan 2006-2026 (approved May 2009). The Structure Plan also includes infrastructure developments for business and employment, town centres, retailing, housing, affordable housing, transportation and waste management. A Strategic Land Allocation for residential units range from 300 units in a small town/village to 4200 units in a large town.

Local Development Plan

Fife Council adopted FIFEplan (Fife's Local Development Plan) on 21 September 2017. This plan details the local development changes to infrastructure within settlements and include new plans with planning consent. The Council are currently inviting communities to create Local Place Plans, which will help shape the next Local Development Plan. More information is available at [Invitation to create Local Place Plans](#) page.

Housing Land Audit

Enterprise, Planning & Protective Services undertakes an annual audit (known as the Housing Land Audit) of the Housing Land Supply in Fife, using 1st April as the base date. The Audit monitors housing completions and makes predictions about future house building in Fife.

Homes for Scotland (representing the national house builders) and local developers are consulted on the information to be included in the Housing Land Audit to discuss and agree the Audit as far as possible. The latest publication for 2021 is published at [Planning Information and Land Use Audits | Fife Council](#)

Public Private Partnership (PPP)

There are 2 existing contracts in Fife (PPP1 and PPP2) where schools have been procured and constructed through this process. The schools are maintained for a period of 25 years by a contractor and after 25 years the building is handed to the Council for future repair and maintenance. An annual unitary charge includes design and construction, services delivery including building and grounds maintenance, finance costs, legal, insurances, management and risk.

Life Cycle Costs

Costs for replacing assets at the end of their life span. These include building, fabric, services and furniture and equipment to ensure the asset is maintain is a substantial condition.

Efficiency Range 80-100%

No local authority can effectively run at 100% occupied. The 80%-100% efficiency range allows a degree of flexibility within schools to support Curriculum for Excellence.

Cost per Pupil Calculation

The cost per pupil calculation for schools is computed in July of each year. The calculation is intended to bring together all comparable costs for each school and benchmark these at individual school level through the production of a cost per pupil figure.

The calculation is currently based on the School Revenue Budget Statements that are issued to schools in April of each year. The calculation takes into account a number of factors particularly the school roll from the last census at September of the previous year. The calculation takes schools running costs including an allocation for janitorial staffing costs. It excludes the costs for school transport, depreciation and the financing costs of schools built under PFI contract arrangements (PPP schools).

Having identified the relevant running costs for each school and by dividing these costs by the school roll this produces a cost per pupil figure which is used for comparison purposes.

Proposal Paper

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare and publish a proposal paper. Section 4 of the Act provides:

4 Proposal paper

- (1) The education authority must prepare a proposal paper which—
 - (a) sets out the details of the relevant proposal,
 - (b) proposes a date for implementation of the proposal,
 - (c) contains the educational benefits statement in respect of the proposal,
 - (d) refers to such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.

- (2) The proposal paper must also give a summary of the process provided for in [sections 1 to 17D] (so far as applicable in relation to the proposal).

(2A) Where a proposal paper relates to a closure proposal, it must also contain information about the financial implications of the proposal.

- (3) A proposal paper may include more than one proposal.

- (4) The education authority must—
 - (a) publish the proposal paper in both electronic and printed form,
 - (b) make the paper, and (so far as practicable) a copy of any separate documentation that it refers to under subsection (1)(d), available for inspection at all reasonable times and without charge—
 - (i) at its head office and on its website,
 - (ii) at any affected school or at a public library or some other suitable place within the vicinity of the school,
 - (c) provide without charge the information contained in the proposal paper—
 - (i) to such persons as may reasonably require that information in another form, and
 - (ii) in such other form as may reasonably be requested by such persons.

- (5) The education authority must advertise the publication of the proposal paper by such means as it considers appropriate.

Educational Benefits Statement

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare an educational benefits statement. Section 3 of the Act provides:

3 Educational benefits statement

- (1) The education authority must prepare an educational benefits statement which includes:
 - (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,

- (b) the authority's assessment of any other likely effects of the proposal (if implemented),
 - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
 - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).
- (2) The statement must also include the education authority's reasons for coming to the beliefs expressed under subsection (1)(d).
 - (3) In subsection (1), the references to effects and benefits are to educational effects and benefits.

Rural School

In terms of the Schools (Consultation) (Scotland) Act 2010 a rural school is a school designated as rural by Scottish Ministers. Section 14 provides:

14 Designation of rural schools

- (1) In this Act, a "rural school" is a school which is designated as such by its inclusion in the list of rural schools maintained by the Scottish Ministers for the purposes of this subsection.
- (2) In determining the question of rurality when considering whether a school falls to be included in or excluded from the list of rural schools, the Scottish Ministers are to have regard (in particular) to:
 - (a) the population of the community (or settlement) in which the school is located,
 - (b) the geographical circumstances of that community (or settlement) including its relative remoteness or inaccessibility.
- (3) The list of rural schools is to be accompanied by an explanation of how the Scottish Ministers devised the list:
 - (a) by reference to subsection (2), and
 - (b) if they consider it appropriate, by reference to any recognised criteria available from a reliable source.
- (4) The Scottish Ministers are to:
 - (a) monitor the list of rural schools (and update it as regularly as they consider necessary),
 - (b) publish it (including as updated) in such way as they consider appropriate.
- (5) An education authority must provide the Scottish Ministers with such information as they may reasonably require of it in connection with the list of rural schools.

Special Provision for Rural Schools

11A Presumption against rural school closure

- (1) This section applies in relation to any closure proposal as respects a rural school.
- (2) The education authority may not decide to implement the proposal (wholly or partly) unless the authority—
 - (a) has complied with sections 12, 12A and 13, and
 - (b) having so complied, is satisfied that such implementation of the proposal is the most appropriate response to the reasons for formulating the proposal identified by the authority under section 12A(2)(a).

- (3) The authority must publish on its website notice of—
 - (a) its decision as to implementation of the proposal, and
 - (b) where it decides to implement the proposal (wholly or partly), the reasons why it is satisfied that such implementation is the most appropriate response to the reasons for formulating the proposal identified by the authority under section 12A(2)(a).

12 Factors for rural closure proposals

- (1) Subsection (2) applies in relation to any closure proposal as respects a rural school.
- (2) The education authority must have special regard to the factors mentioned in subsection
- (3) The factors are—
 - (a) [...] **1** (Repealed by Children and Young People (Scotland) Act 2014 asp 8 (Scottish Act) Pt 15 s.80(2)(a) (August 1, 2014: repeal has effect subject to transitional provision specified in SSI 2014/165art.5)
 - (b) the likely effect on the local community in consequence of the proposal (if implemented),
 - (c) the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).
- (4) For the purpose of subsection (3)(b) [and sections 12A(2)(c)(ii) and 13(5)(b)(ii)] **2**, the effect on the community is to be assessed by reference (in particular) to—
 - (a) the sustainability of the community,
 - (b) the availability of the school's premises and its other facilities for use by the community.
- (5) For the purpose of subsection (3)(c) and sections 12A(2)(c)(iii) and 13(5)(b)(iii) **3** —
 - (a) the effect caused by such travelling arrangements includes (in particular)—
 - (i) that on the school's pupils and staff and any other users of the school's facilities,
 - (ii) any environmental impact,
 - (b) the travelling arrangements are those to and from the school of (and for) the school's pupils and staff and any other users of the school's facilities.

12A Preliminary requirements in relation to rural school closure

- (1) This section applies where an education authority is formulating a closure proposal as respects a rural school.
- (2) The authority must—
 - (a) identify its reasons for formulating the proposal,
 - (b) consider whether there are any reasonable alternatives to the proposal as a response to those reasons,
 - (c) assess, for the proposal and each of the alternatives to the proposal identified under paragraph (b) (if any)—
 - (i) the likely educational benefits in consequence of the implementation of the proposal, or as the case may be, alternative,
 - (ii) the likely effect on the local community (assessed in accordance with section 12(4)) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with section 12(5)) in consequence of such implementation.
- (3) For the purposes of this section and section 13, reasonable alternatives to the proposal include (but are not limited to) steps which would not result in the school or a stage of education in the school (within the meaning of paragraph 12 of schedule 1) being

discontinued.

- (4) The authority may not publish a proposal paper in relation to the proposal unless, having complied with subsection (2), it considers that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.
- (5) In this section and section 13, the references to the reasons for the proposal are references to the reasons identified by the education authority under subsection (2)(a).

13 Additional consultation requirements

- (1) This section applies in relation to any closure proposal as respects a rural school.
- (2) The proposal paper must additionally—
 - (a) explain the reasons for the proposal,
 - (b) describe what (if any) steps the authority took to address those reasons before formulating the proposal,
 - (c) if the authority did not take such steps, explain why it did not do so,
 - (d) set out any alternatives to the proposal identified by the authority under section 12A(2)(b),
 - (e) explain the authority's assessment under section 12A(2)(c),
 - (f) explain the reasons why the authority considers, in light of that assessment, that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.
- (3) The notice to be given to relevant consultees under section 6(1) must—
 - (a) give a summary of the alternatives to the proposal set out in the proposal paper,
 - (b) state that written representations may be made on those alternatives (as well as on the proposal), and
 - (c) state that written representations on the proposal may suggest other alternatives to the proposal.
- (4) In sections 8(4)(c), 9(4) and 10(2)(a), the references to written representations on the proposal include references to written representations on the alternatives to the proposal set out in the proposal paper.
- (5) When carrying out its review of the proposal under section 9(1), the education authority is to carry out—
 - (a) for the proposal and each of the alternatives to it set out in the proposal paper (if any), a further assessment of the matters mentioned in section 12A(2)(c)(i) to (iii), and
 - (b) an assessment, in relation to any other reasonable alternative to the proposal suggested in written representations on the proposal, of—
 - (i) the likely educational benefits in consequence of the implementation of the alternative,
 - (ii) the likely effect on the local community (assessed in accordance with section 12(4)) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with section 12(5)) in consequence of such implementation.
- (6) The consultation report must additionally explain—
 - (a) the education authority's assessment under subsection (5)(a),
 - (b) how that assessment differs (if at all) from the authority's assessment under section 12A(2)(c),
 - (c) the authority's assessment under subsection (5)(b),
 - (d) whether and, if so, the reasons why the authority considers that implementation of the proposal (wholly or partly) would be the most appropriate response to the reasons for the proposal.

**FIFE COUNCIL – EDUCATION AND CHILDREN’S SERVICES DIRECTORATE
CONSULTATION RESPONSE FORM**

Proposal to close Milton of Balgonie Primary School and rezone the catchment areas of Coaltown of Balgonie Primary School, Pitteuchar East and Thornton Primary Schools from August 2023.

Section 1 – Your Details

(to be provided by parent/carers or interested parties to enable the local authority to inform any person who makes written representations on the proposal of the publication of the consultation report as required by the Schools (Consultation) (Scotland) Act 2010).

Name	
Address	
Postcode	
Email address (if applicable)	

Section 2 - What is your main interest in responding to this consultation?

I am a parent/carer of a child:

Living in the Milton of Balgonie PS catchment area	
Living in the Coaltown of Balgonie PS catchment area	
Living in the Pitteuchar East PS catchment area	
Living in the Thornton PS catchment area	

I am a parent/carer of a child attending:

Coaltown of Balgonie PS	
Pitteuchar East PS	
Thornton PS	
Another primary School in the Glenrothes area	
Any nursery in the Glenrothes local area	

I am a pupil attending:

Coaltown of Balgonie PS	
Pitteuchar East PS	
Thornton PS	
Another primary School in the Glenrothes area	
Any nursery in the Glenrothes local area	

I am a member of staff at:

Coaltown of Balgonie PS	
Pitteuchar East PS	
Thornton PS	
Another primary school in the Glenrothes area	
Any nursery in the Glenrothes local area	

Other interested party	
------------------------	--

Please explain if you are responding on behalf of an organisation or for another reason

--

Section 3 - Your Views

Question 3.1 Do you support the proposal to close Milton of Balgonie Primary School and rezone the catchment area of Coaltown of Balgonie Primary School from 30 June 2023 (**choose yes or no**)?

YES

NO

If NO, what are your reasons? (Please list these below)

Are there any further comments on the proposal you would like to make and/or any alternatives to the proposal you would like to suggest? (Please list these below)

Question 3.2 Do you support the proposal to rezone part of the Coaltown of Balgonie Primary School catchment area (Lochtyview area) to Thornton Primary School catchment area from 30 June 2023?

YES

NO

If NO, what are your reasons? (Please list these below)

Are there any further comments on the proposal you would like to make and/or any alternatives to the proposal you would like to suggest? (Please list these below)

Question 3.3 Do you support the proposal to rezone part of the Coaltown of Balgonie Primary School catchment area (Westwood Park) to Pitteuchar East Primary school catchment area from 30 June 2023?

YES

NO

If NO, what are your reasons? (Please list these below)

Are there any further comments on the proposal you would like to make and/or any alternatives to the proposal you would like to suggest? (Please list these below)

Section 4 - About You

The following questions are **voluntary**. They are to assist Fife Council in fulfilling its obligations under the Equality Act 2010 in relation to the proposal. Your responses to these questions are confidential.

1. What is your age? 18 or under 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55-64 65-74 75 and over

2. What is your gender? Male Female

3. What is your ethnic background? Please choose one (✓).

White Scottish	<input type="checkbox"/>
Other White British	<input type="checkbox"/>
Other White background	<input type="checkbox"/>
Mixed or multiple ethnic background	<input type="checkbox"/>
African	<input type="checkbox"/>
Asian, Asian Scottish, or other Asian British	<input type="checkbox"/>
Caribbean or Black	<input type="checkbox"/>
Other ethnic background	<input type="checkbox"/>

4. Do you consider yourself as having a disability? Yes No

Thank you for taking part in this consultation

Please complete online at www.fife.gov.uk/miltonclosure or return this form by post to: Milton of Balgonie Primary School Closure Proposal, Education & Children’s Services 4th floor, Fife House, North Street, Glenrothes, KY7 5LT **by the end of the consultation period on Thursday 1 December 2022.**

FIFE COUNCIL EDUCATION & CHILDREN'S SERVICES DIRECTORATE

PROPOSAL TO REZONE THE SECONDARY CATCHMENT AREAS OF: BELL BAXTER HIGH SCHOOL AND MADRAS COLLEGE

THE CONSULTATION PROCESS

The following schools are affected by this Proposal Document:

- Bell Baxter High School
- Madras College

This document has been issued by Fife Council as a proposal paper in terms of the Schools (Consultation) (Scotland) Act 2010.

DISTRIBUTION

A copy of this document is available on the Fife Council website:

<http://www.fife.gov.uk/madrasbellbaxtercatchmentreview>

A copy of this document will be made available to:

- The Parent Council or Combined Parent Council of any affected school.
- The parents of pupils at any affected school.
- The parents of any children expected by the education authority to attend any affected school within 2 years of the date of publication of the proposal paper. In addition to local advertising, a copy of this document will be made available for parents of the children in Primaries 5, 6 and 7 for academic session 2022/2023 of the following schools:

Auchtermuchty Primary School
 Balmullo Primary School
 Castlehill Primary School
 Ceres Primary School
 Craigrothie Primary School
 Dairsie Primary School
 Dunbog Primary School
 Falkland Primary School
 Freuchie Primary School
 Kettle Primary School
 Ladybank Primary School
 Letham Primary School
 Newburgh Primary School
 Pitlessie Primary School
 Springfield Primary School
 Strathmiglo Primary School

Balmerino Primary School
 Canongate Primary School
 Guardbridge Primary School
 Kingsbarns Primary School
 Largoward Primary School
 Lawhead Primary School
 Leuchars Primary School
 Newport Primary School
 Strathkinness Primary School
 Tayport Primary School
 Wormit Primary School

Kilmaron School

- The pupils at any affected school.
- The staff (teaching and other) at any affected school.
- Trade union representatives of the above staff (teaching and other) at any affected school.

- The Community Councils for the affected areas, being:

Abdie and Dunbog	Giffordtown and District
Auchtermuchty and Strathmiglo	Guardbridge
Balmerino, Kilmany and Logie Area	Kemback, Pitscottie and Blebo
Blairhall	Kettle
Balmullo	Kingsbarns
Boarhills and Dunino Cameron	Ladybank and District
Carnbee and Arncroach	Leuchars
Ceres and District	Monimail
Creich & Flisk	Newburgh
Cults	Newport, Wormit and Forgan
Royal Burgh of Cupar and District	Royal Burgh of St Andrews
Dairsie	Springfield
Falkland and Newtown of Falkland	Strathkinness
Freuchie	Tayport Ferryport on Craig

- The Community Planning Partnership for the area
- Any other users of any affected school that the education authority considers relevant.
- MSPs for the area (North East Fife and Regional MSPs)
- The Constituency MP for North East Fife
- Elected Members for the area (as at May 2022):
 - Ward 16-Howe of Fife & Tay Coast
 - Ward 17-Tay Bridgehead
 - Ward 18-St Andrews
 - Ward 20-Cupar

A copy of this document is also available from:

- Main Reception, Fife House, Glenrothes KY7 5LT
- Customer Service Centre, County Buildings, St Catherine Street Cupar KY15 4TA
- The schools affected by the proposal
- Online at <http://www.fife.gov.uk/madrasbellbaxtercatchmentreview>

This document can be made available in alternative formats or in translated form for readers whose first language is not English. Please apply in writing to Education & Children's Services Directorate, 4th Floor, Fife House, North Street, Glenrothes or by email to: Avril.Graham@fife.gov.uk (telephone 03451 555555 ext. 444204). Page 22 of this document provides additional contact numbers, in different languages.

SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT

1. Consideration by the Cabinet Committee

This Proposal document has been issued as a result of a decision by the Cabinet Committee meeting of Fife Council on Thursday 22 September 2022. Views are now sought in formal consultation on the proposal in this paper.

2. Proposal Document issued to consultees and published on Council Website

A copy of this document will be issued free of charge on request by emailing sustainableschoolestate.enquiries@fife.gov.uk, and will also be published on the Council website: <http://www.fife.gov.uk/madrasbellbaxtercatchmentreview>

3. Publication of advertisement in local newspapers

An advertisement will be placed in relevant local newspapers and information provided through Fife Council's social media – Facebook and Twitter, week commencing Monday 3 October 2022. Associated schools will also publicise the consultation process in newsletters, school bag mail and email.

4. Length of Consultation Period

The consultation will commence on Wednesday 5 October 2022 and will thereafter run until close of business on Thursday 1 December 2022, which covers the minimum statutory consultation period of 30 school days.

5. Public meetings/information sessions

Public meetings will be held in the Assembly Hall of the following schools:

- Madras College on Thursday 27 October from 6-7 pm
- Bell Baxter High School on Thursday 10 November 2022 from 6-7 pm

where there will be opportunities to:

- hear more about the proposal
- ask questions about the proposal
- make a written representation in respect of the proposal
- have your views recorded so that they can be considered as part of the consultation process.

Informal drop-in sessions have been arranged at:

- Balmerino Primary School on Thursday 27 October 2022 from 2.45-3.30 pm
- Madras College on Thursday 27 October from 5-6 pm
- Balmerino Primary School on Thursday 10 November from 2.45-3.30 pm
- Bell Baxter High School on Thursday 10 November from 5-6 pm

At the informal drop-in sessions, there will be opportunities for parents/carers/pupils and other stakeholders to:

- hear more about the proposal
- ask questions about the proposal
- complete a consultation response form.

6. Responding to the Proposal

Interested parties can also respond to this proposal document by making a written representation by letter, email or completion of a Consultation Response Form on the proposal before Thursday 1 December 2022 to any of the following:

- Emailing sustainableschoolestate.enquiries@fife.gov.uk
- Madras/Bell Baxter Catchment Review, Education & Children's Services Directorate, Fife Council, 4th Floor (West), Fife House, North Street, Glenrothes, KY7 5LT
- Completing an online Consultation Response Form at ([Managing Our School Estate | Fife Council](#))

7. Involvement of Education Scotland

A copy of the proposal paper will be sent to Education Scotland, by Fife Council. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agrees, a summary of them. Education Scotland will further receive a summary of any oral representation made to the Council at the public meetings and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare and submit a report on the educational aspects of the proposal within a 3-week period (unless the Council and Education Scotland agree a longer period) after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3-week period will not start until after the consultation period ends. Education Scotland may make such reasonable enquiries of such people at the school (e.g. Headteacher, staff, pupils) as they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

8. Preparation of Consultation Report

The Council will review the proposal having regard to the Education Scotland Report and written representations that it has received. In addition, oral representations made at the public meetings will form part of that review. It will then prepare a Consultation Report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations and a summary of the oral representations made at the public meetings as well as a copy of the Education Scotland Report and any other relevant information, including details of any alleged inaccuracies and how these have been handled. The report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the Education Scotland Report and representations (both written and oral) that it received. The Consultation Report will be published and available for further consideration for a minimum period of 3 weeks.

9. Decision

The Consultation Report, together with any other relevant documentation, will be considered by the Cabinet Committee of Fife Council, which will come to a decision whether to implement the proposal, in whole or in part, or not. The decision of that Committee may be subject to internal governance procedures before it becomes final. The proposal on which Fife Council is deciding is not a proposal which is subject to call in by the Scottish Government and is not subject to review by the School Closures Review Panel.

10. Note on Corrections

During the consultation period, if any inaccuracy or omission is discovered in this Proposal Paper, either by the Council or by notification from any other person, the Council will determine whether relevant information has been omitted or if there has been an inaccuracy and if so whether the omission or inaccuracy relates to a material consideration relevant to the decision or implementation of the proposal. It will then take appropriate action which may be to take no further action, to issue a correction with a possible revision of the consultation period or to begin the consultation again. In each of these situations a person who notified the Council of an inaccuracy or omission will be notified of the Council's determination and invited to make representations to the Council if they disagree with the determination.

Fife Council

Education & Children's Services Directorate

THE CONSULTATION PROPOSAL

**PROPOSAL TO REZONE THE SECONDARY CATCHMENT AREAS
OF:**

BELL BAXTER HIGH SCHOOL

MADRAS COLLEGE

Format of the Proposal Document

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- 2 The Proposal
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- 1.1 Map of existing catchment area for Bell Baxter High School
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- 1.5 Catchment Anomaly - addresses within the Bell Baxter High School catchment area (but within the Balmerino Primary School catchment area)
- 1.6 Map showing the A92 and the route from Balmullo Primary School to Bell Baxter High School
- 1.7 Map of proposed secondary catchment area, including associated primaries, for the Bell Baxter High School catchment area
- 1.8 Map of proposed secondary catchment area, including associated primaries, for the Madras College catchment area
- 1.9 Historic School Rolls / School Roll Projections / Core Facts
- 1.10 Housing Development within the Secondary School Catchment Areas
- 1.11 Glossary of Terms
- 1.12 Consultation Response Form

1 Introduction

- 1.1 This consultation paper sets out the rationale and implications in respect of the proposal to rezone the secondary catchment areas of Bell Baxter High School and Madras College.
- 1.2 This paper also sets out the consultation process, the timescales and the ways in which parents/carers and stakeholders can give feedback/make representations on the proposal.
- 1.3 To ensure that the school estate meets the principles of best value, the Education & Children's Services Directorate must ensure that the number of pupil places is matched as efficiently as possible to the numbers of pupils living in each geographical school catchment area.
- 1.4 Overall, there is sufficient pupil capacity within both secondary schools to meet the demand of pupil places from the primary catchment area of Balmerino Primary School.
- 1.5 However, there is currently a boundary anomaly within the catchment area of Balmerino Primary School as a result of the closure of Rathillet Primary School in 2014.
- 1.6 At the time of the proposal to close Rathillet Primary School and rezone the catchment area to Balmerino Primary School, a proposal was not formed to rezone the secondary school catchment areas. As a result, the area which previously formed the catchment area of Rathillet Primary School remains part of the Bell Baxter High School catchment area, while the area which previously formed the catchment area of Balmerino Primary School remains part of the Madras College catchment area. This is demonstrated on Appendix 1.5.
- 1.7 Until such time as a formal proposal to rezone the catchment area of Madras College and Bell Baxter High School was completed, the pupils from the former Rathillet Primary School catchment, who were enrolled at Balmerino Primary School, were afforded the opportunity, at entry to secondary school, to choose either Bell Baxter High School or Madras College.
- 1.8 Therefore, a decision is required to formally change the secondary school catchment areas to ensure that the whole of the Balmerino Primary School catchment area is zoned to one secondary school.
- 1.9 This will minimise uncertainty for pupils living in the former Rathillet Primary School catchment area when making a decision on the secondary school to attend (although the Education Service has supported parents/carers and pupils and afforded them the opportunity to choose between the schools at entry to S1). In addition, this proposal will ensure positive educational benefits for pupils attending the secondary school associated with Balmerino Primary School, as detailed in this proposal paper.

- 1.10 Parents will continue to have the right to exercise parental choice and to make placing requests to alternative secondary schools, subject to the normal constraints of capacity being available. The allocation of placing requests is in terms of the Education (Scotland) Act 1980 and in line with the existing School Admissions Policy, which can be found online at www.fife.gov.uk by searching for School Admissions Policy or accessing the following link [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).
- 1.11 This paper details the rezoning proposals for the existing secondary schools, on the existing campuses, of Bell Baxter High School and Madras College.
- 1.12 Fife Council manages the education provision by dividing the entire authority area into catchment areas, based on household addresses for both denominational and non-denominational provision for both primary and secondary schools. For each household address there is a non-denominational and denomination provision identified. There are no proposed changes to the denominational primary and secondary catchment areas associated with the area to be rezoned.

2 The Proposal

2.1 The proposal is to:

- Rezone the catchment area of Bell Baxter High School from 30 June 2023
- Rezone the catchment area of Madras College from 30 June 2023.

2.2 After the consultation, a final report will be submitted to a future meeting of the Cabinet Committee. If approved, the changes to the catchment areas would be implemented on 30 June 2023. Primary 7 pupils transferring to S1 in August 2023 would continue to be supported by the Education Service and afforded the opportunity to choose either Bell Baxter High School or Madras College for their secondary school place for August 2023. If approved, the new secondary catchment areas will take effect from 30 June 2023 for all enrolments, including placing requests, from this date.

3 Guiding Principles

3.1 There are two key principles which underpin this proposal:

- the need to manage the capacity of our secondary school estate over a geographical area, and
- the ambition to create secondary school communities within a geographical area, ensuring there is a continuous border around the secondary school catchment area.

3.2 It is preferable that schools should be operating within an occupancy range of 80-100%. Schools which fall below this occupancy may be more restricted in their ability to offer the full breadth of the curriculum.

3.3 Fife Council's sustainable school estate strategy states that any proposal should support the progressive reduction in the Council's carbon footprint.

4 Managing the School Estate

- 4.1 Local authorities have a statutory responsibility to ensure there are sufficient school places for the pupil population; to improve the quality of school education provided; to raise standards of education and to ensure most efficient use of available resources.
- 4.2 In Fife, the Education Authority (Fife Council) discharges its duty to secure adequate and efficient education provision for the local authority area by operating a “catchment” system, to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Each household address in Fife is associated with a denominational and a non-denominational primary and a secondary school known as catchment schools. School catchments can be reviewed online at [Check school catchment areas | Fife Council](#).
- 4.3 Illustrated within the appendices at the end of the proposal are the current individual secondary school catchment areas, with additional maps showing the primary school addresses which are included in the secondary catchment areas. For example, the addresses within the Balmullo Primary School catchment area all fall within the existing catchment area of Bell Baxter High School.
- 4.4 To allow Fife Council to forward plan for future population changes and to manage our existing school estate, all proposed housing developments contained in the Fife Council Housing Land Audit report are included in the school roll projections. The Housing Land Audit is produced annually and details the expected build rate per year per housing site. This allows the Education Service to monitor the projected school rolls on a yearly basis, ensuring sufficient capacity is available within schools for their catchment population and to take account of any demographic changes.
- 4.5 Where a school is expected to exceed its maximum capacity as a result of proposed housing sites contained within a school’s catchment area, the Education Service will seek planning obligations to fund and deliver any additional school infrastructure required to accommodate new pupils from these development sites. The Council regularly reviews proposed housing development and assesses the likely impact on school places.
- 4.6 Fife Council has a robust methodology to project school rolls which considers the following factors:
- the number of pre-school children in each primary school catchment area
 - parental choices (placing requests) made at P1 and S1 stages
 - current school rolls
 - the number of proposed new homes expected to be built each year
 - school age population projections from National Records of Scotland
- 4.7 School roll projections are updated annually, as the contributing factors and assumptions can change, for example; by the inclusion of additional proposed housing sites; delayed or accelerated housing building rates; changes to expected birth rates or trends in parental choices.

- 4.8 Projections for areas with small populations tend to be less reliable than those for areas with large populations, because the former are usually affected more by migration. Projections of the number of adults are usually more reliable than those for children because of difficulties in projecting levels of fertility and parental migration. For more details of the limitations of population projections visit: <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-projections/uses-and-limitations-of-population-projections>.

5 The Requirement for Reviewing the Secondary Catchment Areas

- 5.1 Prior to the formal closure of Rathillet Primary School and the rezoning of the catchment to Balmerino Primary School, pupils from the rural village of Rathillet were allocated spaces within Balmerino Primary School. Household addresses within the former Rathillet Primary School catchment area were zoned to Bell Baxter High School, whereas household address within the existing Balmerino Primary School catchment area were zoned to Madras College. As a result of this, and due to the small number of pupils located in this village, parents/pupils were given the opportunity to choose, at the time of entry to secondary school, whether they wished to attend Bell Baxter High School or Madras College at the end of Primary 7. Free transport for pupils was provided at the start of S1 to attend either school, as all the pupil addresses met the distance criteria of over 2 miles.
- 5.2 Madras College was relocated from South Street and Kilrymont Road to a new single site school building in August 2021, adjacent to St Andrews University at Bell Brae. The school has the capacity to accommodate 1450 pupils. Balmerino Primary School is one of its associated primary schools.
- 5.3 Rathillet Primary School has now been closed to pupils for over 8 years and the secondary catchment area for all the addresses within the former Rathillet Primary School catchment area remains Bell Baxter High School, as a formal proposal to consult on the rezoning of the secondary catchment area has not been carried out to date.
- 5.4 Whilst considering the rezoning proposal for the addresses within the Balmerino Primary School catchment area, officers reviewed the other schools surrounding Madras College which fall within the Bell Baxter High School catchment area. Several options were reviewed for consideration.
- 5.5 There are 9 pupils from the former Rathillet Primary School catchment area who were enrolled in secondary schools at Census 2021. Six of them attend Madras College and 3 attend Bell Baxter High School.
- 5.6 Option – rezone the catchment area of Balmerino Primary School, as a whole, to Bell Baxter High School
- 5.6.1 Based on the analysis of pupil locations, from the pupil census in September 2021, pupils who attended Balmerino Primary School and now attend Bell Baxter High School is presented as follows:

- 7 pupils who attended Balmerino Primary School attend Bell Baxter High School
- 4 of the 7 pupils were zoned to attend Madras but made placing requests to Bell Baxter High School
- 3 of the 7 pupils attend Bell Baxter High School as a result of living in the former Rathillet Primary School.

5.6.2 This option would change the secondary school catchment area for the majority of Balmerino Primary School catchment pupils. Only 12% of the Balmerino catchment area attend Bell Baxter. 88% of pupils from the Balmerino catchment choose to attend their catchment school, Madras College. Therefore, a rezoning of Balmerino Primary School to Bell Baxter, from Madras College, would be against the choice that 88% of the secondary pupils have made recently from this primary school catchment area. This would increase the projected school roll of Bell Baxter High School and decrease the expected school roll of Madras College.

5.6.3 For the above reasons, this option has been discounted.

5.7 Option – rezone the catchment areas of Balmerino Primary School, as a whole, and Balmullo Primary School, as a whole, to Madras College

5.7.1 The rezoning of Balmerino Primary School, in full, to Madras College, would appear to create a geographic peninsula within the catchment area of Bell Baxter High School. Because of that, the option of Balmullo Primary School also being rezoned to Madras College has been considered.

5.7.2 The distance from Balmullo Primary School to Madras College is approximately 6 miles and 12 minutes by car, depending on traffic and this is of similar distance to Bell Baxter High School (6.7 miles and approximately 12 minutes).

5.7.3 Although the catchment area of Balmullo Primary School, which is in the secondary catchment area of Bell Baxter High School, is almost surrounded by the Madras College catchment area, the direct travel route to Bell Baxter is along the A914 through Dairsie and Cupar and this does not transect into any of the Madras College catchment primary schools. This is shown in Appendix 1.6.

5.7.4 From the analysis of pupil choices, 49 pupils from Balmullo Primary School have chosen to attend their associated catchment school of Bell Baxter High School and 50 pupils have chosen to make a placing request to Madras College.

5.7.5 Further consideration demonstrates that rezoning the pupils of Balmullo Primary School to Madras College would result in additional revenue costs for Fife Council, in the provision of transport to Madras College, and would result in Madras College exceeding maximum capacity earlier than anticipated. For these reasons, this option has been discounted.

5.8 Option – rezone the catchment area of Balmerino Primary School, as a whole, to Madras College

5.8.1 Rezoning all the Balmerino Primary School catchment area would change the catchment area for the minority of the Balmerino Primary School pupils. This would be against the choice that 12% of secondary pupils have recently made. The number of primary aged pupils this would impact upon is currently less than 15 and

this would be expected to have a minimal impact on both the Bell Baxter High School and Madras College projected school rolls. If 12% of the pupils still wanted to attend Bell Baxter High School, they would likely be able to still be accommodated if making a placing request application.

5.8.2 Based on the analysis of pupil locations from the pupil census in September 2021, pupils who attend Balmerino Primary School and attend Madras College is presented as follows:

- 44 pupils who were zoned to Madras College attended their catchment school
- 6 pupils opted to attend Madras College (these pupils were from the former Rathillet Primary School catchment area).

5.8.3 For these reasons, this is the option contained within the proposal document.

6 The Case for Catchment Reviews

6.1 Bell Baxter High School – The Case for Catchment Review

6.1.1 Bell Baxter High School was built circa 1962, with a variety of accommodation to meet the needs of all learners. The science wing, sports hall and additional teaching block were built in 1994 and tennis courts and multi-use games area built in 2009. The school has received many phases of refurbishment between the period 1990-2006, improving the condition and suitability of the building. The school roll, during session 2021/22, was 1482 pupils, with a maximum capacity of 1696 pupils. The anticipated school roll for academic session 2022/23 is 1556 and for academic session 2023/24 is 1553 pupils.

6.1.2 A map of the existing Bell Baxter High School catchment area is shown in appendix 1.1. A map showing the primary schools with addresses within the existing Bell Baxter High School catchment area is at appendix 1.2.

6.1.3 The school roll has increased at Bell Baxter for the last 5 years and continues to operate within the maximum pupil capacity. The school utilises all available accommodation within the building to deliver the breadth of the curriculum.

6.1.4 A new strategic development area for 1648 housing units is planned within the Bell Baxter High School catchment area and new pupils from this development can be accommodated within the existing accommodation. It should be noted that the development is planned on a phased basis over the period 2022-2039 as per the Housing Land Audit 2021.

6.1.5 From the analysis of the current S1-S6 school rolls for pupils living in the former Rathillet Primary School catchment area, there are fewer than 5 pupils who are currently enrolled at Bell Baxter High School.

6.1.6 Rezoning all the Balmerino Primary School catchment area to Bell Baxter High School would be against the choice that 88% of secondary pupils have made recently. This would be expected to increase the projected school roll of Bell Baxter High School and decrease the projected school roll of Madras College.

6.1.7 The proposed changes to the catchment area of Bell Baxter High School are as follows:

The postcode addresses within the primary catchment area of the former Rathillet Primary School to be rezoned from Bell Baxter High School to Madras College. The proposal will address the anomaly as a result of the closure of Rathillet Primary School. This can be shown on Appendix 1.7

6.1.8 A map of the proposed Bell Baxter High School catchment with the associated primary schools within the proposed Bell Baxter High School catchment area is shown in appendix 1.7.

6.2 Madras College – The Case for Catchment Review

6.2.1 A new Madras College was constructed and operational to staff and pupils from August 2021. The new build changed location from the split sites of Kilrymont Road and South Street to the North Haugh area of St Andrews, Bell Brae, adjacent to the University of St Andrews. The close proximity to St Andrews University offers enhanced learning opportunities and partnership working. The pupil capacity for the new school was reduced from the capacity of South Street and Kilrymont Road, of 1906 places, to 1450 places. The decision to reduce the capacity was agreed at the time of statutory consultation in academic session 2017/18 because of a falling school roll and projected school rolls. The school roll, during session 2021/22, was 1378 pupils, with a maximum capacity of 1450 pupils. The anticipated school roll for academic session 2022/23 is 1418 and for academic session 2023/24 is 1446 pupils

6.2.2 A map of the existing Madras College catchment area is at appendix 1.3. A map showing the primary schools with addresses within the existing Madras College catchment is at appendix 1.4.

6.2.3 At present, some of the addresses in the Balmerino Primary School catchment area are zoned to Bell Baxter High School, as no formal consultation to rezone to one single secondary school catchment area has been completed. This is illustrated in appendix 1.5. This illustrates that for pupils attending Balmerino Primary School for their primary education the peer group at P7 may transfer to different secondary schools. By rezoning the catchment areas of Bell Baxter High School and Madras College, this catchment anomaly will be resolved, as the postcode addresses within the primary school catchment area will be rezoned to a single secondary school.

6.2.4 Based on the pupil trends for those pupils enrolled at Madras College from the former Rathillet Primary School catchment area, there is only a slight difference in the number of pupils choosing Madras College rather than Bell Baxter High School. The number of pupils who attend Madras College from the former Rathillet Primary School catchment area is more than 5 but less than 10 pupils.

6.2.5 As outlined in para 6.13, there is only a slight difference in the distribution of numbers attending Madras College compared to Bell Baxter High School. With this in mind, the Education Service believes that the educational benefits outlined in section 9 demonstrate that it would be more beneficial for all the pupils within the Balmerino Primary School catchment area to transfer to Madras College.

6.3 Placing Requests into Madras College

6.3.1 On reviewing the data of the surrounding catchment areas of Balmerino Primary School, it is noted that around 50 pupils living within the Balmullo Primary School catchment area have chosen to attend Madras College as a placing request. The placing requests from this catchment area will continue to be monitored, as well as potential pupils from new housing in the Madras College catchment area. As a result of a projected increase in new catchment pupils from housing within the Strategic Development Area (SDA), in future, there may be fewer places available to accommodate pupils from outwith the Madras College catchment area.

6.3.2 The proposed changes to the catchment area of Madras College are as follows:

The postcode addresses within the primary catchment area of the former Rathillet Primary School, which are now within the Balmerino Primary School catchment area, to be rezoned from Bell Baxter High School to Madras College. This can be shown on Appendix 1.8.

6.3.3 A map of the proposed Madras College catchment area and associated primary schools within the proposed Madras College catchment area is at appendix 1.8.

7 Siblings

7.1 There are fewer than 25 pupils living in the former Rathillet Primary School catchment area enrolled in a Fife primary or secondary school. Based on the number of families currently living in this area, there are no families currently attending Balmerino Primary School with older siblings at Bell Baxter High School, who would be impacted by the proposed change.

7.2 The Council's position in relation to siblings outlined above does not include those families who have made a parental placing request to Balmerino Primary School. These parents would need to submit a parental placing request for their younger child(ren) and depending on which secondary school catchment area their household address is within, may need to submit a placing request for entry to S1. The allocation of placing requests is in terms of the Education (Scotland) Act 1980 and in line with the existing School Admissions Policy which can be found online at www.fife.gov.uk by searching for School Admissions Policy or accessing the following link [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).

8 Projected School Rolls Following Proposed Rezoning

8.1 Based on the current number of pupils living within the former Rathillet Primary School catchment area, and the existing trends of parental choice, the proposed roll projections of Madras College will not change significantly due to this rezoning proposal. Current roll projections for both Bell Baxter High School and Madras College are detailed in Appendix 1.9.

9 Educational Benefits Statement

9.1 The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. The education authority must prepare an educational benefits statement which includes:

- (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,
- (b) the authority's assessment of any other likely effects of the proposal (if implemented),
- (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
- (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).

9.2 The proposed rezoning of catchment areas would ensure that pupils within the Balmerino Primary School community will transfer to the same secondary school. This proposal will ensure that all the household addresses within a single primary school catchment area are associated with a single secondary school catchment area. There is a clear education benefit that will allow the transition from primary to secondary to be streamlined and easier to manage if pupils from this school community attend the same secondary school. It will reduce uncertainty for pupils while retaining parental choice through the placing request system and the established School Admission Policy.

9.3 The proposed catchment rezoning changes will remove the current anomalies for postcode addresses within the former Rathillet Primary School catchment area, creating a clear and distinct association with their local community.

9.4 **Bell Baxter High School**

9.4.1 If the proposal is approved, an educational benefit for Bell Baxter High School staff is that they would no longer have to undertake transition arrangements with a school outwith their allocated cluster, thus allowing them to focus on catchment pupils.

9.4.2 There would be a benefit for other pupils, from other communities, seeking a place within Bell Baxter High School as per placing request policy, should Balmerino Primary School pupils be rezoned to Madras College.

9.4.3 Pupils from the previous Rathillet Primary School catchment area equate to fewer than 5 pupils across S5 and S6 year groups at Bell Baxter High School. There has been an emerging trend that fewer pupils are now choosing to attend Bell Baxter High School from the former Rathillet Primary School catchment area. There are currently 6 pupils from the former Rathillet Primary School catchment area attending Madras College and fewer than 5 pupils attending Bell Baxter High School. This would suggest that the transition to Madras College, and the friendships already formed at P7, is influencing the decision for parents.

9.5 Madras College

- 9.5.1 Rezoning the postcode addresses from all the Balmerino Primary School catchment area from Bell Baxter High School to Madras College will enable those pupils to continue their association and friendships with other young people residing in their locality who currently attend Madras College. This will further strengthen young people's links and sense of belonging to their local community, in addition to more fully exploiting existing opportunities for the integration of services for children and families.
- 9.5.2 As part of the self-improving system adopted within the Education Service in Fife, nurseries and schools across the primary and secondary sectors work in clusters to support transitions in learning and wellbeing within their associated secondary catchment school. This allows the co-ordination of continuity and progression in learning pathways for children and young people transitioning between establishments. All pupils transitioning from the same Primary School to the same Secondary School allows for a more co-ordinated approach to comprehensive and well-planned transition programmes taking account of pupils mental, social, emotional and physical needs. It also allows for easier transfer of information to support continuity of a young person's learning journey.
- 9.5.3 Cluster transition events will ensure that young people from Balmerino Primary School have the opportunity to attend transition events with their peers. This ensures an excellent transition both educationally and socially for those young people going to Madras College. These opportunities are available because of the close working relationships which already exist between the staff, headteachers and other agencies supporting the cluster schools.
- 9.5.4 Those parents who choose to send their children to attend a different secondary school, other than the catchment school of Madras College, are likely to be accommodated.

9.6 Benefits for children who would be likely to become pupils at these schools within two years of the publication of this proposal paper

- 9.6.1 All young people will experience a broad, relevant, enjoyable and progressive curriculum through S1 to S6, delivered in a stimulating learning environment.
- 9.6.2 All young people will be supported in inclusive learning environments that meet the needs of all learners. There will be access to a broad range of teaching and specialist staff, including guidance and support for learning staff, to meet pupils' additional support needs at all stages of intervention. Getting it Right for Every Child is the responsibility of all at all primary and secondary schools in Fife. Pupils will be supported in a range of ways and given help, when they need it, to ensure that they reach their full potential. Pupils and their families will have regular and frequent opportunities, within caring educational communities, to discuss their learning and progress with teachers, guidance staff, support staff and members of the school leadership team.

9.6.3 An extended range of opportunities for pupils' achievements will be available through the provision of varied educational, cultural and sporting activities and clubs. Pupils will have opportunities to participate as individuals and teams in a variety of local and national competitions and events. Such opportunities have a significant impact on their personal and social development and achievements, resulting in the acquisition of skills for learning, life and work.

- Within each Secondary School there will be a broad range of strengths, expertise, talents and interests amongst the staff teams. This will have a direct positive impact on the professional learning and practice of teachers and support staff across the schools ensuring consistently ambitious standards and expectations across subjects, departments and schools.
- There will be sufficient social and recreational spaces within the grounds of each Secondary School to meet the needs of pupil numbers at each stage.
- Cluster transition events will be established to ensure that children have many opportunities throughout their school life to work collaboratively with children and staff from the associated primary schools and the secondary school. This ensures an excellent transition both educationally and socially for all children. These opportunities are available because of the close working relationships which already exist between the staff, headteachers and other agencies supporting the cluster schools.
- The catchment rezoning will enable children and families to forge associations and friendships with other young people residing in their locality who currently attend the catchment Secondary School. This will further strengthen young people's links and sense of belonging to their local community, in addition to more fully exploiting existing opportunities for the integration of services for children and families.
- Continued opportunities will exist for parents and carers to be involved in their child's education through a range of home and school engagement activities aimed at supporting their child's learning. As at present, parents will have opportunities to participate within the school's Parent Council.

9.7 **Benefits for other pupils in the authority area**

9.7.1 The Education Service realises the educational benefit where all pupils who are living in the same primary school catchment area are zoned to the same secondary school and is working to achieve this across Fife for all pupils. This proposal will ensure that communities are formed with a continuous border around the secondary school catchment area.

9.8 **How the Authority intends to minimise or avoid any adverse effects**

9.8.1 The authority has confirmed that it is likely that there will be no impact on any siblings already enrolled at Bell Baxter, as the census information does not highlight any primary school siblings who would be impacted upon.

9.8.2 Existing primary pupils will have an opportunity, at the end of the relevant academic session, to transfer to their new secondary catchment school if they wish.

- 9.8.3 Any new S1 pupils, after the rezoning, will be expected to attend the rezoned secondary school associated with their postal address or make a parental placing request to another school.
- 9.8.4 The transfer of pupils to secondary schools is carefully planned by the Education and Children Service's Directorate staff, school staff and parents/carers will continue to ensure that children are supported through the transition.
- 9.8.5 School staff will continue to support pupils at the time of transition to forge new friendships, embrace new opportunities and integrate into their new environment at secondary school.
- 9.8.6 Particular priority will be given to ensuring continuity for children with additional support needs.

9.9 **Any other likely effects of the proposal**

9.9.1 Existing transport contracts will be affected and consultation with Fife Council's Transportation Service and Bus Operators will be arranged if the proposal is approved. Any school transport contract to Bell Baxter High School will continue to run until all pupils from this area have completed their education. Existing Fife Council policy is to provide free transport to pupils living more than 2 miles from their catchment school.

9.10 **Benefits the Authority believes will result from implementation of the proposal (and reasons for this belief)**

- 9.10.1 For parents of pupils living within the Balmerino Primary School catchment area they will be assured that their children will be able to be accommodated within their secondary catchment school with the rest of the peer group from Balmerino Primary School.
- 9.10.2 This proposal will ensure better alignment of communities and catchment areas to ensure 100% of pupils within a primary school and community will transfer to the same secondary school.
- 9.10.3 No secondary school will be over-occupied and there will be continued flexibility to deliver Curriculum for Excellence.

10 **Transport Arrangements**

10.1 A pupil is legally entitled to free transport to school if:

- they are under 8 and live more than 2 miles from their catchment school or
- they are over 8 and live more than 3 miles from their catchment school

10.2 However, in terms of the current school transport policy, Fife Council provides free transport to all primary pupils living more than one mile and all secondary pupils living more than two miles from their catchment area school. For those pupils who live within two miles of their secondary school, parents have the responsibility to ensure that pupils are supervised on journeys to and from school.

10.3 If the proposal to rezone the catchment areas of the 2 secondary schools is approved, the following would apply:

- free transport will still be provided, if distance entitled, for existing pupils enrolled in the 2 schools until they leave secondary school, or as long as they continue to reside at the same address. If they move to a new address, transport provision will be in accordance with the terms of the transport policy in place at that time.
- Fife Council would not expect any currently enrolled pupil to enrol at the secondary catchment school their home has been rezoned to unless they wished to do so.
- new catchment pupils to either secondary school will also receive free transport in accordance with the terms of the transport policy in place at that time.
- as is the case currently for pupils living within Balmerino Primary School catchment area, free transport will be provided to Madras College, in accordance with the current policy, based on distance entitlement.
- Fife Council is under no obligation to provide free transport for placing request applications, however, there is discretion within the existing transport policy and cases will be looked at on an individual basis.

11 Financial Implications

11.1 There will be a very small cost implication for Fife Council, associated with transport contracts. Individual transport contracts for pupils attending Bell Baxter High School will continue to run until the end of their education. This will be offset against the future saving of transport to Bell Baxter High School.

12 Community Impact

12.1 The proposal to rezone the catchment area of the Bell Baxter High School and Madras College would:

- remove the uncertainty for parents/carers and pupils living in the Balmerino Primary School catchment area as to whether to transfer to Bell Baxter High School which has been the associated secondary school for the village of Rathillet;
- realign the Rathillet village with Madras College and resolve the existing catchment anomaly.

13 Summary of Proposal

13.1 The proposal is to:

- Rezone the catchment area of Bell Baxter High School from 30 June 2023
- Rezone the catchment area of Madras College from 30 June 2023.

14 Proposed Date for Implementation

- 14.1 It is intended that the proposal, if approved by the Cabinet Committee of Fife Council on 9 March 2023 (or a subsequent Cabinet Committee), would be implemented on 30 June 2023. Primary 7 pupils transferring to S1 in August 2023 would continue to be supported by the Education Service and afforded the opportunity to choose either Bell Baxter High School or Madras College for their secondary school place for August 2023. If approved, the new secondary catchment areas will take effect from 30 June 2023 for all enrolments, including placing requests, from this date.

15 Statutory Consultation Process – Proposed Timeline

22 September 2022	Consultation proposal considered by Fife Council's Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation
5 October – 1 December	Consultation live (period of 31 school days)
10 October – 21 October 2022	School holidays
	<p>Public meetings held on:</p> <ul style="list-style-type: none"> • Madras College High School on Thursday 27 October 2022 from 6.00-7.00 pm • Bell Baxter High School High School on Thursday 10 November 2022 from 6.00-7.00 pm <p>Drop-in sessions at:</p> <ul style="list-style-type: none"> • Balmerino Primary School on Thursday 27 October 2022 from 2.45-3.30 pm • Madras College on Thursday 27 October from 5.00-6.00 pm • Balmerino Primary School on Thursday 10 November from 2.45- 3.30 pm • Bell Baxter High School on Thursday 10 November from 5.00-6.00 pm
1 December	Consultation close
9 December	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3-week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before Cabinet Committee
9 March 2023	Report submitted to the Cabinet Committee

The information included in this document can be made available in large print, braille, audio CD/tape and British Sign Language interpretation on request by calling 03451 55 55 00

Calls cost between 3p to 7p per minute from a UK landline, mobile rates may vary.

BT Text phone number for Deaf people 18001 01383 441177

LANGUAGE LINES

এ নথিতে যেসব তথ্য আছে তা 03451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/টেপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।

কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارة البريطانية من خلال الاتصال بالرقم 03451 55 55 77
تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 03451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

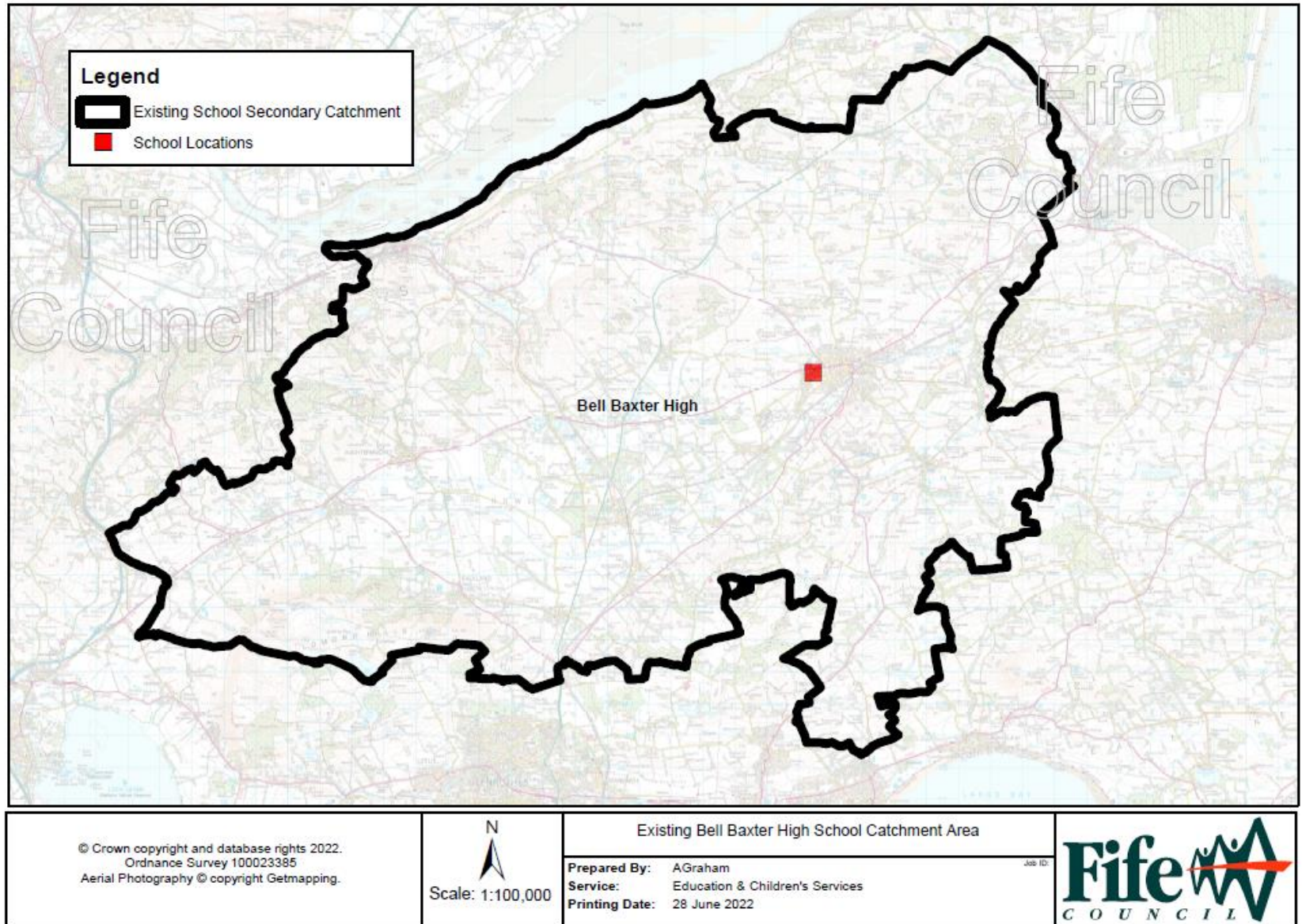
Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 03451 55 55 44.

Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 03451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

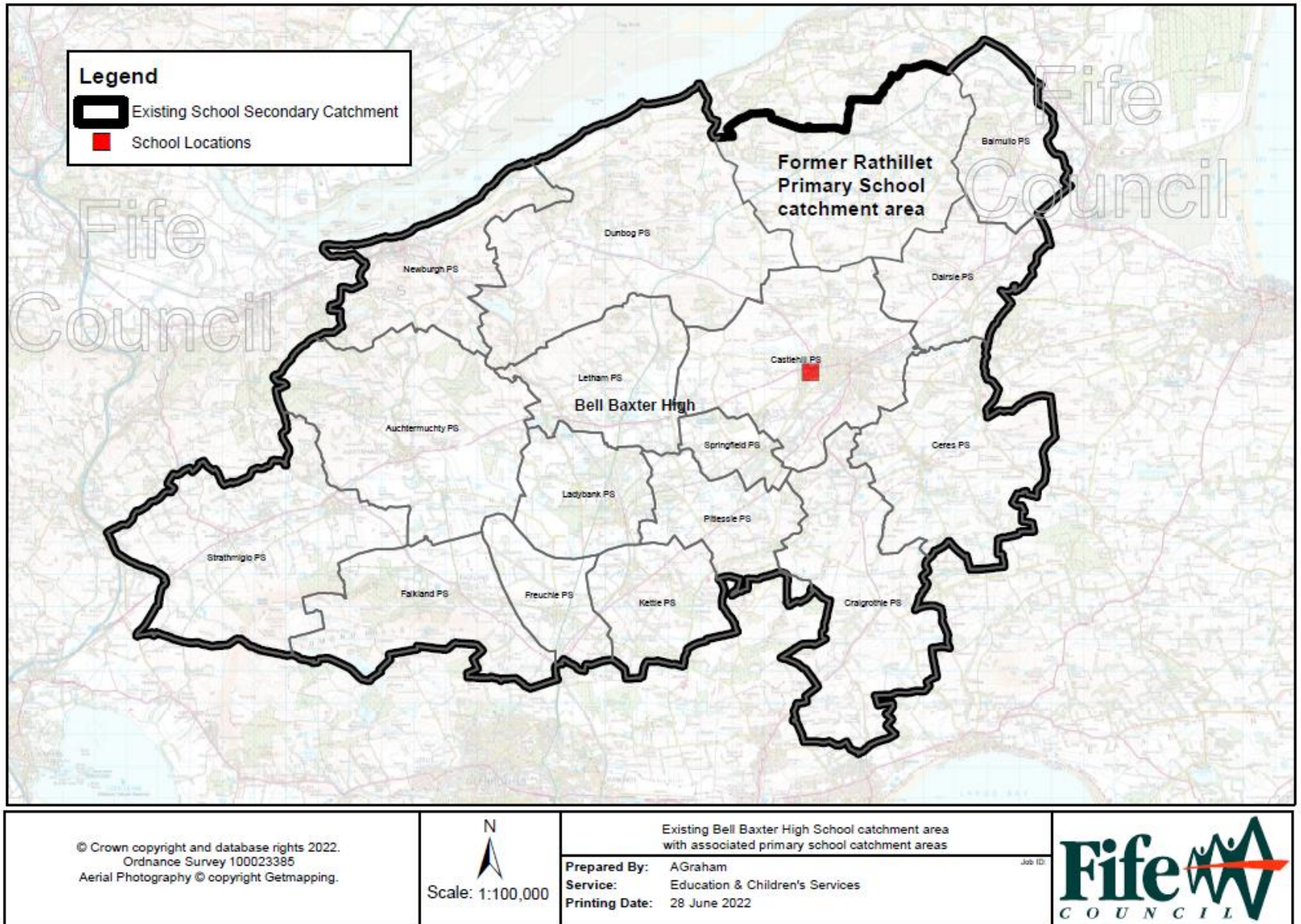
ਯੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

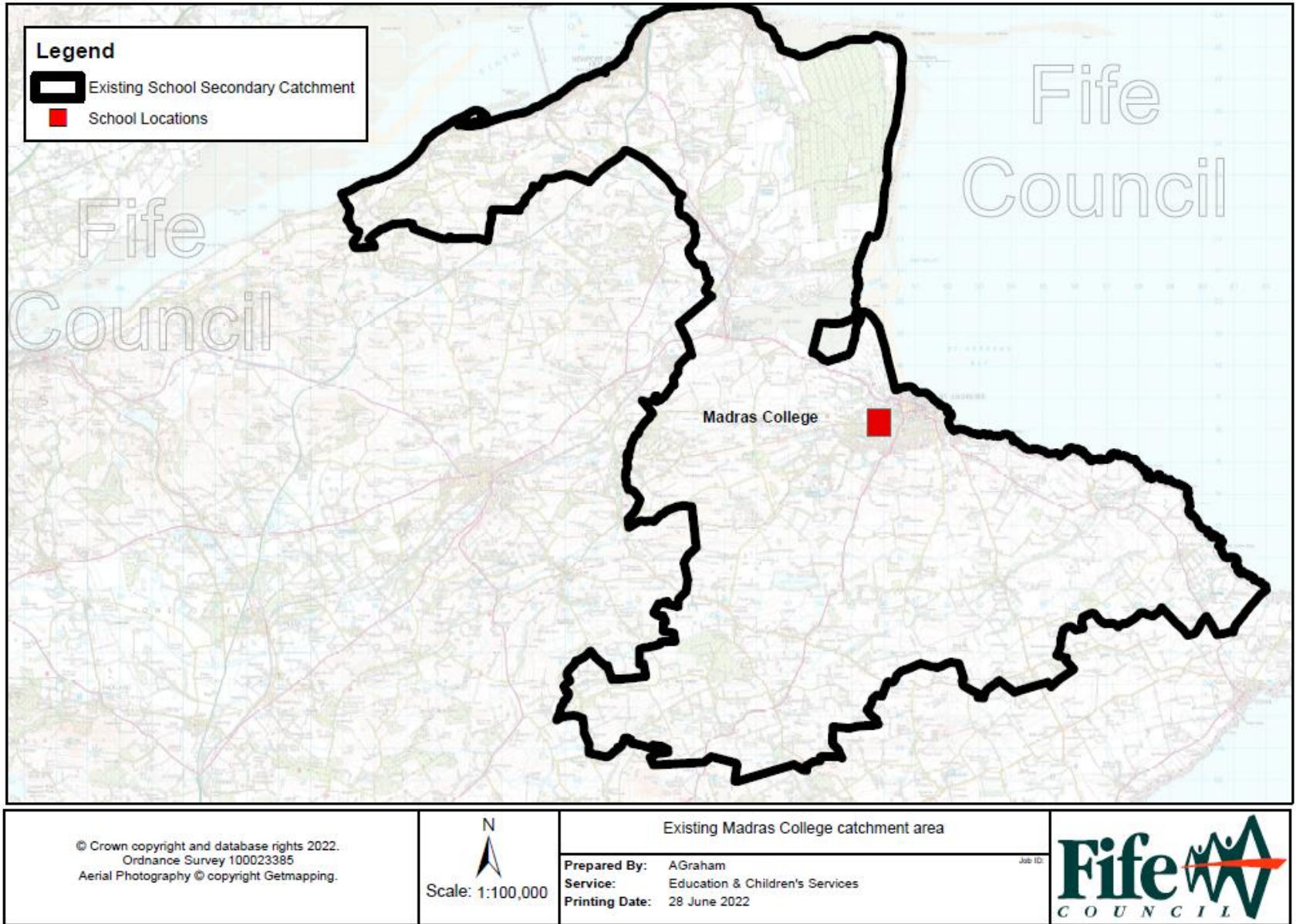
03451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹ، بریل، آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔
کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پینس فی منٹ ہیں، موبائل کے نرخ مختلف ہوسکتے ہیں۔

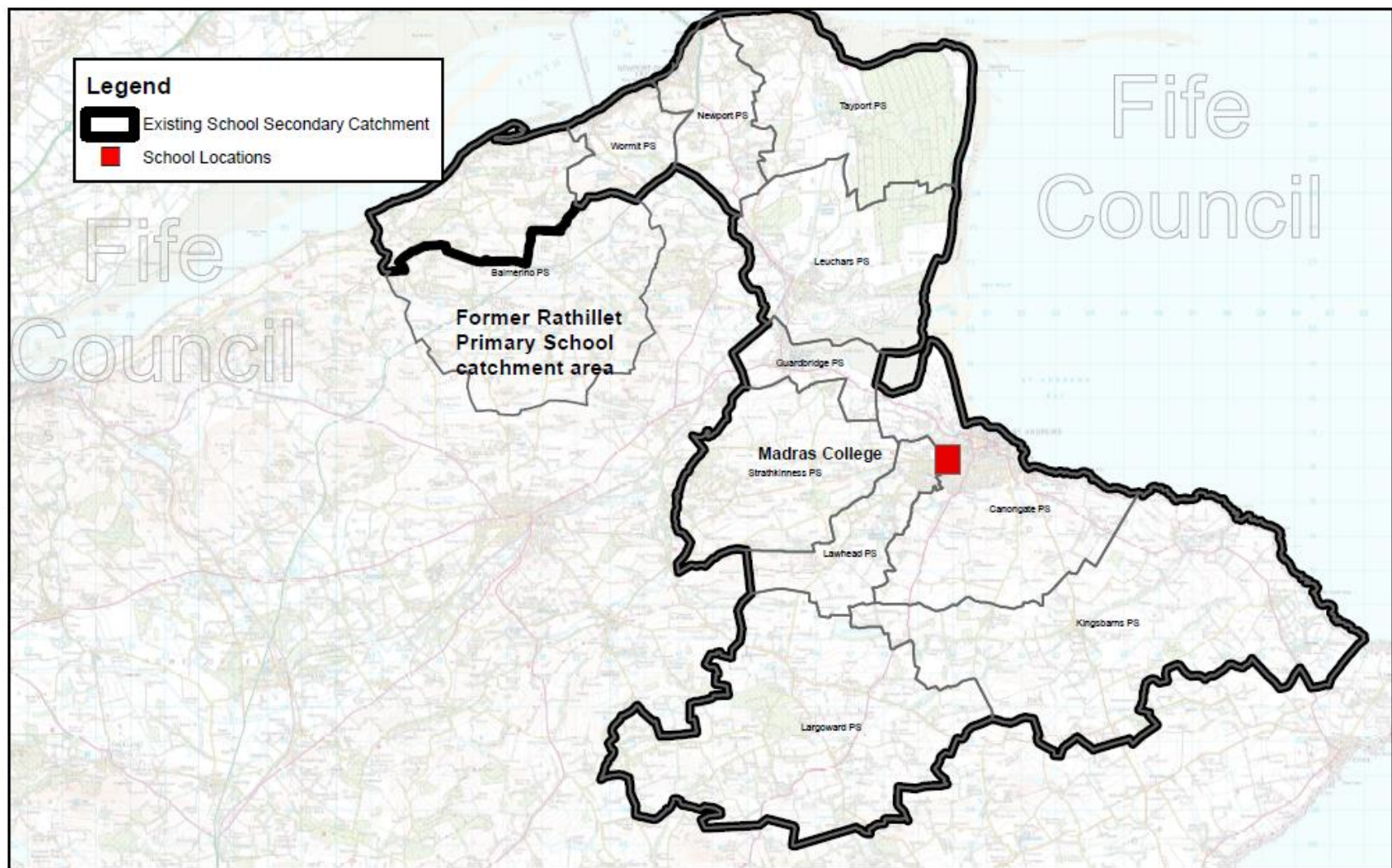


Appendix 1.2


Map of existing primary and secondary catchment areas for Bell Baxter High School







Legend

-  Existing School Secondary Catchment
-  School Locations

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 Ordnance Survey 100023385
 Aerial Photography © copyright Getmapping.

N

 Scale: 1:100,000

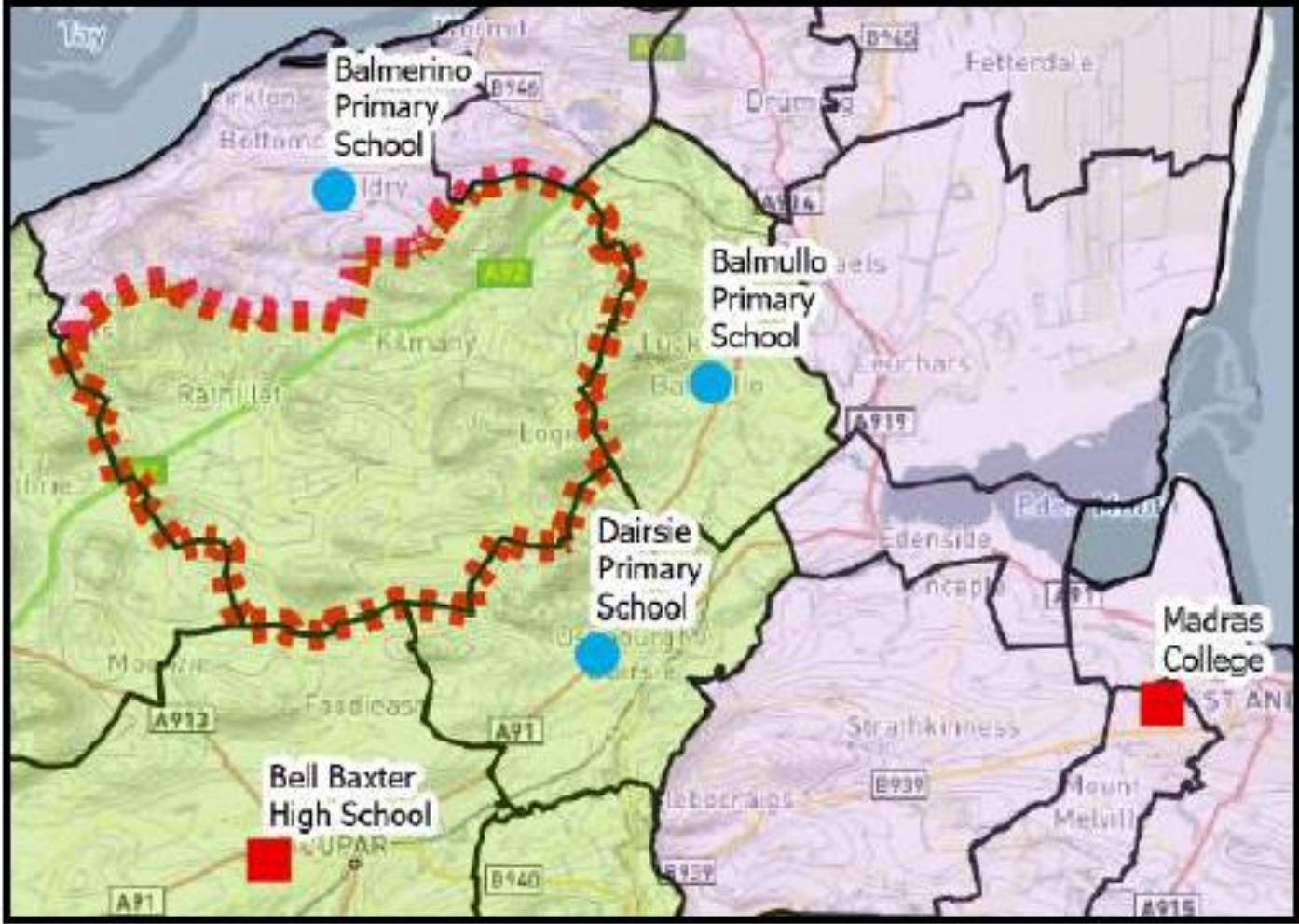
Existing Madras College catchment area
 with associated primary school catchment areas

Prepared By: AGraham
 Service: Education & Children's Services
 Printing Date: 28 June 2022



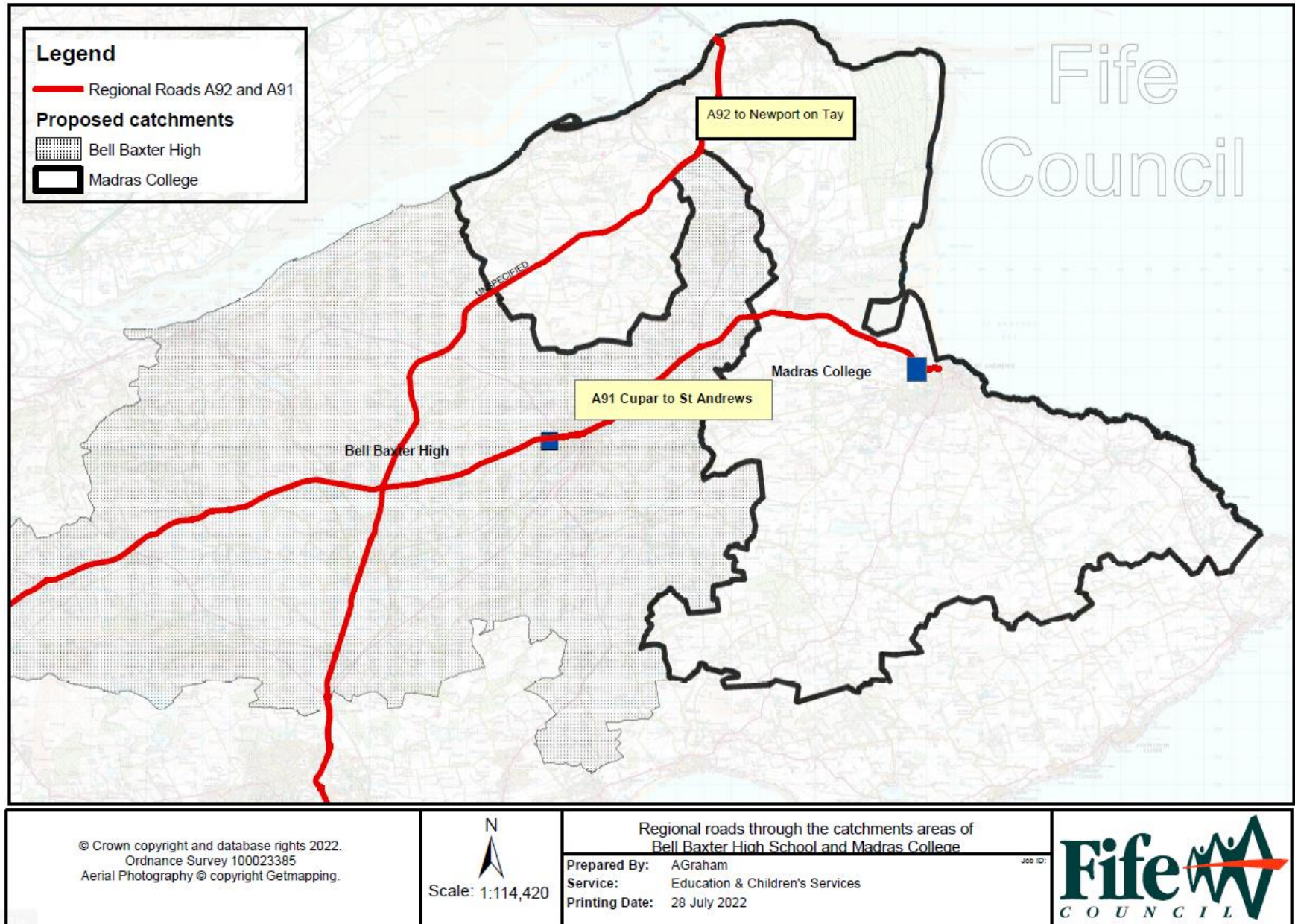
Appendix 1.5 Catchment Anomaly - addresses within the Bell Baxter High School catchment area (but within the Balmerino Primary School catchment area)

The extract to the right shows the Balmerino Primary School catchment, former Rathillet Primary School catchment area (red dashes), Bell Baxter catchment (green) and Madras College catchment area (pink) and school locations.

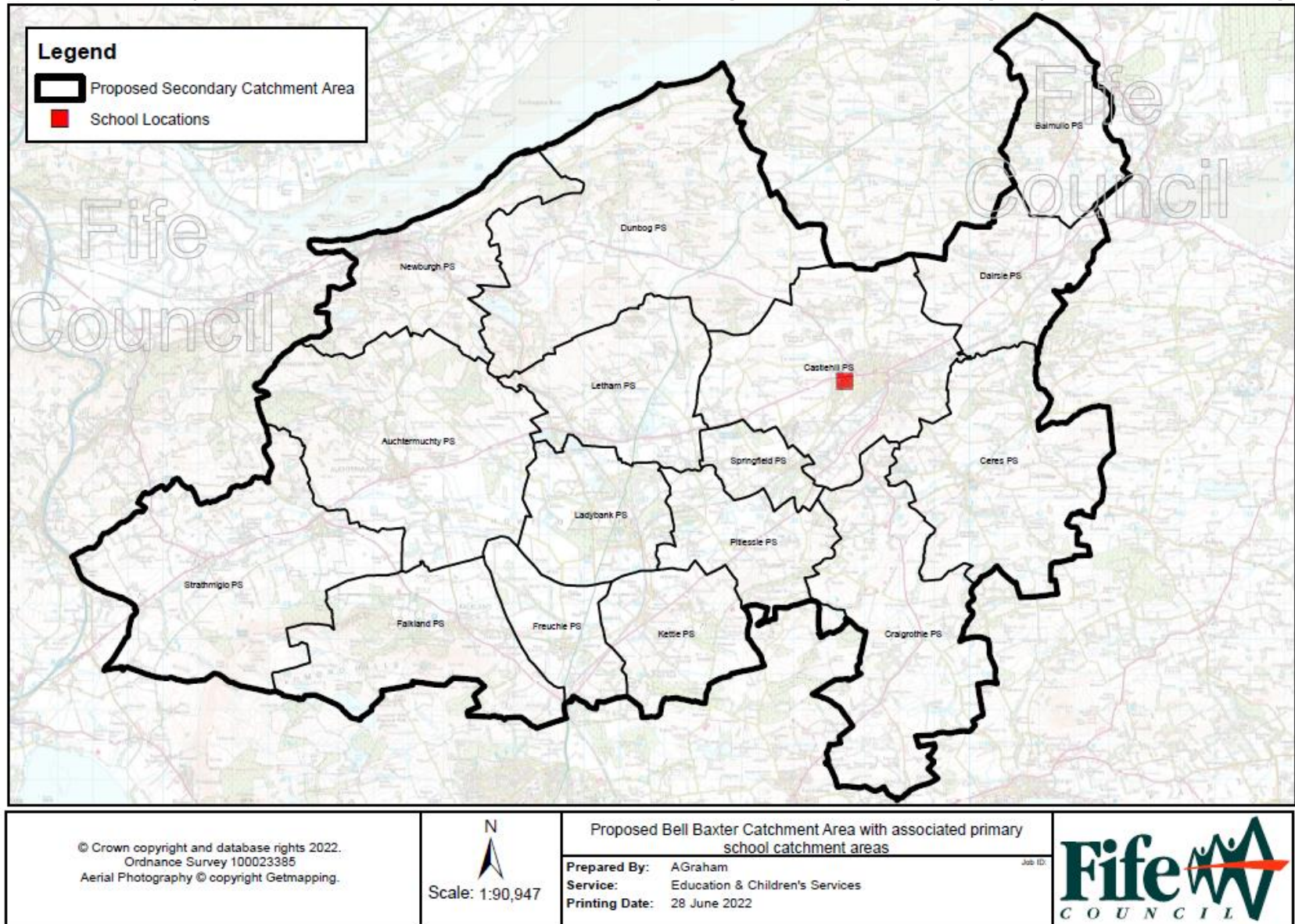


(c) Crown copyright 2022 Fife Council 10023385

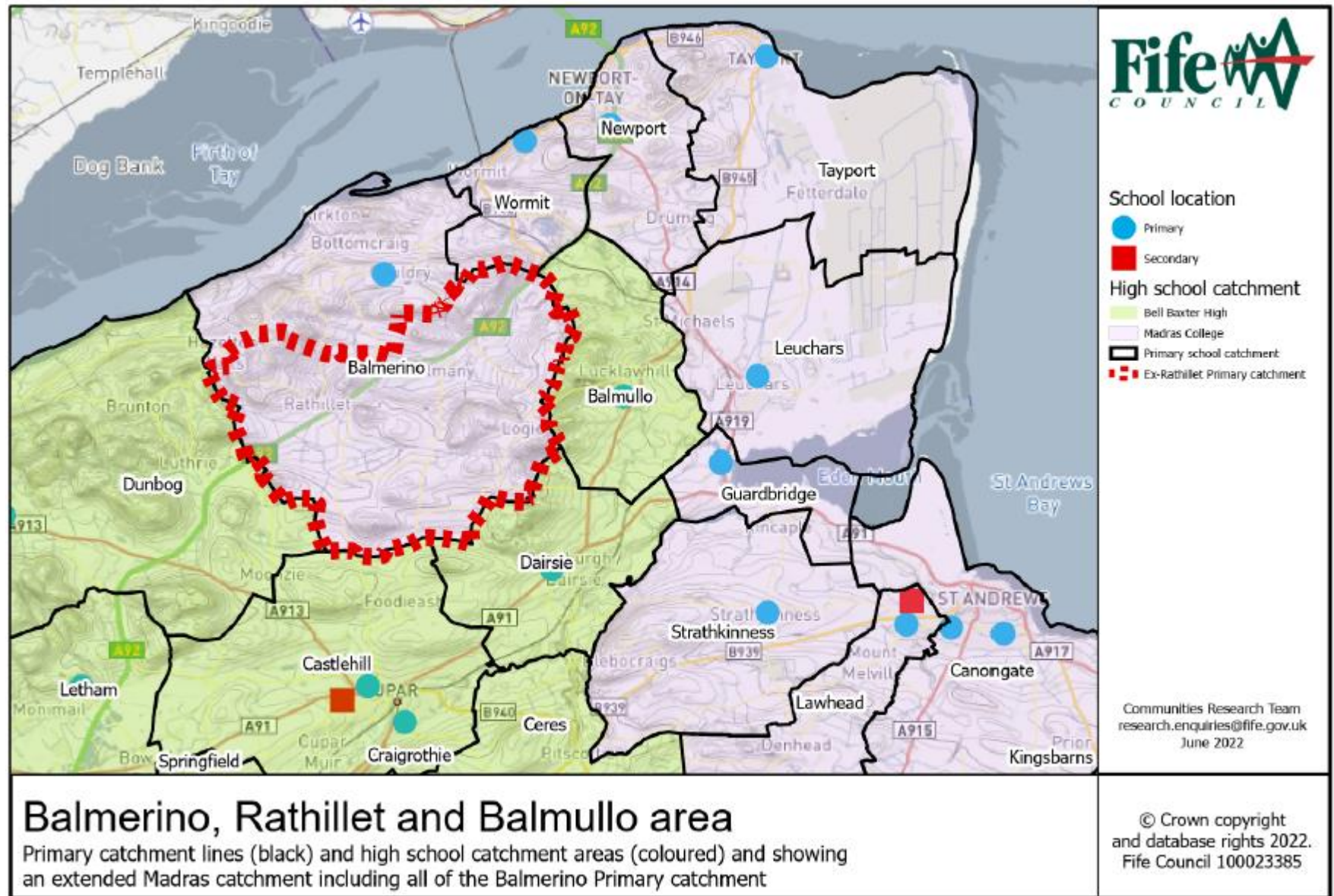
Appendix 1.6 Map showing the A92 and the route from Balmullo Primary School to Bell Baxter High School



Appendix



Appendix 1.8 Map of proposed secondary catchment area, including associated primaries, for the Madras College catchment area



Appendix 1.9 Historic School Rolls / School Roll Projections / Core Facts

Historic School Rolls from 1990-2020 (every 2 years)

School Name	1990	1992	1994	1996	1998	2000	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
Bell Baxter High School	1608	1627	1624	1658	1584	1722	1722	1769	1823	1817	1782	1662	1615	1459	1390	1459
Madras College	1531	1613	1733	1768	1772	1839	1778	1729	1683	1621	1456	1339	1263	1288	1243	1338

Projected School Rolls (after rezoning proposals)

School Name	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Bell Baxter High School	1556	1553	1578	1570	1547	1542	1491	1452	1411	1381	1363	1337	1328	1325
Madras College	1418	1446	1498	1520	1536	1530	1532	1526	1508	1481	1436	1408	1371	1345

Core Facts

School Name	Condition	Suitability	Accessibility	Maximum Pupil Capacity	School Roll Census 2021	Occupancy
Bell Baxter High School	B	B	A	1696	1482	87%
Madras College	A	A	A	1450	1378	95%

Housing Development within the High School Catchment Areas

The current list of housing sites included in the school roll projection model from June 2022 is shown below. This list is based on Housing Land Audit (HLA) 2020 effective sites, strategic development area sites and planning applications received from non-HLA sites.

The totals below are based on total expected completions for each year from 2020/21 to 2039/40.

Bell Baxter High School catchment area is expected to have 2383 proposed homes which consists of 1648 new homes to be developed within the Cupar North Strategic Development Area (SDA) and 735 new homes through local plan/non-SDA sites.

Madras College catchment area is expected to have 2428 proposed homes which consists of 1090 new homes to be developed within the St Andrews West Strategic Development Area and 1338 local plan/non-SDA sites.

The SDA sites are as follows:

Bell Baxter High - Cupar North SDA (1480 units to start 2024 to 2039)

Bell Baxter High - Gilliefaulds West SDA (planning application ref. 17/00536/FULL) (168 units to start 2022-2030)

Madras College - St Andrews West SDA (760 units to start 2022 to 2040 and post 2040)

Madras College - Craigtoun SDA (370 units to start 2022-2032).

Core Facts

Core Facts are a series of data which are collected by local authorities to measure progress and success of a school estate strategy as well as benchmarking against other local authorities in Scotland. The core facts are used at both local and national level to:

- establish a baseline
- inform targets
- inform spending decisions
- support monitoring and evaluation of progress over time
- support assessments of value for money.

More information is available at: [School estates: core facts overview - gov.scot \(www.gov.scot\)](http://www.gov.scot/School-estates-core-facts-overview)

School Condition Rating

Condition core facts are established by professional review, carried out by the Council's Asset & Facilities Management Service. Schools are assessed against a range of criteria set down by the Scottish Government and are examined on a 5-year rolling programme.

- A: Good – Performing well and operating efficiently
- B: Satisfactory – Performing adequately but showing minor deterioration
- C: Poor – Showing major defects and/or not operating adequately
- D: Bad – Life expired and/or serious risk of imminent failure.

School Suitability Rating

Suitability core facts are established through a similar process to the condition core facts process, undertaken by Headteacher and Business Managers. This information assesses how well the school environment supports the delivery of the curriculum against criteria laid down by the Scottish Government.

- A: Good – Performing well and operating efficiently (the school buildings support the delivery of services to children and communities)
- B: Satisfactory – Performing well but with minor problems (the school buildings generally support the delivery of services to children and communities)
- C: Poor – Showing major problems and/or not operating optimally (the school buildings impede the delivery of activities that are needed for children and communities in the school)
- D: Bad – Does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

Suitability surveys are reviewed by Headteachers/Business Managers every 5 years. The last survey was completed by Headteachers and Business Managers in 2020. Where school investment has been carried out in a particular school, the following year's Core Facts Update will be amended to reflect any subsequent change to the condition, suitability or accessibility rating.

School Accessibility Rating

Accessibility ratings are collated by the School Estate Team, along with the Education Access Officer, who undertake surveys of all the school buildings. These ratings are then ratified by the Accessibility Strategy Group. The ratings are classified as follows:

- A: Fully accessible
- B: Building partially accessible but Curriculum accessible
- C: Partially accessible or not currently accessible but has the potential to be made accessible
- D: Inaccessible and unable to be reasonably adapted to be made accessible.

Strategic Development Allocations

Strategic Development Allocations are housing developments sites within Fife identified through Fife Council's Structure Plan 2006-2026 (approved May 2009). The Structure Plan also includes infrastructure developments for business and employment, town centres, retailing, housing, affordable housing, transportation and waste management. Strategic Development Areas are a focus for development or a specific large scale housing allocation for development identified in SESplan and TAYplan and supersede the former Strategic Land Allocations identified through Fife Council's Structure Plan.

Fife Local Development Plan [Fife Council - Adopted FIFEplan \(objective.co.uk\)](https://www.fife.gov.uk/adopted-fife-plan)

Fife Council adopted FIFEplan (Fife's Local Development Plan) on 21 September 2017. This plan details the local government changes to infrastructure within settlements and includes new plans with housing consent. The Council are currently inviting communities to create Local Place Plans, which will help shape the next Local Development Plan. More information is available at [Invitation to create Local Place Plans | Fife Council](#).

Housing Land Audit

Enterprise, Planning & Protective Services undertakes an annual audit (known as the Housing Land Audit) of the Housing Land Supply in Fife, using 1st April as the base date. The Audit monitors housing completions and makes predictions about future house building in Fife. Homes for Scotland (representing the national house builders) and local developers are consulted on the information to be included in the Housing Land Audit to discuss and agree the Audit as far as possible. The latest publication for 2021 is published at [Planning Information and Land Use Audits | Fife Council](#)

Public Private Partnership (PPP)

There are 2 existing contracts in Fife (PPP1 and PPP2) where schools have been procured and constructed through this process. The schools are maintained for a period of 25 years by a contractor and after 25 years the building is handed to the Council for future repair and maintenance. An annual unitary charge includes design and construction, services delivery including building and grounds maintenance, finance costs, legal, insurances, management and risk.

Efficiency Range 80-100%

No local authority can effectively run at 100% occupied. The 80%-100% efficiency range allows a degree of flexibility within schools to support Curriculum for

Excellence.

Proposal Paper

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare and publish a proposal paper. Section 4 of the Act provides:

4 Proposal paper

- (1) The education authority must prepare a proposal paper which:
 - (a) sets out the details of the relevant proposal,
 - (b) proposes a date for implementation of the proposal,
 - (c) contains the educational benefits statement in respect of the proposal,
 - (d) refers to such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.
- (2) The proposal paper must also give a summary of the process provided for in sections 1 to 17 (so far as applicable in relation to the proposal).
- (3) A proposal paper may include more than one proposal.
- (4) The education authority must:
 - (a) publish the proposal paper in both electronic and printed form,
 - (b) make the paper, and (so far as practicable) a copy of any separate documentation that it refers to under subsection (1)(d), available for inspection at all reasonable times and without charge:
 - (i) at its head office and on its website,
 - (ii) at any affected school or at a public library or some other suitable place within the vicinity of the school,
 - (c) provide without charge the information contained in the proposal paper:
 - (i) to such persons as may reasonably require that information in another form, and
 - (ii) in such other form as may reasonably be requested by such persons.
- (5) The education authority must advertise the publication of the proposal paper by such means as it considers appropriate.

Educational Benefits Statement

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare an educational benefits statement. Section 3 of the Act provides:

3 Educational benefits statement

- (1) The education authority must prepare an educational benefits statement which includes:

- (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,
 - (b) the authority's assessment of any other likely effects of the proposal (if implemented),
 - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
 - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).
- (2) The statement must also include the education authority's reasons for coming to the beliefs expressed under subsection (1)(d).
 - (3) In subsection (1), the references to effects and benefits are to educational effects and benefits.

Rural School

In terms of the Schools (Consultation) (Scotland) Act 2010 a rural school is a school designated as rural by Scottish Ministers. Section 14 provides:

14 Designation of rural schools

- (1) In this Act, a "rural school" is a school which is designated as such by its inclusion in the list of rural schools maintained by the Scottish Ministers for the purposes of this subsection.
- (2) In determining the question of rurality when considering whether a school falls to be included in or excluded from the list of rural schools, the Scottish Ministers are to have regard (in particular) to:
 - (a) the population of the community (or settlement) in which the school is located,
 - (b) the geographical circumstances of that community (or settlement) including its relative remoteness or inaccessibility.
- (3) The list of rural schools is to be accompanied by an explanation of how the Scottish Ministers devised the list:
 - (a) by reference to subsection (2), and
 - (b) if they consider it appropriate, by reference to any recognised criteria available from a reliable source.
- (4) The Scottish Ministers are to:
 - (a) monitor the list of rural schools (and update it as regularly as they consider necessary),
 - (b) publish it (including as updated) in such way as they consider appropriate.
- (5) An education authority must provide the Scottish Ministers with such information as they may reasonably require of it in connection with the list of rural schools.

The Act also provides at sections 12 and 13:

12 Factors for rural closure proposals

- (1) Subsection (2) applies in relation to any closure proposal as respects a rural school.
- (2) The education authority must have special regard to the factors mentioned in subsection
- (3) The factors are:
 - (a) any viable alternative to the closure proposal,
 - (b) the likely effect on the local community in consequence of the proposal (if implemented),
 - (c) the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).
- (4) For the purpose of subsection (3)(b), the effect on the community is to be assessed by reference (in particular) to:
 - (a) the sustainability of the community,
 - (b) the availability of the school's premises and its other facilities for use by the community.
- (5) For the purpose of subsection (3)(c):
 - (a) the effect caused by such travelling arrangements includes (in particular):
 - (i) that on the school's pupils and staff and any other users of the school's facilities,
 - (ii) any environmental impact,
 - (b) the travelling arrangements are those to and from the school of (and for) the school's pupils and staff and any other users of the school's facilities.

13 Explanation of approach

- (1) Subsections (2) and (3) apply in relation to any closure proposal as respects a rural school.
- (2) The proposal paper must additionally explain how the education authority complied with section 12 when formulating the proposal.
- (3) The consultation report must additionally explain:
 - (a) how the education authority complied with section 12 when reviewing the proposal under section 9(1),
 - (b) any change of attitude that the education authority has had which is attributable to its compliance with section 12 when reviewing the proposal under section 9(1).

**FIFE COUNCIL – EDUCATION AND CHILDREN’S SERVICES DIRECTORATE
CONSULTATION RESPONSE FORM**

Proposal to rezone the catchment areas of Bell Baxter High School and Madras College from June 2023.

Section 1 – Your Details

(to be provided by parent/carers or interested parties to enable the local authority to inform any person who makes written representations on the proposal of the publication of the consultation report as required by the Schools (Consultation) (Scotland) Act 2010).

Name	
Address	
Postcode	
Email address (if applicable)	

Section 2 - What is your main interest in responding to this consultation?

I am a parent/carer of a child:

Living in the Bell Baxter HS catchment area	
Living in the Madras College catchment area	

I am a parent/carer of a child attending:

Bell Baxter High School	
Madras College	
Balmerino Primary School	
A primary school in Bell Baxter HS cluster	
A primary school in Madras College cluster	
Any nursery in the North East Fife area	

I am a pupil attending:

Bell Baxter High School	
Madras College	
Balmerino Primary School	
A primary school in Bell Baxter HS cluster	
A primary school in Madras College cluster	
Any nursery in the North East Fife area	

I am a member of staff at:

Bell Baxter High School	
Madras College	
Balmerino Primary School	
A primary school in Bell Baxter HS cluster	
A primary school in Madras College cluster	
Any nursery in the North East Fife area	

Other interested party Please explain if you are responding on behalf of an organisation or for another reason		
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Section 3 - Your Views

Question 3.1 Do you support the proposal rezone the catchment areas of Bell Baxter High School and Madras College from June 2023? (choose yes or no)

YES	NO
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If NO, what are your reasons? (please list these below)

Are there any further comments on the proposal you would like to make and/or any alternatives to the proposal you would like to suggest? (please list these below)

Section 4 - About You

The following questions are **voluntary**. They are to assist Fife Council in fulfilling its obligations under the Equality Act 2010 in relation to the proposal. Your responses to these questions are confidential.

1. What is your age? Please choose one (✓).

18 or under		19-24		25-34		35-44		45-54		55-64		65-74		75 and over	
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2. What is your gender? Please choose one (✓). Male Female

3. What is your ethnic background? Please choose one (✓).

White Scottish	
Other White British	
Other White background	
Mixed or multiple ethnic background	
African	
Asian, Asian Scottish, or other Asian British	
Caribbean or Black	
Other ethnic background	

4. Do you consider yourself as having a disability? Please choose one (✓).

Yes No

Thank you for taking part in this consultation

Please complete online at www.fife.gov.uk/madrasbellbaxtercatchmentreview or return this form by post to: Bell Baxter High School/Madras College Catchment Review, Education & Children's Services Directorate, Fife Council, 4th Floor (West), Fife House, North Street, Glenrothes, KY7 5LT **by the end of the consultation period on Thursday 1 December 2022.**

FIFE COUNCIL EDUCATION & LEARNING DIRECTORATE

THE CONSULTATION PROCESS

The following schools are affected by this Proposal Document:

- Carnegie Primary School
- Touch Primary School

This document has been issued by Fife Council as a proposal paper in terms of the Schools (Consultation) (Scotland) Act 2010.

DISTRIBUTION

A copy of this document is available on the Fife Council website:

<http://www.fife.gov.uk/CarnegieTouchcatchmentreview>

A copy of this document will be provided to:

- The Parent Council of the affected schools
- The parents of the pupils at the affected schools
- The parents of those pupils expected to attend the affected schools within 2 years
- The parents of those pupils expected in local nursery provision associated with the primary schools
- The pupils at the affected schools
- School staff at the affected schools
- The trade unions representatives of the above staff
- The Community Councils (Central Dunfermline, Halbeath & Duloch, Touch & Garvock)
- Relevant users of the affected schools
- Community Associations
- Community Planning Partnerships
- MSPs for the area (Shirley-Anne Somerville, Murdo Fraser, Alex Rowley, Liz Smith, Claire Baker, Dean Lockhart, Alexander Stewart, Mark Ruskell)
- The Constituency MP (Douglas Chapman)
- Elected Members for the area (as at May 2022): Ward 3 (Dunfermline Central) – Cllr Boubaker-Calder, Cllr Glen, Cllr Hall-Muir, Cllr Leishman

A copy of this document is also available from:

- Fife Council, Main Reception, Fife House, North Street, Glenrothes, KY7 5LT
- The schools affected by the proposal
- Duloch Library, Nightingale Place, Dunfermline, KY11 8LW
- Or email sustainableschoolestate.enquiries@fife.gov.uk

This document can be made available, on request, free of charge, in alternative formats or in translated form for readers whose first language is not English. Please apply in writing to: Education & Children's Services Directorate, 4th Floor, Fife House North Street, Glenrothes, KY7 5LT or by email to: avril.graham@fife.gov.uk (telephone 03451 555555 ext. 444204). Page 24 of this document provides additional contact numbers, in different languages.

SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT

1. Consideration by the Cabinet Committee

This Proposal Document has been issued as a result of a decision by the Cabinet Committee of Fife Council on Thursday 22 September 2022. Views are now sought in formal consultation on the proposals in this document.

2. Proposal Document issued to consultees and published on Council Web-site

A copy of this document will be issued free of charge on request by emailing sustainableschoolestate.enquiries@fife.gov.uk, and will also be published on the Council website: <http://www.fife.gov.uk/CarnegieTouchcatchmentreview>

3. Publication of advertisement in local newspapers

An advertisement will be placed in the relevant local newspapers and information provided through Fife Council's social media – Facebook and Twitter. Primary schools will also publicise the consultation process in newsletters, school bag mail and email. An advertisement will be placed in local newspapers, week commencing Monday 3 October 2022.

4. Length of Consultation period

The consultation will commence on Wednesday 5 October and will thereafter run until close of business on Thursday 1 December 2022, which covers the minimum statutory consultation period of 30 school days.

5. Public meeting/information sessions

A public meeting will be held in the following schools:

- Carnegie Primary School on Wednesday 26 October from 6.00-7.00 pm
- Touch Primary School on Tuesday 1 November 2022 from 6.00-7.00 pm

where there will be opportunities to:

- hear more about the proposal and any alternatives to the proposal considered by the Council
- ask questions about the proposal and the alternatives
- have your views recorded so that they can be considered as part of the consultation process, including views on any alternatives to the proposal.

Informal drop-in sessions have been arranged at:

- Carnegie Primary School on Tuesday 25 October 2022 from 8.45-9.30 am
- Carnegie Primary School on Wednesday 26 October from 5-6 pm
- Carnegie Primary School on Tuesday 1 November from 2.30-3.30 pm
- Touch Primary School on Tuesday 25 October at 2.30-3.30 pm
- Touch Primary School on Wednesday 26 October 2022 from 8.45-9.30 am
- Touch Primary School on Tuesday 1 November from 5-6 pm.

At the informal drop-in sessions, there will be opportunities for parents/carers/ pupils and other stakeholders to:

- hear more about the proposal and any alternatives to the proposal considered by the Council
- ask questions about the proposal and the alternatives
- complete a consultation response form.

6. Responding to the Proposal

Interested parties can also respond to this proposal document by making a written representation by letter, email, or completion of a Consultation Response Form on the proposal before Thursday 1 December 2022 to any of the following:

- sustainableschoolestate.enquiries@fife.gov.uk
- Carnegie/Touch Catchment Review, Education & Children's Services Directorate, Fife Council, 4th Floor (West), Fife House, North Street, Glenrothes KY7 5LT
- Completing an online Consultation Response Form at ([Managing Our School Estate | Fife Council](#))

7. Involvement of Education Scotland

A copy of the proposal paper will be sent to Education Scotland by Fife Council. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agrees, a summary of them. Education Scotland will further receive a summary of any oral representation made to the Council at the public meetings/information sessions and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare and submit a report on the educational aspects of the proposal within a 3-week period (unless the Council and Education Scotland agree a longer period) after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3-week period will not start until after the consultation period ends. Education Scotland may make such reasonable enquiries of such people at the school as they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

8. Preparation of Consultation Report

The Council will review the proposal having regard to the Education Scotland Report and written representations that it has received. In addition, oral representations made at the public meetings/information sessions will form part of that review. It will then prepare a Consultation Report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations and a summary of the oral representations made at the public meeting as well as a copy of the Education Scotland Report and any other relevant information, including details of any alleged inaccuracies and how these have been handled. The report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the Education Scotland Report and representations (both written and oral) that it received. It will also explain the opportunity that may arise for making representations to Scottish Ministers in respect of call-in of the proposal. The Consultation Report will be published and available for further consideration for a period of 3 weeks.

9. Decision

The Consultation Report, together with any other relevant documentation, will be considered by the Cabinet Committee, which will come to a decision whether to implement the proposal, in whole or in part, or not. The decision of the Cabinet Committee will be subject to the Council's internal governance procedures before it becomes final. The proposal on which Fife Council is deciding is not a proposal which is subject to call in by the Scottish Government and is not subject to review by the School Closures Review Panel.

10. Note on Corrections

If during the consultation period any inaccuracy or omission is discovered in this proposal document, either by the Council or any other person, the Council will determine whether relevant information has in its opinion been omitted or if there is in fact an inaccuracy. It will then take appropriate action in respect of the inaccuracy or omission which may include issuing a notice in respect of the inaccuracy or omission, extending the consultation period or publishing a correct proposal document and giving revised notice of the consultation. Where applicable, the notifier of the inaccuracy or omission will be advised of the determination, the reasons for that determination and the action (if any) it is taking and of the reasons why it is or is not taking such action and the notifier will be invited to make representations to the Council if they disagree with the determination or decision whether to take action.

Fife Council

Education & Children's Services Directorate

THE CONSULTATION PROPOSAL

PROPOSAL TO REZONE THE PRIMARY CATCHMENT AREAS OF:

**CARNEGIE PRIMARY SCHOOL
TOUCH PRIMARY SCHOOL**

Format of the Proposal Document

1. Introduction and the reasons for formulating the Proposal
2. The Proposal
3. Contextual Analysis
4. Carnegie Primary School - Rationale for the rezoning of the primary catchment areas of Carnegie and Touch Primary Schools
5. Receiving/Impacted School – Touch Primary School
6. Rationale for the Proposal – Summary
7. Educational Benefits Statement
8. Available Walking Routes to School – Transport Arrangements
9. Nursery Provision
10. Secondary School Implications
11. Cost Per Pupil
12. Community Impact
13. Summary of Proposal
14. Proposed Date for Implementation
15. Statutory Consultation Process – Timeline

Appendices

- | | |
|-------------|-------------------------------------------------------------------------------------|
| Appendix 1 | New Housing within the Dunfermline & West Fife Area |
| Appendix 2 | Map of existing Carnegie Primary School Catchment area |
| Appendix 3 | Map of existing Touch Primary School Catchment area |
| Appendix 4 | Map of existing Carnegie and Touch Primary School catchment areas |
| Appendix 5 | Map of housing sites within the Carnegie and Touch Primary School catchment areas |
| Appendix 6 | Map of proposed Carnegie Primary School catchment area with existing catchment area |
| Appendix 7 | Map of proposed Touch Primary School catchment area with existing catchment area |
| Appendix 8 | Map of proposed Carnegie and Touch Primary School catchment areas |
| Appendix 9 | Map showing one mile route from Touch Primary School |
| Appendix 10 | Map showing one mile route from Carnegie Primary School |
| Appendix 11 | Glossary of terms |
| Appendix 12 | Consultation Response Form |

1. Introduction and the reasons for formulating the Proposal

- 1.1 This consultation paper sets out the rationale and implications in respect of the proposal to rezone the catchment areas of Carnegie Primary School and Touch Primary School.
- 1.2 This paper also sets out the consultation process, the timescales and the ways in which parents/carers and stakeholders can give feedback/make representations on the proposal.
- 1.3 In Fife, the Education Authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated to a denominational (Roman Catholic) and non-denominational primary and secondary school, known as catchment schools. Parents can check their catchment area at [Check school catchment areas | Fife Council](#).
- 1.4 There are no proposed changes to the denominational primary and secondary catchment areas associated within the proposal.
- 1.5 To ensure that the school estate provides best value for money, the Education & Learning Directorate must ensure that the number of pupil places is matched as efficiently as possible to the numbers of pupils living in each catchment area. In doing this, the Directorate must take account of changing demographic patterns leading to falling and rising school rolls in different parts of Fife, planned housing development and other factors which might impact on the need for school places. This may require the Education Service to review school catchment areas and where demand for places exceeds existing capacity, changes to the catchment area may be required. Where a change to a catchment area is required, a statutory consultation with stakeholders will be carried out.
- 1.6 This paper details the proposal to rezone the catchment area for Carnegie Primary School and Touch Primary School. However, parents will continue to have the right to exercise parental choice and to make placing requests to alternative schools, subject to the normal constraints of pupil capacity being available. The allocation of placing requests is in terms of the Education (Scotland) Act 1980 and in line with the existing School Admissions Policy which can be accessed online at [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).

2. The Proposal

- 2.1 The proposal is to:
 - Rezone the catchment area of Carnegie Primary School, from 30 June 2023
 - Rezone the catchment area of Touch Primary School, from 30 June 2023.
- 2.2 After the consultation, a final report will be submitted to a future meeting of the Cabinet Committee. Subject to the consultation responses, and if approved, the changes to the catchment areas would be implemented from 30 June 2023. Nursery aged pupils transferring to Primary 1 in August 2023 would enrol in their existing primary school in January 2023. The new primary catchment areas will take effect from 30 June 2023 for all future pupils.
- 2.3 The appendices for this proposal are detailed as follows:

Appendix 1 details the new housing planned within the Dunfermline and West Fife area shown by high school catchment area. Appendix 2 and Appendix 3 detail the existing primary school catchments areas for Carnegie and Touch Primary Schools, with Appendix 4 showing these side by side. Appendix 5 details the housing within the

catchment areas of Carnegie and Touch Primary School. Appendix 6 and Appendix 7 detail the proposed catchment areas of Carnegie and Touch Primary Schools should this proposal be approved, with Appendix 8 showing the catchment areas side by side. Appendix 9 and Appendix 10 detail a number of one-mile routes from both school locations to show parents/carers the distance from each of the schools. Appendix 11 is a Glossary of terms to allow parents/carers the opportunity to understand the terminology in this report. Appendix 12 is a copy of the online consultation pro-forma which can be accessed live at: [Managing Our School Estate | Fife Council](#)

3. Contextual Analysis

3.1 Guiding Principles

3.1.1 The Council has set several guiding principles for the review of the school estate, which were agreed by the Council's Executive Committee on 2 October 2012, following a Fife school review, and more recently at the Education & Children's Services Committee, on 28 August 2018:

- (a) Every school should be rated as 'A' or 'B' for both condition and suitability, to include a number of accessible schools in each geographical area.
- (b) Schools should have an occupancy rate greater than 60% of capacity and, in order to ensure equity in provision, schools should be operating within an optimal occupancy and efficiency range of 80-100%. Consideration should be given to establishing a minimum number of pupils in any school which is less than 5 miles from another school; therefore, schools should have a minimum of 3 classes, recognising that effective learning requires interaction between pupils. This group activity is most effective when children are of a similar age and, to enable this, where possible, schools should have a minimum roll of 50 pupils.
- (c) A strategy for a sustainable school estate should support the progressive reduction in the overall carbon footprint for the Council.

3.2 Review Factors

3.2.1 The factors considered in the review of the school estate include:

- Educational benefits
- Condition surveys
- Suitability assessments
- Recent investment in school buildings
- Energy performance data
- School roll projections and capacities
- Catchment areas, including impact of Strategic Land Allocations and Local Development Plans
- Cost per pupil
- Distance to nearest school
- Best Value model for existing Public Private Partnership (PPP) contracts i.e. increasing occupancy

3.3 New Housing Developments within the Carnegie and Touch Primary School Catchment Areas

- 3.3.1 Dunfermline as a town has seen a significant increase in new housing because of the expansion to the east, which commenced from 1996. The town, which was awarded City status on 22nd May 2022, has seen the construction of 3 new primary schools to support new pupils from the eastern expansion area (Carnegie in 2011, Duloch in 2007 and Masterton in 2006). The City of Dunfermline is now expected to see an additional 3 primary schools to accommodate new pupils because of the developments planned at Wellwood, Broomhall and Halbeath.
- 3.3.2 The Housing Land Audit is published by Fife Council on an annual basis. It presents the known housing development sites, along with their current status (effective, non-effective, planning consent or complete) and the phasing of the new homes that are expected per calendar year. Within the Dunfermline & West Fife secondary school catchment areas there are approximately 9000 new homes to be complete between the period of April 2022 to April 2040. These housing developments are situated within the secondary catchment areas of Dunfermline, Inverkeithing, Queen Anne and Woodmill High Schools, as well as St. Columba's RC High School. The extent of the housing can be shown within Appendix 1.
- 3.3.3 The biggest developments are as follows:
- Wellwood Strategic Development Area (SDA) – 1085 units
 - Swallowdrum North SDA – 900 units
 - Halbeath SDA – 1400 units
 - Berrylaw – 665 units
 - Broomhall – 2150 units.
- 3.3.4 The number of proposed homes in each school catchment area varies and the expected number of new homes built will change year by year, largely dependent upon the market rate of the sale of new homes. Fife Council must be responsive to these variations, to ensure that the school estate is sufficient in size to manage pupil demand. As well as the planning process and the construction of these new primary schools, the Education Service will be required to carry out a statutory consultation with stakeholders to establish the new school communities.
- 3.3.5 Within the Touch Primary School catchment area there are 100 units at the Lynebank Hospital site, which is classed an effective site within the Housing Land Audit. This means that the site is free or expected to be free of constraints in the period under consideration and will therefore be available for the construction of housing. A non-effective site is not expected to contribute towards meeting the housing land requirement due to ownership, physical, contamination, marketability, constraints etc. The expected pupil product for this site is included in the school roll projections for both Touch Primary School and Woodmill High School. These units are expected to be built between the period 2023-2025.
- 3.3.6 Within the Carnegie Primary School catchment area there are 287 units from the following sites;
- Dunlin Drive – 193 units (to start from 2022-2025)
 - Halbeath South – 56 units to be completed
 - South Fod – 38 units to be completed

- 3.3.7 The proposed pupils from these development sites (Dunlin Drive and Halbeath South) are included in the school roll projections for Carnegie Primary School. The Dunlin Drive site is part of the former Shepherd Offshore site, which already has planning consent under application 14/00809/PPP. The development of the remaining 193 units is currently onsite, with initial groundworks underway.
- 3.3.8 It should be noted that the Halbeath expansion for 1400 units is currently partially contained within the Carnegie and Townhill Primary School catchment areas. A new primary school is proposed to accommodate pupils from this development and a further catchment review will be required to rezone this housing from both the Carnegie and Townhill Primary School catchment areas to the new primary school and allow the establishment of a new catchment area to be formed for this community.

4. Carnegie Primary School - Rationale for the rezoning of the primary catchment areas of Carnegie and Touch Primary Schools

- 4.1 Carnegie Primary School opened as a virtual school in August 2009, for one class of pupils. The staff and pupils were based in Inverkeithing Primary School and pupils/staff were bused from the Duloch area of Dunfermline until the new school was completed. The roll increased to 85 pupils for the second academic session and all pupils transferred to the new building in August 2011. When first constructed, Carnegie Primary School had a maximum capacity for 434 pupils, which was based on 14 mainstream classes. Three additional teaching spaces were designed to accommodate additional support needs (ASN) classes as part of the Fife strategy to provide enhanced ASN provision in a small number of Primary Schools. There were also 2 nursery rooms to accommodate 80 pupils in the morning and 80 pupils in the afternoon. As a result of the expansion to 1140 hours for nursery aged pupils, the model within Carnegie nursery was amended to deliver 80 places operating the 9am-3pm model. The additional ancillary accommodation on site, to support the full breadth of curriculum, includes a community room, library/ICT room and multi-purpose room.
- 4.2 By 2014, the number of pupils attending the school had exceeded the initial maximum capacity and therefore the 3 areas initially designed to accommodate ASN classes were reconfigured to accommodate mainstream pupils. This changed the maximum capacity of the school from 434 pupils to 509 pupils (17 classes). In addition, the community room, staffroom, library/ICT room and multi-purpose room were reconfigured to accommodate pupils from the catchment area.
- 4.3 Due to this increase of catchment pupils for a continued period, the ancillary spaces such as the community room, staffroom, library/ICT room and multi-purpose room had to be used to accommodate classes.
- 4.4 The published capacity was revised formally, in May 2017, following the completion of a 4-classroom extension, occupied by pupils from August 2016. This took the maximum capacity to 651 pupils (21 classes).
- 4.5 Prior to Carnegie Primary School being built, Masterton and Duloch Primary Schools were constructed to meet the requirements of the planned house building in the Dunfermline eastern expansion. Housing development in the area was rapid and significant, causing an influx of families from outwith Fife. This impacted significantly on the pupil product (previously applied throughout Fife) used to predict pupil numbers from large housing developments.

- 4.6 The catchment area for Masterton Primary School was subject to a statutory rezoning proposal during 2005/6 and then again during session 2013/14. The Duloch Primary School catchment area was first established prior to the school opening in 2007. Further rezoning changes were made to the Duloch Primary School catchment area at the time when a new catchment area was formed for Carnegie Primary School. The rezoning change resulted in housing from the catchment area of Duloch Primary School being rezoned to Carnegie Primary School.
- 4.7 In 2011, a planning application was received to consider new housing units from the former Shepherd Offshore development, a site which was allocated for employment land within the local plan for the Dunfermline area. This area was subsequently reclassified from employment land to an area for residential development. Included in the conditions of planning consent, to enable housebuilding to commence, the developer was required to fund the 4-classroom extension to Carnegie Primary School, to mitigate the capacity risk for education provision known at that time. The extension to Carnegie Primary School was completed for August 2016 and the maximum capacity of the school therefore increased in May 2017, from 509 pupils to 651 pupils (17 to 21 classes). There are still 193 housing units to be completed from this development, as detailed in the masterplan application, which also includes the development of a new Dunfermline Learning Campus (replacement Fife College, and replacement secondary schools for St Columba's Roman Catholic and Woodmill High Schools).
- 4.8 The school roll for Carnegie Primary School was 651 pupils at Census 2021. The school roll is projected to be 654 pupils for August 2022. The maximum capacity of Carnegie Primary School is 651 pupils if they are equally dispersed across each primary stage. This is very rarely the case as was evident in session 2021-2022, when the school census figures of 651 indicated that the total could be accommodated within the maximum capacity, however the class composition required for each primary stage resulted in the school requiring 23 teaching areas and having to utilise 2 multi-purpose spaces at the detriment of the curriculum.
- 4.9 The school has been utilising a multi-purpose area for several years, which has impacted on its availability, for staff to deliver the full breadth of the curriculum in spaces other than core classrooms.
- 4.10 As a result of the class configuration requirements, for session 2021-22, Carnegie Primary School has been operating with a number of classes that is in excess of its current capacity. Additionally, if all 784 pupils currently living in the catchment area had chosen to attend Carnegie Primary School, it would be oversubscribed by 133 pupils.
- 4.11 The increase in the population located within the catchment area, and the subsequent pupil numbers, inhibits a parent's statutory ability to choose to send their child to their catchment school. As outlined in para 1.3, Fife Council manages pupil places through catchment areas and parents/carers have a statutory right for their child to attend their catchment school. It is also not possible to support any placing request applications, through placing request legislation, where a school is oversubscribed with catchment pupils.
- 4.12 The current information relating to Scottish Government Core Facts Data is as follows:
- Carnegie Primary School is currently rated as 'A' for condition (Core Facts April 2021).
 - The building is rated as 'A' for suitability.
 - The building is rated as 'A' for accessibility.

- 4.13 The new housing within the Carnegie Primary School catchment area is situated to the west of the M90. The existing residential housing, to the east of the M90, is located within the Crossgates Primary School catchment area.
- 4.14 The expected pupils, from the local plan housing sites located in the Carnegie Primary School catchment area, cannot be accommodated within the existing accommodation at Carnegie Primary School. The school roll has already exceeded the maximum pupil capacity and 25 teaching areas, along with 5 multi-purpose areas (to deliver the full breadth of the curriculum activities) would be required to accommodate all the catchment pupils within the existing Carnegie catchment area.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030
Carnegie Projected Roll	665	696	703	711	685	690	687	672	652

- 4.15 Although pupils from new housing development sites arrive on a phased basis, the considerable number of pupils in this catchment area will continue to exacerbate the capacity issue at Carnegie Primary School. The site is unable to be extended to provide a further additional 4 teaching spaces as well as an additional hall and/or multi-purpose areas to support the full breadth of the curriculum.
- 4.16 Although the rationale for the proposal is based on the existing over occupancy of Carnegie Primary School, due to new housing within the catchment area it is prudent to manage the catchment areas across all our schools based on the inclusion of new housing developments, the proximities to local schools and to consider long term management of the school estate. Failure to manage the school catchment area of Carnegie Primary School, in relation to new developments, would exacerbate the existing capacity problem at the school.
- 4.17 This proposal would allow the catchment area of Carnegie Primary School to be rezoned, to ensure that pupils currently living in the catchment area can attend the catchment school that would be assigned to their household address/postcode. Additionally, any new pupils from the new housing to the east of Carnegie Primary School (former Shepherd Offshore development), could be accommodated within the capacity of the school, ensuring that the school is situated at the heart of its community.
- 4.18 It is a geographic imperative that the catchment area is realigned to allow those children living in the catchment area the opportunity to attend their catchment school.
- 4.19 If the catchment area were to remain as it currently stands, the Education Service would be unable to accommodate all pupils entitled to a catchment place at Carnegie Primary School. This would result in the oversubscription of pupils for the number of places on offer each year. The management of primary enrolments would be required in accordance with the Admissions Policy and those pupils unable to be allocated a place at Carnegie Primary School would be allocated a place at Touch Primary School. This may result in a number of pupils being transported to school and an increase in revenue costs for Fife Council.

5. Receiving/Impacted School – Touch Primary School

- 5.1 Touch Primary School is 1.1 miles from Carnegie Primary School, situated at Garvock Bank, Dunfermline. The school accommodation has benefited from significant investment in financial years 2014/15, 2015/16 and 2017/18 as part of the school rationalisation programme where part of the Lynburn Primary School catchment area was rezoned to Touch Primary School to redistribute pupils across this area of Dunfermline. This proposal

identified surplus capacity within the area and allowed the Education Service the opportunity to optimise occupancy and ensure best value across the school estate. The school's digital and wireless capacity was upgraded, as well as significant refurbishment of classroom areas, including new carpeting, painting, and heating. In addition, a project to upgrade the boundary fencing and external lighting was completed.

5.2 The school roll at Census 2021 was 268 pupils, with a maximum capacity of 317 pupils (11 classes). The school benefits from a large dining hall, multi-purpose learning spaces and a tutorial space to support the delivery of the breadth of the curriculum. The nursery on site can accommodate 75 pupils on a term time model (9am-3pm 39 weeks a year). As part of the 1140 hours expansion of early years provision, one of the classrooms was reconfigured to allow the delivery of additional early years places.

5.3 A decision was made to extend Touch Primary School by 4 classes, which has increased the maximum pupil capacity from 317 pupils to 434 pupils. This increase in core classrooms allows for the continued use of multi-purpose areas over and above the core accommodation. The increase in provision at Touch Primary School was agreed to manage the influx of pupils from new development sites, as there was overall site capacity to build an extension. As well as the 4-classroom extension, an upgrade to a set of toilets was completed.

5.4 To respond to the Scottish Government's expansion of early years provision, a decision was taken in 2016 to expand the nursery provision in Touch Primary School. This enabled the Education Service to expand outdoor provision for the nursery as well as providing a dedicated external play area for Primary 1 to Primary 3 pupils. Additional refurbishment of the nursery toilets is scheduled for the October 2022 and Easter 2023 school holidays.

5.5 The current information relating to Scottish Government Core Facts Data is as follows:

- Touch Primary School is currently rated as 'B' for condition (Core Facts April 2021).
- The building is rated as 'B' for suitability.
- The building is rated as 'B' for accessibility.

5.6 The school rolls (as recorded in the annual September census) from the last 10 years are presented as follows:

Year	School Roll / Occupancy	Year	School Roll / Occupancy
2010	355 / 434 (82%)	2016	313 / 434** (72%)
2011	355 / 434 (82%)	2017	299 / 367 (81%)
2012	348 / 459* (76%)	2018	296 / 317 (93%)
2013	325 / 459 (71%)	2019	302 / 317 (95%)
2014	331 / 459 (72%)	2020	292 / 317 (92%)
2015	324 / 459 (71%)	2021	268 / 434 (62%)

**The 459 maximum capacity in 2012 included a temporary hut which was removed in*

***Summer 2016. This had been included as accommodation for break out space.*

5.7 The pupil analysis, from the 2021 census, shows that there are 96 catchment pupils whose parents have made placing requests to attend other schools. However, 82 pupils are enrolled within Touch Primary School from outwith the Touch Primary School catchment area as a result of placing requests.

- 5.8 The school roll at Touch Primary School has slowly declined as a result of the natural demographics of its catchment area. The current school roll projections for Touch Primary School expect that space is required for between 9 and 10 classrooms until 2036, with the roll projected to decline to 8 classes thereafter. The occupancy at this point would be 53% and would be below the school estate principles (para 3.1(b)) of above 60% occupancy.
- 5.9 The school roll projections for Touch Primary School include one site for 100 units at Lynebank Hospital. Projected new pupils from this development site are expected to sustain the current occupancy level of Touch Primary School. However, the pupil product from this site alone will not increase the school roll above 60% occupancy. It will also mean there are 4 classrooms available which could accommodate additional pupils.

Year	2022	2023	2024	2025	2026	2027	2028	2029	2030
Touch projected Roll	256	243	259	263	244	246	246	249	250

- 5.10 While Touch Primary School does not have an out of school childcare provision on site at present, a privately run childcare provision for school age children is delivered by Garvock Out of School Club. This is operated from the Vine Conference Centre, which is located less than a 5 minute walk from Touch Primary School.

6. Rationale for the Proposal – Summary

- 6.1 The Education Service is required to plan and review its learning estate based on current and future role projection information, to mitigate any capacity pressures on schools as a result of new housing developments in the catchment areas and/or demographic trends.
- 6.2 The existing house building pressures in this housing market area make the current catchment arrangements unsustainable. It is not possible to accommodate the projected catchment population on the existing Carnegie Primary School site. School provision within Carnegie Primary School has already been extended to create additional pupil capacity. All options to create additional capacity on this site have been explored. No additional capacity on this site can be delivered without having a detrimental impact on the space available to deliver high quality learning and teaching, breadth of curriculum, outdoor learning environments as well as the available external spaces for the pupils to play and socialise on site.
- 6.3 As there were no other options to enable extensions to this school, Touch Primary School was expanded to support the future school estate plan for this area of Dunfermline. The existing site of Touch Primary School had the overall site capacity to build an extension, to allow development to take place in the area without significant impact to external play space for pupils. Touch Primary School is in close proximity to Carnegie Primary School and the proposed expansion of the Touch Primary School catchment area will not impact negatively on the educational experience of the pupils and infrastructure within the building.
- 6.4 As Touch Primary School is currently under capacity, the option to increase the catchment area will ensure the housing expansion and the over occupancy of Carnegie Primary School can be managed within this school catchment area.
- 6.5 Touch Primary School has the capacity to accommodate the extra pupils from the proposed rezoning area included in this proposal. Without any additional housing, the school roll of Touch Primary School is expected to decline to 9 classes then potentially to 8 classes beyond 2036 if current trends continue. If the proposal is approved, it is likely that pupils currently enrolled at Carnegie would not transfer to enrol at Touch Primary School, unless

parents/carers chose to. If the catchment is rezoned, any new pupils would be expected to enrol at Touch Primary School from the rezoned catchment area. While the eastern expansion area is near completion, it is anticipated that we will continue to see new pupils through housing turnover in both catchment areas.

6.6 Without the new housing and rezoned area from Carnegie Primary School, Touch Primary School roll will stay around 57% for the foreseeable future. Without a reduction in residential properties within the Carnegie Primary School, the school will continue to be significantly oversubscribed with catchment pupils. This will create uncertainty for parents/carers who may not know until the last minute if they have a catchment place and could result in siblings attending different schools. The management of school places would also continue to be an ongoing challenge for the Headteacher. The new housing planned within the Carnegie Primary School catchment area is unable to be zoned to an alternative school as this would create a catchment anomaly that new pupils would need to travel past Carnegie Primary School to attend a school allocated to them.

6.7 The rezoning of the catchment areas will realign the anomaly of new housing estates, where part of the street is aligned to 2 different primary catchment areas. For example, South Larch Road is split between Carnegie and Touch Primary Schools. This proposal would allow existing housing to be better associated together and natural boundaries to be used to realign the catchment areas. The existing house building pressures in this area make the current arrangements unsustainable. To accommodate the projected catchment population on the existing Carnegie Primary School site would require several additional classrooms and multi-purpose areas. The site is unable to accommodate any new infrastructure.

7. Educational Benefits Statement

7.1 The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. The education authority must prepare an educational benefits statement which includes:

- (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,
- (b) the authority's assessment of any other likely effects of the proposal (if implemented),
- (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
- (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).

7.2 Educational benefits for the pupils of any affected school

7.2.1 Parents will be able to choose the catchment primary school associated with their postal address. This provides significant reassurance to parents when while their child is transitioning from nursey to primary.

- 7.2.2 Catchment realignment would remove the uncertainty for parents in the area who would be unlikely to gain a catchment place at Carnegie Primary School based on distance to school criteria.
- 7.2.3 The distribution of pupils across the area will reduce the accommodation pressures in Carnegie Primary School, thus ensuring that the school accommodation supports teachers to deliver the broad range of experiences and outcomes of Curriculum for Excellence in the most appropriate flexible learning environments that enhance learners' experiences and support high quality teaching. The opportunity to utilise space flexibly in Touch Primary School is already an option and would continue to be the case if the school roll increases.
- 7.2.4 The learning environment in Carnegie Primary School was initially designed to accommodate 17 classes of pupils (14 mainstream and 3 ASC) with additional multi-purpose spaces throughout the building supporting the diverse range of pupils needs. In addition to the core classroom space, the well-planned routes into the building are designed to allow swift access to a range of features such as coat pegs, packed lunch bag storage, hand washing sinks supporting a speedy transition at the start and end of the day as well as break and lunchtime. As a result, limited teaching time is lost each day. When core accommodation is exceeded, alternative accommodation that is designed for transient use is less likely to support daily operational matters.
- 7.2.5 Access to the diverse range of multi-purpose spaces in both Carnegie and Touch Primary Schools will have a positive impact on the teachers' flexibility to deliver the breadth of the curriculum in different learning spaces. It also allows additional teaching and non-teaching staff working in both schools the opportunity to utilise space to meet children's diverse range of needs and foster individual interests, such as musical tuition.
- 7.2.6 This proposal would reduce the constant accommodation pressures within Carnegie Primary School of managing an over-subscribed school and would reduce the pressure of managing all the curricular activities within the core classroom space. This will ensure that the accommodation within both school buildings supports the delivery of a comprehensive curriculum.
- 7.2.7 Attending the same school as peers living in close geographical proximity helps provide continuity and security for children, with the fostering of peer relationships both in and out of school.
- 7.2.8 Realigning the catchment areas of both Carnegie and Touch Primary Schools ensures that all catchment pupils can enjoy the benefits of daily exercise walking to school.
- 7.3 **Benefits for other users of the schools' facilities**
- 7.3.1 At Carnegie Primary School almost all spaces are utilised as core classrooms, due to sustained over occupancy. This has inhibited the space being used by any other users previously. However, if the proposal is approved, multi-purpose spaces will return to flexible use and can be utilised for a wide range of activities, both during the school day and beyond. This would support the opportunity for community users to play a more active role in the school life.
- 7.3.2 In Touch Primary School, a larger sustained school roll enhances the future stability of the school community. Flexibility of the use of school facilities will continue to be available.

7.4 Benefits for children who would (in the future but for implementation) be likely to become pupils of the school

- 7.4.1 Almost all of the pupils who are currently zoned to attend Touch Primary School will continue to do so. The exception being that the partial housing contained to the east of South Larch Road (The Heathers Wynd, South Larch Way, South Larch Lane) will be zoned to Carnegie Primary School, to allow pupils to attend school with their immediate neighbours. Housing from odd numbers 3 to 23 of South Larch Road will be zoned to Touch Primary School, along with existing housing, even 2 to 20 South Larch Road. This will remove the boundary of the catchment directly across houses and ensure the boundary retains housing developments together.
- 7.4.2 From the area of houses that is being proposed to be rezoned from Carnegie Primary School to Touch Primary School, there are already pupils from the Carnegie Primary School catchment area who choose to attend Touch Primary School and nursery. This would provide certainty for parents who would otherwise have to continue to make a placing request to attend Touch Primary School.
- 7.4.3 The postcodes identified in the proposal will ensure that the houses furthest away from Carnegie (Shearwater Crescent/Osprey Crescent) are zoned to the closer in proximity Touch Primary School. For those pupils being rezoned from Carnegie to Touch Primary School, this will alleviate any future uncertainty of a catchment primary school place for their child at Carnegie Primary School. As the properties in this area are furthest away from the existing Carnegie Primary School catchment area, any allocation of places, where there is an oversubscription of pupils, would mean that pupils from this area would be unlikely to be allocated a place in Carnegie Primary School.

7.5 Benefits for other pupils in the authority area

- 7.5.1 The rezoning of both Carnegie and Touch Primary Schools would reduce the inefficient operating expenditure, thus allowing the redirection of resources to support pupils across Fife. The more efficient use of resources will result in a more balanced and “best value” model for deployment of resources across Fife schools. This has implications for the school estate, resources, and staffing, all of which are considered to impact positively on children’s learning.

7.6 Any other likely effects of the proposal and how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented)

- 7.6.1 A situation may arise that a sibling of a child currently attending Carnegie Primary School no longer has an automatic entitlement to attend the same primary school as their older sibling if the rezoning proposal is approved. However, the Education Service will continue to adhere to the priority criteria within the Admissions Policy where a child living at the same household address as their sibling is given a higher priority (following pupils with ASN), than if the non-catchment school is closer to the home address than the catchment school and childcare/parent’s working arrangements.

7.7 Benefits which the authority believes will result from implementation of the proposal (and reasons for the belief)

- 7.7.1 For parents of pupils living within the Carnegie Primary School catchment area there will be greater certainty that their children will be able to be accommodated within their catchment primary school with the rest of their peer group from their community.

- 7.7.2 This proposal will ensure better alignment of communities and catchment areas to reduce the oversubscription of pupils for places within one primary school catchment area.
- 7.7.3 Carnegie Primary School will no longer be over occupied and there will be a better opportunity for staff to deliver curriculum for excellence within a variety of teaching spaces which will enhance the learning experience for all pupils.
- 7.7.4 This proposal will utilise the capacity currently available within Touch Primary School and support the school roll of current catchment pupils to grow, helping to meet the school estate principle of over 60% occupancy. There will also be a better opportunity for a wider staff group to deliver curriculum for excellence within the variety of teaching spaces there, which will enhance the learning experience for all pupils.
- 7.7.5 This proposal will provide a best value approach to the management of the school estate, as capacity exists across the area to manage the influx of pupils from new developments.
- 7.7.6 This proposal will ensure that all pupils could walk to their catchment school, building relationships, resilience, and independence for our young people.

8. Available Walking Routes to School – Transport Arrangements

- 8.1 Touch Primary School is located 1.1 miles from Carnegie Primary School. This proposal will ensure that pupils from both proposed catchment areas are afforded the opportunity to walk to their catchment schools. A map showing the one mile distance from Carnegie is shown at Appendix 9. A map showing the distances from Touch Primary School to the proposed area to be rezoned is included at Appendix 10.
- 8.2 As part of the detailed planning application for any new housing developments, footpaths and infrastructure design would be included in a planning application, thus giving an opportunity for pupils to walk to school and increasing their independence.
- 8.3 Any pupil living more than one mile away from their catchment primary school would be provided with free transport, in accordance with current Fife Council transport policy.

9. Nursery Provision

- 9.1 Nursery provision is managed using local nursery areas, with a family nurture centre in each of the 7 committee areas across Fife. These local nursery areas are not necessarily the same as primary school catchment areas. The nurseries in the areas impacted by this proposal are:

Carnegie Primary School pupils – D2 nursery area – the nurseries associated with this primary school catchment area are: Carnegie (including Halbeath), Duloch, Lynburn, Halbeath and Pitreavie nurseries.

Touch Primary School pupils – D1 nursery area – the nurseries associated with this primary school catchment area are: Beanstalk, St Leonard's, St Margaret' and Touch nurseries.

- 9.2 A new purpose-built nursery/community facility is located in the Halbeath area (Guttergates Road, Halbeath). The nursery provision and staff are managed by the Carnegie Primary School Headteacher. This nursery has provided an additional 96 places in the morning and afternoon, for the locality, in addition to the 80 places (term time) already delivered within Carnegie Primary School. This building benefits from Community Use availability for local groups or organisations to hire the facilities in the evening and weekends.

- 9.3 Parents/Carers are expected to apply in January for a nursery place based on the operating models in each nursery setting.
- 9.4 There is no impact on the nursery provision or operating models on offer as a result of this proposal to rezone the primary school catchment areas.

10. Secondary School Implications

- 10.1 In terms of the School Admissions Policy for Primary and Secondary Schools in Fife, enrolment at a secondary school is based on the catchment area in which a pupil's home address is situated. No changes to secondary school catchments are being proposed as part of this consultation.
- 10.2 The policy also provides that standard enrolments for transfer from primary to secondary are organised annually between the secondary school and its associated primary schools.
- 10.3 Parents have the right to request that their child attend a school other than their designated catchment school (or to their designated catchment school if the child has not been offered a place there). Any such request is called a placing request and is governed by the Education (Scotland) Act 1980. Further information on placing requests and the procedure involved can be found in the School Admissions Policy for Primary and Secondary Schools in Fife which can be found at [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).
- 10.4 Parents/carers can continue to make placing requests to other non-catchment primary or secondary schools but would not be entitled to free or subsidised school transport. In most circumstances, where pupil places are available, placing requests will be granted.

11. Cost per Pupil

- 11.1 The cost per pupil equates to the total expenditure for all running costs associated with a primary or secondary school.
- 11.2 The cost per pupil for the schools included in this proposal are:

Carnegie Primary School - £3,280
Touch Primary School - £4,526

12. Community Impact

- 12.1 In preparing this proposal, the Council has considered a number of ways the community may be impacted by the proposed rezoning of the primary school catchment areas. Both schools will remain part of the same secondary school community, as there are no changes planned to the secondary school catchment areas. This proposal will not impact on a parent's desire to be involved in their children's education as both schools have an active parent council for those parents who wish to be engaged in these forums. Each of the schools will offer, at different points of the year, active school clubs or after school activities for parents to participate within. Each of the schools has a nursery on site, ensuring that parents with older siblings can apply for their younger sibling to attend the nursery setting.
- 12.2 Although Touch Primary School, at present, does not operate an onsite childcare provision, this can be provided by a partner provision at the Vine Conference Centre, which is also in the heart of the Touch Primary School catchment area, located less than 5 minutes walk.

- 12.3 This proposal provides families an opportunity for wider engagement across the geographical area.
- 12.4 In summary, if the proposal is implemented, the Council does not consider that there will be any adverse effect on the local community, whether defined as the school community, housing developments or the wider eastern expansion area.

13. Summary of Proposal

- 13.1 The proposal is to rezone the Carnegie Primary School catchment area and the Touch Primary School Catchment area, from 30 June 2023. This will reduce the overall number of residential properties within the Carnegie Primary School catchment area and ensure both schools have sufficient housing to sustain the school rolls at an optimum level. This will increase the number of residential properties within the catchment area of Touch Primary School and subsequently increase occupancy. This proposal will ensure that pupils from the revised Carnegie Primary School catchment area can attend their catchment school in future, without a significant risk of over-subscription of pupils.

14. Proposed Date for Implementation

- 14.1 It is intended that the proposal, if approved by the Cabinet Committee of Fife Council on 9 March 2023 (or a subsequent Cabinet Committee), would be implemented on 30 June 2023. Nursery aged pupils transferring to Primary 1 in August 2023 would enrol in their existing primary school in January 2023. If approved, the new secondary catchment areas will take effect from 30 June 2023 for all enrolments including placing requests from this date.

15. Statutory Consultation Process – Timeline

22 September 2022	Consultation proposal considered by Fife Council’s Cabinet Committee
4 October 2022	Parents and other statutory consultees issued with Consultation Notice informing them of relevant dates and information about the statutory consultation
5 October – 1 December 2022	Consultation live (period of 31 school days)
10 October – 21 October 2022	School holidays
	<p>Public meeting held on:</p> <ul style="list-style-type: none"> • Carnegie Primary School on Wednesday 26 October from 6.00-7.00 pm • Touch Primary School on Tuesday 1 November 2022 from 6.00-7.00 pm <p>Drop in sessions at:</p> <ul style="list-style-type: none"> • Carnegie Primary School on Tuesday 25 October 2022 from 8.45-9.30 am • Carnegie Primary School on Wednesday 26 October from 5-6 pm • Carnegie Primary School on Tuesday 1 November from 2.30-3.30 pm • Touch Primary School on Tuesday 25 October at 2.30-3.30 pm • Touch Primary School on Wednesday 26 October 2022 from 8.45-9.30 am • Touch Primary School on Tuesday 1 November from 5-6 pm

1 December 2022	Consultation Close
9 December 2022	Report on consultation process is submitted to Education Scotland
12 December – 13 January 2023	Education Scotland 3 week review
16 January 2023	Education Service receive report from Education Scotland
13 February 2023	Consultation Report published 3 weeks before the Cabinet Committee
9 March 2023	Report submitted to the Cabinet Committee

The information included in this document can be made available in large print, braille, audio CD/tape and British Sign Language interpretation on request by calling 03451 55 55 00
Calls cost between 3p to 7p per minute from a UK landline, mobile rates may vary.

BT Text phone number for Deaf people 18001 01383 441177

LANGUAGE LINES

এ নথিতে যেসব তথ্য আছে তা 03451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/টেইপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।
কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارات البريطانية من خلال الاتصال بالرقم 03451 55 55 77
تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 03451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

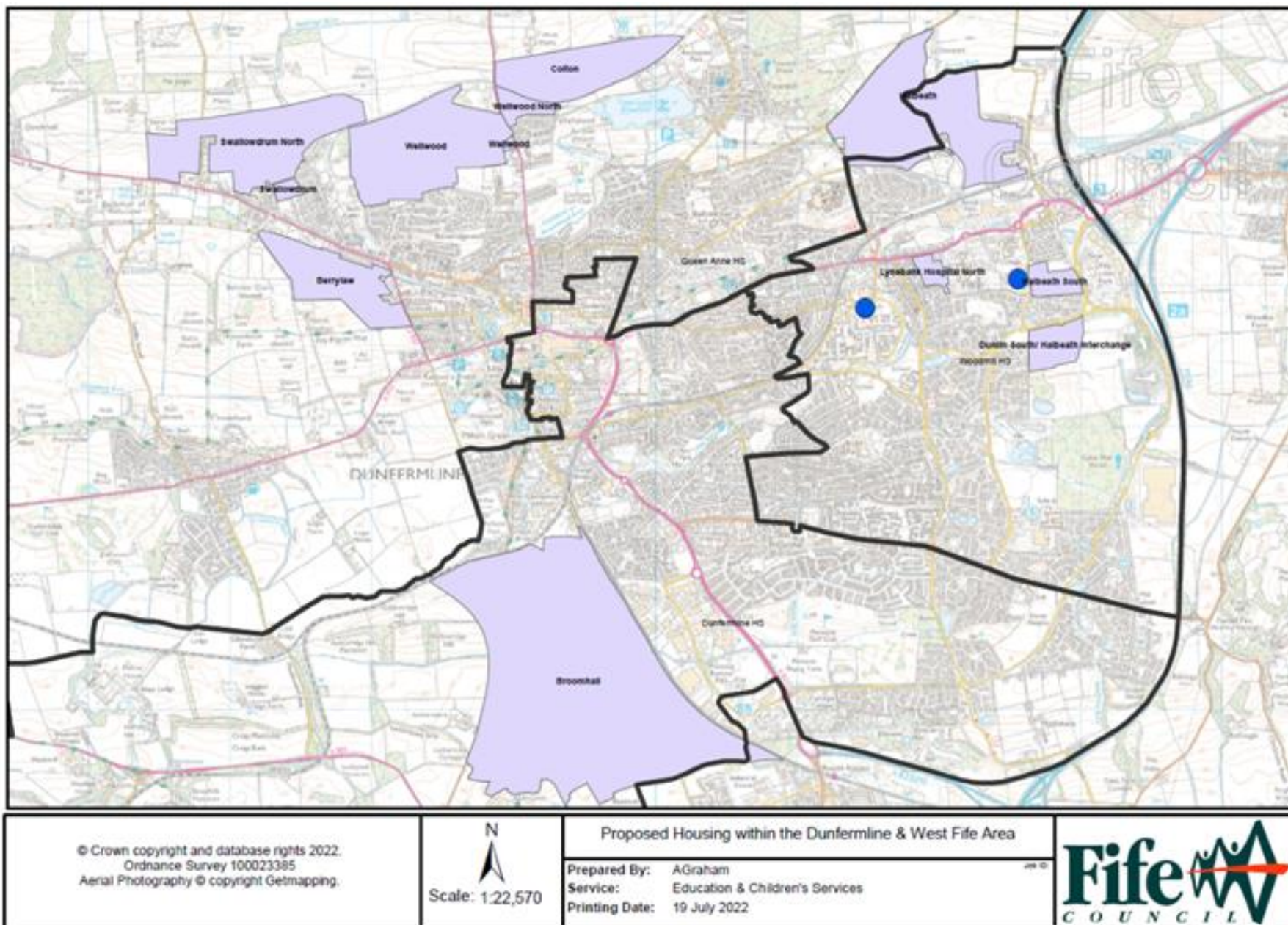
Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 03451 55 55 44.

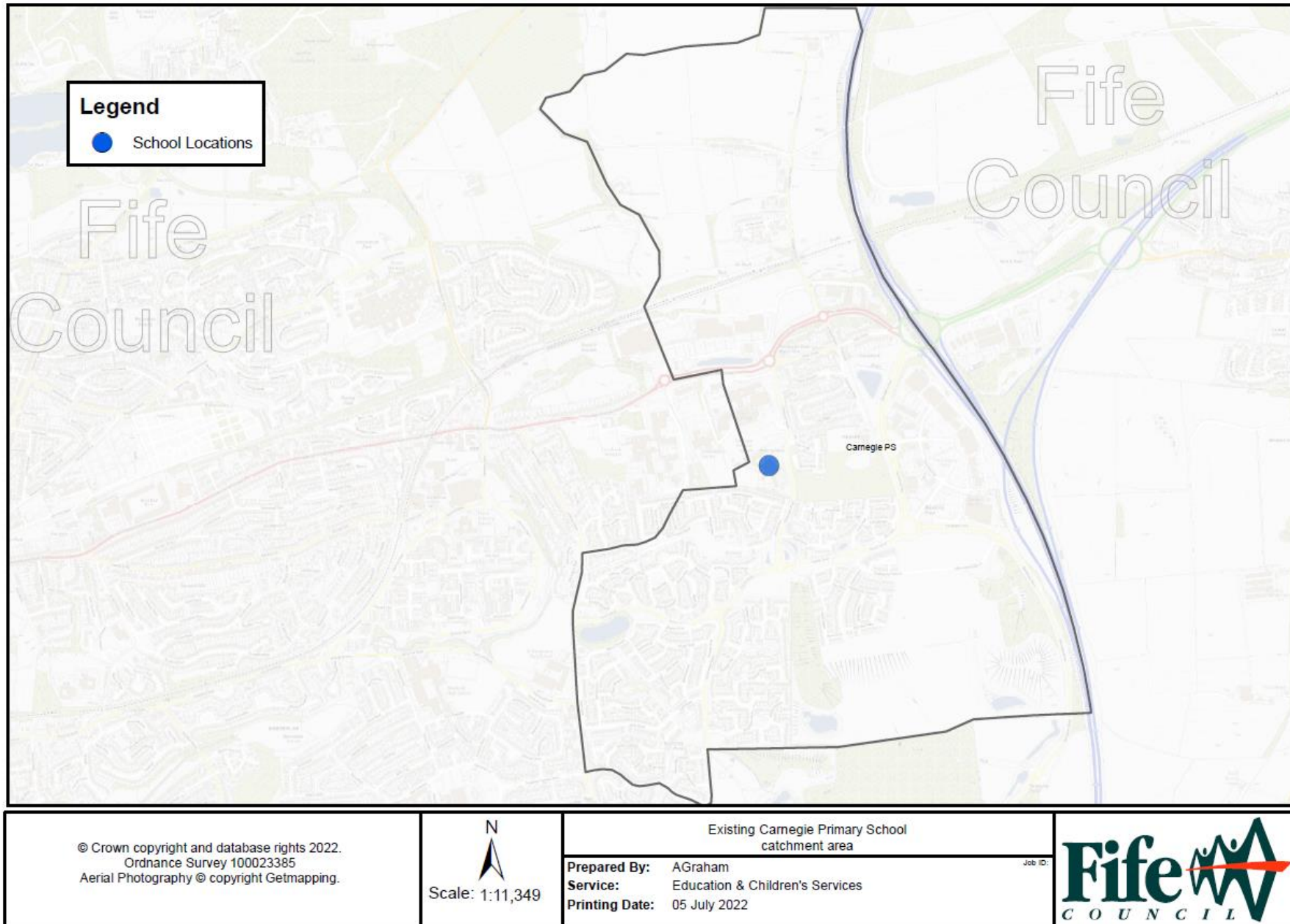
Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

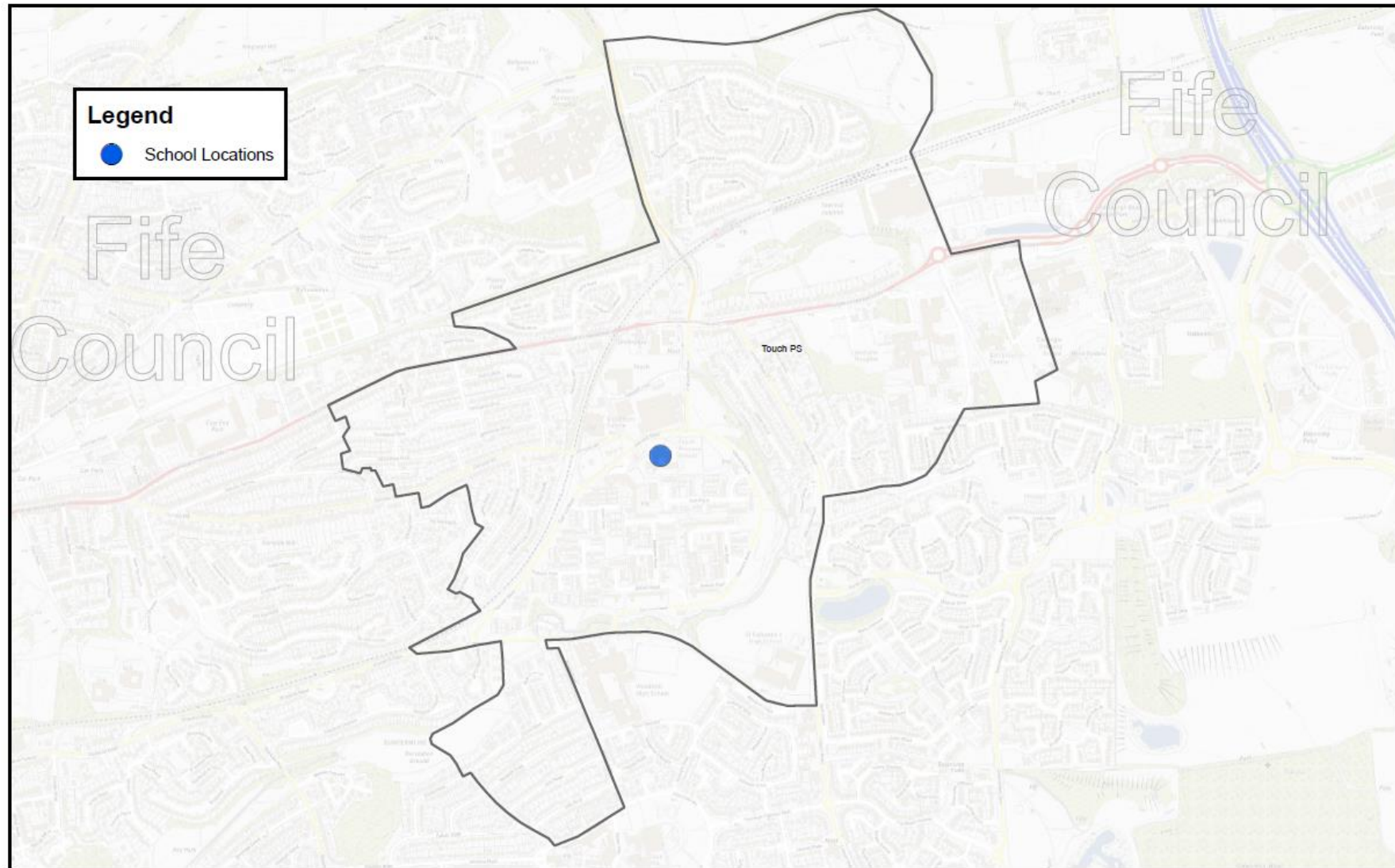
ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 03451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

ਯੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

03451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹ 'بریل' آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔
کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پنس فی منٹ ہیں' موبائل کے نرخ مختلف ہوسکتے ہیں۔







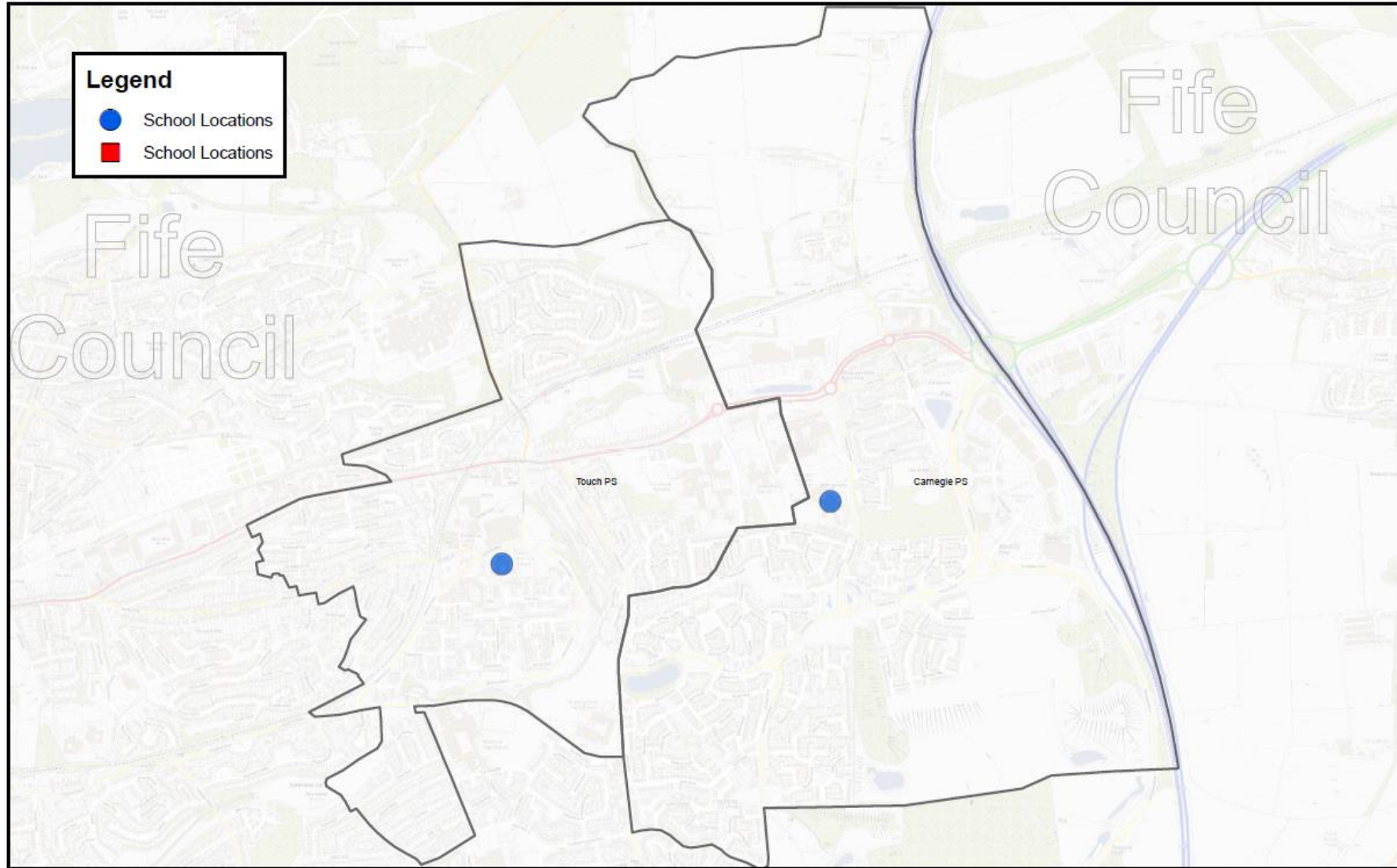
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Scale: 1:8,747

Existing Touch Primary School catchment area

Prepared By:	AGraham	Job ID:
Service:	Education & Children's Services	
Printing Date:	05 July 2022	





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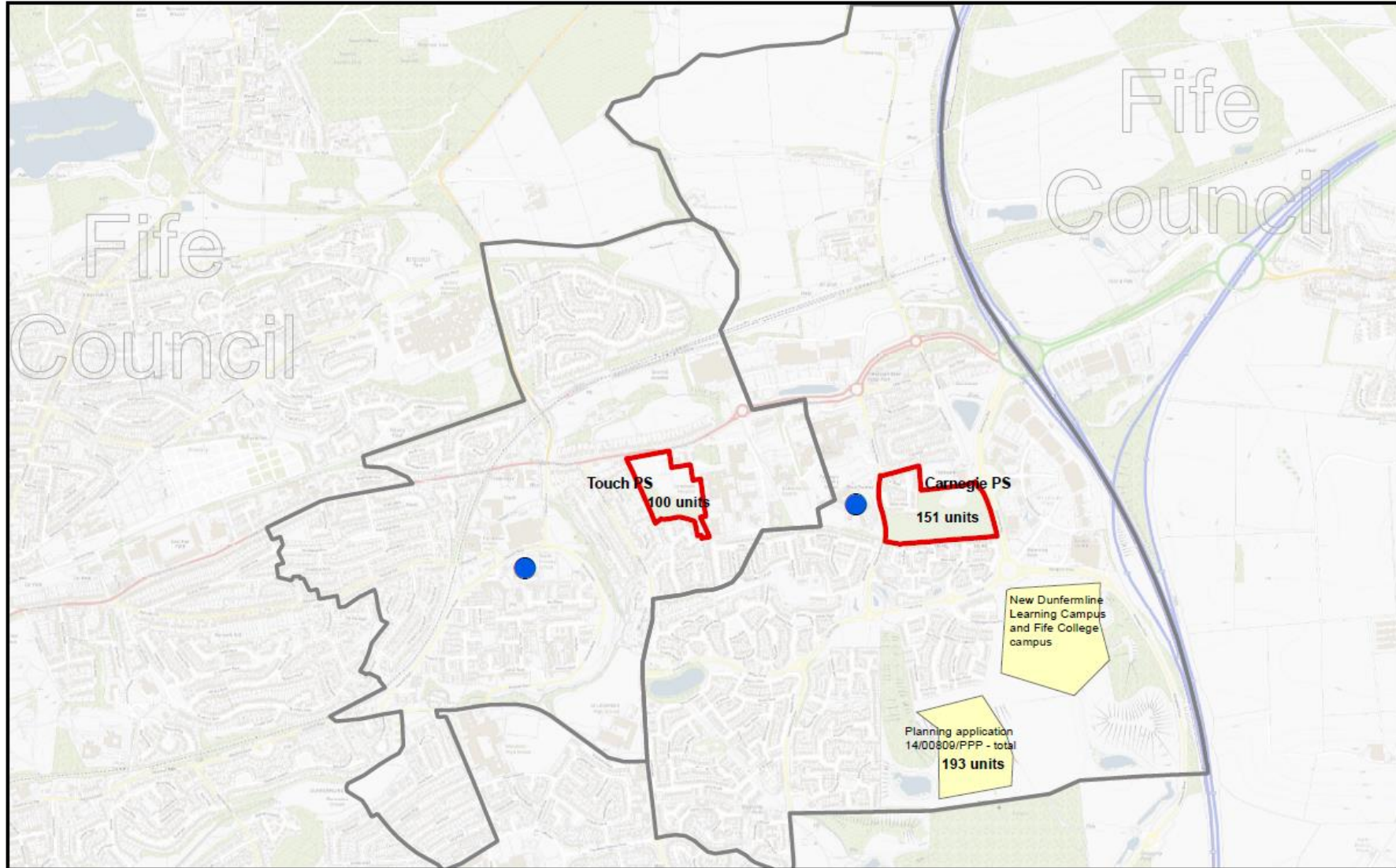
N
Scale: 1:11,349

Existing Carnegie Primary School
catchment areas

Prepared By: AGraham
Service: Education & Children's Services
Printing Date: 05 July 2022

Job ID:





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N
 Scale: 1:11,270

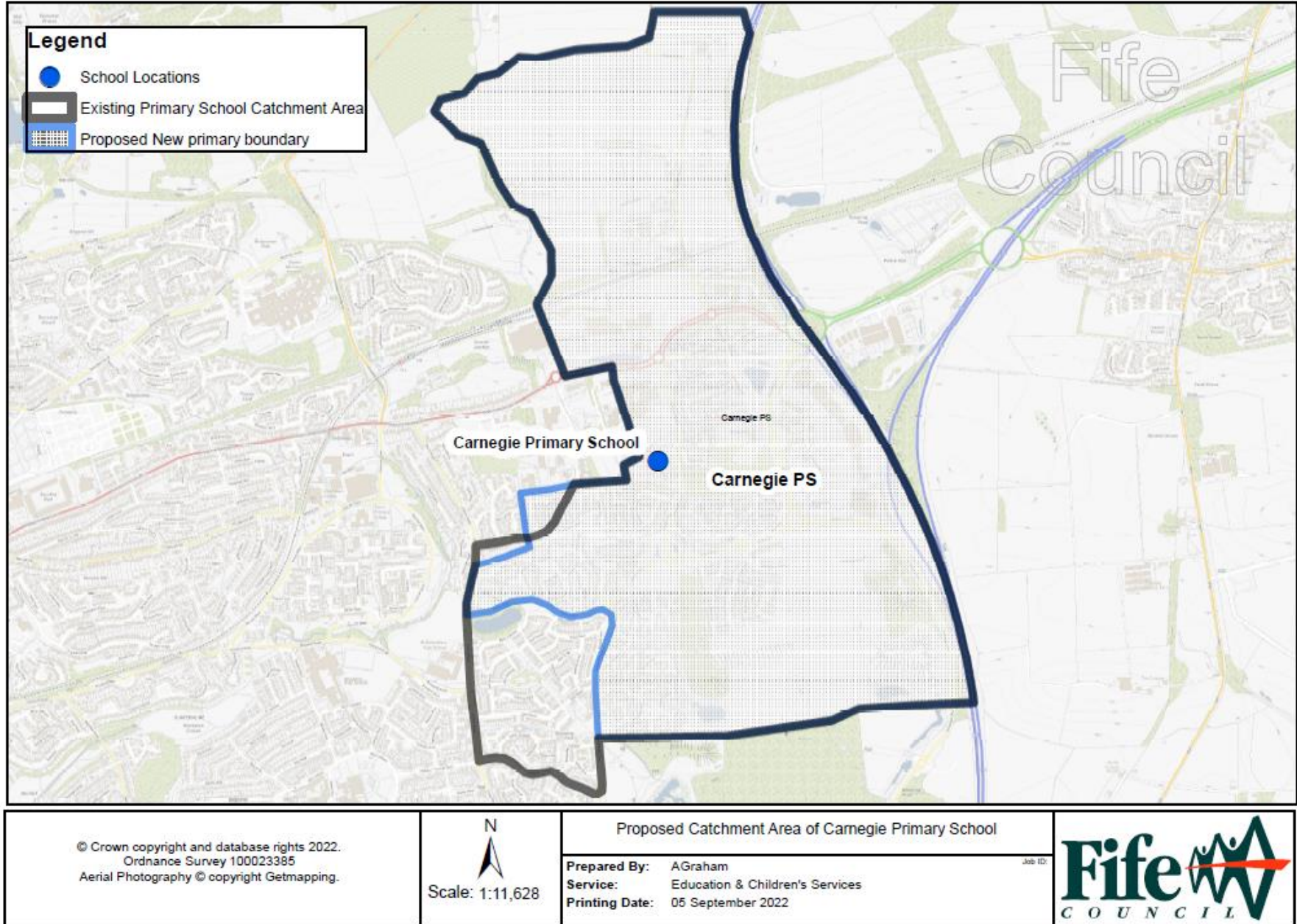
Housing within the catchment areas of Carnegie & Touch Primary Schools

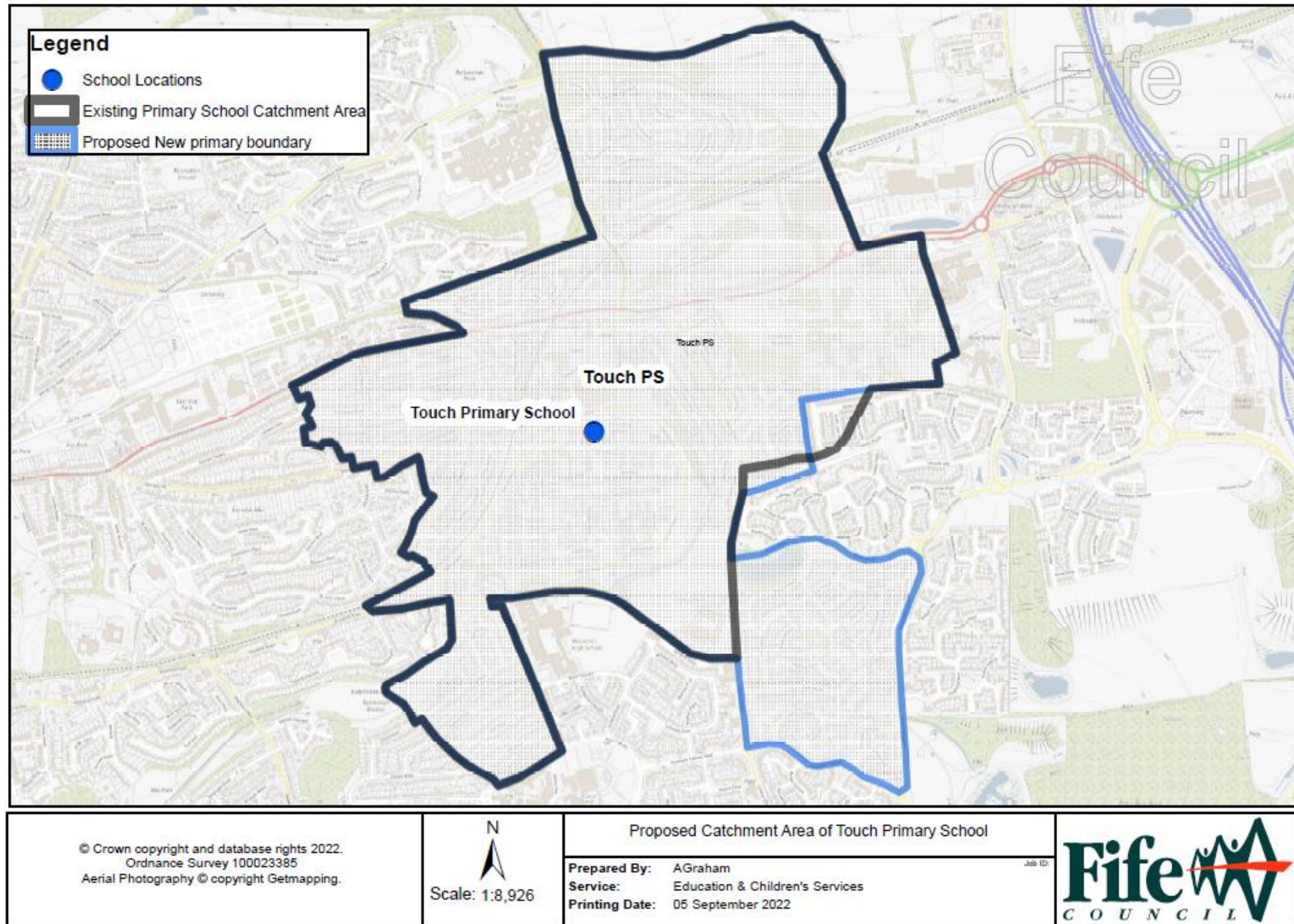
Prepared By:	agraham	Job ID:
Service:	Education & Children's Services	
Printing Date:	06 July 2022	

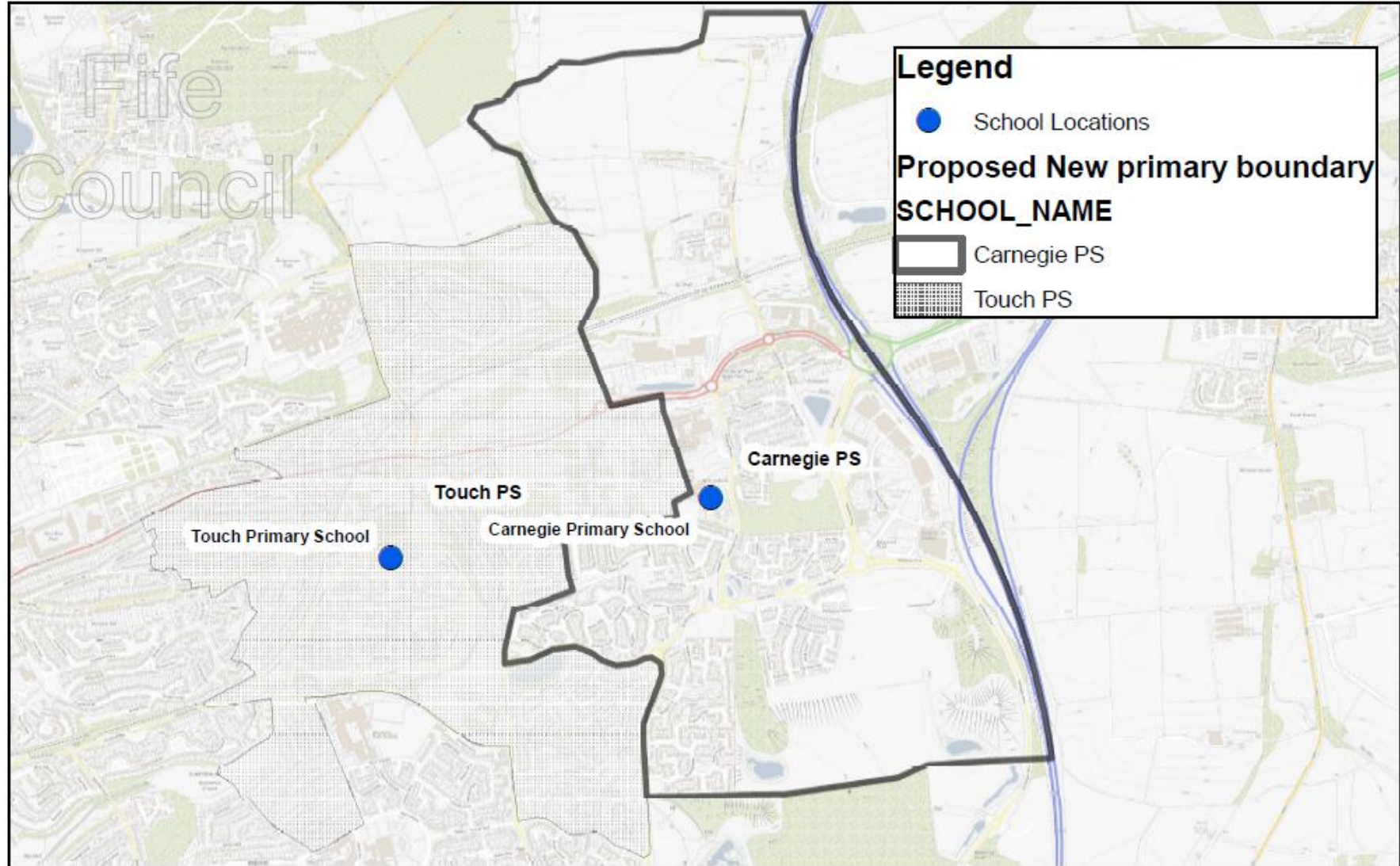


Appendix 6

Map of the Proposed Catchment Area of Carnegie School with existing catchment area







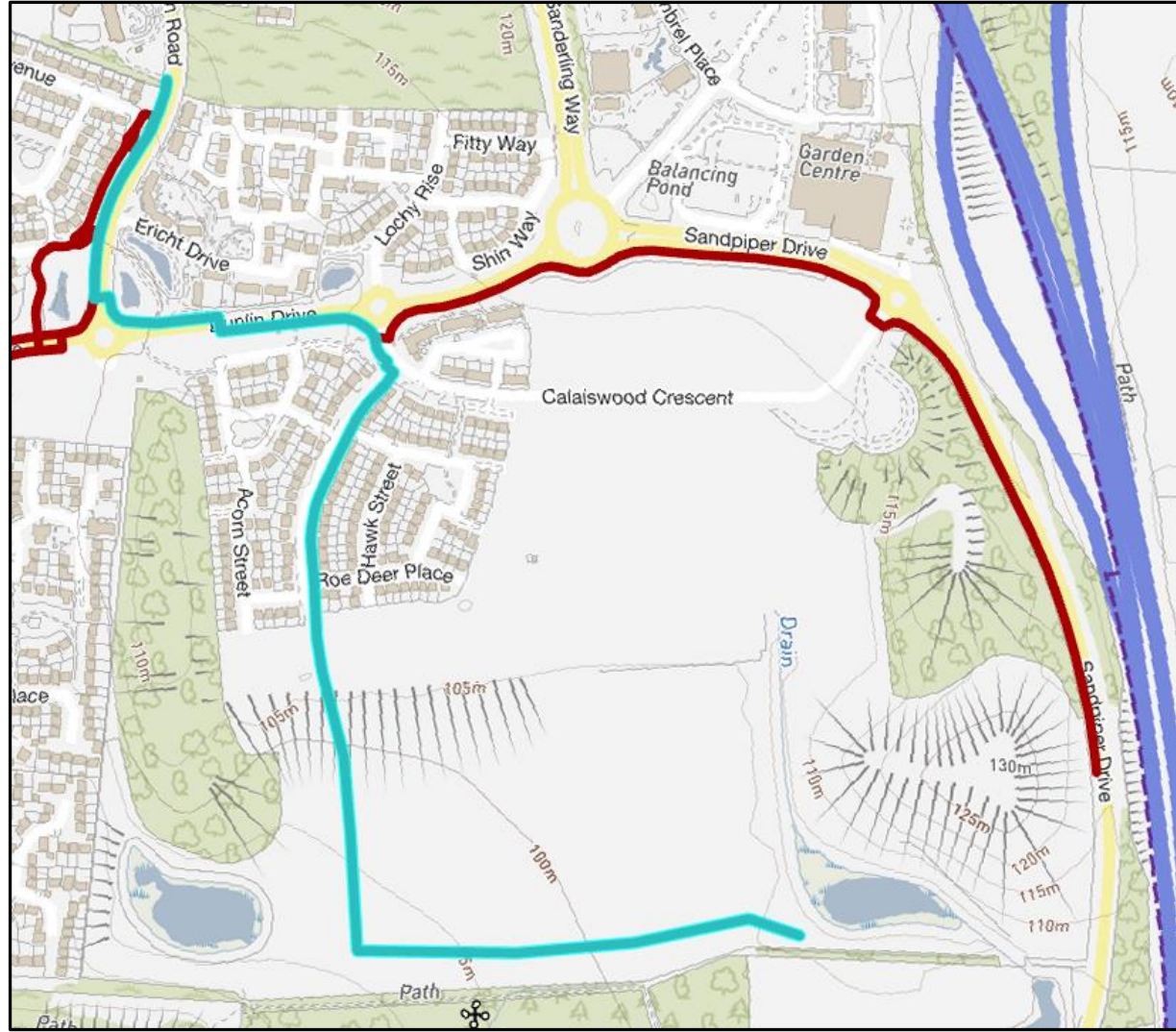
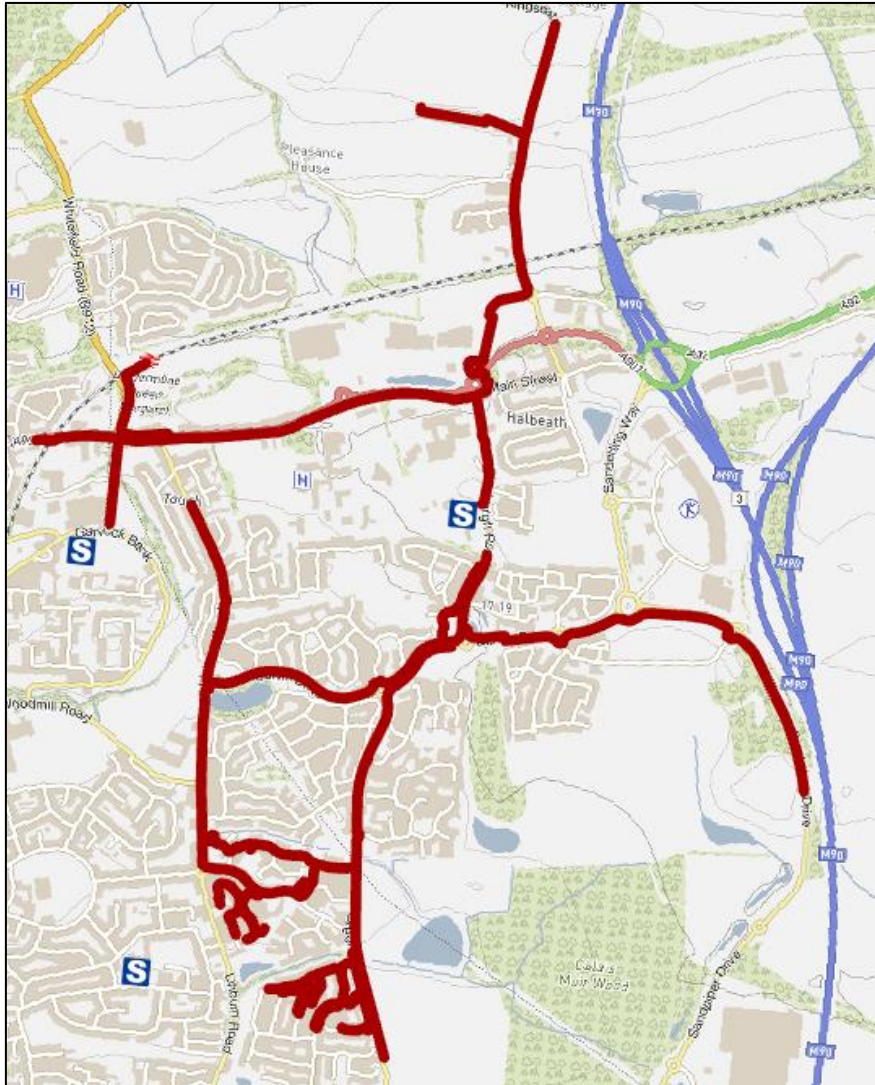
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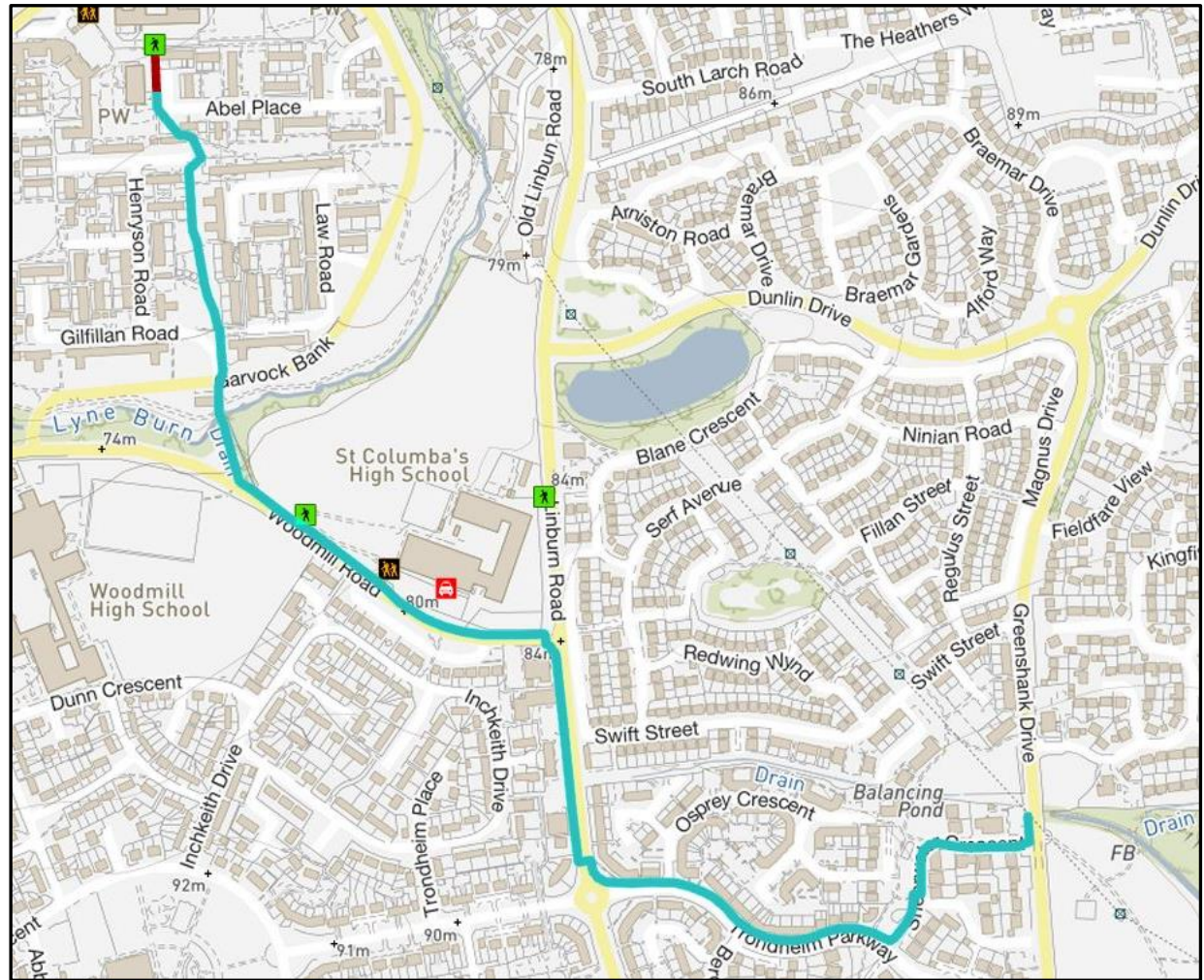
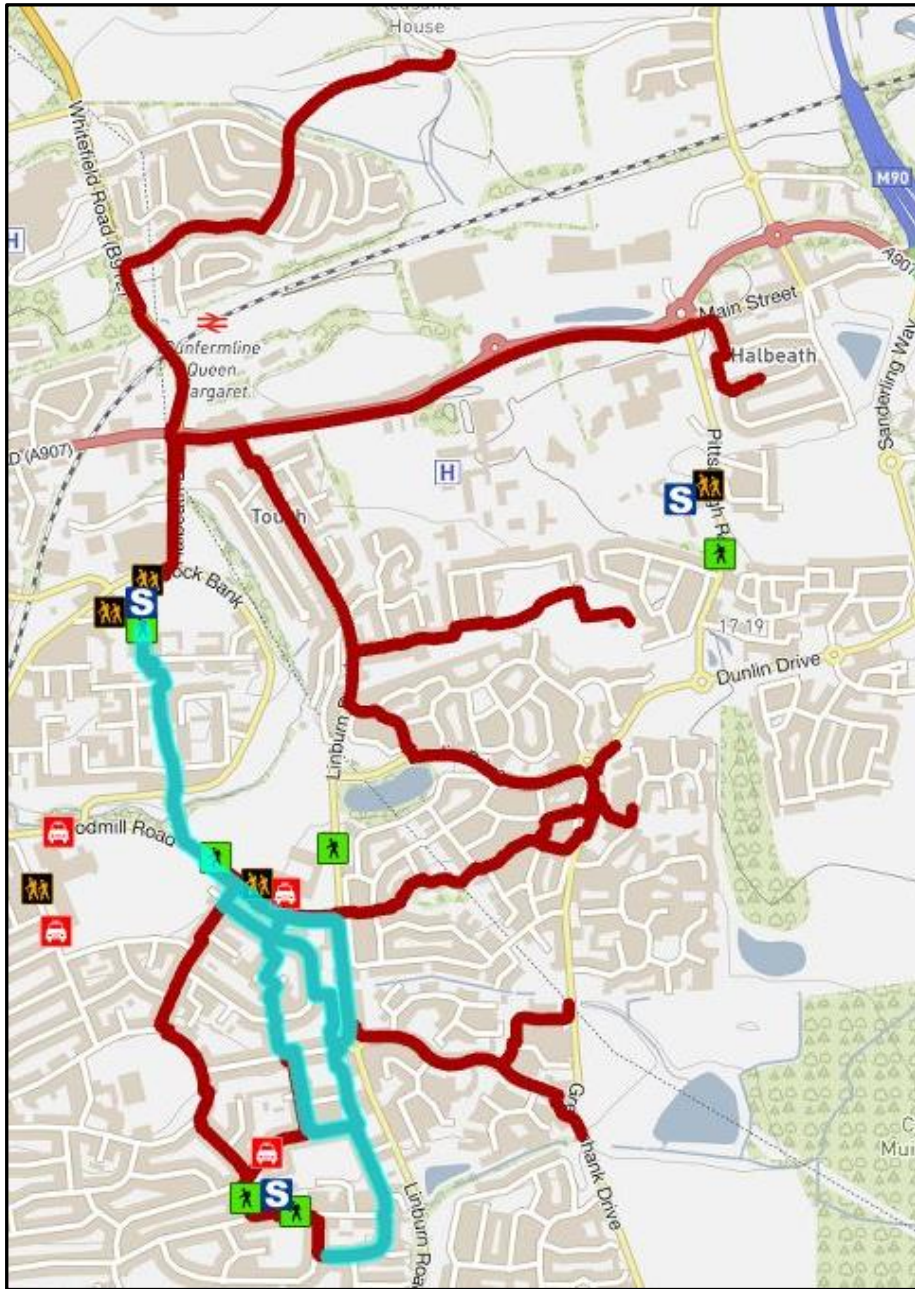
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Proposed Catchment Area of Carnegie and Touch Primary Schools

Prepared By:	AGraham	Job ID:
Service:	Education & Children's Services	
Printing Date:	05 September 2022	







Core Facts

Core Facts are a series of data which are collected by local authorities to measure progress and success of a school estate strategy as well as benchmarking against other local authorities in Scotland. The core facts are used at both local and national level to:

- establish a baseline
- inform targets
- inform spending decisions
- support monitoring and evaluation of progress over time
- support assessments of value for money.

More information is available at: [School estates: core facts overview - gov.scot \(www.gov.scot\)](http://www.gov.scot/School%20estates%20core%20facts%20overview)

School Condition Rating

Condition core facts are established by professional review, carried out by the Council's Asset & Facilities Management Service. Schools are assessed against a range of criteria set down by the Scottish Government and are examined on a 5-year rolling programme.

- A: Good – Performing well and operating efficiently
- B: Satisfactory – Performing adequately but showing minor deterioration
- C: Poor – Showing major defects and/or not operating adequately
- D: Bad – Life expired and/or serious risk of imminent failure.

School Suitability Rating

Suitability core facts are established through a similar process to the condition core facts process, undertaken by Headteacher and Business Managers. This information assesses how well the school environment supports the delivery of the curriculum against criteria laid down by the Scottish Government.

- A: Good – Performing well and operating efficiently (the school buildings support the delivery of services to children and communities)
- B: Satisfactory – Performing well but with minor problems (the school buildings generally support the delivery of services to children and communities)
- C: Poor – Showing major problems and/or not operating optimally (the school buildings impede the delivery of activities that are needed for children and communities in the school)
- D: Bad – Does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

Suitability surveys are reviewed by Headteachers/Business Managers every 5 years. The last survey was completed by Headteachers in 2010. Where school investment has been carried out in a particular school, the following year's Core Facts Update will be amended to reflect any subsequent change to the condition, suitability or accessibility rating.

School Accessibility Rating

Accessibility ratings are collated by the School Estate Team, along with the Education Access Officer, who undertake surveys of all the school buildings. These ratings are then ratified by the Accessibility Strategy Group. The ratings are classified as follows:

- A: Fully accessible

- B: Building partially accessible but Curriculum accessible
- C: Partially accessible or not currently accessible but has the potential to be made accessible
- D: Inaccessible and unable to be reasonably adapted to be made accessible.

As part of the Accessibility Strategy, there will be a number of accessible schools in each geographical area.

Strategic Land Allocations

Strategic Land Allocations are housing developments sites within Fife identified through Fife Council's Structure Plan 2006-2026 (approved May 2009). The Structure Plan also includes infrastructure developments for business and employment, town centres, retailing, housing, affordable housing, transportation and waste management. A Strategic Land Allocation for residential units range from 300 units in a small town/village to 4200 units in a large town.

Local Development Plan

Fife Council adopted FIFEplan (Fife's Local Development Plan) on 21 September 2017. This plan details the local development changes to infrastructure within settlements and include new plans with planning consent. The Council are currently inviting communities to create Local Place Plans, which will help shape the next Local Development Plan. More information is available at [Invitation to create Local Place Plans](#) page.

Housing Land Audit

Enterprise, Planning & Protective Services undertakes an annual audit (known as the Housing Land Audit) of the Housing Land Supply in Fife, using 1st April as the base date. The Audit monitors housing completions and makes predictions about future house building in Fife.

Homes for Scotland (representing the national house builders) and local developers are consulted on the information to be included in the Housing Land Audit to discuss and agree the Audit as far as possible. The latest publication for 2021 is published at [Planning Information and Land Use Audits | Fife Council](#)

Public Private Partnership (PPP)

There are 2 existing contracts in Fife (PPP1 and PPP2) where schools have been procured and constructed through this process. The schools are maintained for a period of 25 years by a contractor and after 25 years the building is handed to the Council for future repair and maintenance. An annual unitary charge includes design and construction, services delivery including building and grounds maintenance, finance costs, legal, insurances, management and risk.

Life Cycle Costs

Costs for replacing assets at the end of their life span. These include building, fabric, services and furniture and equipment to ensure the asset is maintain is a substantial condition.

Efficiency Range 80-100%

No local authority can effectively run at 100% occupied. The 80%-100% efficiency range allows a degree of flexibility within schools to support Curriculum for Excellence.

Cost per Pupil Calculation

The cost per pupil calculation for schools is computed in July of each year. The calculation is intended to bring together all comparable costs for each school and benchmark these at individual school level through the production of a cost per pupil figure.

The calculation is currently based on the School Revenue Budget Statements that are issued to schools in April of each year. The calculation considers several factors particularly the school roll from the last census at September of the previous year. The calculation takes schools running costs including an allocation for janitorial staffing costs. It excludes the costs for school transport, depreciation and the financing costs of schools built under PFI contract arrangements (PPP schools).

Having identified the relevant running costs for each school and by dividing these costs by the school roll this produces a cost per pupil figure which is used for comparison purposes.

Proposal Paper

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare and publish a proposal paper. Section 4 of the Act provides:

4 Proposal paper

- (1) The education authority must prepare a proposal paper which—
 - (a) sets out the details of the relevant proposal,
 - (b) proposes a date for implementation of the proposal,
 - (c) contains the educational benefits statement in respect of the proposal,
 - (d) refers to such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.
- (2) The proposal paper must also give a summary of the process provided for in [sections 1 to 17D] (so far as applicable in relation to the proposal).

(2A) Where a proposal paper relates to a closure proposal, it must also contain information about the financial implications of the proposal.
- (3) A proposal paper may include more than one proposal.
- (4) The education authority must—
 - (a) publish the proposal paper in both electronic and printed form,
 - (b) make the paper, and (so far as practicable) a copy of any separate documentation that it refers to under subsection (1)(d), available for inspection at all reasonable times and without charge—
 - (i) at its head office and on its website,
 - (ii) at any affected school or at a public library or some other suitable place within the vicinity of the school,
 - (c) provide without charge the information contained in the proposal paper—
 - (i) to such persons as may reasonably require that information in another form, and
 - (ii) in such other form as may reasonably be requested by such persons.
- (5) The education authority must advertise the publication of the proposal paper by such means as it considers appropriate.

Educational Benefits Statement

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare an educational benefits statement. Section 3 of the Act provides:

3 Educational benefits statement

- (1) The education authority must prepare an educational benefits statement which includes:
 - (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
 - (i) the pupils of any affected school,
 - (ii) any other users of the school's facilities,
 - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
 - (iv) the pupils of any other schools in the authority's area,
 - (b) the authority's assessment of any other likely effects of the proposal (if implemented),
 - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
 - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).
- (2) The statement must also include the education authority's reasons for coming to the beliefs expressed under subsection (1)(d).
- (3) In subsection (1), the references to effects and benefits are to educational effects and benefits.

Rural School

In terms of the Schools (Consultation) (Scotland) Act 2010 a rural school is a school designated as rural by Scottish Ministers. Section 14 provides:

14 Designation of rural schools

- (1) In this Act, a "rural school" is a school which is designated as such by its inclusion in the list of rural schools maintained by the Scottish Ministers for the purposes of this subsection.
- (2) In determining the question of rurality when considering whether a school falls to be included in or excluded from the list of rural schools, the Scottish Ministers are to have regard (in particular) to:
 - (a) the population of the community (or settlement) in which the school is located,
 - (b) the geographical circumstances of that community (or settlement) including its relative remoteness or inaccessibility.
- (3) The list of rural schools is to be accompanied by an explanation of how the Scottish Ministers devised the list:
 - (a) by reference to subsection (2), and

- (b) if they consider it appropriate, by reference to any recognised criteria available from a reliable source.
- (4) The Scottish Ministers are to:
 - (a) monitor the list of rural schools (and update it as regularly as they consider necessary),
 - (b) publish it (including as updated) in such way as they consider appropriate.
- (5) An education authority must provide the Scottish Ministers with such information as they may reasonably require of it in connection with the list of rural schools.

Special Provision for Rural Schools

11A Presumption against rural school closure

- (1) This section applies in relation to any closure proposal as respects a rural school.
- (2) The education authority may not decide to implement the proposal (wholly or partly) unless the authority—
 - (a) has complied with sections 12, 12A and 13, and
 - (b) having so complied, is satisfied that such implementation of the proposal is the most appropriate response to the reasons for formulating the proposal identified by the authority under section 12A(2)(a).
- (3) The authority must publish on its website notice of—
 - (a) its decision as to implementation of the proposal, and
 - (b) where it decides to implement the proposal (wholly or partly), the reasons why it is satisfied that such implementation is the most appropriate response to the reasons for formulating the proposal identified by the authority under section 12A(2)(a).

12 Factors for rural closure proposals

- (1) Subsection (2) applies in relation to any closure proposal as respects a rural school.
- (2) The education authority must have special regard to the factors mentioned in subsection
- (3) The factors are—
 - (a) **[...]**¹ (Repealed by Children and Young People (Scotland) Act 2014 asp 8 (Scottish Act) Pt 15 s.80(2)(a) (August 1, 2014: repeal has effect subject to transitional provision specified in SSI 2014/165art.5)
 - (b) the likely effect on the local community in consequence of the proposal (if implemented),
 - (c) the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).
- (4) For the purpose of subsection (3)(b) **[and sections 12A(2)(c)(ii) and 13(5)(b)(ii)]**², the effect on the community is to be assessed by reference (in particular) to—
 - (a) the sustainability of the community,
 - (b) the availability of the school's premises and its other facilities for use by the community.
- (5) For the purpose of subsection (3)(c) and sections 12A(2)(c)(iii) and 3(5)(b)(iii)³—
 - (a) the effect caused by such travelling arrangements includes (in particular)—

- (i) that on the school's pupils and staff and any other users of the school's facilities,
- (ii) any environmental impact,
- (b) the travelling arrangements are those to and from the school of (and for) the school's pupils and staff and any other users of the school's facilities.

12A Preliminary requirements in relation to rural school closure

- (1) This section applies where an education authority is formulating a closure proposal as respects a rural school.
- (2) The authority must—
 - (a) identify its reasons for formulating the proposal,
 - (b) consider whether there are any reasonable alternatives to the proposal as a response to those reasons,
 - (c) assess, for the proposal and each of the alternatives to the proposal identified under paragraph (b) (if any)—
 - (i) the likely educational benefits in consequence of the implementation of the proposal, or as the case may be, alternative,
 - (ii) the likely effect on the local community (assessed in accordance with section 12(4)) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with section 12(5)) in consequence of such implementation.
- (3) For the purposes of this section and section 13, reasonable alternatives to the proposal include (but are not limited to) steps which would not result in the school or a stage of education in the school (within the meaning of paragraph 12 of schedule 1) being discontinued.
- (4) The authority may not publish a proposal paper in relation to the proposal unless, having complied with subsection (2), it considers that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.
- (5) In this section and section 13, the references to the reasons for the proposal are references to the reasons identified by the education authority under subsection (2)(a).

13 Additional consultation requirements

- (1) This section applies in relation to any closure proposal as respects a rural school.
- (2) The proposal paper must additionally—
 - (a) explain the reasons for the proposal,
 - (b) describe what (if any) steps the authority took to address those reasons before formulating the proposal,
 - (c) if the authority did not take such steps, explain why it did not do so,
 - (d) set out any alternatives to the proposal identified by the authority under section 12A(2)(b),
 - (e) explain the authority's assessment under section 12A(2)(c),
 - (f) explain the reasons why the authority considers, in light of that assessment, that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.
- (3) The notice to be given to relevant consultees under section 6(1) must—

- (a) give a summary of the alternatives to the proposal set out in the proposal paper,
 - (b) state that written representations may be made on those alternatives (as well as on the proposal), and
 - (c) state that written representations on the proposal may suggest other alternatives to the proposal.
- (4) In sections 8(4)(c), 9(4) and 10(2)(a), the references to written representations on the proposal include references to written representations on the alternatives to the proposal set out in the proposal paper.
- (5) When carrying out its review of the proposal under section 9(1), the education authority is to carry out—
- (a) for the proposal and each of the alternatives to it set out in the proposal paper (if any), a further assessment of the matters mentioned in section 12A(2)(c)(i) to (iii), and
 - (b) an assessment, in relation to any other reasonable alternative to the proposal suggested in written representations on the proposal, of—
 - (i) the likely educational benefits in consequence of the implementation of the alternative,
 - (ii) the likely effect on the local community (assessed in accordance with section 12(4)) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with section 12(5)) in consequence of such implementation.
- (6) The consultation report must additionally explain—
- (a) the education authority's assessment under subsection (5)(a),
 - (b) how that assessment differs (if at all) from the authority's assessment under section 12A(2)(c),
 - (c) the authority's assessment under subsection (5)(b),
 - (d) whether and, if so, the reasons why the authority considers that implementation of the proposal (wholly or partly) would be the most appropriate response to the reasons for the proposal.

**FIFE COUNCIL – EDUCATION AND CHILDREN’S SERVICES DIRECTORATE
CONSULTATION RESPONSE FORM**

Proposal to rezone the catchment area of Carnegie Primary School and the catchment area of Touch Primary School from 30 June 2023.

1. **Your Details** (to be provided by parent/carers or interested parties to enable the local authority to inform any person who makes written representations on the proposal of the publication of the consultation report as required by the Schools (Consultation) (Scotland) Act 2010).

Name	
Address	
Postcode	
Email address (if applicable)	

2. **What is your main interest in responding to this consultation?**

I am a **parent/carer** of a child:

Living in the Carnegie Primary School catchment area	
Living in the Touch Primary School catchment area	

I am a **parent/carer** of a child attending:

Carnegie Primary School	
Touch Primary School	
Another primary school in Dunfermline	
Any nursery in the Dunfermline local area	

I am a **pupil** attending:

Carnegie Primary School	
Touch Primary School	
Another primary school in Dunfermline	
Any nursery in the Dunfermline local area	

I am a member of **staff** at:

Carnegie Primary School	
Touch Primary School	
Another primary school in Dunfermline	
Any nursery in the Dunfermline local area	

Other interested party Please explain if you are responding on behalf of an organisation or for another reason	
-------------------------------------------------------------------------------------------------------------------	--

Your Views

- (a) Do you support the proposal to rezone Carnegie Primary School and to rezone the catchment area of Touch Primary School from 30 June 2023 (**choose yes or no**)?

YES

NO

- (b) If NO, what are your reasons?

- (c) Are there any further comments on the proposal you would like to make and/or any alternatives to the proposal you would like to suggest?

3. About You

The following questions are voluntary. They are to assist Fife Council in fulfilling its obligations under the Equality Act 2010 in relation to the proposal. Your responses to these questions are confidential.

1. What is your age? 18 or under 19-24 25-34 35-44 45-54
 55-64 65-74 75 and over

2. What is your gender? Male Female

3. What is your ethnic background? Please choose one (✓).

White Scottish	<input type="checkbox"/>
Other White British	<input type="checkbox"/>
Other White background	<input type="checkbox"/>
Mixed or multiple ethnic background	<input type="checkbox"/>
African	<input type="checkbox"/>
Asian, Asian Scottish, or other Asian British	<input type="checkbox"/>
Caribbean or Black	<input type="checkbox"/>
Other ethnic background	<input type="checkbox"/>

4. Do you consider yourself as having a disability? Yes No

Please complete online at www.fife.gov.uk/miltonclosure **or** return this form by post to: Carnegie & Touch Primary School Catchment Review Proposal, Education & Children's Services 4th floor Fife House, North Street, Glenrothes, KY7 5LT **by the end of the consultation period on Thursday 1 December 2022.**