

## Cabinet Committee

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



Thursday, 8 February 2024 - 10.00 am

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### AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
  2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
  3. **MINUTES** –
    - (i) Cabinet Committee of 11 January 2024. 3 - 9
    - (ii) Education Appointment Committee of 22 January 2024. 10
  4. **BUDGET PLANNING 2024-27 - UPDATE** – Report by the Executive Director (Finance and Corporate Services). 11 - 21
  5. **FIFE LOCAL DEVELOPMENT PLAN EVIDENCE REPORT** – Report by the Head of Planning. 22 - 31
  6. **FIFE COUNCIL PLANNING SERVICE ENFORCEMENT CHARTER 2024** – Report by the Head of Planning. 32 - 53
  7. **HOUSING ALLOCATION POLICY REVIEW** – Report by the Head of Housing Services. 54 - 62
  8. **RIVER LEVEN REGENERATION - ACTIVE TRAVEL NETWORK CAPITAL FUNDING** – Report by the Head of Roads and Transportation Services 63 - 76
  9. **ALLOTMENT & COMMUNITY GROWING STRATEGY 2024-2029** – Report by the Head of Communities and Neighbourhoods Service. 77 - 96
  10. **MUSEUMS COLLECTIONS DEVELOPMENT POLICY 2024-2028** – Report by the Head of Communities and Neighbourhoods Service. 97 - 119
  11. **FIFE'S UK SHARED PROSPERITY INVESTMENT PLAN** – Report by the Executive Director (Place). 120 - 128
  12. **CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES** 129 - 130
- The Committee is asked to resolve, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in para. 6 of Part 1 of Schedule 7A of the Act.
13. **TAY CITIES REGION DEAL - UNIVERSITY OF ST. ANDREWS - EDEN ENTERPRISE CENTRE (PRIVATE REPORT)** – Report by the Head of Business and Employability Services. 131 - 141

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

Lindsay Thomson  
Head of Legal and Democratic Services  
Finance and Corporate Services  
Fife House  
North Street  
Glenrothes  
Fife, KY7 5LT

1 February 2024

If telephoning, please ask for:

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

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### **BLENDED MEETING NOTICE**

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

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

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

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

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

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

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

**THE FIFE COUNCIL - CABINET COMMITTEE - BLENDED MEETING**

**Committee Room 2, Fife House, North Street, Glenrothes**

**11 January 2024**

**10.00 am - 2.20 pm**

**PRESENT:** Councillors David Ross (Convener), David Alexander, Lesley Backhouse, David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Graeme Downie, Linda Erskine, Derek Glen, Brian Goodall (substituting for Councillor Carol Lindsay), Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Kathleen Leslie (substituting for Councillor Dave Dempsey), Rosemary Liewald, Jonny Tepp, Ross Vettrains and Jan Wincott.

**ATTENDING:** Ken Gourlay, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Les Robertson, Head of Revenue and Commercial Services, Lindsay Thomson, Head of Legal and Democratic Services, Margaret McFadden, Solicitor, Legal Services and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Carol Connolly, Executive Director (Place), Pam Ewen, Head of Planning Services and Ross Spalding, Service Manager, Planning Service, Gordon Mole, Head of Business and Employability Services, Morag Millar, Programme Manager and Pamela Stevenson, Enterprise and Business Development Manager, Enterprise and Employability Services; Nigel Kerr, Head of Protective Services, James Whiteford, Building Standards Pilot Hub Director and Alan McAulay, Building Standards Hub Director, Protective Services; Diarmuid Cotter, Head of Customer and Online Services, John Mills, Head of Housing Services and Gavin Smith, Housing Manager, Housing Services; Shelagh McLean, Head of Education and Children's Services and Avril Graham, Team Manager, Education and Children's Services; and Mr Alastair Crockett, Religious Representative.

**APOLOGIES FOR ABSENCE:** Councillors Dave Dempsey and Carol Lindsay and Mr. Ian Macaulay, Religious Representative.

**189. DECLARATIONS OF INTEREST**

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

**190. MINUTES**

(i) Minute of the Cabinet Committee of 30 November 2023.

**Decision**

The committee agreed to approve the minute.

(ii) The following minutes were submitted for noting:-

Education Appointment Committee of 13, 17 and 27 November and 8 December 2023.

**Decision**

The minutes were noted.

**191. REVENUE MONITORING 2023-24**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic overview of Fife Council's finances and reported the current forecast position for 2023/24.

**Decision**

The committee:-

- (1) noted the high-level financial position as detailed in the report;
- (2) noted that there were ongoing financial impacts arising from the current economic climate which continued to be managed by Services with an element of protection from inflationary risk being accounted for centrally;
- (3) instructed Services to mitigate overspends as far as possible and ensure strong financial management;
- (4) noted that detailed monitoring reports would be submitted to the relevant Scrutiny Committees; and
- (5) requested that Scrutiny Committees ensure appropriate level of support and challenge in relation to financial reports.

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

**192. CAPITAL INVESTMENT PLAN - MONITORING 2023-24**

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 2023-24 financial year.

**Decision**

The committee:-

- (1) approved the Housing Revenue Account Capital Investment Plan re-phasing as detailed in paragraph 3.1 of the report;
- (2) noted the projected outturn position and that the level of financial risk continued to be heightened due to high levels of inflation and supply chain challenges;
- (3) noted that more detailed capital outturn reports for 2023-24 would be submitted to relevant Scrutiny Committees of the council;
- (4) noted that budget variances would be managed by the appropriate Directorate in conjunction with the Investment Strategy Group; and

- (5) noted the updated prudential indicators provided and that these would be reported on a quarterly basis.

*Councillor Derek Glen rejoined the meeting during consideration of the above item.*

**193. LOCAL TAXATION - REVISION TO CHARGING**

The committee considered a joint report by the Head of Revenue and Commercial Services and the Head of Customer and Online Services providing an update on Fife Council's Empty Rates Charging Policy previously agreed at Cabinet Committee in January 2023. The report also included a proposal to use powers to increase charges within council tax from 100% to 200% for all dwellings classified as second homes.

**Decision**

The committee:-

- (1) approved the proposed Empty Rates Charging Policy effective from 1 April 2024;
- (2) agreed that the council would levy an additional 100% council tax charge on all dwellings identified as second homes; and
- (3) noted the revised policy gave officers discretion not to charge the second homes additional charge in exceptional circumstances (as currently operating for long-term charging).

**194. CLIMATE FIFE 2024 - STRATEGY AND ACTION PLAN**

The committee considered a report by the Head of Planning Services seeking approval of the Climate Fife 2024 - Strategy and Action Plan.

**Decision**

The committee:-

- (1) approved the Climate Fife 2024 - Strategy and Action Plan; and
- (2) agreed that an action be included within the Strategy in relation to the work being undertaken within the Education Service.

**195. APPOINTMENT OF CHIEF PLANNING OFFICER (CPO)**

This item was deferred to a future meeting of the committee.

**196. NATIONAL BUILDING STANDARDS HUB - HOSTING WITHIN FIFE COUNCIL**

The committee considered a report by the Head of Protective Services seeking approval for Fife Council to formally host the permanent national Building Standards Hub (BSH) as a separate specialist unit within Protective Services, delivering national specialist advice, learning and development and a range of building standards system services to all Scottish local authority building standards teams and wider construction sector stakeholders.

**Decision**

The committee:-

- (1) noted that the Scottish Government had approved the creation of a national Building Standards Hub and awarded the hosting of the Hub to Fife Council as a specialist unit within Fife Council's Protective Services;
- (2) approved the hosting of the newly established Building Standards Hub within Fife Council, noting that the Building Standards Hub would be fully funded from building warrant fee income; and
- (3) remitted to the Heads of Protective Services, Legal and Democratic Services and Finance and Corporate Services to engage with the Scottish Government to complete the contractual arrangements.

*The meeting adjourned at 11.40 am and reconvened at 12.00 pm.*

**197. FIFE'S HOMELESSNESS STRATEGY 2024-27**

The committee considered a report by the Head of Housing Services which followed an October 2023 Cabinet Committee report where members agreed to develop a comprehensive strategy and plan to reduce homelessness in Fife over the next three years.

**Decision**

The committee:-

- (1) agreed the Homelessness Strategy 2024-27;
- (2) noted that the Strategy would be subject to ongoing review and development led by the Ending Homelessness Together Board and integrated into the Local Housing Strategy framework reported to the Fife Housing Partnership;
- (3) approved specific actions set out in Section 3 of the report with a focus on legacy / backlog position to reduce pressure on temporary accommodation services, with the caveat that external funding may be subject to change in future years and require review; and
- (4) noted the extreme housing and homelessness pressures facing the council which raised a significant risk of a reduction in the council's capacity to deliver sufficient affordable housing and agreed that the Leader of the Council write urgently to the First Minister, Prime Minister and Leaders of all political parties in the Scottish Parliament pointing out cuts to affordable housing budgets and seeking urgent support to mitigate housing pressures in Fife ahead of budget discussions at Holyrood, emphasising that failure to take urgent action would lead to Fife Council having no alternative other than to declare a housing emergency.

**198. REVIEW OF THE MOTHBALLING OF MILTON OF BALGONIE PRIMARY SCHOOL**

The committee considered a report by the Head of Education and Children's Services responding to the decision of the Cabinet Committee of 17 November 2022 and information contained within the 22 September 2022 committee report,

with the findings of the review of the current information relating to Milton of Balgonie Primary School. The report also responded to the feedback from two engagement sessions held in early November with parents/carers of pupils living in the Milton of Balgonie Primary School catchment area and parent/carers of pupils enrolled in Coaltown of Balgonie Primary School. As a result of the review and the feedback from the engagement sessions, a statutory consultation proposal paper was presented with a proposal to close Milton of Balgonie Primary School and to rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools. Approval of the content of the proposal was sought and the committee was asked to authorise officers to proceed to statutory consultation in respect of the proposal.

### **Decision**

The committee:-

- (1) noted the information contained within the report in respect of the current position regarding pupil numbers within the catchment area of Milton of Balgonie Primary School and the current position with planning applications in both the Milton of Balgonie Primary School and Coaltown of Balgonie Primary School catchment areas;
- (2) approved 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 the rezoning of the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools with the following amendments:-
  - (i) para. 13.2 - in the first sentence, change the word "consideration" to "presumption";
  - (ii) para. 13.3 - change to read "No decision can be made on the future use of the site unless the closure proposal is approved by the Cabinet Committee, meantime, potential educational uses will continue to be explored; and
  - (iii) para 15.1(c) - add the following at the end of the sentence "with the presumption that these will be within the control of the Education Service to ensure that, should the number of primary aged pupils in this area increase to a level that may require provision of an additional primary school in the future, that it may be done so at the least cost to the council";
- (3) authorised officers to proceed to statutory consultation in terms of the Consultation Proposal;
- (4) authorised officers to make inconsequential amendments to the Consultation Proposal paper (including the timeline) as may be necessary and councillors for Glenrothes North, Leslie and Markinch and Glenrothes Central and Thornton to be consulted in relation to any other amendments to the Consultation Proposal;
- (5) authorised the continued mothballing of Milton of Balgonie Primary School until the outcome of the statutory consultation process was determined and, during the continued mothballing period, approved the arrangement whereby any child or 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 met the distance criteria;

- (6) noted that the Consultation Report would be brought back to a future meeting of the Cabinet Committee.

**199. PEDESTRIAN AND CYCLIST ACCESS TO HOUSEHOLD WASTE RECYCLING CENTRES**

This item was deferred to a future meeting of the committee.

*The meeting adjourned at 1.30 pm and reconvened at 1.40 pm.*

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 Part 1 of Schedule 7A of the Act (relevant paragraph numbers are detailed beside the heading to each item).

**200. FIFE INDUSTRIAL INNOVATION INVESTMENT PROGRAMME - EDINBURGH AND SOUTH EAST OF SCOTLAND CITY REGION DEAL - TRANCHE 3 BUSINESS CASE (PRIVATE REPORT) (paras. 8 and 9)**

The committee considered a report by the Head of Business and Employability Services seeking approval for the Tranche 3 Business Case (years 7-10) for the Fife Industrial Innovation Investment (i3) Programme which would be submitted to the Edinburgh and South East Scotland City Region Deal Joint Committee for approval.

**Decision**

The committee:-

- (1) approved the Tranche 3 Business Case detailed in Appendix 1 to the report, noting that the business case would be subject to minor amendments to address comments from the Scottish Government before approval. The Tranche 3 Business case was subject of the agreement of the Scottish and UK Governments and the Edinburgh and South East Scotland City Region Deal Joint Committee;
- (2) delegated authority to the Executive Director (Place), the Head of Legal and Democratic Services and the Head of Finance to secure partner agreement and authorised them to submit the Tranche 3 Business Case to the Edinburgh and South East Scotland City Region Deal Joint Committee and Government partners for final approval;
- (3) noted that the capital receipts from the disposal of land were being reinvested in the Fife i3 Programme and the Capital Plan, noted that this principle formed part of the agreed Programme Business Case and was a requirement of the Government investment; and
- (4) noted that the paper followed on from the Programme Business Case for the Fife i3 Programme, approved in January 2019, and the approval of the Tranche 2 Business Case in November 2020. The Full Business Case approval included Fife Council's capital funding for the whole Programme.



**201. FORTH GREEN FREEPORT - DELIVERY ARRANGEMENTS (PRIVATE REPORT) (para. 6)**

The committee considered a report by the Head of Business and Employability Services which confirmed that an Outline Business Case (OBC) had been made to Government/s as authorised in September 2022 Cabinet reporting. The report also set out governance arrangements for progression of the consequential Full Business Case (FBC) and the necessary Forth Green Freeport Operating Company. Fife Council remained subject to a Memorandum of Understanding which covered the commercial confidentiality of the Forth Green Freeport (FGFP) OBC.

**Decision**

The committee:-

- (1) delegated to the Head of Business and Employability Services, in consultation with the Head of Revenues and Commercial Services and Head of Finance, to:-
  - continue progression and submission of a Full Business Case in Spring 2024 in line with current UK and Scottish Government guidance; and
  - develop FGFP non-domestic rate retention methodology/s including proposed like-minded local economic development reinvestment within inner and outer boundary of FGFP, noting that further detail on this will be made available to the forthcoming Finance, Economy, and Corporate Services Scrutiny Committee; and
  
- (2) approved:-
  - Fife Council representative arrangements for the proposed FGFP Operating Company (OpCo) with the appointment of the Cabinet Spokesperson for Finance, Economy and Strategic Planning to the FGFP Board; and
  - the allocation of a recurring revenue contribution per annum, over three years as Fife Council financial contribution to the OpCo – taken from existing revenue budgets.

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

**THE FIFE COUNCIL – EDUCATION & CHILDREN'S SERVICES  
COMMITTEE – EDUCATION APPOINTMENT COMMITTEE – GLENROTHES**

**22 January 2024**

**09.30am – 11.50am**

**PRESENT:** Councillor Dave Dempsey, Councillor Alycia Hayes, Angela Logue – Head of Service, Sarah Else – Education Manager, Susan Woodrow – Parent Council Chair and Orielle Taylor – Vice Parent Council Chair

**37. EXCLUSION OF PUBLIC AND PRESS**

**Decision**

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

**38. HEADTEACHER – COMMERCIAL PRIMARY SCHOOL**

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

**Decision**

Agreed to recommend the appointment of one of the applicants.

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## Budget Planning 2024-27 - Update

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

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**Wards Affected:** All

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### Purpose

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The purpose of this report is to provide an update on the financial implications for the council's General Fund Revenue Budget position for 2024-25 to 2026-27 following the publication Scottish Government's budget and the Local Government Finance Settlement and also updates on all other budget planning matters

### Recommendation(s)

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Members are asked to:

1. approve the minor revision to the Medium Term Financial Strategy; and
2. note the information contained within the report and the strategy and approach to setting a balanced budget for both the General Fund Revenue and HRA budgets.

### Resource Implications

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The report identifies significant resource implications that have to be considered in the determination of the budget for 2024-25 and future years.

### Legal & Risk Implications

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It is a statutory requirement for the council to set a balanced budget.

### Impact Assessment

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

### Consultation

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None in relation to this report.

## 1.0 Background

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- 1.1 This report builds on the earlier report to Cabinet Committee on 7 September 2023 that provided an update on the financial planning assumptions covering the period 2024-25 to 2026-27. Since that report, work has been undertaken to interpret the Scottish Draft Budget and Local Government Settlement. The information contained within these allows the budget gap for 2024-25 to be identified with forecasts and planning assumptions for the following two years to be updated.

## 2.0 Finance Settlement

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- 2.1 The overall Scottish Budget is very much dependent on the total Block grant from the UK Government, including any Barnett Consequentials resulting from any change in 'comparable' UK Government spending. It is up to the Scottish Government to determine how this funding is allocated. For 2024-25, the Core Block Grant increased by 0.4% in real terms from 2023-24.
- 2.2 The Scottish Government published its draft budget for 2024-25 on 19 December 2023, with the Local Government Finance Settlement following on 21 December 2023.
- 2.3 The total provisional allocation to Local Government in the 2024-25 Budget is £13.9bn. This is mostly made up of General Revenue Grant (GRG) and Non-Domestic Rates Income (NDRI), with additional smaller allocations for specific (or ring-fenced) Revenue and Capital Grants. This represents a cash terms 0.5% decrease in revenue funding at a national level.
- 2.4 Locally, Fife received a cash reduction of 0.3%, equating to a reduction in grant of approximately £2.8m when comparing core revenue funding before new burdens, which is worse than the anticipated flat cash. The final Settlement will likely change following further revisions by the Scottish Government and there are some elements that remain undistributed.
- 2.5 On 17 October, the First Minister announced a Council Tax freeze for 2024/25. The Scottish Government budget on 19 December gave a figure of £144m to fund the freeze, nationally announced as the equivalent of a 5% increase. Fife's indicative share of £9.3m equates approximately to a 4.9% increase. This compares favourably to the 3% assumed in the Medium Term Financial Strategy, although a decision on council tax rests with members.
- 2.6 The provisional total funding allocations form the basis for the annual consultation between the Scottish Government and COSLA ahead of the Local Government Finance (Scotland) Order 2024 being presented to the Scottish Parliament in late February 2024. Councils were invited to respond to the provisional allocations in writing by no later than 23rd January 2024. It is important to note that any discrepancies in the Finance Circular will be addressed within the overall total settlement allocations and not through the provision of any additional resources by the Scottish Government.
- 2.7 As in previous years, the settlement constitutes a package of measures in return for the provisional funding allocations set out in the circular. The settlement includes:
- £950.9 million of funding that has now been baselined into the General Revenue Grant as part of the Verity House Agreement, including £521.9m for Early Learning & Childcare and £333.5m of Living Wage funding.
  - £508m to support 2023/24 Local Government pay deals on a recurring basis.

- Local authority social care budgets for allocation to Integration Authorities must be at least £241.5m greater than 2023-24 recurring budgets.
- £145.5m for councils to maintain overall teacher numbers.
- An additional £6m to support the expansion of the Free School Meals policy.
- An additional £6.8m for Discretionary Housing Payments.

2.8 The settlement includes £638m of capital grant of which £516m is general capital grant and £121m is for specific items. Fife's share of this overall funding equates to £27.320m which is a reduction of £3m compared to the core general capital grant in 2023-24. Funding has been allocated in respect of flooding, however, there is an element that remains undistributed. Additional funding for Free School Meals expansion (£43m) also remains undistributed at this time.

## 3.0 Medium Term Forecast

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- 3.1 In order to arrive at a budget gap for the council for 2024-25, a comparison is made of the funding that the council is expected to receive with the cost of continuing existing service provision and delivery. The cost of continuing is illustrative as a baseline comparator only as it assumes that the council continues to provide the range of services that it currently does in a similar manner. Clearly, this is unsustainable given the significant funding gap that this creates and the subsequent financial challenge that the council faces.
- 3.2 The last budget report to the 7 September Cabinet Committee outlined an estimated budget gap of £21.9m for 2024-25. Since then, there has been a significant amount of new information that has had an impact on the budget gap. This includes:
- The outcome of the Local Government Settlement
  - The council tax freeze
  - The finalisation of pay awards for non-teaching staff along with clarity in relation to the level of funding being provided by the Scottish Government
  - Potential for reduced employer contributions as a result of a strong funding position identified by the Pension Fund Triennial Pension Valuation
  - Inflation impacting less on energy price forecasts than previously anticipated
  - Committee decisions on the future of Rothesay House and New City House
  - Committee approval of changes to Local Taxation
- 3.3 Taking account of these factors, the budget gap for 2024-25 is now £8.212m.
- 3.4 The updated budget gap for the next three years is shown in Table 1 below. No council tax increase has been assumed in these figures as this is a political decision. Political groups have choices to make regarding the level of council tax to levy and decisions that can then be made to enhance budgets. It should be noted that the figures in the latter years are indicative as the level of government grant is not known as the Scottish Government has only produced a one-year budget for 2024-25.

<b>Table 1</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
<b>Budget Gap</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>At Jan 2024</b>	8.212	24.370	42.522

The Scottish Government have offered funding of £144m to freeze council tax for 2024-25, of which Fife's indicative allocation is £9.337m. It is a political decision as to whether to accept the freeze and the accompanying funding or to proceed with a council tax change and decide upon the level. In the event that a council tax freeze is accepted along with the funding, the council tax base will be eroded, compounding the level of future budget gaps.

- 3.5 It is important that members are aware of the assumptions that underpin the medium-term forecast, these are detailed in Table 2 below:

<b>Table 2</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>
Grant Level	-0.3%	0.0%	0.0%
Council Tax	No assumption	3.0%	3.0%
Pay & Pensions	3.0%	2.5%	2.5%
Non-Pay Inflation (contracted items only)	2.5%	2.5%	2.5%

## 4.0 Medium Term Strategy

- 4.1 The principles of the council's Medium Term Financial Strategy (MTFS) have been reviewed and the fees and charges assumption has been revised to reflect a potential council tax freeze. With the exception of this minor change, the core principles remain sound. The principles of the MTFS have been flexed and changed over time to adapt to the changing circumstances over the last few years and are stated in full in Appendix 1. These principles will underpin financial planning going forward, with any future recommended changes being agreed by members as and when required.
- 4.2 The report to Cabinet Committee in September outlined that the medium-term financial plan for 2024-25 onwards would involve a longer-term change planning process. This work will focus on years 2025-26 onwards and will consist of a number of strands and will incorporate assumptions aligned to the MTFS. In addition, Corporate options will continue to be reviewed. Service and Directorate redesign will explore how service provision is further integrated across the council and with partners, with a stronger focus on People and Place and Service Changes Plans will also identify additional Directorate/Service led opportunities for change. Each of these areas of activity will underpin a financial plan for the council to ensure a focus on the future budget in the context of a challenging financial landscape in the future.

## 5.0 General Fund Balances

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- 5.1 As reported throughout this financial year, the level of council balances are unusually high given the unique circumstances that have been encountered in recent years linked to the pandemic. The current policy in relation to council balances is to maintain a minimum level that is at least 2% of the overall budget. Based on the latest three year estimates, the level of uncommitted balances is estimated to be £6.0m above the policy minimum.
- 5.2 Any use of council balances to address the budget gap for 2024-25 should be minimised as far as possible and be temporary in nature. All budget proposals need to be agreed by the Section 95 officer who will assess the financial sustainability of the full package brought forward.
- 5.3 The scale of decisions that will need to be taken in both 2025-26 and 2026-27, combined with the level of uncertainty and risk, is of high concern. Members are likely to be faced with difficult decisions in the coming years and should be mindful of this when committing resources as part of this budget process.

## 6.0 Financial Risks

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- 6.1 There are a number of risks that the council will need to mitigate against in the coming years. A full risk register will be included in the budget report to Fife Council on 22 February 2024. A number of risks are highlighted below given the immediacy and potential impact.
- 6.2 The economic outlook could have a direct impact on the level of public sector funding and there remains significant uncertainty in this area. This, coupled with the continued problem of high levels of inflation and the Cost of Living crisis, all bring a higher degree of financial risk. These risk factors will continue to be monitored and considered in a financial planning context.
- 6.3 As we have received a one-year settlement for 2024-25 only, there is a significant risk for the council given that government grants account for 80% of the council's funding. Assumptions have been made regarding the future level of grant funding, however, these are dependent on the prioritisation of resources within the Scottish Block Grant.
- 6.4 Pay settlements have not been agreed with any negotiating groups for 2024-25. Allowance for a 3% increase has been made in the budget model but any pay settlement greater than that will increase the budget gap without additional funding from the Scottish Government.
- 6.5 The council is also faced with Equal Pay claims which also carry a degree of financial risk in the coming years.
- 6.6 Teachers' contribution rate will increase from 23% to 26% in 2024-25 which should be fully funded via Barnett consequentials but there is a risk that this may not be passed on in full.
- 6.7 Funding from Scottish Government is dependent on maintaining overall teacher numbers but there is a risk that Scottish Government will claw back funding if numbers fall.
- 6.8 At this point in time, there is no recommendation for further restoration of balances given the current level of uncommitted balances remains within the policy limits. This will continue to be monitored should any of the financial risks come to fruition.

## **7.0 Political Process**

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- 7.1 On 22nd February 2024, Fife Council will be requested to set a balanced budget and agree the level of council tax for the financial year 2024-25.
- 7.2 As the setting of council tax bands is a local political decision, the choice for members is to freeze rates at 2023-24 levels and accept the funding offered by the Scottish Government, or to vary the rates and forgo the funding.
- 7.3 Guidance relating to the budget process and timings was issued to Political Group Leaders on 25th January 2023 and the timings set out must be observed.

## **8.0 General Fund Capital**

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- 8.1 The total level of General Fund capital grant available to the council for 2024 is £27.320m with £24.579m being General Capital Grant and £2.741m for specific grant.
- 8.2 The level of general capital grant includes £1.435m identified for Flood Risk Management projects including Kinnessburn, leaving £23.144m grant to support the general fund capital plan. This is less than the estimated level of £25.000m per annum assumed when preparing the Capital Plan review, representing a reduction of £1.856m. Therefore, to keep the plan balanced, borrowing will need to be increased by this amount or projects will need to be removed.
- 8.3 The next capital plan review will be updated and estimates of grant will be updated accordingly and further action considered.
- 8.4 Distribution for further general capital grant for flooding, free school meals and play park restoration are expected during the financial year.
- 8.5 Specific grant has decreased by £0.516m compared to 2023/24. Specific grant is used to fund items such as Vacant and Derelict land and Cycling Walking and Safer Streets. Expenditure will be reduced accordingly.

## **9.0 HRA Revenue**

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- 9.1 In November 2023, a report was presented to Cabinet Committee and the forecast budget gap for the HRA was highlighted as being £8m for 2024-25, before agreement of any rental increase or cost reductions. The scale of this budget gap is a result of persistently high inflation impacting on a large proportion of costs incurred by the HRA.
- 9.2 At that time, the survey relating to tenants' rent was approved and that the consultation would ask tenants their views on rental increases of 5%, 6% or 7%. At the time of writing, that consultation is still ongoing. The intention is that the outcome of the survey will be considered and reported to Fife Council on 22 February 2024.
- 9.3 Since the report in November 2023, some mitigations have been identified that have had the effect of reducing the budget gap from £8m to £7m. These include budget realignment in areas of underspend as well as adjusting the staff vacancy factor to reflect current recruitment levels. There is a requirement to set a balanced budget for the HRA and members will be asked to bring forward plans to balance the budget using the options available to them. Any proposal to balance the budget must be financially sustainable and take cognisance of the longer-term financial challenge whereby a further similar levels of budget gap is likely to occur in the coming years. Proposals should not impact negatively in future years.



- 9.4 Options in relation to closing the budget gap were shared with group leaders on 20 December 2023. Given the scale of the budget gap, a rental increase will likely be needed but this can combine with some or all of the possible options for cost reduction that have been identified and shared.
- 9.5 At the start of 2023-24, the HRA held reserves of £7.380m. Taking account of all commitments, the uncommitted reserves are estimated to be £2.975m, which is above the policy minimum of holding 2% to cover any future financial risk or shocks.

## 10.0 HRA Capital

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- 10.1 Work has been ongoing on the HRA 30 year business plan modelling. This is an exercise that looks at the affordability of the HRA over the longer term and helps assess the level of financial risk inherent within future plans. Specifically, it is a useful tool when considering the Capital Investment Plan for the HRA.
- 10.2 There is a need to review and update the HRA Capital Plan as the current plan is only approved up until the end of 2024-25 and, given the long term nature of Capital Investment, it is important that the plan is updated and extended to allow planning for any future investment in good time and to ensure continuity in longer term projects. However, there are a number of new variables that are currently presenting some risk in terms of agreeing a new Capital Investment Plan for the HRA and these will need some additional time to consider.
- 10.3 Firstly, the level of funding allocated by the Scottish Government to local authorities to support affordable housing supply programmes has been reduced nationally for 2024-25 by 26%. It is not yet clear exactly how this will impact Fife, however, it could be estimated as a £7.629m reduction in subsidy being received from Scottish Government.
- 10.4 Secondly, a consultation on an Amendment to the Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016 was issued to local authorities towards the end of 2023, with a closing date of 22 December 2023. The Section 95 Officer has made strong representation in response to this consultation, along with many other Scottish local authorities. For context, this consultation suggests changes to the way in which loan charges are accounted for and could have a direct impact on the affordability of the HRA capital plan by increasing the costs on the revenue account, in turn increasing the revenue budget gap.
- 10.5 Given the major uncertainty these two issues bring in relation to affordability of the existing HRA capital plan, it is recommended that extra time be taken to assess the options for the HRA Capital Investment Plan along with additional sensitivity analysis and modelling to review the risk and the financial impact both of these issues combined. It is likely that it will take until at least April before being able fully test affordability and to bring a full HRA Capital Plan Review to Cabinet Committee.
- 10.6 There remains heightened risk to the HRA Capital plan in relation to high inflation and this will also be considered in the full review mentioned above.

# 11.0 Conclusions

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- 11.1 The publication of the Local Government Finance Settlement in December 2023 has allowed the council to update the budget gap for the next three years. The budget gap within 2024-25 is £8.212m rising to £42.522m in 2026-27.
- 11.2 The high-level assumptions contained within the medium-term forecast have been updated and are included within this report.
- 11.3 There are a number of financial risks at this time and work is ongoing to finalise a financial risk register that will be an integral part of longer-term financial plans.
- 11.4 Political groups are requested to bring forward budget proposals to close the budget gap for 2024-25 for both the General Fund and the HRA. Members should keep in mind the scale of the budget gaps in 2025-26 and 2026-27, combined with the level of uncertainty and risk when committing resources as part of this budget process.
- 11.5 Due to a number of emerging financial risks, more time will be taken to model and test affordability of the HRA Capital Plan and a further report will be brought to this committee in the coming months.

## List of Appendices

1. Medium Term Financial Strategy – 2024-27

## Background Papers

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

- [Local Government Finance Circular 8/2023](#)
- [UK Autumn Statement 2023](#)
- [Office of Budget Responsibility Inflation Forecast](#)
- [Office of National Statistics - Consumer Price Inflation](#)
- [Bank of England Monetary Policy Report – November 2023](#)
- [LGIU – The State of Local Government Finance in Scotland](#)
- [Scottish Budget 2024-25](#)
- [LGIU: Scottish Budget 2024-25: Funding for councils and public services](#)

## Report Contact

Elaine Muir  
Head of Finance  
Fife House  
Glenrothes  
Telephone: 03451 55 55 55 + 440971  
Email: [elaine.muir@fife.gov.uk](mailto:elaine.muir@fife.gov.uk)

## **Fife Council Medium Term Finance Strategy – 2024-27**

### **Introduction**

The Medium-Term Finance Strategy (MTFS) has been developed against a backdrop of an increasingly complex and uncertain environment. The principles contained within this strategy provide a basis for modelling and estimating the future budget gap. Members take the actual decisions that will close the budget gap and the MTFS is designed to support them in their decision making and to capture the scale of the future financial challenge.

In its report last year, the Accounts Commission recognised that Councils have had a very difficult period recovering from the pandemic as well as facing challenges in dealing with increased demand, backlogs and meeting expectations. This has all been against a backdrop of a long-standing pressures such as increased demand from an ageing population and rising poverty and inequality.

The Council has operated in challenging circumstances for several years. Since dealing with the response to the COVID-19 pandemic, there are several factors which UK and Scottish Governments are addressing which also impact directly on Councils. These include increasing levels of inflation, the impact of war in Ukraine on energy prices, employee pay deals across several sectors as well as continuing the recovery from the pandemic.

Increased inflation levels have resulted in pressure areas for both pay and non-pay costs. Further, the Cost-of-Living crisis is putting pressure on individuals who require support from the Council.

The Council is committed to addressing these challenges with robust financial planning and, as such, has set out, in full, the principles of the MTFS.

Given the challenging environment, the MTFS sets out the framework/principles for financial planning, budgeting, change programme, risks and reserves. The MTFS will out set out the assumptions used when arriving at the budget gap.

### **Principles of Medium-Term Financial Strategy**

The Council will adopt the following principles as the foundation for the revenue budget strategy:

#### **Financial Planning Assumptions**

- Make provision for pay inflation in the budget gap calculations based on assumptions of inflationary increase.
- Make provision for non-pay inflation in budget gap calculations for contracts and legislative requirements only (e.g. PPP). Additional inflation may be provided for in exceptional circumstances such as Energy Costs.
- Demographic cost pressures will be considered following the development of relevant strategies and evidenced based modelling. It should be recognised that any net growth will result in an increase to the budget gap and will require cost reductions elsewhere to fund.
- It's assumed all Scottish Government priorities (New Burdens) will be fully funded.

- Service pressures will be monitored both by Directorates and corporately. A small level of contingencies will be retained to provide a modest level of cover to deal with unmanageable pressures.
- Business Cases for capital expenditure should demonstrate revenue costs and financial affordability and sustainability. No corporate funding to be assumed in business cases.
- The level of funding provided to the H&SC partnership will be based on the requirements of the finance circular and will factor in the level of grant that is received.
- Council Tax will be increased by a minimum of 3% per annum and will be reviewed annually. An allowance for buoyancy will also be made.
- Income from Fees and Charges will be factored into the budget process and partially offset any corporate increase provided for inflation.

## **Budgeting**

- Passporting of Scottish Government funding will be based on need rather than grant received.
- Inflation provisions will be added to Service budgets.

## **Change Programme**

- A corporate change programme will support Directorates to redesign their services with the aim to drive out savings and efficiencies.

## **Risks and Reserves**

- The main purpose for holding balances is to manage risk, smooth uneven cashflow and provide flexibility for unforeseen circumstances. The strategy is based on holding a level of balances to mitigate against risk rather than providing for this elsewhere in the revenue budget.
- A financial risk register is used to record risk and the action being taken to mitigate against that risk. The risk register is presented to Fife Council as part of budget strategy reporting.
- The Council will not provide for the financial risks in full, however, will hold sufficient balances to provide a level of coverage, with the policy being to hold uncommitted balances of a minimum of 2% of general fund budget over a rolling 3-year period. This means that balances can be greater or less than 2% in any one financial year.
- Commitments against Balances are regularly reviewed and reported to Committee.

## **General Principles**

- The Council will balance its budget.
- A 3-year planning horizon is used for the Medium Term.
- Movement in budget assumptions will be reviewed during the year and updated when required.
- The budget strategy will be agreed by Elected Members. The strategy will be reviewed on annual basis and key factors such as level of grant and new burdens and the priorities of the Council will influence any refinement.

## **Revenue Budget 2024-27 Assumptions**

When calculating the Estimated Budget Requirement (EBR), anticipated funding levels and subsequent gap several assumptions are used. These are summarised in the following tables:

<b>Budget Assumption for MTFS</b>	<b>Assumption Applied</b>
Council Tax	Council Tax increase of a minimum of 3% and will be reviewed annually with Council Tax Buoyancy included
Government Grant	In line with grant levels provided in the Local Government Finance Settlement
Pay Awards	In line with agreed pay settlements for all bargaining groups
Pension Contributions	Per the Actuarial Valuation
National Insurance	Agreed rates
Non-Pay Inflation	Reflecting significant contracts
Discretionary Fees and Charges	The lower of Charges policy CPI +1% or in line with the Council Tax assumption detailed above (minimum 3%).
Health and Social Care Grant Reduction	As per the requirements of finance circular taking recognition of grant received.

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# Fife Local Development Plan Evidence Report

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**Report by:** Pam Ewen, Head of Planning

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**Wards Affected:** All

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## Purpose

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To present the Fife Local Development Plan Evidence Report for Cabinet Committee's consideration prior to its submission to the full Fife Council for approval.

## Recommendations

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It is recommended that the committee:

- (1) agrees the Fife Local Development Plan Evidence Report (Appendix 1) and refers it to full Council for approval as required by statute; and
- (2) delegates non-substantive edits to the Head of Planning.

## Resource Implications

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Preparation of the Evidence Report is part of Planning Services' work programme and is prepared within existing staff resources.

On submission of the Evidence Report to the Scottish Government's Planning and Environmental Appeals Division (DPEA), a Gate Check is undertaken. Gate Checks are conducted by the DPEA and costs will be charged to the Council on an hourly charge rate as happens with plan examinations at the end of the plan making process. The budget for that comes from Planning Services' budget. The plan programme allows three months for the Gate Check and budgets £30,000 but, as that stage is new and untested, delays or an extended Gate Check will increase cost. Any additional costs will require to be funded from Planning Services' budget.

## Legal & Risk Implications

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The Town and Country Planning (Scotland) Act 1997 as amended<sup>1</sup> ("the 1997 Act"), and as supplemented by the provisions of the Town and Country Planning (Development Planning)(Scotland) Regulations 2023, requires planning authorities to prepare an evidence report which contains sufficient information to enable the planning authority to prepare a local development plan.

The legislative requirements, including engagement with specified groups of people and key agencies as prescribed together with the Council's views on matters specified in the Act have been met as set out within the Evidence Report's Annexes 1 and 2, respectively.

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<sup>1</sup> Amended by the Planning (Scotland) Act 2019.

The Act requires the Evidence Report to be approved by full Council before it is formally submitted to the Scottish Ministers for independent assessment at the Gate Check to ensure that there is a sound evidential basis on which to prepare the local development plan.

## Impact Assessment

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An Equalities Impact Assessment is not required because the report concerns data sources and assessment but does not propose a change or revision to existing policies and practices. An environmental assessment is not applicable for this report because it does not directly impact the environment. An assessment using the Fife Environmental Assessment Tool (FEAT) is not required as there is no recommended change to policy.

## Consultation

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All key council services with a role in land use planning and related legal and financial matters and NHS Fife are represented on the Local Development Plan Board and have been involved in discussions on the scope and content of the Evidence Report. Heads of Service have also provided information included in the Evidence Report.

Thirteen LDP2 elected member briefings have been issued since 2021 and councillors have been involved in workshops over the past three years to inform the scope of the Evidence Report and as data has been gathered. A workshop for a joint meeting of the Economy, Transportation and Climate Change and Finance, Economy and Corporate Services Scrutiny Committees was also held on 8 December 2023.

## 1.0 Background

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- 1.1 A new local development plan will be prepared for Fife to replace the current FIFEplan which was adopted in 2017 and is in need of a review. The Scottish Government's [Transforming Planning](#) programme introduced changes to the planning system which flows from legislative reform, including a new development planning system which introduced evidence reports. At the outset, the Government encouraged local development plans to be prepared in a way that is different from previous styles of those plans. Fife Council participated in these early discussions from 2019 before the scope and content of the new system was clear and has developed an approach, in discussion with Area Committees and key agencies<sup>2</sup>, which reflects the issues to be addressed and identifies opportunities. Planning Services adopted an approach whereby the new plan should tell a place-based story which reflects the issues to be addressed and identifies opportunities within each of the council's seven localities. The Evidence Report is the first step.
- 1.2 Before preparing a local development plan, the council, as planning authority, is to prepare an evidence report. The purpose of the evidence report is to support the quality and effectiveness of the local development plan. The intention is to make for a better plan based on the evidence available to inform what to plan for before the Proposed (draft) Plan looks at where development should take place. The Evidence Report should provide a summary of what the evidence means for the plan by setting out "*... the planning authority's view on the matters ... [specified in the legislation] ... for land in the part of the authority's district to which the local development plan will relate ...*"<sup>3</sup>.

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<sup>2</sup> The key bodies who are to be consulted and have a duty to co-operate in key stages of plan making: NatureScot; Scottish Environment Protection Agency; Historic Environment Scotland; Scottish Water; Scottish Enterprise; Regional Transport Partnerships; and Fife Health Board.

<sup>3</sup> Town and Country Planning (Scotland) Act 1997 (as amended), section 16B(3)(a)

- 1.3 In preparing an Evidence Report, the council, as planning authority, is to seek the views of, and have regard to any views expressed by:
- the key agencies
  - children and young people
  - such other persons as may be prescribed and
  - the public at large.

The council's compliance with these requirements is included in the Evidence Report's Annex 1.

- 1.4 The new plan will have a life of 10 years from its programmed adoption date of 2027. The anticipated milestone dates for LDP2 between now and adoption are given below and are included in the Development Plan Scheme approved in November 2023.

*Table 1 - Local Development Plan milestone dates*

<b>Evidence Report and Gate Check</b>	1Q 2024/25   (April 2024)
<b>Proposed LDP2 and consultation (with Proposed delivery programme)</b>	4Q 2025/26   (January 2026)
<b>Plan examination</b>	1Q 2026/27   (June 2026)
<b>Adopted LDP2 (with adopted Delivery Plan)</b>	2Q 2027/28   (September 2027)

## 2.0 Discussion

- 2.1 The new development planning system sets ambitions to address the climate change and nature crises. The Fife LDP2 Evidence Report is the first public stage in preparing a new local development plan to and is written in a manner which reflects the key themes of National Planning Framework 4 (NPF4), as discussed below.
- 2.2 Evidence reports and Gate Checks are new. No planning authority has yet gone through the Gate Check process and although guidance has been published by Scottish Government, some uncertainty exists. The compliance checks undertaken on the Evidence Report confirms that it satisfies the legislative requirements. Discussions with DPEA have taken place and will continue to understand how each organisation is approaching the Evidence Report and Gate Check.
- 2.3 The Scottish Government's local development planning guidance issued in 2023 states the Evidence Report should include a proportionate summary of the baseline data and information and that the preparation and content of the Evidence Report should be proportionate. The Local Development Planning Regulations do not include minimum evidence requirements and while there is a statutory requirement to seek views from specified groups of people in preparing the Evidence Report, there is no requirement to consult on it. The engagement and participation undertaken has been designed to meet the legislative requirements and understand public and other stakeholder views on issues to be addressed.
- 2.4 A significant amount of evidence informs the preparation of plans, but a proportionate approach has been taken to drafting the Evidence Report as advocated in the guidance. The Fife LDP2 Evidence Report has been written in plain English to ensure it is accessible to read and the format presented to this committee is designed to 'tell the story' of Fife's places to provide the evidence baseline relevant to Fife's localities and in a manner which is accessible to read without being unduly technical. It is not intended to be a compendium of all available information as it is for planning authorities to decide which information is relevant to the plan in each case.



- 2.5 The Fife LDP2 Evidence Report evidence gathering is place-based using four headings to explore issues and information available to address them in the new LDP:
1. How Fife will need to adapt because of the climate and biodiversity emergencies
  2. How past development has shaped how Fife is today
  3. The housing and infrastructure issues that need to be addressed within the lifetime of the Plan and
  4. How Fife's economy is performing and how resilient it is to the future?
- 2.6 These headings have been developed to align with the council's five reform areas<sup>4</sup>, Recover and Renewal Strategy priorities<sup>5</sup> and the National Planning Framework's spatial strategy to support the planning and delivery of sustainable places, liveable places, and productive places. They have informed the data and findings brought together in the Evidence Report.

### **Evidence Report summary of key findings**

- 2.7 The Evidence Report is structured under the four headings listed above and the Fife's seven localities. Where evidence cannot be summarised at a locality level, it is presented at a Fife-wide level instead.
- 2.8 **Fife-wide** level the issues can be summarised as follows:
- Across Fife, there are many challenges in adapting to climate change and cutting carbon emissions to net zero by 2045.
  - It is predicted that Fife will experience warmer, wetter winters and increased frequency of extreme weather events, all increasing the risk of flooding across Fife.
  - There are some gaps between the existing green and blue made up of paths, spaces, and features within Fife. Preservation and enhancement of these networks, including addressing connectivity issues, will be key to support the planning and delivery of sustainable places within Fife.
  - Fife has a diverse mix of habitats which support a wealth of wildlife including various European Protected Species. It will be essential to safeguard these priority habitats and species to combat biodiversity loss and promote nature recovery.
  - Projections to 2028 show that the population is expected to decline, and Fife's age structure continues to change with fewer children and working age people than in 2011 and significant increases in its older population. However, this masks differences across Fife; for example, the City of Dunfermline locality is expected to see an increase in its population.
  - Health and economic outcomes vary considerably across Fife. Parts of Mid-Fife are amongst the 20% most deprived areas in Scotland with corresponding poor health outcomes. Conversely, other areas in Fife are amongst the least deprived in Scotland. This will have implications for the overall strategy of LDP2.
  - Most (52%) of the homes built under the current FIFEplan Local Development Plan have been in Dunfermline and West Fife, the area of Fife closest to the Forth crossings (as part of the Greater Edinburgh housing market). However, both the Queensferry Crossing and the Forth Rail Bridge operate at capacity at certain times which needs to be considered when allocating new development land.

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<sup>4</sup> Tackling poverty and crisis prevention, leading economic recovery, community wealth building, addressing the climate emergency, and sustaining services through new ways of working.

<sup>5</sup> Leading economic recovery, tackling poverty and preventing crisis, and addressing the climate emergency.

- A total of 9,430 homes need to be built across Fife over the ten years of the new Plan (2027-37) to meet the indicative local housing land requirement. The Evidence Report also acknowledges the likelihood that the Scottish Government affordable housing budget will reduce and that the Council is seeking urgent support from the Scottish and UK Governments to mitigate housing pressures in Fife.
- These homes need to be accessible to services and in locations that reduce the need to travel. Fife's transport infrastructure has become road dominated and causes high levels of carbon emissions as well as issues with accessibility for people without vehicles.
- Adopting an approach of Living Well Locally will help to address some of these issues, as well as enabling new development that provides an environment that makes walking and cycling a more attractive and increases sustainable transport routes to assist in reducing carbon emissions and increase place-based health benefits.
- At this stage of preparing the new LDP, it is not possible to say how much development Fife's infrastructure can accommodate. However, it is known that the transition to zero-emission electricity and the use of battery storage means that the electricity grid is at capacity in parts of Fife. This, along with other infrastructure requirements, is likely to require the phasing of development in the new LDP.

2.9 More specifically, within the **City of Dunfermline** locality the following are key issues for LDP2 to address:

- As stated above, the City of Dunfermline area has been the focus of much of the housing delivery under the current FIFEplan. However, the growth of the City of Dunfermline has created areas on the outskirts with relatively poor access to services within walking or cycling distance of homes.
- There has also been a growth in employment land in the area, with its location close to the M90 motorway and Forth crossings, as well as a skilled workforce in the locality, making it an attractive location to locate a business.
- Whilst there are pockets of deprivation in the City of Dunfermline area, it has a lower level of relative deprivation compared to Fife in general, with better health outcomes for residents.
- Flooding and water quality are issues in parts of the area, which will have implications for development under the new LDP.
- Planned growth and demographic changes across the area mean there is a need for additional capacity in primary care sector that will need to be planned for.
- There is some capacity in primary and secondary schools across the area, and new schools are being built, and will need to be built, as part of the planned growth of the City of Dunfermline.
- Most people of working age either work in the City of Dunfermline area or in neighbouring South and West Fife area. However, there are still significant numbers of people travelling across the Forth to the Edinburgh area causing capacity issues at times on both the Queensferry Crossing and the Forth Bridge (rail).
- Dunfermline City Centre has high vacancy levels. The changing nature of consumer shopping habits has greatly affected the city centre which performed a role of a regional shopping centre. Today, there is excess commercial floorspace in the city centre, much of which is in an obsolete configuration.

2.10 Within the **Cowdenbeath** locality the key issues for LDP2 to address are:

- The Cowdenbeath locality is a former coal mining area. Most of the towns and villages in the area were developed to provide housing for workers in the collieries. Some areas such as Cardenden and Lochore, Ballingry, and Crosshill have developed as smaller settlements merged, this means that they are spread out and have less well-defined centres. As a result, distances to services and facilities are further to travel, making walking and cycling a less attractive option. The smaller towns and villages have more limited access to services and facilities.
- The area has changed economically since the closure of the mines. It has above Fife average levels of employment, but incomes are on average lower, as are levels of qualifications, leading to the area having some of the highest levels of deprivation in Fife.
- Flooding and water quality are issues in parts of the area, which will have implications for development under the new LDP.
- Across the area, planned growth and demographic changes mean there is a need for additional capacity in primary care sector that will need to be planned for.
- There is some capacity in primary and secondary schools across the area although individual schools are more constrained.
- Away from the Fife Circle, railway connections to employment, training and services are relatively poor for an urban area.
- Strategic Development Areas identified in the current FIFEplan in the area have not been developed.
- Whilst the area is well-located for accessing the motorway network, a lack of premises and difficulties in finding a skilled workforce hinder economic development.

2.11 Within the **Glenrothes** locality, the following are the key issues for LDP2 to address:

- Glenrothes was one of Scotland's first new town areas and although established to house mainly mining workers and their families, it transformed into a centre for electronics and technical industries. Much of the locality is well connected given its location in the centre of Fife, and the original new town was designed around principles of Living Well Locally in the form of neighbourhood precincts.
- The Glenrothes locality is the least deprived of the four areas that make up Mid-Fife but does contain areas of high relative deprivation and overall child poverty levels and income deprivation are both higher in the area than across Fife as a whole.
- The area is the centre for manufacturing in Fife, as well as public administration. However, some of the industrial premises are starting to date and there is a need for more employment premises in the area.
- Flooding and water quality are issues in parts of the area, which will have implications for development under the new LDP.
- Planned growth and demographic changes across the locality mean there is a need for additional capacity in primary care sector that will need to be planned for.
- There is some capacity in primary and secondary schools across the area although individual schools are more constrained.
- The town centre is one the four main centres in Fife, but unlike the other three (Dunfermline, Kirkcaldy, and St Andrews), it has not seen the same marked increase in vacancies. However, vacancy levels are still high and the design of the town centre around a purpose built shopping centre makes re-configuration difficult. A masterplan has been prepared for the town centre to address some of the issues it faces.

2.12 Within the **Kirkcaldy** locality the key issues for LDP2 to address are:

- The Kirkcaldy locality is one of the most accessible in Fife, yet it has the second highest relative deprivation (after Levenmouth).
- Much of the area has good access to services within walking or cycling distance.
- As with other coastal areas, coastal erosion is potentially a significant issue facing the locality.
- Planned growth and demographic changes across the locality mean there is a need for additional capacity in primary care sector that will need to be planned for.
- There is some capacity in primary and secondary schools across the area although individual schools are more constrained.
- Kirkcaldy has a significant shortage of land for industry and warehousing uses.
- Kirkcaldy town centre has the highest levels of vacancy of any town centre in Fife, as well as the most marked increase in vacancy levels since 2012. There is a surplus of commercial floorspace in the town centre and much of it is in an obsolete configuration.
- The Esplanade is a key asset for Kirkcaldy, yet the town centre turns its back on it, making the seafront and beach difficult to access, made worse by the road itself which is a barrier. This issue has been the subject of various studies and initiatives to improve connectivity between the waterfront and town centre.

2.13 Within the **Levenmouth** locality the key issues for LDP2 are:

- The Levenmouth locality is the most deprived and most poorly connected part of Fife.
- Together, the Levenmouth Reconnected programme and the River Leven programme are working to address some of the issues that the Levenmouth area faces. The new railway line to Leven will help to improve connectivity for some parts of the area.
- Within the locality, many services are accessible within a 10-minute walk or cycle for most residents.
- The current FIFEplan designates one Strategic Development Area in Levenmouth. Until 2023, there was no developer interest in the site but there is now a live planning application. Also indicative of some of the challenges faced by the Levenmouth area, it is the only part of Fife with a surplus of available employment land.
- In common with many other town centres across Fife, Leven town centre has seen an increase in vacancies over the last decade and a reduction in the amount of retail floorspace.
- Flooding and water quality are issues in parts of the area, which will have implications for development under the new LDP.
- As with other coastal areas, coastal erosion is, potentially, a significant issue facing the Levenmouth area.
- There is some capacity in primary schools across the area although individual schools are more constrained. The area's one secondary school is forecast to have a shortfall in places by 2027.
- Planned growth and demographic changes across the area mean there is a need for additional capacity in primary care sector that will need to be planned for.

2.14 Within **North East Fife** the key issues for LDP2 are:

- North East Fife records the least relative deprivation of Fife's seven localities. However, it still has pockets of deprivation and issues that the new local development plan will need to address.
- Many communities do not have access to day-to-day services within a 10-minute walk or cycle from their home. In this area, reducing the need to travel will need to focus on clustering of services in groups of communities.
- Flooding, water quality and water scarcity are issues in parts of the area, which will have implications for development under the new LDP.
- As with other coastal areas, coastal erosion is potentially a significant issue facing North East Fife. The area also has more heritage at risk from coastal erosion and the impacts of climate change than other parts of Fife.
- North East Fife has some unique housing challenges in Fife arising from the combination of the presence of the University of St Andrews in the area, and the tourist draw of St Andrews and the East Neuk. The concentration of houses in multiple occupation and short term holiday lets in the area puts pressure on the local housing market and makes access to housing for residents harder.
- There is some capacity in primary and secondary schools across the locality although individual schools are more constrained.
- As a rural area, the ability access key services and employment by public transport varies considerably.
- There is a shortage of serviceable employment land in North East Fife.
- Although the town centres in North East Fife are seen as some of the most attractive in Fife, they have still been affected by changes in shopping patterns. Vacancy rates in St Andrews and Anstruther have both increased significantly since 2012.

2.15 In **South and West Fife** the key issues for LDP2 are:

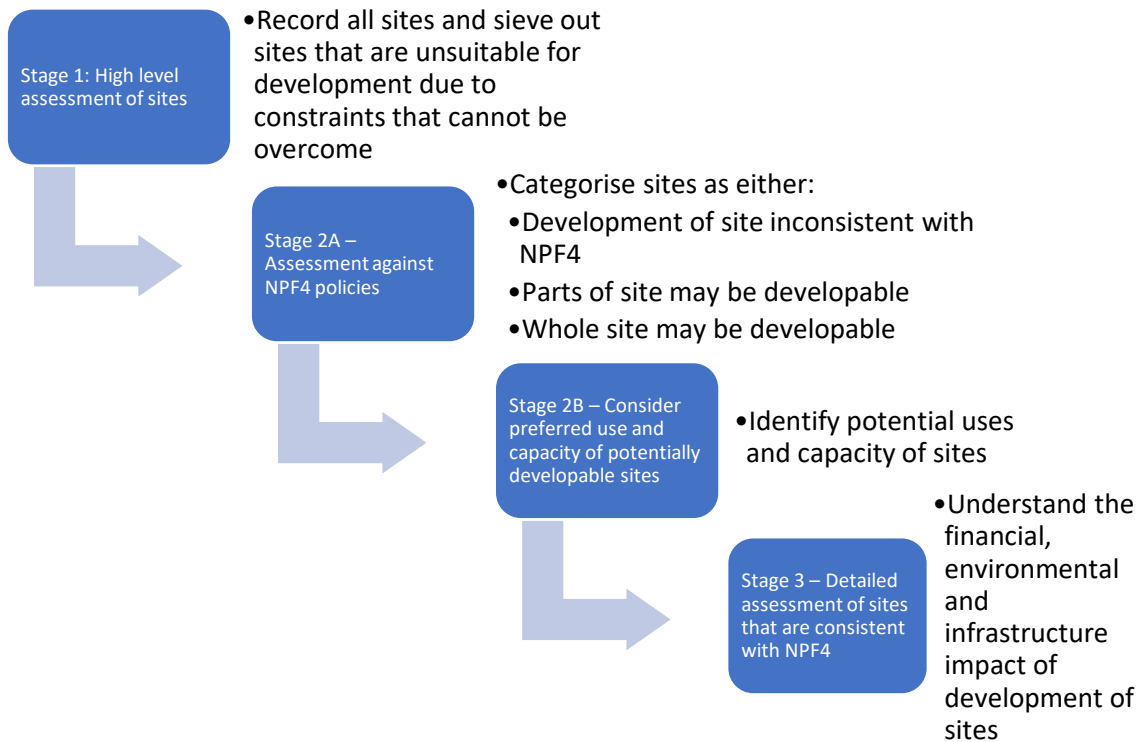
- South and West Fife consists of a mix of small towns and rural West Fife. Many rural communities do not have access to day-to-day services within a 10-minute walk or cycle from their home. Reducing the need to travel in this area will need to focus on clustering of services in groups of communities.
- Flooding and water quality are issues in parts of the locality, which will have implications for development under the new LDP.
- As with other coastal areas, coastal erosion is potentially a significant issue facing South and West Fife. Coastal flooding is also a significant risk as much of the land along the Firth is low lying in this part of Fife.
- Significant assets at risk from coastal flooding include the Port of Rosyth and the sites of the former power stations at Longannet and Kincardine.
- There is some capacity in primary schools across the area although individual schools are more constrained. Based on current housing land requirements, secondary schools do not have further capacity by 2027.
- In many parts of rural West Fife, there is poor access to key services and employment by public transport. Conversely, there is good access from the settlements around the bridgehead in South Fife.
- There is a shortage of serviceable employment land in South and West Fife.

- The development potential of the Forth Green Freeport and related development will require local development plan support for longer term development and infrastructure needs.

### Proposed site assessment criteria

- 2.16 The Evidence Report sets out the proposed criteria that will be used in assessing sites for inclusion in the LDP2. The assessment is proposed to take place in four stages as shown in Figure 1.

Figure 1 - Proposed site assessment methodology



- 2.17 The detailed assessment in stage 3 will include viability assessment, strategic flood risk assessment, transport assessment, strategic environmental assessment, and Habitats Regulation Appraisal. At this stage, there will also be engagement with key stakeholders to understand the deliverability of sites.

### Preparing the Evidence Report

- 2.18 The information populating the Evidence Report comes from external sources as listed in the document. Community-led information from recent engagement by other council Services has also been used to identify local initiatives and issues of interest to respective communities; these sources include community-based information from local community planning exercises and consultation on the Local Transport Strategy. In addition, further survey work was undertaken to obtain the views of those groups of people specified in legislation.

## 3.0 Conclusions

- 3.1 Evidence Reports are new and are pioneering a new style of local development planning. They are untested which brings some uncertainty but also helps to establish a new way of working. The place-based model adopted for the Fife Evidence Report sits well with Fife Council's people and places operating model and will help to better align the Local Outcome Improvement Plan, *Plan4Fife*, when it is reviewed; so, the local development plan represents the spatial and land use aspects of objectives *Plan4Fife*.

- 3.2 The Evidence Report is about what the Council needs to plan for, not what the plan is. That comes in the next stage when the Proposed (draft) Local Development Plan is written.
- 3.3 Local place plans were also introduced as part of the new planning system but will not form part of the Development Plan. An invitation for community bodies to consider preparing a local place plan was issued in May 2022. Registered local place plans are to be taken into account in the preparation of the local development plan and the timescale for submitting them has recently been extended to the end of June 2024 to allow community bodies more time to prepare theirs.
- 3.4 The Evidence Report as set out in this report meets the legal requirements and is considered to provide the necessary evidence to inform the preparation of the Proposed Plan (the next stage).

## List of Appendices

Fife Local Development Plan 2 draft Evidence Report -

1. [Fife Local Development Plan 2 Evidence Report](#)

Annex 1 - [Meeting legislative requirements](#)

Annex 2 - [List of data sources used in the Evidence Report](#)

Annex 3 - [Matters required to be included in Evidence Report](#)

Annex 4 - [Summary of engagement](#)

Annex 5 - [Summary of known areas of dispute on the Evidence Report](#)

Annex 6 - [Review of FIFEplan \(2017\)](#)

Annex 7 – [Local Living and 20 Minute Neighbourhoods](#)

Annex 8 - [Housing Issues Introduction & Legislative Requirements](#)

Annex 9 - [Housing Need](#)

Annex 10 - [Local Housing Land Requirement](#)

Annex 11 - [Local Housing Land Requirement Technical Paper](#)

Annex 12 - [Localised Housing Issues \(including empty homes, second homes, short term lets, housing in multiple occupation and rural living\)](#)

Annex 13 - [Waste management](#)

## Background Papers

- [Planning \(Scotland\) Act 2019 \(opens in a new window\)](#)
- [The Town and Country Planning \(Development Planning\) \(Scotland\) \(opens in a new window\) Regulations 2023](#)
- [Local Development Planning Guidance \(opens in a new window\)](#), 2023, Scottish Government
- [Fife Development Plan Scheme 13 \(opens in a new window\)](#)

## Report Contacts:

Bill Lindsay, Service Manager (Policy & Place),  
Telephone: 03451 55 55 55 Ext. 471776 - Email: [bill.lindsay@fife.gov.uk](mailto:bill.lindsay@fife.gov.uk)

Dominick Mennie, Lead Officer (Policy & Place) - Email: [dominick.mennie@fife.gov.uk](mailto:dominick.mennie@fife.gov.uk)

Craig Walker, Lead Officer (Policy & Place) - Email: [craig.walker@fife.gov.uk](mailto:craig.walker@fife.gov.uk)

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# **Fife Council Planning Service Enforcement Charter 2024**

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**Report by:** Pam Ewen, Head of Planning

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**Wards Affected:** All

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## **Purpose**

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The purpose of this report is to seek Cabinet Committee approval of the attached updated Enforcement Charter confirming the approach to planning enforcement to be adopted by Fife Council Planning Service for the next two years.

## **Recommendation(s)**

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Members are requested to:

- (i) approve the proposed Enforcement Charter 2024; and
- (ii) delegate to the Head of Planning to finalise and publish the Charter.

## **Resource Implications**

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There are no resource implications, though the adoption of this Enforcement Charter will provide clarity and certainty for those raising enforcement issues with the Planning Service. In addition, it provides a source of guidance and advice for elected members receiving complaints relating to Planning issues from their constituents. It will therefore provide an opportunity to streamline the planning enforcement process through improved availability of information and provide greater certainty to those raising enforcement related enquiries.

## **Legal & Risk Implications**

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There are no legal or risk implications in responding to this consultation. This refresh of the existing Enforcement Charter does not change policy or impact on any individuals or groups, there are therefore no legal or risk implications. The risk of not providing this guidance is that the Scottish Government requires local planning authorities to have formal Enforcement Charters in place and for these to be reviewed at least every two years; and that not having clear information and guidance available for customers will result in enforcement enquiries taking longer to process and respond to customers.

## **Impact Assessment**

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An Equality Impact Assessment and other impact assessments are not required as there are no changes or revisions to the existing policies and practices.

A Fife Environmental Assessment Tool (FEAT) assessment is not required as this report does not propose any policy change.

The Fairer Scotland Duty, which came into force on 1 April 2018, requires the council to consider how it can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. There are not considered to be any implications from the content of this report under the Fairer Scotland Duty for Fife Council.



The Heads of Service for Finance and Legal and Democratic Services have been consulted in the preparation of this report. The existing Charter was approved by the Economy Tourism Strategic Planning and Transportation Sub-Committee at its meeting on the 17 March 2022. There have been no significant changes to the new Charter in terms of how the planning service investigates and assesses enforcement cases.

## 1.0 Introduction

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- 1.1 All Planning Services across Scotland are required to publish an Enforcement Charter and review and update it every two years, the status of planning authorities' Enforcement Charters are reported to Scottish Ministers in the annual Planning Performance Framework.
- 1.2 The latest version of Fife Council's Enforcement Charter updates the previous document dated March 2022, which was the second review within the previous two year period required to take account of the extenuating circumstances imposed by the implications arising from the COVID pandemic. While there are no procedural or operational changes proposed in this updated version of the Charter, it is considered that the formal Cabinet Committee endorsement of the approaches and processes set out within the Enforcement Charter (2024) will confirm Fife Council's commitment to the Charter and how the Planning Service will deliver planning enforcement to the people of Fife.
- 1.3 The following table sets out the number of formally logged enforcement enquiries received in the last 5 financial years:

Financial Year	Enforcement Cases
2018/19	594
2019/20	575
2020/21	541
2021/22	506
2022/23	424

- 1.4 It is evident that there has been a downward trend in the number of enquiries which have been logged as formal investigations over the past five years. It is possible that this reflects the clearer guidance contained in recent versions of the Charter which also requires enforcement enquiries to be made through the online form accompanied with supporting information to enable the case to be progressed.
- 1.5 Prior to this change, enforcement officers often spent a great deal of time trying to establish details and context for enquiries before establishing whether these were actually enforcement issues. This would suggest that the greater clarity in the Charter has assisted to manage and provide a more targeted enforcement service focussing on planning issues as opposed to generic customer enquiries and other complaints, reducing the number of such non planning enquiries. Due to the wide variety and nature of enforcement work, the reduction in raw numbers does not necessarily reflect a reduction in workload . While 424 new formal cases were logged, 504 cases were investigated and closed in the same time period.

- 1.6 Following on from the lessons learned and new ways of working required during the pandemic where it is possible to consider and progress enforcement investigations without a site visit, we will continue to apply that approach. Where it is appropriate to do so, this also assists with fulfilling the service obligations to address the climate emergency by reducing mileage. As far as possible, site visits are also undertaken using electric pool cars. In all cases, however, the legal requirements associated with pursuing an enforcement enquiry will be complied with, such as the corroboration of evidence by undertaking site visits and witnessing specific events or activities in order to build a case against an organisation or individual.
- 1.7 The previous LEAN review of the enforcement process considered how the Planning Service delivers the enforcement service to the people of Fife and to shape the system to identify what new working practices and processes could be put in place to make the enforcement process effective but also responsive to customer needs. Overall, the Enforcement Charter (2024), attached as Appendix 1 to this report, remains largely the same as the current version published in March 2022 which embeds those improvements.
- 1.8 We have taken the opportunity to review and refresh the Charter. While there have been no substantive policy or procedural changes, work continues on back-office systems and performance monitoring to enhance the responsiveness of the enforcement service. We are also pursuing improvements to case load management and embedding automatic communications with our customers. As with all aspects of the planning process, we utilise feedback from our customers to shape our improvements where it is appropriate to do so.

## **2.0 Consultation Response**

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- 2.1 The Planning Enforcement process is, by its nature, complex and the resolution of some cases may be prolonged and the rationale as to why certain action is or is not taken is not always clear to those looking in on the process. The main objective of the Charter is to provide greater clarity to these processes and provide explanations as to why particular options to resolve cases are taken and to manage expectations of what the process is for and what it can and cannot do. It is also critical that we tailor the service we provide to the areas of greatest priority.
- 2.2 The planning enforcement process is important in providing credibility and confidence in the planning system but is also very complex and operates against a background of case law and practice in relation to the options open in pursuing formal enforcement action. This can often lead to confusion and misunderstanding in relation to the planning enforcement process. The Charter sets out clearly the complexity of the process and the considerations that have to be taken into account in determining whether formal action should be taken and, if so, what enforcement action might best address the impact of the proposal. This provides greater clarity, transparency and certainty for customers engaging with the planning service through the enforcement team.
- 2.3 In addressing any alleged breach of planning law, the Enforcement Charter sets out the fact that the enforcement process is not a punitive process but is there to address the planning harm which may arise from the alleged breach or failure to comply with the terms of specific conditions. The Charter seeks to explain this concept and clarifies that, in addressing the harm arising from a breach, different options may be used to address the issue. The fact that taking any action is entirely discretionary is also discussed and the fact that the planning authority may elect to not take any action at all if it is considered to do so would not be in the wider public interest.

- 2.4 The Enforcement Charter (2024) also sets out those areas which planning enforcement cannot address such as private legal issues; neighbour disputes, etc. and also makes it clear that other legislative processes may provide options to address harm. Again, setting out these issues provides greater certainty to customers and clearly sets out the parameters of what planning enforcement can address.
- 2.5 The emphasis on reporting issues through the online form approved by Economy, Tourism, Strategic Planning and Transportation Sub Committee in December 2020 and endorsed by the same committee in 2022 is also directly related to providing an efficient and responsive service which can react to issues and events with as much information available from the start of the process. Often enforcement enquiries are received with little information and this may involve a great deal of initial research to find out the exact details relating to a case including in some cases the location itself.
- 2.6 The online system provides a streamlined service with a formal acknowledgement of the enforcement enquiry with an email providing detailed advice on the process and hyperlinks to the Enforcement Charter and an explanation of response time. The more information available to the investigating officer at the start of the process, the quicker the investigation can proceed. Councillors are also encouraged to use the online form for enforcement enquiries.
- 2.7 An important consideration in the approval of the Enforcement Charter (2024) is that, in setting out how and what can and cannot be investigated, what is prioritised and pursued manages the expectations of complainants so that staff resources are used as efficiently as possible and can focus on the areas of greatest potential risk and harm.

## 3.0 Conclusions

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- 3.1 It is considered that the adoption of the Enforcement Charter (2024) will continue to provide greater clarity and certainty for customers who raise concerns regarding unauthorised development and works in Fife and clearly sets out the level of service which can be provided and scope of issues which planning enforcement can and cannot address. The formal adoption of the Enforcement Charter (2024) will continue to ensure the efficiency in the processing and handling of enforcement complaints received by the Planning Service and also embed improved communications with those submitting enforcement enquiries as well as greater certainty for those subject to investigations.

### List of Appendices

1. Appendix 1- Fife Council Planning Service Enforcement Charter January 2024.
2. PPF 12 2022/23 <https://hopscotland.files.wordpress.com/2023/09/planning-performance-framework-22-23-fife.pdf>

### Report Contact:

Pam Ewen  
Head of Planning

### Author Name:

Alastair Hamilton  
Service Manager (Development Management)  
Fife House  
Glenrothes, Fife  
Email: [alastair.hamilton@fife.gov.uk](mailto:alastair.hamilton@fife.gov.uk)

# Planning Enforcement Charter

A guide to planning enforcement in Fife



Updated February 2024



## **Foreword**

**Pam Ewen**

**Head of Planning Services**

The Fife Enforcement Charter sets out the Council's standards in considering planning enforcement matters. The Charter explains what we can do to best ensure that any complaints in respect of the potential unauthorised use of land and buildings and the discharge of conditions on a planning permission are investigated. Unlike a Building Warrant, a developer does not require to obtain a planning completion certificate. Therefore, the Council is often only aware of a potential enforcement issue when an enquiry or complaint is received. We want the public to have confidence in the planning system.

The Planning etc. (Scotland) Act 2006 requires Councils to publish an Enforcement Charter every 2 years. This Charter explains what planning enforcement is, what the Council can and can't do, sets out our service standards, and the stages involved if enforcement action is to be taken. Enforcement is a discretionary power; even if there is a breach of planning control the Council is not bound to act. The role of planning enforcement is not to punish individuals or stop businesses operating. The Council will investigate and consider what is proportionate to the level of harm evidenced. The Council will take action where it is reasonable, expedient, and proportionate where there is a high level of harm caused.

If you need further information on enforcement matters or you wish to check on a particular site or building then please contact us using our [Enquiry form](#).

Pam Ewen  
Head of Planning  
Planning Services  
Fife Council  
Fife House  
North Street, Glenrothes  
Fife  
KY7 5LT

## The Planning Enforcement Charter contains the following information:

- Overview
- A guide to planning enforcement
- Key points on planning enforcement
- Identifying possible breaches of planning control
- Investigating possible breaches of planning control
- Acting on alleged breaches of planning control
- Making a customer suggestion or customer complaint
- Enforcement powers
- Types of Notices
- Other enforcement powers
- Enforcement and advertising
- Useful contacts

This Charter sets out the current powers available to Fife Council as planning authority. These powers are set out in the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.



## Overview

Planning permission is required for all development that takes place in Fife. However, some developers, householders, or landowners undertake work without planning permission, fail to keep to the permission they have been given, or do not comply with the conditions imposed by Fife Council.

Fife Council has powers to enforce planning controls in such cases, if it considers that there is sufficient harm and if it is reasonable, expedient, proportionate, and in the public interest to do so. There is a crucial role for the public in alerting the Council to any problems they become aware of.

This Charter explains how the enforcement process works, the role of the Council and the service standards it sets itself. It also explains what happens at each stage of what can, in some cases, be a lengthy and complicated process.

Enforcement is one of the most complex parts of the planning system. The aim of this Charter is to ensure that adopted procedures are fair and reasonable, and that interested parties are kept informed and are made aware of what is required.

Enforcement is an issue that concerns many members of the public. It is hoped you will find this Charter useful and will let the Planning Service know if you think there are further improvements which could be made to the enforcement service in Fife.

### SERVICE STANDARD

The Enforcement Charter is available to view and download from the Council's website

## A guide to planning enforcement

The Council will consider all alleged breaches of planning control which can include:

- work being carried out without planning permission.
- an unauthorised change of use to a piece of land or to a building
- non-compliance with conditions imposed by

a planning approval.

- non-compliance with plans approved by the council.

### SERVICE STANDARD

In providing planning enforcement the Council aims to carry out its duties in accordance with the following key values:

**Independence** - Making decisions based on a fair, impartial and objective assessment of what is in the public interest and what level of harm has been able to be established.

**Integrity** - Being open in its dealings with the public and other interested parties while preserving the confidentiality of complainants.

**Sensitivity** - Recognising that the needs of the public, councillors, community councils etc can be different.

**Professionalism** - Investigating, recording and presenting cases thoroughly, critically and accurately.

The public can, and do, play a vital role in reporting such incidents. When you contact the Council you will need to provide the following details;

- the address of the property concerned
  - details of the suspected breach of planning control, (with times and dates)
  - Any photographs you have of said breach
  - What harm the alleged breach is causing you
  - your contact details
- \* Please note that anonymous enquiries will not be investigated.**

Full details about the investigation process can be found on page 8. The **primary** purpose of planning enforcement is to resolve the problem, rather than to punish the mistake. Fife Council will always take effective and proportionate action against owners and developers where it is considered necessary. Appropriate action can involve negotiating a solution, asking for a retrospective planning application to be made (see page 10), or taking

more formal action such as the issuing of an Enforcement Notice, a Breach of Condition Notice or a Stop Notice.

Enforcement officers have delegated powers to take enforcement action in most circumstances (See Fife Council [List of Officer Powers](#)). On occasion a planning committee may direct the enforcement team to take enforcement action; this may occur where an application recommended for approval may be refused at committee. The subsequent action may include serving an Enforcement Notice on the relevant people spelling out clearly the action they are required to take.

This Notice can be challenged through an appeal to the Department of Planning & Environmental Appeals. If so, enforcement action is suspended until a decision is issued.

Failure to comply with an Enforcement Notice can result in prosecution.

In some cases, the Council may be time-barred from taking action. Generally, physical work carried out more than four years ago or a change of use that took place more than 10 years ago is considered lawful and immune from action.

It is not always possible to anticipate how a particular case will develop, nor how long it will take. The Council will endeavour to keep interested parties informed of progress. Fife Council has set down the procedures, its service standards, and contact details in this Planning Enforcement Charter.

Additional copies are available online at [www.fife.gov.uk/planning](http://www.fife.gov.uk/planning)

## Key points on planning enforcement

**A breach of planning control is not a criminal offence (the courts decide this, not the Council) except in cases where there are unauthorised alterations to or demolition of a listed building or unauthorised works/felling of a tree/s subject to a Tree Preservation Order. The purpose of planning enforcement however remains the solution of the problem rather than to punish the mistake. In addition, any action taken must be appropriate and proportionate to the scale of the breach.**

Fife Council has statutory powers to investigate breaches of planning control and the conditions attached to planning permissions, and to take formal action where a satisfactory outcome cannot be achieved by negotiation. However, enforcement is a discretionary power, and this means that, even where there is a breach of planning control, the Council has to consider if it is in the public interest to take enforcement action. The Council is not required to take any particular action on a specific breach of planning control and can decide that no action is the most appropriate outcome in the public interest having assessed all the relevant circumstances of a specific case.

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More detailed information on the use of the enforcement powers can be found in the Scottish Government's Planning Circular 10/2009: [Planning Enforcement](#)

[www.scotland.gov.uk/publications](http://www.scotland.gov.uk/publications)

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Planning enforcement also covers the physical display of advertisements such as signs and advertisement hoardings, although slightly different procedures apply. These are set out in a separate section at the end of the document (see Page 15). The actual content of an advertisement is not covered by planning control. Any complaints about the content of a particular sign should be made to the Advertising Standards Authority.



## Identifying possible breaches of planning control

### SERVICE STANDARD

By publishing our standards, the Council aims to improve our enforcement service and make it responsive to the needs of our customers.



Possible breaches of planning control can include:

- work being carried out without planning permission or consent.
- an unauthorised change of use.
- failure to comply with conditions attached to a permission or consent.
- departures from approved plans or a decision notice.

Members of the public and local organisations such as community councils and local councillors have a vital role to play in reporting breaches of control and any concerns should be raised with

the Council for investigation. You can make preliminary enquiries by telephone or email but these **must** be followed up by completing an online [enquiry form](#).

When you report a suspected breach of planning control the following information is essential:

- the address of the property concerned
- details of the suspected breach of planning control, with times and dates if relevant
- your name, telephone number and address
- an e-mail address if you have one
- information on the level of harm caused by the breach to you

- whether the enquiry is to be treated confidentially.
- Any photographic or statistical evidence you have with dates and times, including the names and addresses of any additional witnesses.

While the Council will do its best to honour requests for confidentiality, it is subject to the requirements of the Freedom of Information (Scotland) Act 2002. A degree of confidentiality will be given to the complainant until such time as formal proceedings reach an appeal process. Requests for total confidentiality may limit the ability of the Council to take formal action and cannot be guaranteed if the case leads to court proceedings.

Information may also be withheld from publication if doing so would prejudice future legal action.

Fife Council reserves the right to remove any inappropriate or defamatory statements contained in any report prior to its publication.

Members of the public and local groups also have an important role in monitoring the conditions placed on certain planning permissions. Details of the conditions are included within the decision notice attached to the permission. Monitoring is undertaken by the Council's enforcement and planning officers supported by colleagues where appropriate, for example in Public Protection.

However, there are a large number of permissions granted each year and it is not practical, nor is it expected, that the Council monitor all conditions at all times. **The responsibility for complying with conditions and carrying out the development in accordance with the approved plans lies with the owner/developer.**

Your involvement is invaluable in providing information where it is believed that conditions attached to the permission are not being complied with or have not been implemented in a satisfactory way. Breaches of conditions are investigated in the same way as breaches of planning control.

Information received by the Council's Enforcement Officers about alleged breaches is checked to ensure that it involves a possible breach of control and includes all the detail required for a possible investigation.



Some enquiries, such as neighbour disputes over boundaries, and other matters which are private legal issues relate to matters over which Fife Council has no control and cannot therefore be investigated. Some letters we receive may refer to legislation administered by another Service or organisation and these will be forwarded for a response, e.g. noise, nuisance and vandalism, Scottish Water, SEPA, the police.

## Investigating possible breaches of planning control

A priority system is used for investigating possible breaches based on matters such as the effect/harm of the breach, the significance of the site and if it is in the public interest to do so. The Council will prioritise responses and address complaints and deal with queries based on the following examples set out in Table 1 below. This table does not cover all types of cases but seeks to give an indication as to how the Council as Planning Authority prioritises cases. As part of the enforcement process the Council will identify which category a case is considered to be in.

In prioritising alleged breaches, the Council will consider the potential harm caused by the unauthorised works. The following selected breaches have been categorized into Significant, Medium and Low harm to give **examples** of how the Council would prioritise breaches.

**Significant harm-** Full or partial demolition or significant alteration of a listed building, unauthorised works to a Scheduled Ancient Monument, unauthorised works in statutory designations (SSSI's), unauthorised large scale engineering operations, unauthorised felling/works to trees subject to a Tree Protection Order.

**Medium harm** – Any unauthorised development/activity which causes clear, immediate and continuous harm to the locality including the living conditions of adjoining residents and including a serious breach of conditions, new buildings of medium scale.

**Low harm** - Minor or small-scale developments and breaches of condition that result in a non-serious harm to the amenity of a neighbourhood or property.

**Table 1**

Type of Case	High Priority	Medium Priority	Low Priority
Advertisements (on non-listed buildings)			
Fences/trellis fencing			
Small garden sheds			
Unauthorised works to listed buildings/scheduled ancient monuments or statutory designation (SSSI for example)			
Non compliance with approved plans/conditions			
Minor unauthorised works in conservation areas			
Minor works out with conservation areas			
Unauthorised felling/lopping to a tree covered by a TPO			
Unauthorised change of use of building			
Large scale engineering operations			

Once the Council has investigated the enquiry, the enquirer will be informed of what action, if any, is proposed. In some cases, additional investigations may be needed. When required the Council will also issue a letter to the individual or organisation alleged to have breached planning legislation giving 28 days to respond to the allegation of the breach.

#### SERVICE STANDARD

The Council will provide a formal response or update to your enquiry within 60 working days of receipt. You will also be advised of the proposed action to be taken. This may include the need for additional investigation prior to deciding on a course of action. You will be advised if no action is to be taken and the reason for the decision. The detail of information the Council releases will also need to take into consideration whether doing so would prejudice any future enforcement or legal action.



The length of time required to resolve a case or take action can be affected by a number of factors. Progress can be delayed due to the need to gather further evidence, to allow negotiations to take place or for formal procedures to be concluded. Similarly, an application to regularise the breach of control or an appeal against a decision of the planning authority can also delay resolution of the case.

The Council recognises that delays can be a source of considerable frustration to those submitting information, particularly if they consider their amenity is affected.

### Acting on breaches of planning control

In some cases, action may not be appropriate,

even though planning controls have been breached. As stated previously, the purpose of planning enforcement is to resolve problems, not punish mistakes. The planning authority has to consider each case on its merits and decide on the best solution. The Council is unlikely to take formal action, for example, over developments which, in planning terms, are seen as acceptable. It may be more appropriate, in some cases, to seek the submission of a retrospective planning application.

Only a relatively small number of cases require formal enforcement action. This may be either a Notice requiring a retrospective planning application to be made, an Enforcement Notice or a Breach of Condition Notice (see definitions on page 12) being served on those involved in the development. Enforcement and Breaches of Conditions Notices include the following information:

- a description of the breach of control which has taken place
- the steps that should be taken to remedy the breach
- the timescale for taking these steps
- the consequences of failure to comply with the Notice
- where appropriate, any rights of appeal the recipient has and how to lodge an appeal.

Appeals against Enforcement Notices are considered by Scottish Ministers and dealt with, in most cases, by Reporters from the Directorate for Planning and Environmental Appeals ( DPEA).

Anyone who has submitted information on a breach of planning control is advised of the appeal.

There is no right of appeal against a Breach of Condition Notice.

## SERVICE STANDARD

Where a planning breach cannot be resolved and action is justified, a formal Notice will be served. This will be either, a Notice requiring a retrospective planning application, an Enforcement Notice or a Breach of Condition Notice. The Council will write to the recipient of the Notice to explain what is required, the timescales involved and the available options to resolve the issue.

Failure to comply with a Notice may result in the planning authority taking further action. This can include a range of possible options including:

- referring the case to the Procurator Fiscal for possible prosecution;
- carrying out any work required by an Enforcement Notice and charging the person for the costs involved;
- seeking a Court interdict to stop or prevent a breach of planning controls.

For more detail, see the Enforcement Powers section in this Charter.

Details of Notices requiring retrospective planning permission, Enforcement Notices, Breach of Condition Notices, Temporary Stop Notices and Stop Notices are entered into an Enforcement Register. You can inspect these documents online at [www.fifedirect.org.uk/planning](http://www.fifedirect.org.uk/planning).

The Planning Authority has powers to enter land to:

- establish if there has been a breach of planning control.
- check if there has been compliance with a formal notice.
- check if a breach has been satisfactorily.
- resolved.
- take direct action.

## SERVICE STANDARD

Where the terms of any formal Notice are not complied with, every effort will be made to resolve the case to the satisfaction of the Council. Options include:

- In the case of an Enforcement Notice, direct action by the Planning Authority
- For either an Enforcement Notice or a Breach of Condition Notice, the matter being referred to the Procurator Fiscal for possible prosecution, or alternatively offering the opportunity to pay a fixed penalty (issue of a fixed penalty notice).

This power applies to any land and may involve officials entering land adjacent to the site of the breach or alleged breach.

Enforcement action has to be taken within strict time limits.

- A four year limit - this applies to “unauthorised operational development” (the carrying out of building, engineering, mining or other operations in, on, over or under land) and change of use to a single dwellinghouse. After four years following the breach of planning control, the development becomes lawful and no enforcement action can be taken.
- A ten year limit - this applies to all other development including change of use (other than to a single dwellinghouse) and breaches of condition. After ten years, the development becomes lawful if no enforcement action has begun. There is no time limit with regard to enforcement action being taken against unauthorised works on a listed building.

## Making a customer suggestion or customer complaint

Fife Council hopes you will be satisfied with the planning enforcement service provided across Fife. However, if you have any suggestions, concerns or difficulties, the Council wants to hear from you. The Council is committed to improving our service and dealing promptly with any failures.

The Council will consider all complaints made about the way an enforcement enquiry was dealt with. Some people may disagree with the outcome of an investigation but that is not a ground for complaint. As noted above there is a separate appeals procedure for a recipient of an Enforcement Notice.

Information on how we deal with enquiries can be found [here](#). Enquiries can be made online at [fife.gov.uk](http://fife.gov.uk)



## Enforcement Powers

The planning enforcement powers available to the Council are set out in the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, and for Listed Buildings, the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The Planning Acts can be viewed online at Public Sector Information (OPSI) website [www.opsi.gov.uk](http://www.opsi.gov.uk)

Government policy on planning enforcement is set out in Planning Circular 10/2009, "Planning Enforcement" and can be viewed [electronically](#)



## Types of Notices

**Breach of Condition Notice** - this is used to enforce the conditions applied to any planning permission. It comes into effect 28 days after being served. It may be used as an alternative to an Enforcement Notice and is served on any person carrying out the development and/or any person having control of the land. There is no right of appeal. Contravening a Breach of Condition Notice can result in the Council deciding to prosecute, with a fine of up to £1,000.

**Enforcement Notice** - this is generally used to deal with unauthorised development, but can also apply to a breach of planning conditions. There are similar Notices and powers to deal with listed buildings, and advertisements. An Enforcement Notice will specify:

- a notification period before it comes into effect (a minimum of 28 days)
- the steps that must be taken to remedy the breach, and
- a further period (known as the compliance period) which is set by Fife Council and gives the recipient time to carry out any work required to comply with the notice. There is no minimum or maximum period, so long as the amount of time allowed is reasonable and reflects the amount of work that may need to be undertaken.

There are limited rights of appeal against an Enforcement Notice and, if an appeal is made the terms of the Notice are suspended until a decision is reached. Failure to comply with an Enforcement Notice within the time specified is an offence, and may lead to a fine of up to £20,000 in the Sheriff Court. Failure to comply may also result in the Council taking Direct Action to correct the breach (see other powers on page 14).

**Listed Building Enforcement Notice** - this must be served on the current owner, occupier and anyone else with an interest in the property. The procedures are similar to those outlined above. The Notice must specify the steps to be taken to remedy the breach and a final date for compliance. Failure to meet the terms of the Notice by the date specified is an offence. There is a right of appeal to Scottish Ministers against the Notice. Breaches of listed building control are a serious matter. It is a criminal offence to undertake unauthorised works to demolish, significantly alter, or extend a listed building. In certain circumstances, this can lead either to an unlimited fine or imprisonment.

**Stop Notice** - this is used in urgent or serious cases where unauthorised activity must be stopped, usually on grounds of public safety. When a Stop Notice is served, the Council must also issue an Enforcement Notice. There is no right of appeal against a Stop Notice and failure to comply is an offence. An appeal can be made against the accompanying Enforcement Notice. If a Stop Notice is served without due cause, or an appeal against the Enforcement Notice is successful, the Stop Notice may be quashed and the Council may face claims for compensation. Therefore, the use of Stop Notices needs to be carefully assessed by the Council.

**Temporary Stop Notice (TSN)** – this is used to require the immediate halt of an activity which breaches planning control. The provisions make an exception in that a TSN cannot prohibit use of a building or a caravan as a dwellinghouse. TSNs are enforceable for 28 days, after which time they expire. They may be followed by further enforcement action such as an Enforcement Notice and Stop Notice. There is no provision to appeal against a TSN.

**Fixed Penalty Notice (FPN)** – this provides planning authorities with an alternative process, in addition to the option to seek prosecution, to address situations where a person has failed to comply with the requirements of an enforcement notice (EN) or a breach of condition notice (BCN). By paying the penalty imposed by the FPN, the person will discharge any liability for prosecution for the offence. They will not discharge the obligation to comply with the terms of the EN or BCN and the planning authority will retain the power to take direct action to remedy the breach and recover the costs of such work from that person. The planning authority is not required to offer the option of paying a fixed penalty. Any decision to do so would be dependent on considerations such as the scale of the breach and its impact on local amenity.

**Notice Requiring Application for Planning Permission for Development Already Carried out** – Where the planning authority considers that a development which does not have planning permission may be acceptable (i.e. they consider that it might be granted planning permission) they may issue a notice requiring the landowner or developer to submit a retrospective planning application. This application will be considered on its planning merits and handled in the same way as any other planning application. Issuing such a notice does not guarantee that permission will be granted; the planning authority may, on consideration of the application, decide instead to refuse permission, or to grant permission subject to conditions or alterations to make the development acceptable.



### **Notification of Initiation and Completion of Development (NID/NCD) and Display of Notices While Development is Carried Out –**

While not in themselves planning enforcement powers, these notices are intended to improve the delivery of planning enforcement by requiring positive confirmation that development has commenced and been completed, and, in the case of on-site notices, to raise community awareness of developments in the local area. Planning authorities will be made aware of active development in their areas, enabling them to prioritise resources with a view to monitoring development.

For any development for which planning permission has been granted, a NID has to be submitted to inform the planning authority of the date on which development will commence. It is to be submitted after planning permission has been granted and before development has commenced. Initiating development without submitting a NID is a breach of planning control and the planning authority may consider enforcement action. The NCD requires a developer to submit a further notice as soon as practicable after development has been completed.

Depending on the nature or scale of a development, the developer may also be required to display on-site notices while development is taking place. These notices contain basic information about the site and the development. They also provide contact details where members of the public may find out more information or report alleged breaches of planning control. It is a breach of planning control to fail to display such a notice when required to do so.

The Planning Service offers a Completion Notice service whereby we check the development and formally confirm if the development is in accordance with the approved plans and if all conditions have been complied with. There is a [charge](#) for this service. You may find this service particularly useful if you are looking to sell your property.

### **Other Notices**

These are other legal powers available if a historic building is under threat of unauthorised alteration or demolition. These include: A Dangerous Buildings Notice

under Building Standards legislation

- Serving a Repairs Notice for urgent works for the preservation of Listed Buildings. (Scottish Ministers can issue a Direction to Fife Council for unauthorised building in a Conservation Area).
- Serving of a Building Preservation Notice (BPN) to temporarily list a building where Historic Scotland considers it should be Listed.

### **Other enforcement powers :**

**Planning Contravention Notice** - this is used to obtain information about activities on land where a breach of planning control is suspected. It is served on the owner or occupier, or a person with any other interest in the land or who is carrying out operations on the land. They are required to provide information about operations being carried out on the land and any conditions or limitations applying to any planning permission already granted. Failure to comply with the Notice within 21 days of it being served is an offence and can lead to a fine in the Courts.

**Notice under Section 272** of the Town and Country Planning (Scotland) Act 1997 - this provides limited powers to obtain information on interests in land and the use of land. Failure to provide the information required is an offence.

**Notice under Section 179** of the Town and Country Planning (Scotland) Act 1997 - this allows planning authorities to serve a Notice on the owner, lessee or occupier of land which is adversely affecting the amenity of the area. This is also known as an 'Amenity Notice' and sets out the action that needs to be taken to resolve the problem within a specified period.

**Interdict and Interim Interdict** - an interdict is imposed by the courts and is used to stop or prevent a breach of planning control. Court proceedings can prove costly and Councils normally only seek interdicts in serious cases or where Enforcement Notices have been ignored in the past. However, the Council can seek an interdict in relation to any breach without having to use other powers first. Breaching an interdict is treated as a contempt of court and carries heavy penalties.

**Direct Action** - failure to comply with the terms of an Enforcement Notice within the time specified can result in the Council carrying out the specified work. The Council will look to recover any costs it incurs from the landowner.

## Enforcement and advertising

The display of advertisements is covered by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Many advertisements are displayed with what is called 'deemed consent' which means they do not require express advertisement consent if they meet the criteria and conditions set out in the regulations. One of these conditions is that the landowner has given permission for the advertisement to be displayed on their land.

Displaying an advertisement in contravention of the regulations is an offence and, if convicted in court, an offender can be fined. The court can impose further fines for each day the breach of the regulations continues.

The Council has the power to serve an Enforcement Notice. This specifies a time period (normally 28 days) for compliance with the Notice. However, this period can be reduced to 7 days if the Council believes there is an urgent need for the advertisement to be removed or altered in the interests of public safety, or if the advertisement can be removed without any other work being required.

An Enforcement Notice can also require that a particular piece of land should not be used to display advertisements. This remains in force even if the original advertisement is removed. Any subsequent advertising on this site would amount to a breach of the Notice.

The Council also has powers to remove, destroy or obliterate placards and posters that do not have advertisement consent. If the person who put up the poster can be identified, they have to be given at least two days' notice that the Council intends to take the poster down. If they cannot be readily identified, then the advert can be removed immediately.

Council officials can enter unoccupied land, if necessary, to remove an advertisement. However, they have no powers to remove advertisements displayed within a building to which there is no public access.



## Council contacts

Should you have an enforcement, planning (including trees) or building standards enquiry, please contact:

Planning Services

web [www.fife.gov.uk/planning](http://www.fife.gov.uk/planning)

email [development.central@fife.gov.uk](mailto:development.central@fife.gov.uk)

Telephone 03451 55 11 22

Fife Council  
Fife House  
North Street  
Glenrothes  
Fife  
KY7 5LT



## Other enforcement controls and related topics

This Charter focuses on the enforcement of planning legislation, development and planning conditions. There are other Fife Council Services that deal with other aspects of enforcement and monitoring. The main ones are listed below:

### **Dangerous and Dilapidated Buildings**

Building Standards and Safety. Please contact 03451 55 11 22

[www.fife.gov.uk/buildingstandards](http://www.fife.gov.uk/buildingstandards)

### **Abandoned Vehicles**

Report it on 03541 550022

[www.fife.gov.uk/services/report-it-online](http://www.fife.gov.uk/services/report-it-online)

### **Graffiti and Vandalism**

To report graffiti or vandalism, please contact 03451 550022

### **Rights of Way**

To check a route is a right of way, please contact [outdooraccess@fife.gov.uk](mailto:outdooraccess@fife.gov.uk)

### **Illegal Dumping (fly tipping)**

03451 550022

[www.fife.gov.uk/services/report-it-online](http://www.fife.gov.uk/services/report-it-online)

### **Neighbour Problems**

03451 550022

[www.fife.gov.uk/communitysafety](http://www.fife.gov.uk/communitysafety)

### **Illegal Dumping**

03451 550022

[www.fife.gov.uk/services/report-it-online](http://www.fife.gov.uk/services/report-it-online)

## Other useful contacts

### Local Government and Communities

#### Directorate

Planning and  
Architecture Division  
Victoria Quay  
Edinburgh EH6 6QQ  
tel 0131 244 7528  
[www.transformingplanning.scot](http://www.transformingplanning.scot)

#### PAS (Planning Aid for Scotland)

125 Princes Street, Edinburgh, EH2  
4AD  
Tel 0131 220 9730  
[office@pas.org.uk](mailto:office@pas.org.uk)

#### Public Services Ombudsman

Scottish Public Services  
Ombudsman  
Bridgeside House  
99 McDonald Road  
Edinburgh  
EH7 4NS  
tel 0800 377 7330  
[ask@spsos.org.uk](mailto:ask@spsos.org.uk)

#### Directorate for Planning and Environmental Appeals

Planning and Environmental  
Appeals Division  
Hadrian House, Callendar Business  
Park,  
Callendar Road, Falkirk FK1 1XR  
tel 0300 244 6668  
[DPEA@gov.scot](mailto:DPEA@gov.scot)

#### Health and Safety Executive (Edinburgh Office)

Queen Elizabeth  
House, 1 Sibbald  
Walk, Edinburgh  
EH8 8FT  
[www.hse.gov.uk/scotland](http://www.hse.gov.uk/scotland)

#### Advertising Standards Authority

Mid City Place, 71 High  
Holborn, London WC1V 6QT  
tel 020 7492 2222  
[www.asa.org.uk](http://www.asa.org.uk)



## Alternative Formats

Information about Fife Council can be made available in large print, braille, audio CD and tape on request by calling **03451 55 55 00**



## British Sign Language

please text (SMS) 07781 480 185



## BT Text Direct:

18001 01592 55 11 91

## Language lines

Arabic	خط هاتف اللغة العربية: 03451 55 55 77
Bengali	বাংলায় আলাপ করার জন্য টেলিফোন লাইন: 03451 55 55 99
Cantonese	中文語言熱線電話: 03451 55 55 88
Polish	Polskojęzyczna linia telefoniczna: 03451 55 55 44
Urdu	اُردو زبان کے لیے ٹیلیفون نمبر 03451 55 55 66

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## Housing Allocation Policy Review

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**Report by:** John Mills, Head of Housing Services

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**Wards Affected:** All

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### Purpose

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This report sets out the legal framework for housing access and proposes a review of the housing allocations policy. The aim of the review would be to simplify our approach to prioritising applicants for housing in the knowledge that the Council will experience a shortage in social rented housing for many years to come.

### Recommendations

Members are asked to:

- (i) agree proposals to establish a short life Task & Finish Group with cross party and wider stakeholder membership, including tenant and resident engagement;
- (ii) agree to review the allocations approach as well as the policy framework, including an assessment of the benefits of moving to a Choice Based Lettings Approach; and
- (iii) agree that the review should be time limited, evidence based and focussed on addressing current and anticipated housing pressures with a report back to Cabinet following completion of the Task & Finish Group remit in the autumn.

### Resource Implications

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There are no direct resource implications arising from this report as proposals can be met within existing budget and resource constraints.

### Legal & Risk Implications

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The report sets out the legal framework for housing allocations and any findings from the review would be fully tested for legal compliance and risk assessed.

### Impact Assessment

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A full Equality Impact Assessment is attached and is proposed as a dynamic document which any policy recommendations would be tested against.

### Consultation

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There has been no specific consultation with Tenant and Resident Groups at this stage but any proposed policy changes would require to be subject to full tenant consultation.

## 1.0 Introduction

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- 1.1 This report describes the housing access system in Fife which has been subject to review in response to new legislation, updated regulatory / statutory guidance and partnership commitment to improved customer experience. There is no specific legislative or regulatory requirement for a policy review, however, current pressures on the housing access system have created the conditions which necessitate a review of the policy and approach to housing allocations.

## 2.0 Housing Allocations and the law

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- 2.1 The current legal framework for housing allocations is based in the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Acts, 2001, 2011 and 2014. There have also been successive changes in related legislation, specifically in relation to homelessness and public protection. Allocations is underpinned by statutory guidance with the most up-to-date guidance found at [Social Housing Allocations in Scotland: A Practice Guide - February 2019 \(www.gov.scot\)](http://www.gov.scot) There is also related guidance which has been updated over the year (for example [Homelessness: code of guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot) which need to be referenced as part of the review process.
- 2.2 Any proposed changes would require to be tested against the legal framework for housing allocations and the intersecting homelessness, public protection and other relevant legislation, including equalities requirements. The review would need to anticipate future legislation, most notably the forthcoming Housing Bill containing Prevention of Homelessness duties. In addition, there are also implications for the Scottish Social Housing Charter (SSHC) and any future changes which would need to be included.
- 2.3 On this basis, the proposal to review the Allocations Policy and approach is driven by the current and anticipated future pressures on the housing allocation system as well as a continuous commitment to improve customer experience and expectations.

## 3.0 The Fife Housing Access System

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- 3.1 The housing access system in Fife operates through one of the biggest and most innovative common housing registers in the UK. When it was implemented in 2006/07, the Common Assessment of Need (common points system) was transformational in simplifying housing access systems for housing customers, creating a single assessment system and providing flexibility for landlords to manage their stock independently underpinned by a strong partnership framework.
- 3.2 There have been no major changes to the Housing Allocations System since the introduction of Fife Housing Register although there have been two extensive Fife Council Allocation Policy Review processes in preparation for legislation changes in 2001 and as a result of the Housing (Scotland) Act 2014 (as implemented in 2019). These processes extended over a period of years which provides an indication of the complexities surrounding housing allocations and related impacts. Any consideration of changes to the Allocations Policy or approach would require to be carried out in close collaboration with the FHR Partners as well as detailed engagement with tenants, residents and other stakeholders.
- 3.3 At present, there are over 15,500 applicants on Fife Housing Register in all categories. This includes tenants of the FHR Partners, statutory homeless households and first time applicants. The Common Assessment of Need categorises applicants by need and the following (Fig 1.) provides a basic overview and profile of the Housing List and housing allocations (Fig 2.)

**Fig.1**

Lack of Security	2499
Management Needs	6
No Immediate Needs	1512
No Priority Awarded	562
Poor Housing Circumstances	3005
Social and Medical Needs	3937
Urgent Housing Needs	321
Urgent Medical Needs	249
Urgent Housing Homelessness	1044
Urgent Homelessness Medical Needs	256
<b>TOTAL</b>	<b>13,391</b>

**Fig. 2**

	<b>2021/22</b>	<b>(%)</b>	<b>2022/23</b>	<b>(%)</b>	<b>2023/24 (Apr 23–Dec)</b>	<b>(%)</b>
<b>Homeless</b>	973	48%	1064	59%	1076	63%
<b>Transfer</b>	579	29%	509	28%	428	25%
<b>Waiting</b>	459	23%	245	13%	194	12%
<b>Total</b>	<b>2011</b>		<b>1818</b>		<b>1698</b>	

- 3.4 This shows the significant imbalance in housing need / demand and supply which are increasing with much stronger links between the housing access and homelessness systems since 2020. This also suggests that the resource to support housing list administration and maintenance, as well as housing allocations, needs to be reviewed to ensure services are fit for purpose.
- 3.5 At present, the GENERO and HL1 IT systems that Fife Housing Register, housing allocations and homelessness are based on needs to be replaced as part of the council's project to upgrade the housing management information system (HMIS). The specification and development of this system is on hold for further systems work to consolidate Phase I of the new CX HMIS system and pending specification of requirements of the access system. Any decision in relation to housing access and allocations would have a significant impact on requirements for a replacement system. This is a further driver for policy review.
- 3.6 In addition, there have been significant enhancements to the Fife Housing Register website to promote a greater focus on housing options and personal housing planning. Any change to allocations policy or approach would be based on the following design principles:
- Person Centred with a focus on self-service and assessment
  - Homeless Prevention and housing option focus
  - Simplified outcome / assessment with a focus on 'No Wrong Door'
  - Professional input and case management which is proportionate and available at the right time
  - Ensuring the best use of stock
  - Integrated with wider support systems
  - Improved access to housing options information and personal housing planning
  - Reduced bureaucracy and administration
  - Stock management linked to effective local lettings planning to respond to local needs



- 3.7 These design principles would require a review of the approach to housing allocations and whether a 'Needs Based' approach is still the best access route, or whether a 'Choice Based' system would provide benefits for applicants, the council and FHR partners. A basic overview of both systems is contained within the statutory guidance referenced above and a basic comparison is set out within Appendix 1. This would be explored in more detail by the Review Group.
- 3.8 The complexities of the housing allocations system and impacts on related areas of housing management and wider systems are significant. On this basis, policy review processes tend to take time, resource and commitment to ensure an inclusive approach. In order to support the process, officers have started to create an evidence bank and a research proposal and methodology is being designed and it is recommended that a Review Group, with a clear time frame, is established to oversee the process. This would draw on the existing access and homelessness partnership structures as well as stakeholder groups with an interest in housing access.

## **4.0 Conclusions**

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- 4.1 Fife's housing access environment was informally tested by the FHR Management Executive in 2021 and found to be legally compliant and based on a strong partnership commitment to work together and improve services for housing applicants. The Common Assessment of Need was an innovative concept and has provided the basis for a simplified common housing register for some time and any risk to this approach should be carefully considered, however, the current pressures on the housing access system, coupled with the need to upgrade current IT systems, provides the environment for reviewing the policies and approaches to housing access on a collaborative basis. The complexities of housing allocations, and the intersects with related legislation and guidance, create the need for a focussed review process which is focussed, evidenced based and focussed on improving outcomes.

**John Mills**  
**Head of Housing Services**

### **List of Appendices**

1. Extract from the Social Housing Allocations Guide
2. Equality Impact Assessment

### **Report Contacts:**

Gavin Smith  
Service Manager Housing Access  
Email: [gavin.smith@fife.gov.uk](mailto:gavin.smith@fife.gov.uk)

**Overview of Needs Based -v- Choice Based Allocation Systems**

There are two primary approaches landlords use to allocate their properties, needs-based or Choice-Based Lettings (CBL). There are many variations on both and landlords will always want to consider what will suit their local context and work best for applicants. Whatever approach is used, it is important that a landlord considers the reasonable preference groups set out in law when awarding priority and decides what provision to make for different types and levels of need within each category. It should also ensure that it considers how they will meet their legal duties on homelessness. Needs-based approach

**Needs Based Allocations Approach**

The needs-based approach remains the most frequently used in Scotland, with applicants for housing having their housing needs assessed based on the priority given under the allocation policy. Priority is usually based on varying numbers of points being awarded for each housing need. The level of points will also depend on the severity of the housing need. So, for example, a landlord might award five points for being overcrowded by one bedroom but 10 points for being overcrowded by two bedrooms.

The overall number of points an applicant will receive will be the total of all their housing needs points added together. For example, an applicant might receive both overcrowding and medical priority. The points awarded would be added together to produce a total level of priority under the policy. Banding is less frequently used but when it is, a landlord will have a number of bands of priority. Applicants will be placed into a band based on the most serious housing need they have. For example, a landlord operates bands A to D, with band A representing the most serious housing needs. If an applicant has Band B medical award and Band C overcrowding award, they would be placed into Band B.

When a property becomes available, each landlord will have a system in place for deciding whether the allocation is made to the general housing list (sometimes called the waiting list), the transfer list or to statutorily homeless applicants. This will usually be based on lettings targets or quotas the landlord has set out. Further information on targets and quotas, along with making lets to homeless households, is set out below. If a landlord has decided to offer the property to a general list or transfer list applicant, it will generally offer the property to the applicant on that list who has the highest number of points, or the highest banding, and who needs a property of that size or type. If there is more than one applicant with equivalent priority, landlords will usually take waiting time into account. This means that waiting time is not being used as a primary factor to decide who is to be made an offer but is being used to distinguish between applicants with an equivalent level of priority under the allocation policy. Social Housing Allocations in Scotland: A Practice Guide 79

In a needs-based system the landlord will contact the applicant and offer them the property. Landlords will generally only make an offer of housing of the type and in the areas the applicant has said they are interested in. Once the offer has been made, the applicant will decide whether to accept the offer or not. Some landlords limit the number of offers that are given and refusing a number of reasonable offers could result in suspension from the housing list.

## Choice Based Letting

Choice-Based Letting Landlords who use a Choice-Based Letting (CBL) approach tend to do so because they believe it offers greater choice for applicants and can help support tenancy sustainability. Meeting housing need and allocating properties in a fair and equal way should be remain the underpinning principles of a CBL system just as for a needs-based approach.

The fundamental premise behind CBLs is that it is the applicant themselves who takes the initiative in securing a property. No CBL system is exactly alike but key features of those operating in Scotland are:

- applicants fill in a registration form to join the housing list or register;
- the landlord will assess the applicant's housing need. If the applicant has a housing need according to the landlord's allocation policy, they will be given a priority pass to use when bidding for a property. Priority awards or passes are often gold, silver or bronze, with a gold pass being given to those in the most serious housing need;
- landlords advertise vacant properties and applicants make a bid for those that they consider meet their preferences and needs;
- a list of all bids received for each advertised property is drawn up;
- an offer is made to the applicant with the highest level of priority pass. If more than one applicant has the same priority, the applicant with the earliest date of registration on the housing list would be offered the property; and
- landlords give feedback on the outcome of allocations to help unsuccessful applicants understand their likelihood of success when bidding for other properties.

## Equality Impact Assessment

### Part 1: Background and information

<b>Title of proposal</b>	<b>Housing Allocation Policy Review</b>
<b>Brief description of proposal (including intended outcomes &amp; purpose)</b>	The Policy Review process would test whether the Common Assessment of Need and Allocation Policy are meeting legal requirements by responding to local needs. This would include investigating any potential negative impacts on particular customer or community groups
<b>Lead Directorate / Service / Partnership</b>	Housing Services
<b>EqlA lead person</b>	Gavin Smith, Service Manager, Housing Access
<b>EqlA contributors</b>	Key Representatives of Fife Partnership including Voluntary Sector representatives
<b>Date of EqlA</b>	November 2023

**How does the proposal meet one or more of the general duties under the Equality Act 2010?** (Consider proportionality and relevance on p.12 and see p.13 for more information on what the general duties mean). If the decision is of a strategic nature, how does the proposal address socio-economic disadvantage or inequalities of outcome?)

<b>General duties</b>	<b>Please Explain</b>
Eliminating discrimination, harassment and victimisation	Ensuring equality of opportunity for all households in vulnerable and fragile housing circumstances including those that become homeless unavoidably
Advancing equality of opportunity	Recognises that homelessness and housing vulnerability can impact on education, employment and social opportunities. Preventing and resolving housing need aims to promote life opportunities and mitigate the potentially damaging impacts of homelessness
Fostering good relations	Creating opportunities to promote a no wrong door and case managed approach to those in housing need
Socio-economic disadvantage	Similar to Advancing Equality of Opportunity
Inequalities of outcome	Take a targeted approach to recognise that some communities may be more likely to become others and develop services and approaches that respond to different life circumstances

Having considered the general duties above, if there is likely to be no impact on any of the equality groups, parts 2 and 3 of the impact assessment may not need to be completed. Please provide an explanation (based on evidence) if this is the case.

The Policy Review aims to improve access to services, welfare support to all and ensure statutory duties are met. This recognises that some society groups may be more likely to experience homelessness and the adverse impacts associated with housing vulnerability directly and indirectly. The groups most likely to experience homelessness and housing vulnerability are people experience domestic abuse, care experienced young people, those with a history of offending, veterans and people leaving other institutional settings such as hospitals. There is emerging evidence in the growth of LGBT and gender identity increasing within those at risk of homelessness and this is being monitored.

**Part 2: Evidence and Impact Assessment**

**Explain what the positive and / or negative impact of the policy change is on any of the protected characteristics**

Protected characteristic	Positive impact	Negative impact	No impact
Disabled people	X		
Sexual orientation	X		
Women	X		
Men	X		
Transgendered people	X		
Race (includes gypsy travellers)	X		
Age (including older people aged 60+)	X		
Children and young people	X		
Religion or belief	X		
Pregnancy & maternity	X		
Marriage & civil partnership	X		

Please also consider the impact of the policy change in relation to:

	Positive impact	Negative impact	No impact
Looked after children and care leavers	X		
Privacy (e.g. information security & data protection)	X		
Economy	X		

- Please record the evidence used to support the impact assessment. This could include officer knowledge and experience, research, customer surveys, service user engagement.
- Any evidence gaps can also be highlighted below.

<b>Evidence used</b>	<b>Source of evidence</b>
1. Legislation and Statutory Guidance	<a href="http://www.gov.scot">Social Housing Allocations in Scotland: A Practice Guide - February 2019 (www.gov.scot)</a>
2. Housing Allocations Research and Evidence	Professional publications online e.g Chartered Institute of Housing Knowledge Bank
3. Housing in Scotland – Current Context and Preparing for the Future – July 2023	<a href="http://solace.org.uk">Housing in Scotland Current Context and Preparing for the Future - July 2023 (solace.org.uk)</a>
<b>Evidence gaps</b>	<b>Planned action to address evidence gaps</b>
1. Housing and Support Needs Assessment of the Homelessness Community was last completed in 2021. Action to update the Research needs to be considered by the Board	Board to consider updated the Strategic Needs Assessment
2. Evidence around the impact of homelessness on the LGBT community is a gap	Work with local providers following Frontline Fife Research

### Part 3: Recommendations and Sign Off

(Recommendations should be based on evidence available at the time and aim to mitigate negative impacts or enhance positive impacts on any or all of the protected characteristics).

Recommendation	Lead person	Timescale
1.		
2.		
3.		
4.		
5.		

### Sign off

(By signing off the EqIA, you are agreeing that the EqIA represents a thorough and proportionate analysis of the policy based on evidence listed above and there is no indication of unlawful practice and the recommendations are proportionate.

Date completed:	Date sent to Community Investment Team: <a href="mailto:Enquiry.equalities@fife.gov.uk">Enquiry.equalities@fife.gov.uk</a>
Senior Officer: name	Designation:

# River Leven Regeneration – Active Travel Network Capital Funding

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Report by: John Mitchell, Head of Roads and Transportation Services

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Wards Affected: 21 & 22

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## Purpose

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The purpose of this report is to provide an update on delivery of the Levenmouth Connectivity Project - Active Travel Network (Phase1) as part of the River Leven Regeneration Programme.

## Recommendations

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It is recommended Committee note that:

- (1) Option 3 in the Business Case detailed in Appendix 1 is the preferred delivery approach for Phase 1 of the Active Travel programme;
- (2) to realise £1.558m of funding from Sustrans Scotland by the deadline of 31 March 2024:
  - a. the active travel works within and around the new station at Leven have been awarded to Network Rail, of which £1.035m is programmed to be delivered this financial year, as part of an overall contract of £2.100m
  - b. three active travel links on the approaches to the new stations at Leven and Cameron Bridge are to be delivered through Roads & Transportation Services' Road Maintenance and Civil Engineering Minor Works Framework at a cost of £0.523m, subject to contractor availability.
  - c. that delegated authority was sought for this spend as an urgent decision given the deadlines for delivery in this financial year and the time-limited opportunity to realise Sustrans funding. This paper provides the required report to Cabinet Committee after the exercise of urgent decision making powers;
- (3) the remainder of the (Phase 1) active travel works will also be delivered through Roads & Transportation Services' Road Maintenance and Civil Engineering Minor Works Framework at an estimated cost of circa £4.804m.

## Resource Implications

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The River Leven Regeneration Programme has potential funding of £25.182m. This includes £19.410m from the UK Government's Levelling Up Fund (LUF) and £5.772m from Sustrans' Places for Everyone Funding (PfE).

The Sustrans' grant was awarded to the following three projects and split between financial years:

## 2023/24

River Park Routes (Phase1), Leven	£2.669m (SEPA/ Green Action Trust (GAT))
Active Travel Routes – On Road	£1.268m (Roads & Transportation Services)
Mountfleurie Bridge	£1.368m (initial design by SEPA/ GAT)

## 2024/25

Active Travel Routes - On Road £0.467m \*

\* Note – subject to Transport Scotland approval

Due to land and planning issues, progress of the River Park Routes and Mountfleurie Bridge will not advance as planned before 31 March 2024. Delivery of the Active Travel Routes will be progressed this financial year and £1.558m of Sustrans funding is projected.

Delivery of the active travel network (Phase 1) is estimated to cost £7.427m. This is made up of £1.558m from Sustrans and £5.869m from the LUF award.

There will be recurring revenue costs of approximately £43k per year with the delivery of Phase 1 of the Active Travel Network. This will be managed within Fife Council's Roads and Transportation Services' budgets.

## **Legal & Risk Implications**

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Passenger services on the new Leven Rail Link are programmed to commence in early Summer 2024. Consequently, provision of key active travel links in and around the stations will be critical to help facilitate access, promote behavioural change and promote the economic, social and environmental benefits that the new rail link brings.

Transport Scotland funding is changing moving into financial year 2024/25. The current budgets awarded through Sustrans for 2023/24 cannot now automatically be rolled over to 2024/25 as has been the case in the past. Discussions are ongoing with Transport Scotland and Sustrans to secure the identified budgets to help deliver the active travel elements of the River Leven Regeneration Programme. Value engineering may need to take place should the required funds not be secured.

Roads and Transportation Services' Road Maintenance & Minor Civil Engineering Framework's primary function is to deliver the Area Roads Programme and utilising them for the delivery of the River Leven Regeneration Programme may influence the delivery of the ARP next financial year.

The full risk implications of the project are contained within Appendix 1.

To maximise the Sustrans funding this financial year to help deliver the Levenmouth Active Travel Network, delegated authority was sought to commit funds in line with the Scheme of Delegation to allow the timely delivery of the identified work items. The Scheme provides that urgent decisions can be taken by the Executive Director subject to advising the appropriate Convener and Depute Convener as soon as possible and to reporting to the appropriate committee as soon as possible thereafter, on any items for which committee approval would normally be necessary. The Chief Executive and Executive Director (Finance and Corporate Services) were also advised.

## **Impact Assessment**

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An EqIA and a Fife Environmental Assessment Tool (FEAT) is not required as this report does not propose a change or revision to existing policies and practices. An EqIA has been developed by the designers to support the detailed design of the network and ensure compliance with funder requirements.



There has been consultation with Investment Strategy Group, Community Services, Legal Services, the Department for Transport and Network Rail in developing this report.

## 1.0 Background

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- 1.1 On 4 November 2021, the Policy and Co-ordination Committee (2021.PC.97 para. 329 refers) delegated to the Executive Director (Finance and Corporate Services) and the Executive Director (Enterprise and Environment), in consultation with the Co-Leaders, to complete and submit the Levelling Up Funding applications once the deadline for the next round of Levelling Up funding was announced. On 25 August 2022, Cabinet Committee (2022.CC.6 para. 10 refers) delegated to the Executive Director (Finance and Corporate Services) and the Executive Director (Enterprise and Environment) to complete the Legal Agreements with the UK Government in the event any of the Levelling Up Funding Applications were successful. The council has now entered into a Minute of Understanding with the Department for Transport as part of the Levelling Up Funding award for the River Leven Regeneration Programme. On 29 June 2023, Cabinet Committee (2023.CC.64 para 9 refers) approved the option to investigate delivery of the River Leven Regeneration Programme through the SCAPE Civil Engineering Framework.
- 1.2 The SCAPE Framework was investigated with the potential benefits of simplifying procurement, co-ordinating the works through a single contractor with anticipated cost benefits. In parallel, the works were also estimated through the Roads and Transportation Services' Road Maintenance and Minor Civil Engineering Works Framework and Network Rail.

## 2.0 Issues and Options

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- 2.1 The active travel works being delivered through Network Rail will be via an amendment to the Implementation Agreement for the Bawbee Bridge replacement works at a cost of £2.100m and is common to both delivery options for Phase 1 of the active travel programme
- 2.2 Investigation of the two delivery methods for the remainder of Phase 1 highlighted the following costs:-
  - (a) SCAPE Framework - £9.089m
  - (b) Roads and Transportation Services' Road Maintenance and Civil Engineering Minor Works Framework - £5.327m

Option (b) offers significant cost savings and allows greater control through management of smaller individual packages of work, thus allowing greater financial control. Given these considerations, option (b) is recommended as the preferred approach to deliver the remainder of Phase 1 of the Active Travel Network.

## 3.0 Conclusions

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- 3.1 The Leven Rail Link and associated programmes will bring over £150m of direct investment to the Levenmouth area which is a key regeneration focus of Fife Council.

- 3.2 The Active Travel Network provides a safe path network for walking, cycling and wheeling and key links to connect the communities of Leven with the new rail stations at Cameron Bridge and Leven. Delivery of the project through Roads and Transportation Services' Framework, and Network Rail and their contractors, as part of the works for the Leven Rail Link, provides an efficient mechanism to deliver key infrastructure to improve access for the local community and visitors.
- 3.2 The opportunity presented by the UK Government's Levelling Up Funding and Sustrans' Places for Everyone Funding offers an efficient and timely mechanism for Fife Council to deliver the Active Travel Network.

### **List of Appendices**

Appendix 1 – Active Travel Network Proposal & Business Case (PF01)

Appendix 2 – Active Travel Network Plan

### **Background Papers**

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

- Policy and Co-ordination Committee, November 2021, Item 8: Levelling Up Fund Update [Public-Agenda-Pack-for-Policy-and-Co-ordination-Committee-4th-November-2021.pdf](#)
- Cabinet Committee, 25th August 2022, Item 11: Levelling Up Fund Update [Agenda-and-papers-for-the-Cabinet-Committee-25th-August-2022.pdf \(fife.gov.uk\)](#)

### **Report Contact**

Mark Dewar  
Service Manager, Roads & Lighting Contracts  
Telephone: 03451 55 55 55 (ext 450608)  
Email: [mark.dewar@fife.gov.uk](mailto:mark.dewar@fife.gov.uk)

<b>Project Manager</b>	Mark Dewar, Service Manager, Roads & Lighting Contracts
<b>Project Sponsor</b>	John Mitchell, Head of Roads & Transportation Services
<b>Approval board(s)</b>	Cabinet Committee
<b>Date &amp; version</b>	17/01/24 V2.0

## Section 1: Proposal

### 1.1 What is the project going to do?

The overall Active Travel Network will connect the communities of Levenmouth through an exemplar network of paths, that are accessible to all, and provide key links for walking, wheeling and cycling for the wider Levenmouth Connectivity Project. This project delivers Phase 1 of the Network which provides key links to the new rail stations at Cameron Bridge and Leven, connects with the new Mountfleurie Bridge and creates a key link which acts as a spine route through Leven which will help development of the overall network through future finding opportunities.

### 1.2 Why should we do it and what will happen if we do not?

#### 1.2.1 Project background

The project aims to connect the communities of Leven, Methil, Methilhill, Buckhaven, Windygates and East Wemyss and link to the river, through the creation of a safe and attractive active travel network that is accessible to all.

The network is being designed to accommodate the needs of those walking, wheeling and cycling in the area, so that they can confidently travel safely around Levenmouth. We are working closely with Network Rail to ensure that the network links to the new rail stations. Phase 1 works are programmed to be delivered as early as possible to improve accessibility for the community and visitors within the Levenmouth area and help promote economic, social and environmental regeneration.

The project has been split into two pieces of work, that are being worked on collaboratively to provide one, connected network:

- On road active travel network – the long term vision is for a network of routes over approximately 24km of Levenmouth’s existing roads and paths to accommodate the safer travel of walkers, wheelers and cyclists traveling. Of this, 10km will be segregated from vehicles. This project is being managed by Fife Council and is closely associated with the work to deliver the new Leven Rail Link.
- River Park Routes - We are also looking to upgrade existing paths as well as creating new ones along the River Leven, linking residential areas and allowing communities to access the river and existing assets of the area. This part of the project is being managed by Green Action Trust on behalf of The Leven Programme. This project will be covered in a separate PF01 Business Case later.

On 29 June 2023, Fife Council Cabinet Committee approved the option to investigate delivery of the River Leven Regeneration Programme (Leven Connectivity Projects and Riverside Park, Glenrothes) through the SCAPE Civil Engineering Framework utilising funding from the UK Government Levelling Up Fund (LUF) and Sustrans’ Places for Everyone.

## 1.2.2 Project justification

The Leven rail link will help to deliver substantial social, economic and environmental benefits and societal opportunities, unlocking access to cultural activities and attracting business and investment. The Active Travel Network looks to integrate with that and connect communities and improve opportunities and support the priorities of the Plan for Fife of Thriving Places, Inclusive Growth and Jobs, Opportunities for All and Community Led Services.

The active travel network is key to ensuring continued connectivity for local communities once the new Levenmouth railway line is constructed. The project will ensure that a coherent and complete network of paths is available to encourage and support active travel in the area.

## 1.2.3 Urgency and consequences

There is opportunity to add to the facilities in the Levenmouth area and the Levenmouth Rail Link is due to be opened in Summer 2024. There is an opportunity to lock in sustainable travel habits from the opening of the rail link by providing high quality active travel links to the new stations.

The funding for the project has been identified via the UK Government’s Levelling Up Fund (LUF) and Sustrans Places for Everyone (PfE) funding. The funding is time limited, Sustrans PfE by 31 March 2024 and the Levelling Up Fund by 31 March 2025.

## 1.2.4 Lessons learned

The need to deliver the project by experienced contractors to tight deadlines is critical given the funding constraints. Whilst the SCAPE Scotland Civil Engineering Framework and their delivery partner, Balfour Beatty offer that experience, it has been demonstrated that they don’t provide value for money. This can however be achieved by utilising approved contractors on Roads & Transportation Services’ Roads Maintenance and Civil Engineering Minor Works Framework.

In terms of route P1.3 which is around the new Leven Station and the Bawbee Bridge replacement works, delivering this work through the same contractor provides an assured delivery timescale, avoids the conflict of two contractors occupying a constrained site and allows a continuity of design features and coordination at industry standard rates.

## 1.3 What are the key deliverables/outputs of the project?

The long term vision is an exemplar and iconic active travel network that will ensure connectivity between local communities. Please see Appendix 2 for a plan of the proposed network, Phase 1 is indicated in green.

- The routes will comply with Sustrans quality and Equality Impact Assessment (EqIA) requirements, Cycling by Design (2021).

Future funding opportunities through Transport Scotland will look to deliver the remainder of the network beyond Phase 1.

## 1.4 What are the desired outcomes and benefits?

Outcome	Benefit
<ul style="list-style-type: none"> <li>• Increase in cycle flow.</li> <li>• Increase in pedestrian flow.</li> <li>• More people traveling actively for functional journeys.</li> <li>• User satisfaction (transport).</li> <li>• Number of day visitors (LUF Application forecast an increase of 55,000 across both projects)</li> <li>• Percentage of adults who are satisfied with their local area as a place to live.</li> <li>• Percentage of customers/visitors/users who report a positive experience.</li> <li>• Percentage of residents who report a sense of belonging in their local area.</li> <li>• Percentage of visitors who are likely to recommend the place to family or friends.</li> </ul>	<p>A Monitoring and Evaluation Plan with baselines and targets is being developed for 5 years after the end of construction as part of the Sustainable Growth Agreement for the Leven Programme that will meet the needs of the Levelling Up funding.</p> <p>Annual visitors to Levenmouth are forecast to increase by approximately 30,000. There will be an annual increase in visitors of 1% per year. This increase is expected to generate an additional economic benefit of £8.9m (discounted) over 30 years.</p>

## 1.5 What are the known costs and timescale? How will this be funded?

### 1.5.1 Costs

Total expected one-off cost	Total expected recurring cost
<p>£ 7.427m</p> <p><b>Funded by:</b>  <b>£1.558m PfE 2023/2024</b>  <b>£0.467m PfE 2024/2025*</b>  <b>£5.869m LUF allocation</b></p> <p><b>Note: * Sustrans PfE for 24/25 whilst notified has not been assured given current review of Active Travel funding within Transport Scotland. Hence need for £5.869m from LUF currently disregards that.</b></p>	<p>The ongoing revenue costs for Phase 1 of the Active Travel Network are estimated as £43k per annum. These values are based on industry standards and Roads &amp; Transportation Services knowledge of other path networks in Fife. It is anticipated that the new section of network will require minimal maintenance interventions within the first 5-10 years of construction. No significant maintenance costs are expected for 10-20 years after the assets are constructed.</p> <p>These costs will be managed within existing Roads &amp; Transportation Services maintenance budgets.</p>

## 1.5.2 Resource requirement

Resource Type	Task/Skills	FTE required
Project Manager	Project Management – monitoring and reporting	Ave 1.0 day per week/0.2 FTE for the project duration (100 weeks)
Lead Consultant - Key Projects, Roads & Lighting Contracts	Contract Management	Ave 1.0 day per week/ 0.2 FTE for the project duration (100 weeks)
Graduate Engineer – Roads & Lighting Contracts	Contract Management	Full time for the project duration (100 weeks)
Clerk of Works – Roads & Lighting Contracts	Works Supervision	Full time for duration of site works (70 weeks)
Accountant/Finance Technician	Financial monitoring	0.10 FTE (24 months)
Legal	Land acquisitions, procurement contract	Less than 0.01 FTE

## 1.5.3 Project timeline

Active Travel Network	Start	Finish
Detailed Design of Phase 1	30/01/23	29/02/24
Land Acquisition	31/07/23	31/01/25
Construction	22/01/24	30/09/25

## 1.5.4 Funding availability

one-off	Yes
recurring costs	Yes

## 1.5.5 Resource availability

Resource Type	Task/Skills	Availability
Project Manager	Project Management – monitoring and reporting	Yes
Lead Consultant, Roads & Lighting Contracts	Roads related civil engineering expertise	Yes
Graduate Engineer, Roads & Lighting Contracts	Civils and utilities	Yes
Clerk of Works, Roads & Lighting Contracts	Construction	Yes
Finance Accountant/Technician	Financial monitoring	Yes
Legal	Title checks, contract procurement	Yes

## 1.6 What are the known pre start-up risks?

Risk description	Probability score (1-5)	Impact score (1-5)	Overall score (probability x impact)
The project must be delivered in a challenging timeframe if LUF funding criteria are to be met. A request has also been submitted to rollover funding into 25/26. There is a risk delivery does not proceed to timetable or spend reprofiling is not granted.	4	4	16
The project must be delivered in a challenging timeframe if Sustrans PfE funding criteria and funding spend deadline of March 2024 are to be met. There is a risk that delivery does not proceed to timetable or spend profile.	3	4	12
Continued national and international supply issues limit available materials and the supply of skilled labour. These may result in increased costs and also delay to the delivery.	2	5	10
Contractors do not have capacity to deliver the projects being tendered. Multiple tenders may be required to secure a contractor.	2	3	6

## Section 2: Business Case

### 2.1 What is the scope of the project?

#### 2.1.1 Output

Project outputs are defined in [Section 1.3](#) of this document. Any updates to project outputs will be made in Section 1.3.

#### 2.1.2 Resources

Project resources are defined in [Section 1.5.2](#) of this document. Any updates to project resources will be made in Section 1.5.2.

### 2.2 Who are the key stakeholders?

A stakeholder mapping exercise has been undertaken and the stakeholders are categorised in the PF13 for the project.

#### Keep Satisfied

- SEPA (regulator)
- Health & Safety Executive
- Public Protection team
- Roads Network Management
- Development Management
- Roads & Transportation Services

#### Manage Closely

- Network Rail
- Sustrans
- Convener of Glenrothes and Levenmouth Area Committees
- Ward Councillors

#### Monitor

- Non-impacted neighbours – residents and businesses
- General Public

#### Keep Informed

- Area Councillors
- MP
- MSPs
- Impacted neighbours – residents and businesses.
- Department for Transport

### 2.3 What are the options to deliver the project?

<b>Option 1:</b>	<b>Do Nothing</b> <b>Rely on the existing road and footpath network within Levenmouth</b>
<b>Cost</b>	No capital one-off costs No recurring costs
<b>Time</b>	Not applicable.
<b>Quality</b>	Not applicable.
<b>Resource</b>	Not applicable.
<b>Scope</b>	None
<b>Risk</b>	Users of the Levenmouth Rail Link and its new stations travel there by car, with high demand for car parking. Health and wellbeing risk from existing travel patterns and road safety. Fife Council's reputation is harmed through a significant missed opportunity.
<b>Benefits</b>	None.



<b>Option 2:</b>	<b>Phase1 active travel network funded by Sustrans PfE and LUF and delivered by SCAPE Scotland Civil Engineering Framework and Network Rail (via Story)</b>
<b>Cost</b>	£11.189M
<b>Time</b>	The project is required to be delivered at pace to ensure connectivity is provided between local communities and the new railway stations. The project is required to be delivered at pace required to fully utilise the Places for Everyone and Levelling Up funding.
<b>Quality</b>	The civil engineering contractors have a proven track record and experience of delivering similar infrastructure projects within other Local Authority areas.
<b>Resource</b>	The Council's required resources are available.
<b>Scope</b>	Design and construction of a new active travel network in compliance with the relevant European and British design standards and Cycling standards.
<b>Risk</b>	The risk is that the project may not be delivered at the pace required to fully utilise the Places for Everyone and Levelling Up funding. Reputationally this may affect future applications for external funding for capital projects. There is also a risk awarding a large contract to a single contractor and costs rise due to unforeseen circumstances. Costs delivering via this route are significantly higher and would not be value for money for the Council.
<b>Benefits</b>	The forecast economic, social, and environmental benefits would be realised.

<b>Option 3:</b>	<b>Phase1 active travel network funded by Sustrans PfE and LUF and delivered by Roads &amp; Transportation Services' Road Maintenance &amp; Minor Civil Engineering Works Framework and Network Rail (via Story)</b>
<b>Cost</b>	£7.427M
<b>Time</b>	The project is required to be delivered at pace to ensure connectivity is provided between local communities and the new railway stations. The project is required to be delivered at pace required to fully utilise the Places for Everyone and Levelling Up funding.
<b>Quality</b>	The civil engineering contractors have a proven track record and experience of delivering similar infrastructure projects within Fife.
<b>Resource</b>	The Council's required resources are available.
<b>Scope</b>	Design and construction of a new active travel network in compliance with the relevant European and British design standards and Cycling standards.
<b>Risk</b>	The risk is that the project may not be delivered at the pace required to fully utilise the Places for Everyone and Levelling Up funding. Reputationally this may affect future applications for external funding for capital projects.
<b>Benefits</b>	The forecast economic, social, and environmental benefits would be realised. The project can be delivered in smaller individual packages utilising several contractors and allows greater control of the budget

## 2.4 What is the recommended option from Section 2.3 to deliver the project?

From the options outlined in Section 2.3, Option 3 – “Phase 1 active travel network funded by Sustrans PfE and LUF and delivered by Roads & Transportation Services' Road Maintenance & Minor Civil Engineering Works Framework and Network Rail (via Story)” represents ‘best value’ and optimises investment.

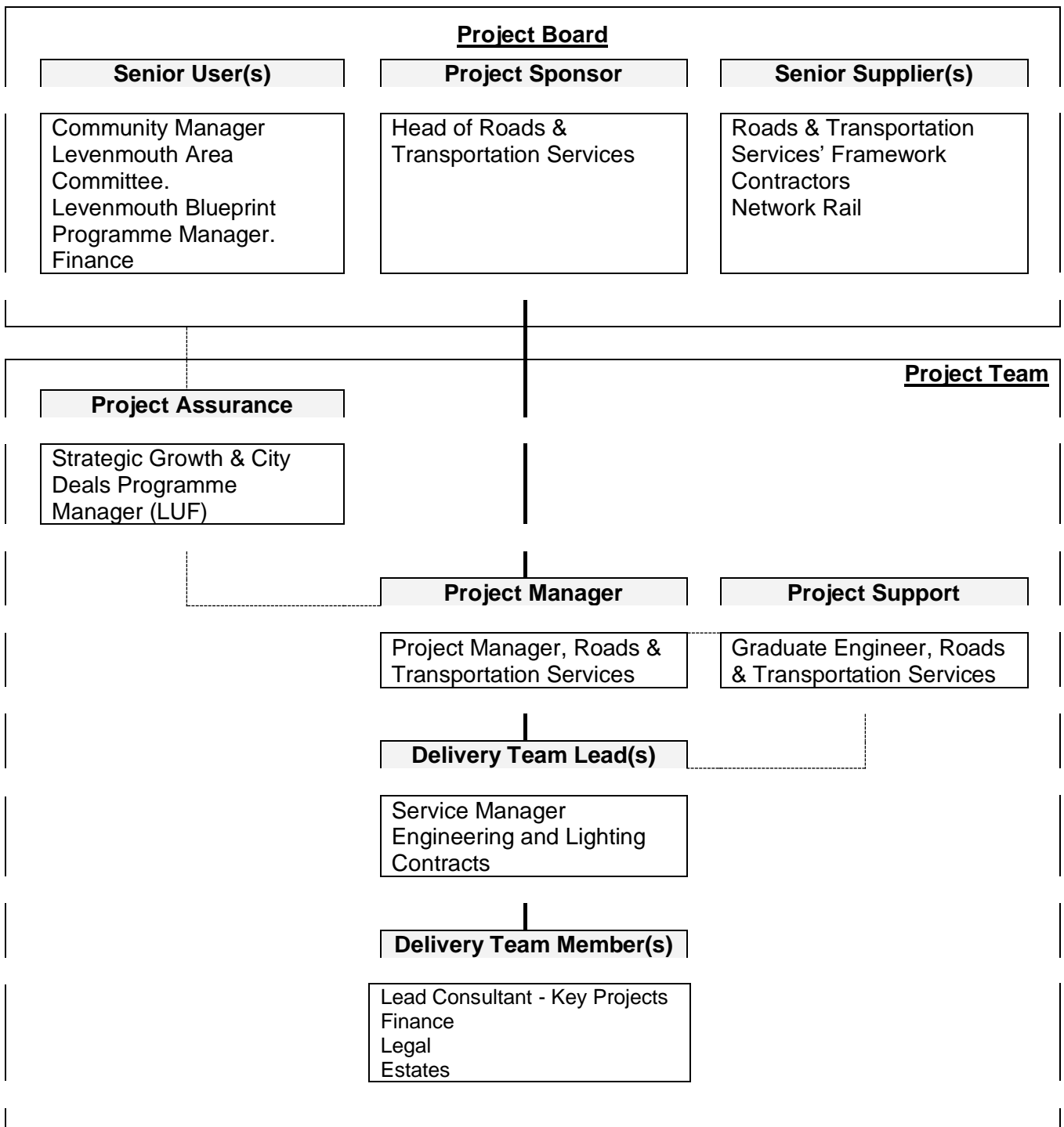
## Section 3: Project Structure

### 3.1 What is the governance arrangement?

This project will have a formal Project Board with a Project Sponsor, Senior User(s), and Senior Supplier(s). The existing Leven Programme governance will be used as far as possible.

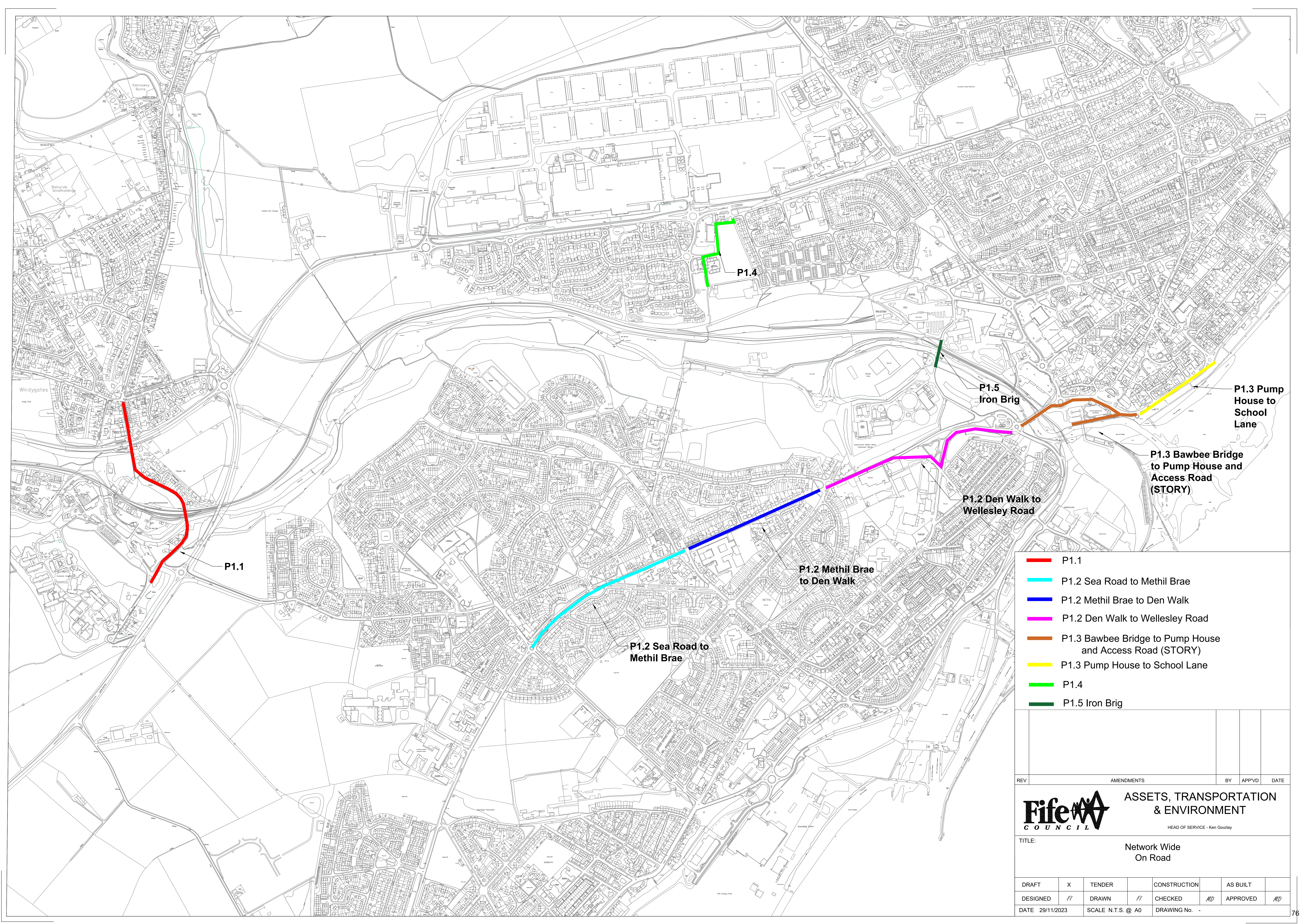
### 3.2 Project structure chart and project roles

**Note:** For specific guidance on what each role entails see the [Change & Improvement FISH site](#) for more details.



### 3.3 Business Case sign-off

Approved by	Role	Date approved
Mark Dewar	Project Manager	10/01/2024
John Mitchell	Project Sponsor	xx/01/2024
Caroline Ritchie	Finance Representative/ Service Accountant	xx/01/2024



- P1.1
- P1.2 Sea Road to Methil Brae
- P1.2 Methil Brae to Den Walk
- P1.2 Den Walk to Wellesley Road
- P1.3 Bawbee Bridge to Pump House and Access Road (STORY)
- P1.3 Pump House to School Lane
- P1.4
- P1.5 Iron Brig

REV	AMENDMENTS	BY	APPVD	DATE

**Fife** **COUNCIL** ASSETS, TRANSPORTATION & ENVIRONMENT

HEAD OF SERVICE - Ken Gourlay

TITLE: Network Wide  
On Road

DRAFT	X	TENDER		CONSTRUCTION		AS BUILT	
DESIGNED	FJ	DRAWN	FJ	CHECKED	MD	APPROVED	MD
DATE	29/11/2023	SCALE	N.T.S. @ A0	DRAWING No.	-		

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## Allotment & Community Growing Strategy 2024-2029

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**Report by:** Paul Vaughan, Head of Communities and Neighbourhoods Service

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**Wards Affected:** All

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### Purpose

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The purpose of this report is to seek approval for the Allotment & Community Growing Strategy 2024-2029 and note the monitoring and reporting of the strategy and action plan.

### Recommendation(s)

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Members of the committee are asked to agree the Allotments & Community Growing Strategy 2024-2029.

### Resource Implications

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This report sets out the strategy overview for the next five years. Actions will be taken to access additional funding from appropriate resources to assist in delivering the strategy.

### Legal & Risk Implications

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The strategy meets the requirements of the Community Empowerment (Scotland) Act 2015 which places a duty on local authorities to produce a food growing strategy for their area.

### Impact Assessment

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An Equalities Impact Assessment has been completed.

### Consultation

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The Allotments & Community Growing Strategy 2024-2029 has been informed through an extensive consultation process with allotment holders and individuals on the allotment waiting list, as well as Fife Council Services and external partners, including NHS Fife and Scottish Government. Further detail about the consultation process is highlighted in paragraph 1.2 and is detailed further in the strategy at Appendix 1.

# 1.0 Background

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- 1.1 The Allotments & Community Growing Strategy 2024-2029 is underpinned by the Community Empowerment (Scotland) Act 2015 (the “Act”) which requires local authorities to produce a Food Growing Strategy for their area and identify land that is potentially suitable for allotments. The Act provides increased legal protection for allotments and should encourage strategic thinking about provision and the benefits to communities.
- 1.2 Demand for allotments has more than doubled in Fife since the pandemic. There are now approximately 2,100 people on the waiting list for an allotment or growing space (and were included in the strategy consultation). The Covid-19 pandemic has contributed to this rise in interest as more people seem to value greenspace, being in nature and being part of a community. The results of two surveys carried out during the development of the strategy support this sentiment and the key survey findings can be found in the strategy document on page 7. The two main aspirations from communities highlighted through the consultation were for more allotments and spaces for a range of growing opportunities.
- 1.3 The new Allotments & Community Growing Strategy 2024-2029 builds on the previous allotment strategy for Fife ([Fife Council Allotment Strategy 2018-2023](#)) by including community growing<sup>1</sup> in the remit. By doing this, Fife Council aims to help more people who want to grow their own fruit, vegetables, flowers and herbs to access land in ways that are safe and sustainable and with the requisite skills and knowledge.
- 1.4 Opportunities for growing fresh produce is an integral element of this strategy and fits with the council’s long-term approach to food, which was outlined in a report to the Community and Housing Services Sub-Committee in May 2021. Food poverty and food insecurity (both exacerbated by the pandemic and cost of living crisis) are influenced by various elements of the wider food system, including economic and environmental challenges like the procurement of local food. It was proposed that a food strategy be developed for Fife, covering the following key food issues:
- Farming, soils and climate
  - Food economy
  - Food procurement
  - Healthy food for all
  - Community food
- 1.5 The Sub-Committee agreed the proposed framework for a Fife food strategy, co-ordinated by a partnership working group, known as the Food4Fife Partnership. The Food4Fife Strategy and Action Plan 2023-2030 is currently under development. The last of the food issues, ‘community food’, directly links to the Allotments & Community Growing Strategy 2024-2029 as it aims to increase community spaces for growing, recognising that there are many opportunities for food growing beyond allotments, such as private gardens, community gardens, orchards and school grounds, to name a few.
- 1.6 The Allotments and Community Growing Strategy also supports the recently approved Climate Fife 2024 Strategy and Action Plan.

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<sup>1</sup> Community growing can include allotments, orchards, edible hedgerows and growing spaces in schools, churches, health centres, for example. This also extends to town and village bloom groups.

## 2.0 Priorities for allotments and community growing over the next five years

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- 2.1 The new Allotments & Community Growing Strategy 2024-2029 (Appendix 1) brings together these two elements for the first time. Identifying and managing land for allotments is a statutory duty for Fife Council, whilst community growing offers a range of growing spaces for communities to get involved in.
- 2.2 The strategy connects across the national and local policy landscape, particularly on benefits to individuals from growing and eating local food and benefits to health and wellbeing, biodiversity and the climate. Allotments and wider community growing has a place in all four of the Plan for Fife ambitions with benefits to mental and physical health, social inclusion and connectedness, access to greenspace and being in nature and skills development. As demonstrated, the strategy links with the Food4Fife Strategy, as well as the refreshed Climate Fife Strategy and Delivery Plan 2024, which includes an action to support community growing on public sector land.
- 2.3 The strategy sets out six areas of focus to direct action over the period of 2024-2029 to help more people access land in ways that are safe and sustainable. The full Action Plan is included in the strategy on page 12.
- **Creating sites:** Complying with the statutory duty under the Act to create new sites for allotments across Fife by making more land available and making best use of the land.
  - **Managing allotments:** Complying with the legislation – managing allotments on public land – and with annual statutory reporting to Scottish Government.
  - **Developing horticulture skills:** Complying with the legislation to provide horticulture training by making introductory horticulture training a condition of tenancy for allotments and extending horticulture training to community groups.
  - **Encouraging participation:** Building public awareness, increasing participation, and supporting people’s access to information and resources regarding their local growing spaces. Offering a continuum of opportunities, suitable for people of all ages, abilities, and life circumstances, to ensure community growing is accessible to all who want to take part.
  - **Supporting communities:** Supporting community growing groups to start and sustain and learn from and build on examples of best practice.
  - **Working in partnership:** This area of focus underpins the strategy. To make progress on all areas of focus, there is a recognition that council services must work in partnership together and with external partners, such as NHS Fife, local businesses, and third sector organisations.
- 2.4 The action plan splits statutory (allotments) and non-statutory (community growing) actions. Fife Council is required to report annually to Scottish Government on allotment sites.

## 3.0 Conclusions

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- 3.1 The strategy demonstrates the interconnectedness of the Plan for Fife, particularly as it aims to support:
- Benefits to mental health and physical health
  - Active travel to allotment and community growing sites
  - Improvements to biodiversity by providing habitats for wildlife, flowers for pollinators, and tree planting
  - Locally grown produce through community growing groups and community food projects
  - Horticulture skills development
- 3.2 Including community growing with Fife Council's statutory obligation on allotments aims to strengthen options for communities to participate and to address demand for growing space.
- 3.3 For the strategy to be a success, there needs to be collective council partnerships with existing and new external organisations, which will be a key factor in ensuring the delivery of actions within the strategy.

### List of Appendices

1. Allotment & Community Growing Strategy 2024-2029

### Background Papers

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

- Fife Council Allotment Strategy 2018-2023
- Food and Welfare Support, Community and Housing Services Sub-Committee (26 May 2021)

### Report Contacts:

Peter Duncan  
Allotment Officer - Communities & Neighbourhoods Service  
Email - [Peter.Duncan@fife.gov.uk](mailto:Peter.Duncan@fife.gov.uk)

Lauren Bennett  
Policy Officer - Policy & Communications  
Email - [Lauren.Bennett@fife.gov.uk](mailto:Lauren.Bennett@fife.gov.uk)

Clare Hill  
Parks Development Officer - Communities & Neighbourhoods Service  
Email – [Clare.Hill@fife.gov.uk](mailto:Clare.Hill@fife.gov.uk)

Robert Meredith  
Access Officer - Communities & Neighbourhoods Service  
Email – [Robert.Meredith@fife.gov.uk](mailto:Robert.Meredith@fife.gov.uk)



# Allotments & Community Growing Strategy 2024-2029

## Contents

Introduction .....	2
Policy Context .....	4
Fife's Community Growers .....	7
Areas of Focus .....	8
Governance.....	11
Allotments & Community Growing Action Plan 2024-2029.....	12

Version 0.5 (06/11/2023)

## Introduction

Since the pandemic, demand for allotments has more than doubled with 2,100 people now on Fife's waiting list. More people are looking for ways to grow their own fresh produce, stay active, feel connected to nature, and be part of their community.

This strategy builds on the previous allotment strategy for Fife by expanding the remit to include community growing. By doing this, we aim to help more people who want to grow their own fruit, vegetables, flowers, and herbs to access land, in ways that are safe and sustainable, and with the requisite skills and knowledge. Community growing should be accessible to all who want to take part. This means having a continuum of opportunities, suitable for people of all ages, abilities, and life circumstances.

There are many different forms of community growing. From allotments, orchards, edible hedgerows, and growing spaces in schools, churches, health centres, as well as town and village bloom groups. We want to support people to access the space that is right for them, whether that's an individual plot or joining a community organisation.

"I would also love the opportunity to be involved in a local orchard project. So many of the local varieties are dying out which is a shame."

Community Growing survey respondent

New and innovative grassroots models are springing up all over Fife, and food growers' networks are being established from the ground up to connect likeminded growers and share ideas. We want to ensure that community groups are supported to start and sustain by making more resources available to them. This may include small grants schemes, toolkits, and networks, and being more proactive to support the communities' needs.

To facilitate this, the strategy requires services across the Council to work together to deliver the vision of helping more Fifers access land to grow. We need services to work in a coordinated way by breaking down service siloes and collaborating to achieve the actions set out in the action plan. This strategy is not owned by one council service, but the whole organisation, and can only succeed through working in partnership with others.

"There is a lot of public land held by the schools and the NHS. It would be good to see this land being used more productively."

Community Growing survey respondent

The benefits of community growing spaces are wide ranging. Community growing is an upstream intervention that can help create more positive outcomes for people. It aids the Council's wider reform work on prevention as there are significant positive impacts for the health and wellbeing of Fife's population. Below are some of the benefits this strategy aims to support.

- There is evidence that spending time in nature can have positive effects on mental health<sup>1</sup>.
- There is a wide body of research that supports the benefits of gardening on physical health<sup>2</sup>.
- Improvements to physical health can be achieved through active travel to and from allotments and growing spaces, as well as reducing people's carbon footprint from active travel.
- Improvements to biodiversity through providing habitats for wildlife, flowers for pollinators, and tree planting.
- Access to more locally grown produce through community growing groups and community food projects.
- Promoting and increasing skills development in horticulture for current plot holders, new plot holders, community growing groups and staff working with these groups.

“As a disabled person, I feel an allotment would benefit my health.”  
Community Growing survey respondent

“[Allotments] should also be easily accessible by foot or public transport to reduce people's carbon footprint.”  
Community Growing survey respondent

“I think being able to grow your own food should be considered a necessary skill not just a hobby.”  
Community Growing survey respondent

By working together across services, we can strengthen our actions and have a greater, longer-term impact on communities cutting across social connections, the climate and nature emergencies and health and wellbeing.

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<sup>1</sup> [Benefits of allotment gardening – The National Allotment Society – National Society of Allotment and Leisure Gardeners Ltd \(nsalg.org.uk\)](https://www.nsalg.org.uk)

<sup>2</sup> [Why gardening is good for your body - Thrive.org.uk](https://www.thrive.org.uk)

## Policy Context

This strategy is underpinned by the [Community Empowerment \(Scotland\) Act 2015](#), which requires local authorities to produce a Food Growing Strategy for their area and identify land that is potentially suitable for allotments and other forms of community growing. The Act places a duty on Fife Council to take reasonable steps to provide and protect allotments, set fair rents, manage waiting lists, balance supply and demand, and provide training.

The [Plan for Fife](#) gives strategic direction for all community planning partners working in the area and sets out the ten-year ambitions for a fairer Fife. Allotments and wider community growing has a place in all four of the ambitions with benefits to mental and physical health, social inclusion and connectedness, access to greenspace and being in nature, and skills development.

These benefits also cut across the current [Plan for Fife reform priorities](#):

- Addressing the Climate Emergency,
- Leading Economic Recovery,
- Tackling Poverty and Preventing Crisis,
- Underpinned by Community Wealth Building.

These connections relate to several national and local policies and strategies that present new opportunities for strengthening and joining up work.

### Growing and eating good food

The [Good Food Nation \(Scotland\) Act 2022](#) underpins in law what is already being done nationally to make Scotland a Good Food Nation. The Act puts a requirement on local authorities to develop a Good Food Nation Plan and builds on the national policy [Becoming a Good Food Nation](#), launched in 2014, which set a new vision for Scotland:

that by 2025, Scotland will be “a Good Food Nation, where people from every walk of life take pride and pleasure in, and benefit from, the food they produce, buy, cook, serve, and eat each day.”

The [Food4Fife Partnership](#) is developing Fife’s Good Food Nation Plan. The Food4Fife Strategy and Action Plan 2023-2030 is currently under development but sets out a vision to “create a sustainable and healthy food culture for Fife”. One way of achieving this is increasing access to growing spaces, training, and education. The Allotments & Community Growing Strategy feeds directly into Food4Fife under the Community Food pillar by increasing community spaces for growing.

#### Community Food Pillar

The ambition for Community Food in Fife is for a Good Food Movement. This is about connecting people through community food networks, increasing skills that nurture a positive food culture, increasing community spaces for growing and harvesting, and encouraging innovation in the production and distribution of community grown food.

### Benefits to Health and Wellbeing

[Scotland’s Public Health Priorities](#) reflect a consensus on the most important things Scotland must focus on over the next decade if improvements are to be made to the health of the population. The six priorities require action by national and local government and partnerships across the system to make progress. The benefits of having an allotment and working in a community such as connection with nature, social interaction, and the physical activity of cultivating the land link to many of these priorities.

[NHS Fife Public Health](#) has adopted these priorities to focus on the upstream determinants of poor health and wellbeing in Fife. The Director of Public Health Report 2020-2021 found that in Fife:

- Over a quarter of people report having low or very low activity levels.
- Around two thirds of the adult population meet the recommended levels of physical activity.
- Around two thirds of adults are overweight (including obese).
- One in five people report eating the recommended five portions of fruit and vegetables per day.
- One in ten people report eating no fruit or vegetables.

The role of physical activity and social connectedness in Health and Wellbeing was the focus of a series of leaderships conversations as part of the [Our Fife Leadership Summits 2022](#). These conversations brought together 100 leaders from across the Fife Partnership to talk about public service redesign and led to a series of [recommendations](#) for Fife Partnership.

Fife's **Physical Activity and Sport Strategy 2021-2024** has a vision for “an Active Fife where everyone has opportunities to be more active, with better health and wellbeing”. It notes that the benefits of being physically active are wide-ranging and potentially transformative, for both the individual and at a community level.

## **Benefits to Biodiversity and the Climate**

Fife Council declared a Climate Emergency in 2019. Shortly after, the Council approved [Climate Fife: Sustainable Energy and Climate Action Plan](#) in March 2020. Climate Fife recognised both the catastrophic effects climate change will have for Fife and the changes needed to all aspects of day-to-day life. It recognised the contribution local growing initiatives can have on carbon sequestration and food security. How people travel to and from their allotments and community growing spaces also has an impact on Fife's approach to active travel, which reduces carbon emissions. An updated Climate Fife Delivery Plan includes an action to support community growing on public sector land.

Through careful and complimentary planting and planning, allotments and growing spaces can also help to alleviate the nature crisis through supporting and boosting biodiversity. This would benefit outcomes within the [Fife Local Biodiversity Action Plan](#) (LBAP). The LBAP sets out nature conservation priorities and projects for Fife. It helps to improve the condition of habitats and protects species, as well as contributing to restoring and enhancing landscapes. A renewed Fife LBAP is currently under-development and will have close ties to the Allotments & Community Growing Strategy. By helping further our understanding of nature and tackle locally some of the threats that face biodiversity through our approach to community growing, this strategy will help to meet the Council's biodiversity duty and build local resilience to ever decreasing biodiversity levels across Fife, in areas which have long been underrepresented in environment projects. This directly allows local people to take part in conservation initiatives on their doorstep and helps raise awareness about the value of the environment both to nature itself but also to communities through the ecosystem services that growing spaces rely on, such as pollinators and soil condition.

NHS Fife has published its [2030 Greenspace Strategy](#). It describes greenspace as “a route to not only improved health and wellbeing but to addressing the climate and nature emergencies while improving local skills and supporting a local food culture across Fife”. Ensuring connections between these strategies will allow for more opportunities to collaborate, helping connect patients, staff, and the local community through promoting the growing of healthy food and keeping more people active.

**Other relevant strategies and policies**

- Local Community Plans (local)
- NHS Fife Population Health and Wellbeing Strategy (local)
- Place Principle (national)
- National Planning Framework 4 (national)

## **Fife's Community Growers**

There are over 40 recognised growing sites across Fife. In developing this strategy, we wanted to gain insight into the experience of current growers at these sites and understand the interests of those on the waiting list.

Two surveys were conducted to target:

1. Current allotment holders in Fife, and
2. Those on the waiting list.

The surveys have provided more up-to-date information to aid the planning of provision by assessing interest in a range of different elements related to holding an allotment. These findings have been instrumental in forming the areas of focus and Action Plan for this strategy.

### **Allotment Holders Survey**

One third of current allotment holders responded to the survey. Below are the key findings.

- Most respondents (97%) travel less than 5 miles to get to their allotment with half travelling less than 1 mile.
- Despite this, more than half of respondents travel by car to get to their allotment (51%), whereas 40% walk, and only 7% cycle.
- When asked to rank the benefits of allotments, respondents rated “exercise and health” top, followed by “fresh produce”, “contact with nature”, “social activity”, with “saves money” ranking last.
- 91% of respondents agreed that their allotment was value for money and 42% said they would be prepared to pay more for their plot.
- 41% have indicated that they would like horticulture training.

### **Community Growers Survey**

Over one third of people on the waiting list responded to the Community Growers Survey. Below are some of the key findings.

- Respondents are interested in a range of growing opportunities, not just allotments, such as community gardens, growing groups, and orchards.
- Most respondents (56%) indicated that they would likely travel by car to a growing site. 30% said they would walk and 10% said they would cycle.
- Many expressed preferences for growing spaces that are smaller than the recognised size of allotment plot within the Community Empowerment (Scotland) Act 2015.
- Defying traditional perceptions of allotment holders, the majority of those on the waiting list who responded to the survey were under 55 and more than 50% were female.
- Many (62% of respondents) expressed an interest in horticulture training.
- When asked what they thought the benefits of an allotment would be, respondents voted “fresh produce” highest, followed by “exercise and health” and “contact with nature”.

## Areas of Focus

Over the period of this strategy, we will focus on several areas for action. See the full action plan in Appendix 1.

### Creating sites

We will comply with the statutory duty under the Community Empowerment (Scotland) Act 2015 to create new sites for allotments across Fife. With increasing demand for allotments, we need to ensure there is more land available and that we make best use of the land we have. We will:

- Work across council services and public sector partners to identify and map public land for community growing and explore the use of an interactive map of sites.
- Increase the number of allotments, community growing spaces, orchards, and community gardens by developing a minimum of two new allotment sites per annum and aspiring to create new community gardens (including informal community growing spaces) in each of Fife's seven areas.

### Managing allotments

We will manage allotment sites on public land by complying with the legislation and subsequent secondary guidance. We will continue to comply with annual reporting to the Scottish Government on allotments.

### Developing horticulture skills

We want to support growers to develop their skills through access to horticulture training as set out in the legislation. All new growers will be required to undertake introductory horticulture training, which can be extended to community groups. We will:

- Ensure that all new growers are enrolled in introductory horticulture training, which will be a condition of tenancy (allotments).
- Extend training to community groups by establishing a training and mentoring scheme through an external training provider, aiming to have a minimum of 150 people trained per annum over the course of this strategy.

### Encouraging participation

We want to build public awareness, increase participation, and support people's access to information and resources regarding their local growing spaces. We will:

- Expand mapping of allotment sites and orchards to include other community growing sites and make it available online to the public.
- Improve knowledge sharing, connect people, and strengthen networks across Fife, by developing a communications plan for good growing practice and expand outreach.
- Promote the benefits of active travel to growers and encourage them to walk or cycle to their allotments and community growing sites.



- Provide support to allotment and community growing sites to ensure people with protected characteristics, such as those with disabilities (as well as refugees, single parents, etc.), can access sites and participate fully.

## **Supporting communities**

This strategy is aligned to the Food4Fife Strategy and Action Plan 2023-2030 and contributes to the Community Food Pillar (as set out on page 4). We want to support community growing groups to start up and sustain and learn from and build on examples of best practice. We will:

- Explore the potential for more focused funding via Fife Council central and area budgets, exploring the use of a small grants scheme to support community growing groups.
- Enable and support opportunities for volunteering to build skills, confidence, and sense of community.
- Support and connect community growers to strengthen the network of groups across Fife's seven areas.
- Explore opportunities to support and expand seed libraries and seed and plant swapping in allotments and community growing spaces.
- Work with community groups, grower's networks, and public sector procurement to distribute local excess food to where it's needed.

## **Working in partnership**

To make progress on all these areas of focus, we need to work in partnership across Council services and with external partners such as NHS Fife, local businesses and third sector organisations. We will:

- Establish and maintain links with Fife Council staff working in Area Teams to ensure they are equipped to support communities to start up and sustain community growing projects. This will include developing a process map for staff to follow to ensure a coordinated approach to provision across the local authority area.
- Work with Fife Council's Planning Service to ensure colleagues are familiar with allotment and community growing guidance when processing planning applications. This will include developing a process map for staff to follow to ensure a coordinated approach.
- Work with Fife Coast & Countryside Trust Biodiversity Coordinator to support and boost biodiversity in our approach to community growing.
- Work with Fife Council's Education Service to ensure a coordinated approach to community growing spaces in school grounds.
- Work with Fife Council Estates to establish land governance.
- Work with Fife Council's Grounds Maintenance Service to highlight any changes to maintenance regimes and collaborate on GIS mapping.

Baseline information is provided below and will be used as part of measuring the strategy's outputs and outcomes. Baselines are not available for community growing, given this strategy marks the start of a coordinated approach to wider activity from allotments.

	<b>Baseline (2023)</b>
Number of allotment sites	38
Number of plot holders	879
Number of community growing spaces (including orchards, community gardens, etc.)	Unknown
Number of individuals who have received horticulture training	0

## **Governance**

Since the previous strategy, there has been greater partnership working to connect communities with growing spaces and working more collaboratively across services to identify new sites and manage allotments. Working across council services and with external partners will be key to achieving this strategy and the action plan.

Fife Council's Communities & Neighbourhood's Service provides overall leadership and governance for the strategy. Reporting and monitoring of the strategy will be made to Fife Council's Area Committees and will be reported through Member's Briefings, when required.

In accordance with the Community Empowerment (Scotland) Act 2015, Fife Council will continue to report to Scottish Government annually on allotment sites.

The action plan at Appendix 1 was developed following consultation with current allotment holders and those on the allotment waiting list. It was shaped in collaboration with council services and key external partners.

Working in partnership can ensure that allotments and community growing can bring benefits to Fife's communities in a range of ways as demonstrated, but additional resources are required. To deliver the community growing element of the strategy, more support is needed to carry out actions.

## Allotments & Community Growing Action Plan 2024-2029

The action plan is intended to be an active document, responding and adapting to changes in strategy, policies and other work areas to ensure it is current and relevant.

### Allotments Action Plan (statutory)

Area of Focus	Action	Lead	Output / Measure	Outcome
Creating sites	Roll out a programme of new sites, working with Fife Council's Planning Service (ensuring alignment to the Local Development Plan) and with area teams	Fife Council – Allotments Team Fife Council - Planning Service Fife Council area teams	Permissions granted for new sites Minimum of two new allotment sites developed per annum	More public land is available for allotments and community growing More people can access land for allotments and community growing
Creating sites	Work across council services and public sector partners to identify and map public land for community growing and explore the use of an interactive map of sites	Fife Council – Allotments Team Fife Council area teams External partners, such as NHS Fife	Identification of new sites on public land Interactive map of sites has been developed	More public land is available for allotments and community growing More people can access land for allotments and community growing More people can access information about allotments and community growing in Fife
Managing allotments	Issue new lease to allotment holders	Fife Council - Allotments Team Fife Council - Business Support	All tenants have signed the new lease Allotment holders and Allotment Associations have clear roles and responsibilities	More efficient land management
Managing allotments	Consult allotment associations on taking on additional responsibilities, including the revision of constitutions	Fife Council - Allotments Team Fife Council area teams <sup>3</sup>	Constitutions updated and improved Funding opportunities identified Allotment holders and allotment associations have clear roles and responsibilities	Allotment associations have more autonomy and devolved responsibilities More efficient land management

<sup>3</sup> Fife Council area teams refers to council services that are divided on an area basis, for example CLD, Housing etc.

<b>Area of Focus</b>	<b>Action</b>	<b>Lead</b>	<b>Output / Measure</b>	<b>Outcome</b>
Managing allotments	Review and refresh the waiting list on an annual basis	Fife Council - Allotments Team Fife Council area teams Fife Council – Business Support	Management of waiting list and communications More accurate waiting list	Shorter waiting times for allotments, faster turnaround, and fewer vacant plots
Developing horticulture skills	Establish a horticulture training scheme for allotment holders and allotment associations	Fife Council - Allotments Team Fife Council area teams External supplier	Minimum of 150 people trained per annum	More efficient land management More people are upskilled in horticulture
Supporting communities	Further analyse survey results and incorporate findings into new site development or projects Fife-wide. Share findings with Area teams to allow more targeted provision in local areas. For example, sustainable transport / active travel options, disability plots.	Fife Council – Allotments Team Fife Council area team Fife Council – Planning Service	Fife-wide and area actions are informed by evidenced	More people can access land for allotments and community growing Improved targeting of new sites in local areas
Supporting communities	Encourage local produce swaps at allotment and community garden open days	Fife Council - Allotments Team Fife Council - Food Team Fife Council area teams Third sector	Less food wasted from allotments and community growing spaces Better use of surplus food	More people can access information about allotments and community growing in Fife More effective partnership working

## Community Growing Action Plan (non-statutory)

Area of Focus	Action	Lead	Output / Measure	Outcome
Developing horticulture skills	Establish a horticulture training scheme for staff supporting community growing groups and interested growers	Fife Council - Allotments Team Fife Council area teams External supplier	Minimum of 150 people trained per annum	More efficient land management More people are upskilled in horticulture
Supporting communities	Assist community growing groups with funding, constitution, and horticulture advice. Assist with Fife Council permissions from Estates for land use.	Fife Council area teams Fife Council - Allotments Team Fife Council - Estates Fife Council - Planning Service	Community Growing Grants More groups are supported	More people can access information about allotments and community growing in Fife Community growing groups are supported to start and sustain More effective partnership working
Supporting communities	Identify groups under the Equalities Act that require additional support to get involved in community growing, including, disabled people, refugees, single parents etc. and work with these groups to ensure support is in place.	Fife Council - Allotments Team Fife Council area teams	More people can participate in community growing	More people can access land for allotments and community growing More effective partnership working
Supporting communities	Create communications to promote new sites in communities when they launch and share information with communities on site management, horticulture training, active travel options for getting to sites, etc.	Fife Council – Allotments Team Fife Council – Communications Team Fife Council area teams Fife Council – Transportation Service	Communications plan	More people can access information about allotments and community growing in Fife More people are upskilled in horticulture

Area of Focus	Action	Lead	Output / Measure	Outcome
Working in partnership	<p>Create process maps for area teams and the Planning Service to use for taking forward new projects.</p> <p>Create and establish an information hub for all Fife-wide projects connected to community growing.</p>	<p>Fife Council area teams</p> <p>Fife Council – Allotments Team</p> <p>Fife Council – Planning Service</p> <p>Fife Council – Grounds Maintenance</p> <p>Fife Council - Estates</p> <p>Fife Council – Education Service</p> <p>NHS Fife</p>	Process maps are developed and in use	<p>More people can access information about allotments and community growing in Fife</p> <p>Improved targeting of new sites in local areas</p> <p>More effective partnership working</p>
Working in partnership	<p>Work with Fife Coast &amp; Countryside Trust Biodiversity Officer to support and boost biodiversity in our approach to community growing.</p> <p>For example, rainwater harvesting, smart composting, biosecurity, green infrastructure, reducing chemical use, pollinators, and wildlife friendly practices on sites.</p>	<p>Fife Council – Allotments Team</p> <p>Fife Coast &amp; Countryside Trust</p> <p>Fife Council area teams</p>	Green audit	More effective partnership working
Working in partnership	Work with Education to ensure a coordinated approach to community growing spaces on school grounds.	<p>Fife Council - Allotments Team</p> <p>Fife Council – Education Service</p> <p>Fife Council – Grounds Maintenance</p> <p>Fife Council - Estates</p>	Greater coordination	<p>More people can access land for allotments and community growing</p> <p>More people can access information about allotments and community growing in Fife</p> <p>Improved targeting of new sites in local areas</p>

<b>Area of Focus</b>	<b>Action</b>	<b>Lead</b>	<b>Output / Measure</b>	<b>Outcome</b>
				More effective partnership working
Working in partnership	Work with Fife Council Estates to ensure protection of sites.	Fife Council - Allotments Team Fife Council - Estates	Sustainability for growing spaces	More people can access land for allotments and community growing More efficient land management More effective partnership working
Working in partnership	Work with Fife Council's Grounds Maintenance Service to highlight any changes to maintenance regimes and collaborate on GIS mapping.	Fife Council - Allotments Team Fife Council – Grounds Maintenance Fife Council area teams	Mapping systems	More people can access information about allotments and community growing in Fife More efficient land management More effective partnership working



8 February 2024  
Agenda Item No. 10

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## Museums Collections Development Policy 2024-2028

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**Report by:** Paul Vaughan, Head of Communities and Neighbourhoods Service

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**Wards Affected:** All

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### Purpose

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To seek approval of the Collections Development Policy for the Museum collections for the period 2024 to 2028.

This policy covers the Museum collections managed by Fife Cultural Trust on behalf of Fife Council. The policy presented to this committee is updated from the previous Collections Development Policy, which covered the period 2019 to 2023.

### Recommendation

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The committee is asked to approve the updated Collections Development Policy for 2024 to 2028.

### Resource Implications

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There are no resource implications.

### Legal & Risk Implications

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The policy shows how museum activities, such as acquisition and disposal, link to the purpose of museums and meet ethical commitments and legal requirements.

The template used for the policy was developed as part of the Museum Accreditation scheme to help museums produce a robust and effective policy. The template includes standard clauses that all museums should include for ethical and legal reasons.

### Impact Assessment

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An Equalities Impact Assessment is not required because the report does not propose a change or revision to existing policies or practices.

### Consultation

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Museums Galleries Scotland (MGS)  
Fife Cultural Trust Board  
Various OnFife teams

## 1.0 Background

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- 1.1 A Collections Development Policy is a standard and essential policy for museums across the UK that underpins the development of museum collections. It shows how museum activities such as acquisition and disposal link to the purpose of museums and meet ethical commitments and legal requirements.
- 1.2 This policy provides Fife Cultural Trust and Fife Council with a framework for the scrupulous and ethical acquisition and disposal of museum collections using clear procedures and decision-making processes that are standard for UK museums in the Accreditation Scheme. The scheme sets nationally agreed standards for UK museums. In Scotland, the scheme is managed and assessed by Museums Galleries Scotland. Section 4.2 of the Accreditation Standard states that a policy must be approved for developing collections, including acquisitions and disposals.
- 1.3 The template used for the policy presented to committee was developed as part of the Museum Accreditation scheme to help museums produce a robust and effective policy. The template includes standard clauses that all museums should include for ethical and legal reasons.
- 1.4 The policy enables Fife Cultural Trust and Fife Council to demonstrate the public benefit relating to the acquisition and disposal of the museum collections and helps make decision-making for the development of the collections transparent.
- 1.5 Collections policies covering acquisition and disposal have been approved and implemented for the museum collections in Fife since the 1990s. The previous policy covered the period 2019 to 2023, which followed on from the move of most of the museum collections to the Collections Centre at Bankhead in Glenrothes in 2017.
- 1.6 The policy for 2024-2028 was approved by the Board of Fife Cultural Trust on 6 December 2023 for submission to the Fife Council Cabinet Committee.

## 2.0 Issues and Options

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- 2.1 The policy for the period 2024-2028 has been updated to include the overall figures for the whole museum collection (over 119,000 in November 2023) as well as breakdowns of figures for subject areas (Archaeology, Archives, Artefacts, Fine Art, Natural History, Numismatics and Photographs).
- 2.2 The new policy has more details of recent acquisitions by providing examples in the subject areas covered. This aims to help increase awareness of the types of objects donated, or occasionally purchased (with assistance of grant-giving bodies), to the collection.
- 2.3 The new policy has updated guidance on themes and priorities for future collecting, to help guide decision-making.
- 2.4 The new policy has updated guidance on reasons for not accepting offers of donation, which may be influenced by geographical area, storage space, duplication, hazardous materials, the policies of other museums and priorities for future collecting. A detailed, but not exhaustive, list of objects no longer collected is also included.
- 2.5 The new policy has greater information on active collecting, such as collecting of contemporary objects. An example of recent contemporary collecting was material collected as part of the *Fife in Lockdown* project.

## 3.0 Conclusions

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- 3.1 The committee is asked to approve the updated Collections Development Policy for 2024 to 2028.

### List of Appendices

1. Museums Collections Development Policy 2024-2028

### Background Papers

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

- Collections Development Policy, 2019-2023
- Museum Accreditation Standard, section 4.2 and template
- Collections Trust, Spectrum Standard 5.1 - <https://collectionstrust.org.uk/spectrum/>

### Report Contact

Paul Vaughan  
Head of Communities and Neighbourhoods Service  
Email: [paul.vaughan@fife.gov.uk](mailto:paul.vaughan@fife.gov.uk)

### OnFife Contact

Christine McLean  
Head of Cultural Heritage & Wellbeing  
Email: [christine.mclean@onfife.com](mailto:christine.mclean@onfife.com)

### Report compiled by

Gavin Grant  
Service Development Team leader (Collections)  
Email: [gavin.grant@onfife.com](mailto:gavin.grant@onfife.com)



**Museums** managed by **Fife Cultural Trust (OnFife)**  
on behalf of **Fife Council**

# **Museums Collections Development Policy 2024-2028**

Submitted for scrutiny to the Board of Fife Cultural Trust (OnFife) on 6  
December 2023

To be submitted for approval to Fife Council on 8 February 2024

Policy due for review by December 2028

Museums Galleries Scotland will be notified of any changes to the Collections Development  
Policy, and the implications of any such changes for the future of collections.

Museums Collections Development Policy 2024-2028

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**CONTENTS**

Section

Page

**Contents**

<b>i. Background to the Policy .....</b>	<b>3</b>
<b>ii. Development priorities.....</b>	<b>4</b>
<b>1 Relationship to other relevant policies/plans of the organisation.....</b>	<b>4</b>
<b>2 Background to the collections.....</b>	<b>5</b>
<b>3 Overview of collections (November 2023) .....</b>	<b>5</b>
<b>4 Themes and priorities for future collecting.....</b>	<b>10</b>
<b>5 Themes and priorities for rationalisation and disposal .....</b>	<b>14</b>
<b>6 Legal and ethical framework for acquisition and disposal of items .....</b>	<b>14</b>
<b>7 Collecting policies of other museums.....</b>	<b>14</b>
<b>8 Archival holdings.....</b>	<b>15</b>
<b>9 Acquisition .....</b>	<b>15</b>
<b>10 Human remains .....</b>	<b>16</b>
<b>11 Biological and geological material .....</b>	<b>16</b>
<b>12 Archaeological material .....</b>	<b>16</b>
<b>13 Exceptions.....</b>	<b>16</b>
<b>14 Spoliation .....</b>	<b>17</b>
<b>15 The Repatriation and Restitution of objects and human remains .....</b>	<b>17</b>
<b>16 Disposal procedures .....</b>	<b>17</b>

### **i. Background to the Policy**

This policy provides Fife Cultural Trust (OnFife) (hereafter referred to as the Trust) and Fife Council with a framework for the scrupulous and ethical acquisition and disposal of **Museum** collections using clear procedures and decision-making processes that are standard for UK museums in the Accreditation Scheme.

The Trust also manages heritage collections other than those in Museums. The Trust's Local Studies Libraries have large collections of archive, photographic and local history material. Additionally, the Archives comprise historical as well as permanent and semi-permanent records.

#### **This policy is applicable specifically to the Museum collections.**

Throughout the policy, references are made to the Trust as the governing body for the museums and collections managed on behalf of Fife Council, and the Museums service as the part of the Trust with direct responsibility for managing the Museum collections.

Implementing the policy will enable the Trust and Fife Council to demonstrate the public benefit in their actions relating to the acquisition and disposal of the museum collections. It provides a basis for open and transparent decision-making and an informed dialogue between the Trust, as the Museums' governing body, and Fife Council as owner of the collections along with donors, funding bodies and other stakeholders.

The acquisition, management and disposal of collections are informed by:

- the statement of purpose of Museums
- the legal basis on which the collections are held
- the public benefit derived from the effective use and management of the collections
- an assessment of the needs of the collections
- the collections held by other museums and organisations which collect in the same or related geographic areas or subject fields.

The following factors impose particular constraints on the Trust in its management of the collections:

- Subject specialist curators are not employed i.e. we do not have curators who focus on one specific aspect of the collection, such as fine art or archaeology.
- Budget pressures, leading to no, or very limited, funds each year for the purchase of new acquisitions. Purchases for the collection rely on full or partial external funding.

## ii. Development priorities

The Trust will continue to budget annually for collections development and to seek external funding where appropriate to support our ambitions to continue to care for, grow and develop the collections to ensure their continued relevance for research and public engagement.

## 1 Relationship to other relevant policies/plans of the organisation

### 1.1 Fife Cultural Trust (OnFife)'s **statement of purpose** is:

'We provide creative, entertaining and learning experiences that enhance the quality of life, through our partnerships and in our museums, galleries, libraries and theatres.'

#### **Our mission is:**

'Opening Doors to Inspiration' and one of the priorities to achieve that is 'Caring for, developing and celebrating Fife's culture and heritage.'

- 1.2 The governing body will ensure that both acquisition and disposal are carried out openly and with transparency.
- 1.3 By definition, Museums have a long-term purpose and hold collections in trust for the benefit of the public in relation to their stated objectives. The governing body therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the Museums' collections.
- 1.4 Acquisitions outside the current stated policy will only be made in exceptional circumstances.
- 1.5 The Museums service recognises its responsibility, when acquiring additions to collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.
- 1.6 The Museums service will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange,

any object or specimen unless the governing body or responsible officer is satisfied that the Museums service can acquire a valid title to the item in question.

- 1.7 The Museums service will not undertake disposal motivated principally by financial reasons.
- 1.8 The Trust also manages Archives and Local Studies collections on behalf of Fife Council. The Museums service continue to work with Archives and Local Studies to ensure collecting across the services complement one another.

## **2 Background to the collections**

The collections managed by the Trust and owned by Fife Council, were brought together in 1996 from three former District Council Museums services within Fife. In 1998 Fife Council additionally took on responsibility for Methil Heritage Centre and its collection.

In October 2012 Fife Cultural Trust (OnFife) was established. The Trust delivers Museum, Library, Archive, Theatre and Arts services on behalf of Fife Council in accordance with a Services Agreement, for a management fee. Fife Council retains ownership of buildings and collections, including the museum collections covered by this policy.

Also in 2012 a new collections management system (EMu) was acquired and has now become a core tool for assisting with management and care of museum collections, as well as access to information and images. This system is updated to remain consistent, robust and responsive to changing digital needs in the sector and for public access.

In 2017 a new Collections Centre was set up at Bankhead in Glenrothes through capital investment. Having previously been dispersed over six museum stores across Fife, the majority of the museum collections are now stored there. The museum objects are stored together with the Archive collection managed by the Trust. This has enabled greatly improved collections care management and public access for research, learning and enjoyment.

## **3 Overview of collections (November 2023)**

The Trust has responsibility for the stewardship and development of Museum collections in the ownership of Fife Council.



The Museum collections comprise over 119,000 artefacts, photographs, documents, specimens and works of art. (The breakdown of numbers of items in the collections listed below are those recorded on our museum management system EMu in November 2023.)

These form a major part of the social and cultural heritage of Fife and include material that is important locally, nationally and internationally.

## **ARCHAEOLOGY**

**Number of items: 18,201**

The Trust manages a significant collection of Fife material, particularly strong in pre-history, including material transferred in 1988 from the University of St Andrews Department of Archaeology. Examples are Bronze Age food vessels and cinerary urns, flint arrowheads, stone axeheads and rare jet necklaces.

In 2022 a collaborative project with the University of Glasgow, Greener Kirkcaldy and the Kirkcaldy Old Kirk Trust led to a programme of community events commemorating the archaeological dig on Kirkcaldy High Street in the 1980s. A food vessel from the dig was conserved as part of this project. Ongoing research is enhancing our knowledge of this discovery.

The small medieval collection features important medieval pilgrim badges discovered since 1998. In recent decades most archaeological acquisitions have been made through the Treasure Trove process, with finds being allocated through the Scottish Archaeological Finds Allocation Panel (SAFAP) at National Museums Scotland (NMS). Many small metal finds discovered by metal detectorists have been purchased through Treasure Trove in this way.

## **ARCHIVES**

**Number of items: 19,763**

The Museum collections managed by the Trust includes an archive of various types of paper documents, maps and plans that relate to local people, industries and organisations, dating mainly from the 19<sup>th</sup> and 20<sup>th</sup> centuries. Included are books from Adam Smith's library, archives from Douglas & Grant (Kirkcaldy engineers) and the 1980s coal mining strike. Also included are records from the Dunfermline Hammermen, Pathhead Feuars and Linktown Weavers societies. Recent major acquisitions include archives of the Forbo linoleum company, the Adam Smith Theatre, McIntosh furniture company and the Kirkcaldy Naturalists Society.

## **ARTEFACTS**

**Number of items: 45,215**

These form the largest single group of objects and can be divided into the following areas:

## **SOCIAL & INDUSTRIAL HISTORY**

The majority of objects fall into this broad category and the bulk of these date from the late 19<sup>th</sup> century onwards.

Many of these objects tell the story of people's homes, recreational and social lives - from general domestic objects to unique items such as Cardenden-born Celtic goalkeeper John Thomson's jumper.

In 2020-2021 the Trust ran the *Fife in Lockdown* project collecting the intangible and tangible history of a unique period with Covid-19 affecting the lives of everyone in Fife and beyond. Physical objects and archives were added to the collection, along with supplementary digital images and memories as part of the contemporary collecting project.

Many objects also tell the story of people's working lives and the products they made. The linen, linoleum, coal mining and pottery collections contain a wealth of material that forms an important part of Scotland's industrial history. The Dunfermline linen and Kirkcaldy linoleum collections, especially, form an invaluable record of the designs and products made in Fife. With 2-year funding from the Esmée Fairbairn Collections Fund, the Trust appointed an Engagement Curator from in 2022 to undertake *Flooring the World: The Fife Linoleum Industry*. This project led to an enhancement of the scope and significance of the linoleum collection held by the Trust.

The collection of pottery includes unique examples of the products of the four Kirkcaldy potteries. In recent years, the Museum Collections team has been working closely with the Fife Pottery Society to help identify more interesting and important pieces in the collection to feature in the glass fronted storage cabinets at OnFife Collections Centre in Bankhead.

Fife's trade with northern Europe is revealed through the collection of over 300 Russian lead seals that were attached to imported flax bales – this forms the largest collection held in the UK of these unusual objects.

Some of the collections are from periods of military conflict, the majority coming from the Second World War. This includes 200 items that came from the Polish forces based in Fife in that period.

### **BANNERS**

A collection of 90 banners, carried by workers, groups and societies in Fife is held. These include Free Gardeners' Society banners. Also

notable are the five floorcloth banners carried by linoleum workers in processions in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. No other floorcloth banners are known to have survived from this era. The collection includes banners made and carried by miners in the 1984/85 strike, a banner made for the first Fife Pride march in 2017, and a banner featured in PROCESSIONS, a mass participation artwork to celebrate one hundred years of votes for women.

## **COSTUME**

The Trust manages a large collection of 19<sup>th</sup> and 20<sup>th</sup> century costume (around 8,000 items), mainly women's and children's clothing and accessories. Male costume is represented mostly by military and civic uniforms.

A documentation project, financially supported by Museums Galleries Scotland from 2004 to 2008, led to more accurate knowledge of the size and scope of the costume collection. During this project we established that the Trust holds around 10% of all costume deposited in Scottish local authority museums.

## **WORLD CULTURES**

The Trust manages a small collection (around 1,000 items) reflecting World Cultures, collected by local people through 19<sup>th</sup> century Scottish emigration and activities linked to empire and colonisation. As such, the collection represents a significant historical record. This includes a carved wooden Tabwa throne (from what is now Zambia), a janiform mask from Nigeria and a group of Chimu and Inca pottery from Peru.

Knowledge and documentation of parts of this collection have been improved through research partnerships with National Museums Scotland (NMS). In 2018, a collection of around 350 objects from East Asia were reviewed and in 2023 a review of the African collections was undertaken with NMS, African museum professionals, academics, and diaspora representatives from across Scotland. The review highlighted objects which, with further funded research, could be proposed for return to their countries or cultures of origin.

The Trust is committed to tackling and sharing publicly the challenging histories revealed through our collections through such research and understanding contemporary legacies of empire, colonialism and historic slavery.

## **NUMISMATICS**

**Number of items: 7,292**

The Trust manages a collection of coins, Scottish trade tokens, Fife communion tokens, local and national military and commemorative medals.

A selection of medieval and Roman coins and coin hoards have been acquired through the Treasure Trove process. In 2023 we acquired a rare Malcolm IV penny, found near Aberdour, funded by the National Fund for Acquisitions and the Art Fund.

## **FINE ART**

**Number of items: 2,191**

The art collection managed by the Trust is primarily from the 19<sup>th</sup> and 20<sup>th</sup> century but also contains some notable 18<sup>th</sup> century and contemporary works. The oldest artwork is a painting thought to be from Florence in the 1520s. It is almost evenly divided between oil paintings and works of art on paper and includes 72 of pieces of sculpture. The collection contains works of national and international significance.

The collection contains works from three main categories:

Scottish art: This forms most of the collection. Included are two particularly outstanding groups of work:

- 46 paintings and drawings by the Scottish Colourist S J Peploe, including the largest collection of his oils (38) in the world and 34 paintings by the Scottish landscape and seascape artist William McTaggart, the second largest collection outwith the National Galleries of Scotland.
- Eminent women artists such as Elizabeth Blackadder, Frances Walker, Anne Redpath and Marian Leven are also represented in the collection.

More recent acquisitions included (in 2020) *The Song of Silenus* by Dunfermline-born Sir Joseph Noel Paton, purchased with financial support from the National Fund for Acquisitions and the Art Fund. In 2023 a collection of contemporary works was donated through the Cultural Gifts Scheme from a private individual. These works are by John Bellany, Ken Currie, Callum Innes and Alison Watt and Nathan Coley. Works have also been acquired with financial support from the Friends of Kirkcaldy Galleries.

Non - Scottish art: A small number of English and European paintings, including work by L S Lowry, Eugene Boudin, John Martin and the Camden Town Group. The majority of this collection was purchased from the estate of John W. Blyth (Kirkcaldy industrialist, collector and Convener of the Art Gallery's sub-committee for almost four decades) in 1964. There are also number of donations from other individuals, organisations, and former local authority collections.

Local art: Local views, portraits and scenes and work by local artists such as James Marshall Dickson (Lochgelly), Andrew Blair (Dunfermline), May Hutchison, Audrey Waugh and many more.

## **NATURAL HISTORY**

**Number of items: 7,371**

The Trust manages a relatively small, mostly unprovenanced collection including botany, geology and zoology. There are a small number of important specimens, including fossil fish from Dura Den in North East Fife first identified by the Rev Dr John Anderson of Newburgh. Between 2019 and 2021 work with an expert volunteer helped improve knowledge of the fossil collection. The Trust also participated in the NMS/John Ellerman Foundation Review of Fossil Collections in Scotland. During this project, 49 fossils were photographed. The Trust took part in the herbaria collections survey in 2023, initiated by The McManus Art Gallery & Museum, Dundee, which may lead to digitisation and a further research project in the coming years.

## **PHOTOGRAPHS**

**Number of items: 19,184**

The Trust manages a collection of photographic images including prints, slides, glass plates and lantern slides. Strengths include the work of Newburgh photographer, Andrew Robertson (late 19<sup>th</sup> century to 1950s), James and John Patrick of Leven, Moodie of East Wemyss, glass negatives of photographer Robert Galloway Brand (1872 - 1941) and local views collected by McNaughton in the 1950s. In 2023, a collection of 377 photographs of 1960s Dunfermline by renowned photographer Joseph McKenzie were transferred from the ownership of Carnegie Dunfermline Trust to the Museum collection managed by Fife Cultural Trust.

### **4 Themes and priorities for future collecting.**

We will continue to develop our collections based on the following guiding principles:

- We will ensure we have sufficient storage space and resources to care for any new objects, without compromising the care of existing collections.
- Where we have numerous examples of an object type, we will not acquire further examples unless they meet an identified gap in the collection.
- We will meet the ethical standards required for specific collection types (see Sections 10-12 and 14-15).

### Geographical area

Except where otherwise stated, the geographical remit of all collecting will be within the boundaries of Fife.

### Hazards

We will not knowingly acquire items containing hazardous chemicals or materials (such as asbestos) and explosives which put people and other collections at risk. Exceptions can be made only when the risk has been managed, e.g. an object containing asbestos is treated and managed as part of the asbestos procedures.

### Responsive collecting (also known as Passive collecting (i.e. where items are offered to the collection))

We will consider all offers and bequests in line with this Collections Development Policy and where these do not meet our criteria, we will recommend they be offered to other museums whose collections and collecting policies are more appropriate: an example would be Paisley shawl being offered to Paisley Museum, Renfrewshire. (See Section 7)

### Active collecting (i.e. actively seeking to acquire artefacts for the collection)

We will actively collect to address gaps in the collection or enhance existing collections as listed under the specific collection types.

### Purchasing

When purchase opportunities (e.g. notice of relevant objects at auctions or offered through the Treasure Trove system) arise, the Trust will seek external funding to acquire objects.

## **ARCHAEOLOGY**

We will generally bid for (to the Scottish Archaeological Finds Allocation Panel (SAFAP)) and accept all Fife items claimed by the Crown as Treasure Trove.

We will consider excavation assemblages on a case-by-case basis taking into account factors such as storage space as well as research and display potential of the finds.

## **ARCHIVES**

We will only collect selected archive material when it has strong links to items already held in the Museum collection. The majority of possible new acquisitions will be directed to the Trust's Archives collection. We will not collect national newspapers and magazines or Ordnance Survey maps. We will consider archives of artists whose work is represented in our collection.

## **COSTUME**

We will not seek to collect female costume (including children's clothes) from 1800-1930 except where it is extremely well provenanced and fills an identified gap in the collection. We will use the results of the 2004-2008 Costume Collections Review to inform our decision making.

Costume collecting will concentrate on working clothes, as by their nature they tend not to survive, so are more unique.

## **WORLD CULTURES**

We will not collect any further World Cultures material for the permanent collections.

## **FINE ART**

We will concentrate on collecting works with a connection to Fife or the existing collection and on contemporary Scottish work.

Examples of new collecting are:

- Eminent historical and contemporary Scottish artists already represented in the collection
- Artists or artworks which reference themes or imagery from our existing permanent collections.
- Works by artists currently under-represented in our collection.

We will only consider memorabilia or archives of artists whose work is already represented in our collection.

## **NATURAL HISTORY**

We will not collect any further botanical, geological or zoological material for the permanent collections, except under exceptional circumstances.

## **NUMISMATICS**

We will not collect currency except where it can be demonstrated that it fills an identified gap in the existing collection, or where it is included in archaeological material claimed as Treasure Trove which is being bid for. We will continue to collect trade tokens, communion tokens and commemorative coins and medals with local associations.

We will not collect military medals unless they are of exceptional local significance or connected to local militia. We will collect First World War memorial plaques, particularly those linked to the Kirkcaldy War Memorial which is part of the history of Kirkcaldy Galleries.

## **PHOTOGRAPHS**

We will only collect photographic still images where there are strong links to existing items in the Museum collections. In general, local photographic still images will be redirected to Local Studies.

Born digital images will not be acquired for the Museum collections and will be directed to Local Studies. Digital images will only be collected as material supplementary to the collection.

We will not collect moving images. Any film stock offered will be redirected to the Trust's Archives or Local Studies, or the National Library of Scotland Moving Image Archive.

## **SOCIAL & INDUSTRIAL HISTORY**

We will continue to collect material made, used or associated with Fife with a view to building on current strengths in the collection or filling identified gaps. We will not acquire weapons unless of great local significance. Firearms and ammunition covered by current firearms legislation must be added to the Museum Firearms Licence before formal acquisition.

We will **no longer** collect the following specific items for the permanent collection (unless connected to person or event of significance):

- Radios and television sets
- Photographic equipment
- Domestic appliances for cleaning, food storage and food preparation e.g. mangles, washing machines, washboards, vacuum cleaners, fridges, mincers
- Grooming accessories e.g. razors, hairdryers
- Gas masks, National Registration cards, WWII and post WWII ration coupon books
- Books - unless of particular local significance or connected to objects in the collection
- Knitting and sewing patterns
- Motorised vehicles
- Bicycles, prams
- Typewriters
- Sewing machines
- Projectors

**This list is not exhaustive.**

## **CONTEMPORARY COLLECTING**

We aim to increase our contemporary collections and aim to respond to current issues and developments in Fife. We will seek out opportunities to collect items reflecting contemporary life and innovations developed in or impacting on Fife. The experience gained during our *Fife in Lockdown* project will be used to manage future contemporary collecting. We will work with



other departments in the Trust to link with local communities to develop specific collections that relate to, for example, cultural diversity within Fife.

## **5 Themes and priorities for rationalisation and disposal**

- 5.1 The Trust recognises that the principles on which priorities for rationalisation and disposal are determined will be through a formal review process that identifies which collections are included and excluded from the review. The outcome of review and any subsequent rationalisation will not reduce the quality or significance of the collection and will result in a more useable, well managed collection.
- 5.2 The procedures used will meet professional standards and follow guidance provided in Museums Association's 'Off the Shelf: A Toolkit for Ethical Transfer, Reuse and Disposal.' June 2023. The process will be documented, open and transparent. There will be clear communication with key stakeholders about the outcomes and the process.
- 5.3 Since 2017 we have been reviewing hazards in the collections, particularly focusing on items containing Asbestos. The results of this will inform future disposal of selected objects. It is planned that future reviews will take account of duplication, condition and relevance of objects in the collection.

## **6 Legal and ethical framework for acquisition and disposal of items**

The museum recognises its responsibility to work within the parameters of the Museums Association Code of Ethics when considering acquisition and disposal.

## **7 Collecting policies of other museums**

- 7.1 The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.
- 7.2 Specific reference is made to the following museums and organisations:
  - Current members of the Fife Museums Forum (FMF).
  - For possible Treasure Trove acquisitions, the museum will liaise when relevant with other FMF members and/or National Museums Scotland.

- For subject specific collections the museum will liaise with relevant museums.

## **8 Archival holdings**

Museums will liaise with Fife Cultural Trust (OnFife) colleagues in Archives and Local Studies to co-ordinate acquisitions of archives, books and photographs.

## **9 Acquisition**

9.1 The policy for agreeing acquisitions is:

New acquisitions can only be authorised by the Head of Cultural Heritage and Wellbeing or delegated representative in consultation with the Collections team and other relevant staff.

9.2 Museums will not purchase objects for the collection unless the purchase price represents value for money, and full or partial funding has been secured. Objects are normally acquired only after the costs of acquisition, conservation, storage and display have been taken into consideration. Objects in very poor condition (or in such condition that they are inherently liable to deteriorate and cannot be reliably stabilised by conservation treatments) are not normally acquired.

9.3 Museums cannot guarantee that any object in the Museum collections will always be displayed. New donations will be stored in the Collections Centre and made accessible to visitors or online. They may be used in exhibitions if the object is relevant to the exhibition theme.

9.4 New acquisitions will be publicised via the internal bulletin and externally via the Annual reports, press releases (when objects are of great regional or national importance), blogs, social media posts and, occasionally, displayed.

9.5 The Trust will not acquire any object or specimen unless satisfied that it has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom.)

9.6 In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

- 9.7 Bequests will ideally be agreed with donors and written into their wills before death. Museums are under no obligation to accept unsolicited bequests, though of course will consider them in accordance with the terms of this policy.

## **10 Human remains**

As Museums hold or intends to acquire human remains from any period, the Trust will follow the guidelines in the 'Guidance for the Care of Human Remains in Scottish Museums' issued by Museums Galleries Scotland in 2011.

## **11 Biological and geological material**

- 11.1 So far as biological and geological material is concerned, Museums will **not** acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.
- 11.2 No item will be collected in contravention of CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).

## **12 Archaeological material**

- 12.1 Museums will **not** acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.
- 12.2 In Scotland, under the laws of bona vacantia including Treasure Trove, the Crown has title to all ownerless objects including antiquities, although such material as human remains and environmental samples are not covered by the law of bona vacantia. Scottish material of chance finds and excavation assemblages are offered to museums through the Treasure Trove process and cannot therefore be legally acquired by means other than by allocation to Museums by the Crown. However, where the Crown has chosen to forgo its title to a portable antiquity or excavation assemblage, a responsible person acting on behalf of Museums can establish that valid title to the item in question has been acquired by ensuring that a certificate of 'No Claim' has been issued on behalf of the Crown.

## **13 Exceptions**

Any exceptions to the above clauses will only be because Museums are:

- o acting as an externally approved repository of last resort for material of local (UK) origin
- o acting with the permission of authorities with the requisite jurisdiction in the country of origin

In these cases the Trust will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority. The Museums service will document when these exceptions occur.

## **14 Spoliation**

Spoliation is the loss of cultural property during the Nazi era (Government Spoliation Advisory Panel Definition).

- 14.1 The Museums service will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

## **15 The Repatriation and Restitution of objects and human remains**

Repatriation is the process by which cultural objects are returned to a nation or state at the request of a government. Restitution is the process by which cultural objects are returned to an individual or a community (Collections Trust definition).

- 15.1 The governing body, acting on the advice of professional staff, may take a decision to return human remains (unless covered by the 'Guidance for the Care of Human Remains in Scottish Museums' issued by MGS in 2011), objects or specimens to an individual or community, nation or state. The museum will take such decisions on a case-by-case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 16.1-5 will be followed but the remaining procedures are not appropriate.
- 15.2 The governing body, acting on the advice of professional staff, may take a decision to return human remains (unless covered by the 'Guidance for the Care of Human Remains in Scottish Museums' issued by Museums Galleries Scotland in 2011).

## **16 Disposal procedures**

- 16.1 All disposals will be undertaken with reference to the SPECTRUM Primary Procedures on disposal.

- 16.2 The governing body will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.
- 16.3 When disposal of a museum object is being considered, Museums will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.
- 16.4 When disposal is motivated by curatorial reasons the procedures outlined below will be followed and the method of disposal may be by gift, sale, exchange or as a last resort - destruction.
- 16.5 The decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. Expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.
- 16.6 A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the governing body of the museum acting on the advice of professional staff, and not of the curator or manager of the collection acting alone.
- 16.7 Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.
- 16.8 If the material is not acquired by any Accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material normally through a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.9 The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A

period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

- 16.10 Any monies received by the museum governing body from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from Museums Galleries Scotland.
- 16.11 The proceeds of a sale will be allocated so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. Money must be restricted to the long-term sustainability, use and development of the collection.
- 16.12 Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with SPECTRUM Procedure on deaccession and disposal

#### *Disposal by exchange*

- 16.13 The nature of disposal by exchange means that the museum will not necessarily be in a position to exchange the material with another Accredited museum. The governing body will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.
- 16.14 In cases where the governing body wishes for sound curatorial reasons to exchange material directly with Accredited or non-Accredited museums, with other organisations or with individuals, the procedures in paragraphs 16.1-5 will apply.
- 16.15 If the exchange is proposed to be made with a specific Accredited museum, other Accredited museums which collect in the same or related areas will be directly notified of the proposal and their comments will be requested.

- 16.16 If the exchange is proposed with a non-Accredited museum, with another type of organisation or with an individual, the museum will place a notice on the MA's Find an Object web listing service, or make an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.17 Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the museum's collection and those intended to be acquired in exchange. A period of at least two months must be allowed for comments to be received. At the end of this period, the governing body must consider the comments before a final decision on the exchange is made.

#### *Disposal by destruction*

- 16.18 If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.
- 16.19 It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.
- 16.20 Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request identified in an organisation's research policy.
- 16.21 Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health and safety risk assessments will be carried out by trained staff where required.
- 16.22 The destruction of objects should be witnessed by an appropriate member of the museum sector. In circumstances where this is not possible, e.g. the destruction of controlled substances, documentary evidence should be obtained and kept in the relevant object history file.

8 February 2024  
Agenda Item No. 11

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## Fife's UK Shared Prosperity Investment Plan

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**Report by:** Carol Connolly, Executive Director (Place)

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**Wards Affected:** All

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### Purpose

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This report seeks approval for the updated Fife's UK Shared Prosperity Investment Plan for 2022/25.

### Recommendations

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It is recommended that the Cabinet Committee: -

- (1) approve the updated Fife's UK Shared Prosperity Investment Plan and the interventions for 2024/25 set out in Appendix 1;
- (2) note that there will be an Annual Report to the UK Government in Quarter 1 of 2024/25 with the outturn for 2023/24; and
- (3) delegate to the Executive Directors (Finance and Corporate Services) and (Place) to deliver Fife's UK Shared Prosperity Investment Plan within the operational parameters set out in the funding award.

### Resource Implications

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The programme is 100% funded by UKSPF grant of £13.428m. The 2022/23 and 2023/24 allocations have been paid to the council in full.

The 2023/24 allocation is £4.548m and the programme is projecting 100% spend of this allocation as at 31st December 2023. Any slippage which materialises at end of March 2024 can be carried forward for delivery in 2024/25.

The UKSPF funding includes a contribution to the programme administration costs. The human resources required to deliver the UKSPF Interventions are allocated from teams within the council, from partners and subcontractors, from existing resources where possible.

### Legal & Risk Implications

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It is expected that project work will be completed or legally committed or commenced within each financial year. Any unused portion of the grant, if not re-profiled by the Council to other eligible projects, which meet the conditions and ambitions of the fund, will be repayable to the UK Government.

The minimum amount of capital is 10.4% in Year 1 (£141K), 12.5% in Year 2 (£337k) and 17.9% in Year 3 (£1.265m). The Grant may be used to fund investment in the Council's capital assets, grants to third parties which would, if incurred by the local authority, be considered as capital expenditure.



The expectation is that all UKSPF grants will be awarded through competitive processes or commissioning. All financial assistance must comply with the requirements of the Subsidy Control Act.

## Impact Assessment

A summary EqIA is completed for each of the Interventions in Fife's UKSPF Investment Plan. A Fife Environmental Impact Assessment and a Subsidy Assessment are also considered as part of the development of relevant individual projects.

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. Both the Plan for Fife and Fife's UKSPF Investment Plan align with this Duty in their commitment to working towards achieving Inclusive Growth and Jobs and Thriving places.

## Consultation

Financial Services and Head of Legal and Democratic Services have been consulted in the preparation of this report.

Extensive consultation took place across Council Services, with Community Managers and with partners to develop the UKSPF Investment Plan and its Interventions. This continues during the delivery.

## 1.0 Background

1.1 The total UKSPF allocation for Fife was as follows:

Allocations	2022-23	2023-24	2024-25	Total
UKSPF Allocation excluding Multiply	£1,348,174	£2,696,348	£7,064,433	£11,108,955
Multiply Allocation	£701,051	£808,904	£808,904	£2,318,859
Total UKSPF Allocation	£2,049,225	£3,505,252	£7,873,337	£13,427,814

1.2 The Multiply funding can only be used to improve numeracy. The actual draw down for 2022-23, and the investment carried over into 2023/24, are included in the following table. The investment plan was approved in December 2022. Some activities had been delivered at risk during Quarters 3 and 4. For new activities that needed to be commissioned, investment slipped into 2023/24. The breakdown by Intervention is included in Appendix 1 (excluding 2022/23).

UKSPF Funding Allocation	2022-23 Actual Drawdown	2023-24 Includes carry over	2024-25	Total
UKSPF Allocation excluding Multiply	£838,387	£3,606,133	£7,064,433	£11,508,953
Multiply Allocation	£167,271	£942,686	£808,904	£1,918,861
Total UKSPF Allocation	£1,005,658	£4,548,819	£7,873,337	£13,427,814

- 1.3 The UKSPF is designed to succeed and improve on EU structural Funding. However, it is not a direct replacement because it focuses on UK Government priorities. The overarching aim of UKSPF is “building pride in place and increasing life chances” through three core investment priorities: communities and place, supporting local business and people and skills. Cabinet Committee, in August 2022, approved the Investment Plan submitted to the UK Government. In March 2023, after it was approved by the UK Government, Cabinet Committee agreed the challenges and opportunities for the Investment Priorities and the interventions for 2023/25.
- 1.4 The Investment Plan required the funding allocation to be further allocated against the interventions that most closely meet the challenges and opportunities of Fife. Cabinet Committee in August 2022 agreed the allocation by Investment Priority for each of the three years of the Plan as set out in this table. Cabinet Committee also agreed the high-level interventions to be delivered for each Investment Priority.

Investment Priority Excluding Multiply	2022/23		2023/24		2024/25		Total	
	%	Value	%	Value	%	Value	%	Value
Communities & Place	34%	£457,754	25%	£674,087	33%	£808,904	31%	£3,463,104
Supporting Local Businesses	16%	£216,331	25%	£674,087	33%	£2,331,263	29%	£3,221,682
People & Skills	50%	£674,087	50%	£1,348,174	34%	£2,401,907	40%	£4,424,168
Total	100%	£1,348,174	100%	£2,696,348	100%	£7,064,433	100%	£11,108,955

- 1.5 During 2023/24, the UK government advised that funding could be transferred from the Multiply allocation to People & Skills Interventions where the numeracy interventions did not require the full allocation. The UK Government also asked for the Management and Administration Costs (capped at 4% of the total excluding Multiply) to be reported separately. The revised allocations as a result of these changes are shown in the table below and in Appendix 1. Note that the allocation for People and Skills excludes the Management and Administration budget.

Investment Priority	2022/23 (Actual)	2023/24 (Forecast)	2024/25 (Forecast)	Total
Multiply	£167,271	£942,686	£808,904	£1,918,861
People & Skills	£485,000	£1,883,334	£2,305,831	£4,674,165
Management & Administration	£7,562	£129,253	£282,577	£419,392

- 1.6 The UKSP Funding included a menu of defined outputs and outcomes for each intervention as the basis of the Investment Plan. The activities within each Intervention to deliver these outputs and outcomes are not specified by the UK Government. It is for the council and its partners, through the UKSPF governance approved in August 2022, to determine the activities. When developing the Investment Plan, the approach was to prioritise the interventions historically funded by EU funding to continue that activity, before including additional interventions. The council's commitments to deliver the Climate agenda were also a priority.

## 2.0 UKSPF Investment Plan

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- 2.1 The key challenges, areas of focus, outputs and outcomes for the approved UKSPF Investment Plan were approved by Cabinet Committee in August 2022. These were summarised from the Plan4Fife 2017-27 and its 2021 Recovery and Renewal Plans.
- 2.2 The UK Government defines the outputs and outcomes. These have changed slightly since the Investment Plan was approved to improve the quality. Only one output and outcome were required for each Intervention. These are aligned, where possible, with the Performance Indicators for the Plan4Fife 2017-27 and its 2021 Recovery and Renewal Plans. The UKSPF administration and management activities will include Monitoring and Evaluation of the Interventions.
- 2.3 The following Table summarises the interventions included in the Investment Plan.

<b>Investment Priority</b>	<b>Interventions</b>
Communities & Place	<ul style="list-style-type: none"> <li>• Develop and deliver Natural capital improvements.</li> <li>• Strengthen Climate Resilience for communities and their assets.</li> <li>• Develop the visitor economy (e.g. Forth Bridges Partnership, Fife Tourism Partnership)</li> <li>• Town Centre improvement and animation</li> <li>• Increase volunteering in Communities (Note: this will be delivered through the Opportunities Fife Partnership for alignment with the Employability Pathway)</li> </ul>
Supporting Local Business	<ul style="list-style-type: none"> <li>• Business support Services, specialist advice, for start-ups and existing businesses (Note: approx. one third of the funding for Business Gateway Fife was EU Funding)</li> <li>• Business grant scheme for property improvements</li> <li>• Energy and condition improvements to the Council's Business Property portfolio</li> <li>• Innovation support (advice and grants) for businesses</li> <li>• Funding support to Town Centre and Tourism businesses to innovate</li> </ul>
People & Skills	Adult skills and specialist employability support Services for young people Volunteering to encourage participation. Multiply Numeracy programme (ring fenced funding)

- 2.4 For the People and Skills Investment Priority, the UKSPF commissioning is part of the Opportunities Fife Partnership (OFP) Employability Pathway 2022-25 Commissioning approved by Fife Council in June 2023. This ensures alignment and additionality with Scottish Government funding.
- 2.5 Multiply activity is being led by the Adult Basic Education team. Fife Voluntary Action and Fife College are collaborating with the council to scale up numeracy activity in Fife. This is using the same commissioning approach as for the Fife Employability Pathway with delivery starting in Quarter 2 2023/24.
- 2.6 For Supporting Local Businesses, the delivery of the interventions is through Business Gateway Fife or directly by Fife Council's Business and Employability Services. Each Area Committee receives a presentation on Business and Employability activities annually. The annual report on Business Gateway Fife performance is reported to Finance, Economy and Corporate Services Scrutiny Committee.
- 2.7 For the Communities and Place Investment Priority, the activity is feasibility, development and delivery of the council's commitments to a Just Transition to Net Zero, resilience to Climate Change and to reduce CO2 emissions. Projects to regenerate Fife's town centres and the tourism sector continue existing activities to March 2025 in line with existing strategies.
- 2.8 There are regional activities included in Fife's UKSPF Investment Plan. These support delivery of Edinburgh & South East Scotland City Region's Regional Prosperity Framework or the Tay Cities Regional Economic Strategy. In Edinburgh & South East Scotland City Region, activities are related to climate change and adaptation where a regional approach is required e.g. a "Climate Ready" Forth, a regional energy approach and green skills.

### **3.0 Risks and Issues**

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- 3.1 In August 2022, Cabinet Committee agreed that the delivery and governance for Fife's UKSPF Investment Plan would align with the delivery of the Plan4Fife and its Recovery & Renewal Plans 2021-24. The Fife Partnership and the council agreed leadership and oversight roles and responsibilities for consultation and advice on the Investment Priorities within the UKPSF Investment Plan. This governance is now in place.
- 3.2 Some definitions for the Outputs and Outcomes have been changed by the UK Government. Officers have amended these as outlined in Appendix 1. For example, Greenhouse gas reductions (2% decrease in Tonnes of Co2e) has been replaced by Estimated tonnes of CO2e reductions as a result of support. These align with existing performance measures as far as possible. The outputs and outcomes for People and Skills Interventions have increased pro rata to reflect the transfer of budget from Multiply, performance of the delivery agents, and demand.
- 3.3 There is a change control process for the UKSPF Investment Plan. The council can flex the budget between interventions in each Investment Priority to respond to changes in demand and performance without any UK Government consent. However, to move budget between the Investment Priorities, changes are capped to 30% or £5m, whichever is the greater, during the term of the Investment Plan. There is also change control for the outputs (to reduce them) – up to 20% for the total outputs for the overall Investment Plan and up to 40% for each intervention. Any changes are submitted in the Annual Monitoring report in May each year. These then require approval by the UK Government. This is not automatic and may result in a reduced or delayed grant payment in 2024/25.

- 3.4 Other than the transfer between Multiply and People and Skills of £400,000, there have been minor changes required to the budgets for Interventions to respond to increased demand. People and Skills also transferred funding to reflect stronger demand from older adults.
- 3.5 The UK Government requires formal reporting on a sixth monthly basis. The last report to 30 September was submitted as required. The council, as accountable body, is also expected to ensure that all financial assistance complies with the requirements of the Subsidy Control Act, 2023. The approval for all interventions includes this assessment along with the Equalities and Carbon Assessments.
- 3.6 The UK Government has allocated UKSPF for each of the three years of the Investment Plan. Carry over of underspend from 2022/23 was permitted due to the delays in the approval of the Investment plan. However no carry over will be permitted beyond March 2025, the end of the Investment plan.

## 4.0 Conclusion

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- 4.1 The UKSPF has provided an opportunity to develop an Investment Plan which helps deliver against the Plan4Fife Recovery and Renewal challenges and opportunities, including addressing the Fairness ambition of Inclusive Growth and Jobs.
- 4.2 Delivery is underway to invest the funding in the interventions approved by Fife Council for 2023/24. These will continue during 2024/25. Appendix 1 sets out the updated Investment Plan 2022 -2025 as the foundation for financial and performance management by Intervention.

### List of Appendices

1. Annual Monitoring Plan for Fife's UKSPF Investment Plan.

### Background Papers

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

- Cabinet Committee, 29 June 2023, Opportunities Fife Partnership (OFF) Employability Pathway 2022-25 Commissioning [Agenda-and-Papers-for-Meeting-of-Cabinet-Committee-of-29-June-2023.pdf](#) Page 106 - 150
- Cabinet Committee, March 2023, Fife's UK Shared Prosperity Investment Plan [Agenda-and-Papers-for-Meeting-of-Cabinet-Committee 9-March-2023.pdf](#)
- Cabinet Committee, August 2022, Fife's UK Shared Prosperity Investment Plan [Agenda-and-papers-for-the-Cabinet-Committee-25th-August-2022.pdf \(fife.gov.uk\)](#)
- Fife Partnership Board, August 2021, Plan For Fife Update: A Plan For Recovery And Renewal
- Policy & Co-ordination Committee, June 2021, Plan for Fife – A Plan for Renewal.
- Economy, Tourism, Strategic Planning & Transportation, June 2021, Mid Fife Economic Prospectus and Action plan.

### Report Contact

Gordon Mole  
 Head of Business & Employability Services  
 Fife House, North Street, Glenrothes  
 Telephone: 03451 55 55 55 extension 44 65 40  
 Email: [Gordon.mole@fife.gov.uk](mailto:Gordon.mole@fife.gov.uk)

### Report Author

Morag Millar  
 Sustainable Growth & City Region Deals  
 Programme Manager  
 Fife House, Glenrothes  
 Tel. 07956646068  
 Email: [morag.millar@fife.gov.uk](mailto:morag.millar@fife.gov.uk)

## Fife's UKSPF Investment Plan 2022-25

<b>Communities &amp; Place Interventions</b>	<b>Total Investment 2022-2025 £m</b>	<b>Investment 2023/24 £m</b>	<b>Proportion invested by 31/12/23</b>	<b>Investment planned in 2024/25 £m</b>	<b>Progress on Outputs and Outcomes</b>
S1: Place based investments, regen & town centre improvements.	£0.669	£0.115	60%	£0.334	On track
S2: Support /improve community assets & infrastructure projects	£0.370	£0.036	11%	£0.334	Revised outcome target of 14,000 estimated tonnes of CO2e reductions as a result of support. On track
S3: Improvements to the natural environment, green & open space	£0.360	£0.026	0%	£0.334	Revised outcome target of at least 100 people with an improved perception of facilities/ amenities.
S7: Campaigns to encourage visiting & exploring the local area	£0.522	£0.172	13%	£0.350	Revised outcome target of at least 135,000 increase in visitor numbers as a result of support. On track
S8: Impactful volunteering and/or social action projects	£0.166	£0.066	12%	£0.100	On track
S9: Investment in capacity building & resilience for local groups	£0.776	£0.150	0%	£0.626	Revised outcome target of at least 100 people with an improved perception of facilities/ amenities.
S11: Relevant feasibility studies	£0.326	£0.233	20%	£0.077	Revised outcome target of at least 7 projects arising from feasibility studies. On track
S12: Digital infrastructure for local community facilities	£0.146	£0.063	0%	£0.083	Revised outcome target of at least 100 people with an improved perception of facilities/ amenities.

<b>Supporting Local Business Interventions</b>	<b>Total Investment 2022-2025 £m</b>	<b>Investment 2023/24 £m</b>	<b>Proportion invested by 31/12/23</b>	<b>Investment planned in 2024/25 £m</b>	<b>Progress on Outputs and Outcomes</b>
S14: Development & promotion of the visitor economy	£0.150	£0	0%	£0.150	On track
S15: SME development grants & support.	£0.570	£0.150	108%	£0.390	On track. Investment increased to respond to demand for support.
S18: Investing in enterprise infrastructure, site development projects	£0.615	£0.115	0%	£0.334	Revised outcome target of at least 1400 m2 of commercial buildings space developed completed or improved. Project slipped into 2024/25.
S19: Strengthening local entrepreneurial ecosystems	£0.600	£0.265	47%	£0.310	On track
S20: Expert business advice & support programmes, local & regional	£0.390	£0.157	49%	£0.233	On track
S22: Growing the local social economy.	£0.005	£0	0%	£0.005	On track
S27: Support relevant feasibility studies (Note includes admin budget)	£0.130	£0.045	129%	£0.030	Revised outcome target of at least 11 projects arising from feasibility studies. Ahead of expected.
S28: Business resilience & Covid-19 recovery	£0.620	£0	0%	£0.620	Revised outcome target of at least 1400 m2 of commercial buildings space developed completed or improved.

<b>People &amp; Skills including Multiply Interventions</b>	<b>Total Investment 2022-2025 £m</b>	<b>Investment 2023/24 £m</b>	<b>Proportion invested by 31/12/23</b>	<b>Investment planned in 2024/25 £m</b>	<b>Progress on Outputs and Outcomes</b>
S31: Employment support for economically inactive people	£1.566	£0.706	29%	£0.560	Revised output and outcome targets to reflect increased investment (£0.400). On track
S33: Enrichment & volunteering activities	£0.676	£0.194	61%	£0.342	Revised output and outcome targets to reflect reduced investment (£0.114). On track
S36: Local areas to fund local skills needs (Note excludes admin budget)	£0.869	£0.336	42%	£0.532	On track
S37: Green skills courses	£0.651	£0.230	23%	£0.421	Revised output and outcome targets to reflect reduced investment (£0.069). On track
S39: Education & skills targeting the vulnerable leaving school	£0.912	£0.417	50%	£0.450	On track
S42: Courses designed to increase confidence with numbers	£0.641	£0.307	81%	£0.209	On track
S43: Courses for parents wanting to increase numeracy skills	£0.150	£0.032	129%	£0.100	Revised output and outcome targets to reflect reduced investment (£0.100). On track
S45: Courses aimed at encouraging people to upskill to access jobs/ careers	£0.500	£0.275	24%	£0.200	Revised output and outcome targets to reflect reduced investment (£0.100). On track.
S47: Innovative programmes delivered with employers	£0.386	£0.218	53%	£0.168	Revised output and outcome targets to reflect reduced investment (£0.100). On track



## Cabinet Committee

### Outstanding Remits from Committees

Title	Service(s)	Comments
<b>7th March, 2024</b>		
Annual Uplift in Payments to Foster Carers	Education and Children's Services	Annual report – last submitted to 09.03.23 Cabinet Committee - para. 85 of 2023.CC.46 refers
Private Sector Tenants Housing Condition Report	Housing	As agreed at 04.05.23 Cabinet (para. 108 of 2023.CC.58 refers)
<b>4th April, 2024</b>		
Community Wealth Building	Business and Employability	Six monthly update – last update submitted to 05.10.23 Cabinet - para. 155 of 2023.CC.83 refers
<b>6th June, 2024</b>		
Change Planning and Organisation Change	Communities	As agreed at 30.11.23 Cabinet meeting - para. 180 of 2023.CC.100 refers and para. 5.2 of report
<b>7th November, 2024</b>		
Anti-Bullying Policy	Education and Children's Services	As agreed at 02.11.23 Cabinet meeting – para. 169 of 2023.CC.93 refers – report to be brought back in a year's time
Housing Service – Domestic and Sexual Abuse Policy – Review	Housing Services	As agreed at 02.11.23 Cabinet meeting – para. 173 of 2023.CC.95 refers – report to be brought back in a year's time
<b>6th February, 2025</b>		
Local Heat and Energy Efficiency Strategy Delivery Plan	Planning	As agreed at 30.11.23 Cabinet meeting - para. 176 of 2023.CC.98 refers - detailed Delivery Plan to be reported to Cabinet by <b>March 2025</b>

Title	Service(s)	Comments
<b>Unallocated</b>		
Transfer of Development Land at North Fod, Dunfermline Update	Estates	As agreed at Cabinet 09.03.23 – para. 92 of 2023.CC.48 refers - Further report on the details surrounding the development of the site to be reported back in due course
Membership of Kimo UK	Executive Director (Enterprise and Environment)	As agreed at 16.03.23 Fife Council meeting – para. 60 of 2023.FC.68 refers
Wave Trust 70/30 Campaign	Education and Children's Services	As agreed at 16.03.23 Fife Council meeting – para. 60 of 2023.FC.70 refers
Houses in Multiple Occupation (HMO): Review of the Overprovision Policy	Housing Services	As agreed at 04.05.23 Cabinet meeting - para 107 of 2023.CC.57 refers – report to be presented during 2024
Short-Term Lets: Licensing Review and Control Areas	Planning / Protective Services / Housing Services	As agreed at 04.05.23 Cabinet meeting - para. 89 of 2023.CC.47 refers
Policy on the return of items of local, cultural or historical significance for local displays and heritage centres	Communities and Neighbourhoods	As agreed at 07.09.23 Cabinet meeting - para. 147 of 2023.CC.78 refers - Fife Tourism Strategy report
South and West Fife - Community Use Arrangements	Communities and Neighbourhoods	As agreed at 07.09.23 Cabinet meeting - para. 146 of 2023.CC.77 refers
The Big Hoose Project – Update	Communities and Neighbourhoods	As agreed at 05.10.23 Cabinet meeting - para. 153 of 2023.CC.83 refers - (see also para. 3.6 of Cost of Living - Winter Programme report)
Pay Strategy and Job Evaluation Project	Human Resources	As agreed at 30.11.23 Cabinet meeting - para. 188 of 2023.CC.103 refers (see also para. 4.1 of report - updates to be brought back to Cabinet)
Appointment of Chief Planning Officer (CPO)	Human Resources	As agreed at 11.01.24 Cabinet meeting - para. 195 of 2024.CC.107 refers - deferred to a future meeting
Pedestrian and Cyclist Access to Household Waste Recycling Centres	Environment and Building Services	As agreed at 11.01.24 Cabinet meeting - para. 199 of 2024.CC.110 refers - deferred to a future meeting
Mothballing of Milton of Balgonie Primary School - Consultation Report	Education and Children's Services	As agreed at 11.01.24 Cabinet meeting - para. 198 of 2024.CC.108 refers - consultation report to be brought back to committee