

Thursday, 8th December, 2022 - 10.00 a.m.

AGENDA

Page Nos.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

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

3. CIVIC BUSINESS BULLETIN

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4. MINUTE - Minute of the meeting of Fife Council of 29th September, 2022.

5 - 28

5. MINUTE OF COMMITTEES AND SUB-COMMITTEES

Available
on website

Minutes of September, October and November, 2022 meetings of the Council's committees and sub-committees, as contained in the volume of minutes uploaded to the intranet and Fife Council website, are submitted for accuracy.

6. LEADERS REPORTS

29 - 34

7. QUESTION TIME

In terms of Standing Orders, copies of these questions will be emailed to members and available on intranet and Fife Council website.

8. APPOINTMENT TO EXTERNAL ORGANISATION - ST ANDREWS LINKS TRUST - Report by the Head of Legal and Democratic Services.

35 - 36

9. LICENSING BOARD APPOINTMENT – Report by the Head of Legal and Democratic Services.

37 - 38

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

39 - 41

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

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

Fife House
North Street
Glenrothes
Fife, KY7 5LT

1 December, 2022

If telephoning, please ask for:

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

Telephone: 03451 555555, ext. 442303; email: Emma.Whyte@fife.gov.uk

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

Civic Business Bulletin

Royal Visits and Civic Events

On 3rd October we were delighted to welcome The King and the Queen Consort to Dunfermline on their first official engagement following the death of Queen Elizabeth. During the visit to the City Chambers and the Abbey, the King presented the Letters Patent to the Provost conferring Dunfermline as Scotland's newest city. Thanks must go to Lynda Birrell, Lindsay Thomson and other officers from various services for organising this momentous event and ensuring all went according to plan on the day.

We have also been honoured to welcome the Princess Royal on a visit to the International Fire & Rescue Service in Thornton on 11th October and again to Dunfermline Abbey on 16th November.

Following two years of low key events during the pandemic, there have been many very successful events around Fife to mark Armistice Day this year.

Apprentice Awards

At the APSE UK Housing & Building Seminar in early October, the Council had two successes in the UK Apprentice Awards. Ruaridh Strachan was winner in the 'Building Skills' Apprentice of the Year which is a huge achievement in the whole of the UK and Luke Cuggy was runner-up in the 'Mechanical and Electrical' Apprentice of the Year.

At the Chamber of Commerce Rising Star Awards in November, Calum Harrison and Todd Arthur, Council Apprentices, were both recognised. Calum is a 4th year plumbing apprentice and Todd is a 3rd year apprentice plasterer and they have both been very successful in our own internal awards and external awards such as APSE and Construction News. They both have excellent work ethics, hand skills and are also excelling at college where they are studying the theory side of their individual trades.

We can also report that Calum Harrison has been awarded Fife Council Apprentice of the Year.

Of course, the Council is very proud of all of them.

Conference on Community Social Work

Congratulations to staff in Education & Children's Services who delivered a very successful conference on Community Social Work, led by Karen Pedder, Service Manager, and her team early in November.

The conference had 160 attendees, both international and UK speakers, with a community panel of people who have benefitted from a community social work approach. It has real potential and has started a national conversation about the potential for change through community social work - working with families and communities and effecting change.

Gold Carbon Literate Organisation Award

Fife Council's Planning Services is the first Local Authority in the UK to be awarded Gold Carbon Literate Organisation accreditation.

In 2019 the Council declared a Climate Emergency and is taking steps to help tackle the impact of climate change in Fife. One important initiative has been to ensure high levels of carbon literacy amongst council officers and over the past year Planning Services has been working intensively to achieve this accreditation. This means planning officers are aware of the impacts of the climate crisis globally and locally and empowered to act as agents of change.

Fife's Planning Service is the 8th organisation UK wide and currently the only Local Authority to achieve the Gold CLO accreditation through the Carbon Literacy Project. This has been achieved by working in partnership with Climate Action Fife and training over 120 Council staff and Elected Members, including over 50% of the Planning Service. In addition, the Council's first service level Climate Action Plan has been created, laying out the actions Planning Services will undertake to help meet the Council's Climate Emergency commitments. We are leading by example; making carbon literacy training mandatory within the service; running low carbon events and integrating climate awareness into the Local Development Plan. There is real buy-in from officers, who are taking a lead on delivery.

Congratulations to Planning Services – this is a well-deserved recognition for their outstanding work to understand the impact of Climate Change and what it means for the people of Fife. They have an important role to play in the way we transition away from our dependency on fossil fuels, mitigating the effects of climate change locally and ensuring we do it in a just and fair way.

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

29th September, 2022

10.00 a.m. – 1.20 p.m.

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

APOLOGIES FOR ABSENCE: Councillors Ian Cameron and Mary Lockhart.

26. DECLARATIONS OF INTEREST

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

27. CIVIC BUSINESS BULLETIN

Decision

The Council noted the Civic Business Bulletin.

28. MINUTE

The Provost, seconded by Councillor Craik, moved that the minute of 9th June, 2022 be approved.

Decision

The Council approved the minute.

29. MINUTES OF COMMITTEES AND SUB-COMMITTEES

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

(1)/

2022 FC 38

- (1) West and Central Planning Committee of 29th June and 24th August, 2022.
- (2) North East Planning Committee of 22nd June and 17th August, 2022.
- (3) Fife Planning Review Body of 16th August and 22nd August, 2022.
- (4) Regulation and Licensing Committee of 9th August, 2022.
- (5) Cabinet Committee of 25th August, 2022.
- (6) Standards, Audit and Risk Committee of 30th June, 2022.
- (7) Pensions Committee of 30th June, 2022.
- (8) Glenrothes Area Committee of 10th August, 2022.
- (9) Levenmouth Area Committee of 14th September, 2022.
- (10) South and West Fife Area Committee of 10th August, 2022.
- (11) Cowdenbeath Area Committee of 31st August, 2022.
- (12) North East Fife Area Committee of 7th September, 2022.
- (13) Fife Health and Social Care Integration Joint Board of 22nd April, 2022.

Decision

The Council noted the minutes.

30. LEADERS REPORT

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

Decision

The Council noted the report.

31. QUESTION TIME

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

Councillor Erskine, Spokesperson for Communities and Leisure answered Questions 1 and 2.

Councillor Craik, Spokesperson for Finance, Economy and Strategic Planning answered Questions 3 and 9.

Councillor Hamilton, Spokesperson for Housing and Building Services answered questions 4, 5 and 10.

Councillor Wincott, Spokesperson for Environment and Climate Change answered question 6.

Councillor Hilton, Spokesperson for Education answered questions 7 and 8.

Councillor Ross, Leader of the Council answered question 9.

32. ARRANGEMENTS FOR FUTURE COUNCIL AND COMMITTEE MEETINGS

The/

2022 FC 39

The Council considered a report by the Head of Legal and Democratic Services which sought agreement on the governance approach for facilitating Council and Committee meetings.

Decision

The Council:-

- (1) noted the progress with work to facilitate the blended meetings in Council Chambers, Fife House committee rooms and in Area Committee meeting rooms;
- (2) agreed that blended meetings of Council and Committees would become the default approach, subject to the successful completion of testing the functionality of the technology;
- (3) noted that the Licensing Board and Regulation & Licensing Committee had both continued to meet in person over the pandemic and this was anticipated to continue;
- (4) noted that where the Committee requested that a meeting be held fully remotely or fully in person, it be remitted to the Proper Officer to consider the format of the meeting in consultation with the Convener (or Vice Convener in the absence of the Convener) of the Committee and the Lead Officer;
- (5) noted that, following Council's decision, detailed procedural notes would be finalised to support several operational issues that would arise and that the political groups would be consulted before these procedures become final;
- (6) delegated authority to the Head of Legal & Democratic Services to make any consequential administrative amendments to the Governance Scheme necessary to implement the decisions under the recommendations above; and
- (7) agreed for blended meetings that where there was a limit on members attending in the Committee room, places in the room would be allocated in proportion to the political group membership of the Committee.

33. APPOINTMENTS TO COSLA BOARDS AND SCOTTISH JOINT COUNCIL

The Council considered a report by the Head of Legal and Democratic Services seeking confirmation of the appointment of the Leader of the Council as the elected member representative to the Scottish Joint Council for Local Government Employees (SJC), to appoint Cllr Craik as a substitute member to that body and to appoint elected member representatives to COSLA Boards.

Motion

Councillor/

2022 FC 40

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

“Amend recommendation 2 to appoint the four Administration Spokespersons to the relevant COSLA Boards, namely:-

Health & Social Care – Councillor David Graham
Children & Young People – Councillor Cara Hilton
Environment & Economy – Councillor Jan Wincott
Community Wellbeing – Councillor Linda Erskine

Add an additional recommendation to appoint four members (one from each political group) to the Community Safety Partnership, with nominations to be advised to the Proper Officer.”

Amendment

Councillor Alexander, seconded by Councillor Mowatt, moved that Councillor Liewald be appointed to the COSLA Board for Health and Social Care and Councillor Walker be appointed to the COSLA Board for Children and Young People.

Roll Call

For the Motion – 38 votes

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

For the Amendment – 32 votes

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

The motion was accordingly carried.

Decision

The Council:-

(1)/

2022 FC 41

- (1) confirmed the appointment of the Leader of the Council as the elected member representative to the Scottish Joint Council for Local Government Employees (SJC);
- (2) agreed to appoint Councillor Altany Craik as the substitute elected member representative to the Scottish Joint Council;
- (3) agreed to appoint the following elected members to the COSLA Boards:-
 - Health and Social Care – Councillor David Graham
 - Children and Young People – Councillor Cara Hilton
 - Environment and Economy – Councillor Altany Craik
 - Community Wellbeing – Councillor Linda Erskine
- (4) agreed to appoint four elected members (one from each political group) to the Community Safety Partnership, with nominations to be advised to the Proper Officer.

Councillor Backhouse left the meeting during consideration of the above item.

The meeting adjourned at 11.35 a.m. and reconvened at 11.45 a.m.

Councillor Backhouse re-joined the meeting.

34. APPOINTMENT OF RELIGIOUS REPRESENTATIVES

The Council considered a report by the Head of Legal and Democratic Services requiring the appointment of a third person interested in the promotion of religious education from either of the nominations received as detailed in the report and to agree the appointment of Mary Caldwell as the Roman Catholic religious replacement following the resignation of George Haggarty.

As there had been no proposal to appoint either of the nominees, a roll call vote was taken.

Roll Call

For Alastair Crockett, Cupar Baptist Church – 27 votes

Councillors David Alexander, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, John Beare, John Caffrey, Ken Caldwell, Alistair Cameron, Alex Campbell, Rod Cavanagh, Gavin Ellis, Judy Hamilton, Alycia Hayes, Stefan Hoggan-Radu, Margaret Kennedy, Louise Kennedy-Dalby, Robin Lawson, Kathleen Leslie, Rosemary Liewald, Lea McLelland, Lynn Mowatt, John O'Brien, Bailey-Lee Robb, Alistair Suttie, Ann Verner, Ross Vettraino and Craig Walker.

For Gerrard F Dillon, St Luke the Evangelist Scottish Episcopal Church – 10 votes

Councillors Patrick Browne, James Calder, Altany Craik, Linda Erskine, David Graham, Jim Leishman, Derek Noble, Gordon Pryde, David Ross and Jan Wincott.

Abstained/

Abstained – 33

Councillors Tom Adams, Blair Allan, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, Aude Boubaker-Calder, Al Clark, Eugene Clarke, Fiona Corps, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Derek Glen, Brian Goodall, Peter Gulline, Jean Hall Muir, Cara Hilton, Gary Holt, Andy Jackson, James Leslie, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Julie MacDougall, Sarah Neal, Nicola Patrick, Sam Steele, Jonny Tepp, Andrew Verrecchia, Darren Watt and Daniel Wilson.

Decision

The Council:-

- (1) agreed to appoint Alastair Crockett of Cupar Baptist Church as the third person interested in the promotion of religious education;
- (2) noted the resignation of George Haggarty and the subsequent nomination of Mary Caldwell as the Roman Catholic religious representative; and
- (3) agreed to appoint Mary Caldwell as the Roman Catholic religious representative.

35. APPOINTMENT TO LICENSING BOARD

The Council considered a report by the Head of Legal and Democratic Services inviting the Council to make appointments to the Licensing Board.

Decision

The Council agreed to appoint Councillors Gary Holt and Lea McLelland to the Licensing Board.

36. NOTICE OF MOTIONS

The Council considered a report by the Head of Legal and Democratic Services which required the Council to consider motions submitted in terms of Standing Order No. 8.1.

In terms of Standing Order No. 8.1(2), the Provost agreed to accept an urgent motion in relation to the remit for Area Committees to allow the Council to conduct its business effectively until such time as a review of the List of Committee Powers has been undertaken.

Motion

Councillor Wilson, seconded by Councillor Suttie, moved as follows:-

“Fracking - Following the Conservative Leadership Husting events where the candidates made several references to interfering in Scotland’s powers, Fife Council re-iterates its opposition to all forms of fracking and any unconventional gas extraction (UGE) in the region.

Fracking/

2022 FC 43

Fracking is inconsistent with environmental policies and contrary to the wishes of the people of Scotland.”

Amendment 1

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

“Fife Council notes that onshore oil and gas licensing is a devolved power of the Scottish Government, and that the Scottish Government’s policy position is not to issue licenses for “fracking” .

Fife Council re-iterates its opposition to all forms of unconventional gas extraction (UGE) in the region, including fracking, because fossil-fuel extraction is inconsistent with any environmental policy designed to promote decarbonisation.”

Amendment 2

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

“Fife Council recognises that recent events prove that every possibility of improving the energy security of the UK should be investigated.

Council therefore believes that, providing the safety of communities in potential fracking areas can be secured and local community support is sought, the potential of unconventional gas extraction should not be excluded.”

With the agreement of the Provost the mover of the motion and the mover of amendment 1 agreed to conjoin. The amended conjoined motion read as follows:-

“Fife Council having previously declared a climate emergency and opposed Fracking in 2017, and UGE in 2016. Today we re-iterate that position. Fife opposes Fracking.

Following the recent policy changes by the new Prime Minister and her Government at Westminster, Fife Council re-iterates its opposition to all forms of fracking and any unconventional gas extraction (UGE) in the region, in particular as fossil-fuel extraction is inconsistent with any environmental policy designed to promote decarbonisation.

Fife Council notes that onshore oil and gas licensing is a devolved power of the Scottish Government, and that the Scottish Government’s policy position is not to issue licenses for “fracking” .

Fracking is inconsistent with environmental policies and contrary to the wishes of the people of Fife.

Fife Council re-iterates its opposition to all forms of unconventional gas extraction (UGE) in the region.”

Roll/

Roll Call

For the Amended Conjoined Motion – 60 votes

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

For Amendment 2 – 7 votes

Councillors Dave Dempsey, Gavin Ellis, Peter Gulline, Robin Lawson, James Leslie, Kathleen Leslie and Darren Watt.

Decision

The Council agreed in terms of the amended conjoined motion.

Councillor Kennedy left the meeting during consideration of the above item.

Councillor Caffrey left the meeting following consideration of the above item.

Urgent Motion

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

“Council notes that recent meetings of several Area Committees have agreed motions inviting Council to consider the remit of Area Committees in relation to the recent Stagecoach consultation.

Council notes that the Administration had already indicated that it intends to take forward a revision of the remit of Area Committees as part of a further review of the Council’s Governance Framework.

Council notes that a full review of the Governance Framework is anticipated in the next few months.

Council agrees, in the interim, that the remit of Area Committees in Committee Powers should be amended by adding the following:-

The/

2022 FC 45

The Area Committees will have the following powers

7.2.4 to consider motions brought forward by members of the Area Committee inviting the Area Committee to discuss and express a view on matters of concern in their local communities.”

Amendment

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

Amend paragraph 3 to:-

“Council notes that a full review of the Governance Framework will be presented to the Council for consideration at its meeting on December 8th.”

With the agreement of the Provost, the mover of the motion agreed to accept the amendment and the amended motion read as follows:-

“Council notes that recent meetings of several Area Committees have agreed motions inviting Council to consider the remit of Area Committees in relation to the recent Stagecoach consultation.

Council notes that the Administration had already indicated that it intends to take forward a revision of the remit of Area Committees as part of a further review of the Council’s Governance Framework.

Council notes that a full review of the Governance Framework will be presented to the Council for consideration at its meeting on December 8th.

Council agrees, in the interim, that the remit of Area Committees in Committee Powers should be amended by adding the following:-

The Area Committees will have the following powers

7.2.4 to consider motions brought forward by members of the Area Committee inviting the Area Committee to discuss and express a view on matters of concern in their local communities.”

Decision

The Council agreed the amended motion unanimously.

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

It was noted that there was no business to be brought forward under this item.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 1 FROM COUNCILLOR GAVIN ELLIS

Council notes that in the Scottish National party manifesto in 2021 they made a commitment to renew every play park in Scotland so that all children have access to quality play in their own community and this was to be backed by £60 million pounds. Can council confirm how much funding Fife council has received for this programme and what play parks have been upgraded with the funds, also has any of the funding been used for staff costs to deliver any upgrades?

Answer

Fife council has received 2 tranches of funding to date. The 1st tranche of £344,000 was received in 2021 and the 2nd tranche of £342,000 was received in 2022. With the 1st tranche, one of the main priorities is to replace equipment that has been removed or immobilised for Health & Safety (H&S) reasons and to support projects with a small funding shortfall. With the 2nd tranche of funding one of the main priorities will be to progress play area projects that have community support and have been identified to be retained in the Play Space Strategy. The funding is not used to pay for community & neighbourhoods staff time as the staff resource is already in place working on play park projects.

Many of the identified projects are at different stages either it be projects at design development stage, community consultation, securing match funding, tender stage, contracts awarded or works due to start. Progress to date includes;

Tranche 1 - Project progress.

Swing Replacement Programme/H&S (7 sites), works have been tendered, contract awarded and expected on site early October 22.

Funding shortfall (5 sites), Crossgates is on site, West Wemyss and Ravenscraig Park will be tendered imminently, and 2 others are undergoing detailed design.

Tranche 2 - Project progress.

8 projects overall, one contract awarded and awaiting start date (Pitlessie), one going to tender shortly (Haugh, East Wemyss), 3 at detailed design (Prestonfield, Camdean, Hillend), 3 site visits planned with Property Services.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 2 FROM COUNCILLOR SARAH NEAL

What actions has Fife Council taken to ensure it is complying with the Period Products (Free Provision) (Scotland) Act 2021?

Answer

See elected member briefing note.

Supplementary

When will Fife Council be fully compliant with full provision?

Answer

Fife Council is already fully compliant and have been since 2018. We will continue with the communication plan to promote this and improve where we can.

Briefing Note

From: Mike Enston, Executive Director – Communities
Carrie Lindsay, Executive Director – Education & Children’s Services

To: Fife Council

Subject: **Fife Council compliance with the Period Products (Free Provision) (Scotland) Act 2021**

Date: Monday 26 September 2022

Author: Lauren Bennett, Policy Officer - Communities
Rona Weir, Education Manager - Education

Background

1. The Period Products (Free Provision) (Scotland) Act 2021 (the “Act”) places a duty on local authorities to allow people to obtain period products free of charge.
2. The Act requires local authorities to consult with individuals on the arrangements that should be put in place to fulfil the duties prescribed in the Act. The consultation must directly influence a document called a Statement on Exercise of Functions, which must explain how we have met particular requirements; how we have regarded guidance from the Scottish Government; it must summarise the arrangements in place in Fife; and summarise the plans for making information available to individuals on how and where they can get products.
3. There are three sections of the Act, two of which place a duty on Fife Council as a local authority and education provider:
 - Section 1 – Local authorities to make products obtainable free of charge for those who need them while in Scotland
 - Section 2 – Education providers to make products obtainable free of charge for pupils and students during term time
4. The Act requires local authorities to undertake a **public consultation** prior to the development and publication of a **Statement on Exercise of Functions**, which sets out the vision and the intent for Fife’s implementation to ensure people can access the products they need.
5. Fife Council has received a funding allocation from Scottish Government since 2018/19 to make period products freely available to those living in,

working in and visiting Fife. This has been part of a national approach, which has since been superseded by the introduction of the Act. Fife Council has provided products to the public through community-based provision and schools since 2018/19.

6. Period products must be reasonably easy to obtain and provided in a way that respects the dignity of those obtaining the products. There must also be reasonable choice with different products being made available in a wide range of settings. Provision is universal; however, it is recognised that some communities may need access to provision more than others, particularly those on low incomes, and that provision should be available for anyone who menstruates.

Community-based Provision

1. The Act requires local authorities to undertake a consultation to seek the community's views on how to make free period products easily obtainable. The consultation consisted of an online survey during January 2022. The survey asked for feedback on current provision provided by Fife, particularly the online ordering service we have set up with our supplier, Hey Girls, as well as seeking views on:
 - What products should be made available in communities
 - What locations should products be obtainable from
 - Where in these locations would people be happy to find free period products
 - What the barriers are that would stop people from accessing products in physical locations.
2. The findings and recommendations from the consultation are presented in the [Statement on Exercise of Functions](#) for community-based provision, which has been published on Fife Council's website.
3. The Statement has been influenced by the findings and recommendations of the consultation and sets out:
 - The provision of products – type of products being made available
 - Methods of obtaining products – physical locations and online ordering
 - Working with other organisations to make product obtainable
 - Communications - promoting the provision and providing information that will be useful for those accessing the offering
 - Reporting and evaluating – reporting requirements for Scottish Government and monitoring/evaluating provision to ensure it is meeting the community's needs.

4. Current community-based provision is outlined in the Statement, but an Action Plan has been developed to expand provision and make products available in more places. A communications plan will also be developed to raise awareness of the provision as well as addressing some of the key issues around menstruation, such as taboo, stigma, period poverty, inequalities and sustainability (single-use plastics).
5. The Statement on Exercise of Functions will be reviewed and updated as necessary. Provision will be monitored and evaluated on an ongoing basis and will be based on the continuation of Scottish Government funding and any fluctuation in demand for products.
6. More information on current provision is available at <https://www.fife.gov.uk/kb/welfare,-benefits-and-money-advice/period-poverty>

Education Provision

When first introduced in August 2018 this initiative was initially centred upon provisions in each of Fife's Secondary schools.

In August 2019 the schools' model was widened to include provision available through Primary and Early Education centres. These establishments are directed to liaise with their local secondary schools to collect products to offer to children, staff and visitors to their establishments.

Each Secondary school and Special School is annually allocated a pro rata share of the Education funding calculated from school rolls.

Schools are briefed to work in partnership with young people to plan for the effective deployment and use of this funding to support the universal availability of free sanitary products within their building, working to achieve the following key principles:

- Protecting students' dignity, avoiding anxiety, embarrassment and stigma
- Making a range of products and different qualities available, giving students choice about the products they want to use;
- An efficient and dignified approach which demonstrates value for money;
- An offer for all eligible students throughout the year regardless of whether it is term time or holidays
- Ensuring sanitary products are easily accessible to meet individual needs;
- Enabling individuals to have sufficient products to meet their needs;
- Attending to gender equality, ensuring anyone who menstruates can access products, including transgender men/non-binary individuals, and that language used is appropriately gender neutral.

Learning from the development of Fife's Community Provision is shared across the identified leads on this initiative in each Secondary School to enable continued reflection by schools on potential aspects for improvement within their settings.

Responsible Officer(s)/Contact Details for further information

Community-based provision:

- Lauren Bennett, Policy Officer Lauren.Bennett@fife.gov.uk

Education provision:

- Rona Weir, Education Manager Rona.Weir@fife.gov.uk

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 3 FROM COUNCILLOR ANDY JACKSON

50% of under 22's in Scotland currently have applied for and received their free bus pass.

What is the proportion of Fifers who have applied for and received their free bus pass?

Answer

Figures from Transport Scotland, as of the beginning of September, show the uptake of the U22's concessionary travel passes in Fife is 62%. As a comparison the national uptake take up is 52%.

Background table with actual numbers for reference.

	Fife	National
Journeys undertaken	1,704,845	21,723,100
Uptake	62.1%	52.0%
Estimated eligible population	66,367	c.930,000

Supplementary

Given the cost of living crisis what plans to Fife Council have to promote the scheme?

Answer

Promoting the scheme through all channels but bus provision issues could impact on take up.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 4 FROM COUNCILLOR ROSEMARY LIEWALD

What is the average time taken to turnaround void properties in the 7 Areas of Fife in the 12 months to September 1st?

Answer

The average void time for the period in question is 48.8 days. There are variables across Fife with some areas turning around more quickly than others. The report also includes properties where components are being replaced in the void period where before these may have been re-coded in line with the Scottish Housing Regulator Guidance. There is a general improving trend over the last few months and commitment to get back to pre-Covid performance of 21-23 days in the near future.

The main reasons for delay are the legacy of Covid working practices, material and labour supply issues, significant utility and utility servicing issues and some housing management delays.

Supplementary

Have further resources been committed to reduce these turnaround times.

Answer

Turnaround times depend on what repairs or modernisation is needed on a property and significant resources have been committed to reducing the turnaround time.

QUESTION 10 FROM COUNCILLOR AUXI BARRERA

How many void or empty properties does the Housing Service currently have?

Answer

The following table shows the number of properties currently progressing through the Change of Tenancy / Void process to be made available for housing transfer allocations, allocation to priority needs groups or diversion to temporary accommodation to replace properties that were converted to secure tenancies by the Kirkcaldy Sheriff Court Judgement. The breakdown does not include properties that have been

approved, or in the process of being approved, for large scale regeneration work or demolition - this includes specialist housing such as retirement housing.

Voids	Current Mainstream & Temporary with Voids Team
SWF	16
Dunfermline	16
Cowdenbeath	37
Kirkcaldy	52
Glenrothes	36
Levenmouth	40
North East Fife	13
Fife	210

Supplementary

What additional resources are being put towards getting the empty properties back into use?

Answer

See answer above.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 5 FROM COUNCILLOR LYNN MOWATT

How many requests have there been to Housing Services for new/replacement fences or repairs to fences in the past year?

Answer

The total fencing repairs and renewal requests that were actioned during 2021/22 were 917 at a cost of £157,549. The number of requests approved are based on current Management Guidance which restricts the circumstances where requests are approved.

Further information on the total number of requested will be provided once available.

Supplementary

How long does it take to repair and what additional resources have been committed?

Answer

Time to repair depends on the type of repair required. New policy being worked on at present.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 6 FROM COUNCILLOR LYNN MOWATT

How many reports have there been to the Council of trees that are potentially dangerous and/or of concern to members of the public in the last year?

Answer

There is no Council system that accurately captures reports of potentially dangerous trees from the public. Reports come in through various access points to the Tree Team and more often than not the trees are falsely described as dangerous because they present some other form of nuisance to the complainant. The Tree Team attend to an average of two genuinely dangerous trees per week across Fife.

Supplementary

Is there a backlog of trees needing to be dealt with?

Answer

Not aware of any backlog but there are trees due to be felled in the winter programme.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 7 FROM COUNCILLOR KATHLEEN LESLIE

Since the start of the school term in August how many children who were not yet five years old at the school start date and whose birthday is between the school start date and December 31st have had P1 deferred this year and how many of that same group who are not yet 5 years old have started school in August?

ANSWER

There are 211 children who were/are 5 between the 17 August 2022 and 31 December 2022 still in nursery opting for a deferred year.

1194 is the number of P1 children who are/were 5 between 17 August 2022 and 31 December 2022 and have started school in P1 this year.

Supplementary

Can we continue to ensure that parents are made aware of the options to defer?

Answer

Yes happy to look at this.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 8 FROM COUNCILLOR KATHLEEN LESLIE

An election pledge by the party who now make up the Scottish Government was that all pupils in primary school would receive free school meals by August 2022. Are all pupils in Fife primary schools now receiving free school meals as per this pledge?

ANSWER

In the Scottish Government budget announcement for 2022/23, it was stated that the SG will provide over £40million of funding to deliver free school lunches to all children in Primary 4 and 5 and in special schools and £30 million capital allocation for initial investment in school kitchens ahead of roll-out of free lunches to all primary school children later in the Parliamentary term.

The Scottish Government has currently paused the implementation of Free School Meals for Primary 6 and Primary 7 pupils.

In Fife Council we currently provide Free School Meals in primary schools to all Primary 1 to Primary 5 pupils, and to those entitled per the Free School Meal criteria for Primary 6 and Primary 7 pupils and all special school pupils.

FIFE COUNCIL

29TH SEPTEMBER 2022

ITEM 7 – QUESTION TIME

QUESTION 9 FROM COUNCILLOR JOHN BEARE

What engagement has the Coalition had with the Post Office since May 19th, in relation to the retention and provision of Post Office Services in Fife?

Answer

There is no Coalition however I will allow you to rephrase your question and ask it as a supplementary.

Supplementary

Officers have engaged with Post Office Ltd, who are responsible for the provision of the core Post Office Network since the announcement of closures of six Post Office counters in Thornton, East Wemyss, Newport, Balmullo, St. Andrews and Ladybank in 2021.

East Wemyss continues to be served by a mobile service, with outreach services provided in North East Fife. Post Office Ltd. Is continuing to promote opportunities to re-establish services, with a closing date of 24th September for companies in Newport to deliver this service. If no prospective franchise is found, officers are exploring the use of community facilities for provision.

Burntisland Post Office is scheduled to close in February 2023, and the opportunity for this delivery is being advertised by Post Office Ltd. Officers will work with PO Ltd in the approach to this closure.

Thornton Post Office closed in August 2021. Officers have continued to engage with PO Ltd on this provision, with engagement in August 2022, and is advised that PO Ltd. has been working with a potential franchisee, but this has not materialised. PO Ltd is exploring an outreach service for Thornton whilst a permanent solution is found.

PO Ltd has also recently advised that community organisations may apply to run a franchise, with the previous requirement being a named individual to act as Sub Post Master. This has been raised through the Fife Partnership Recovery and Renewal Community Wealth Building Support Group, linked to the access to finance workstream.

Officers will continue to engage with Post Office Ltd on all opportunities for permanent re-provision.

Fife Council Leader's Report

Thursday 8th December 2022

Budget Position

1. The Chancellor made his Autumn Statement on 17 November, which included the UK's medium term spending plans and economic forecasts from the Office for Budget Responsibility (OBR). Key points for local government include:
 - An additional £1.6 billion revenue funding for the Scottish Government over the next two years through Barnett consequentials resulting from spending decisions including increased health and education budgets in England.
 - Freezing of income tax and National Insurance thresholds until April 2028 and a lowering of the threshold for the 45% income tax rate from £150,000 to £125,140 (note this change does not automatically apply in Scotland and will be a decision of the Scottish Government with implications for the Block Grant Adjustment in due course).
 - A 9.7% increase in the national living wage from £9.50 to £10.42 per hour.
 - Forecast by the OBR for inflation to peak at 11.1% in this quarter (2022 Q4), falling to 3.8% in 2023 Q4 then negative between summer 2024 and spring 2026. The OBR also forecasts a recession until 2023 Q4, then 1.3% growth in 2024.
2. Following this, the Scottish Government is still expected to publish its budget proposals on 15th December. This will include the local government settlement for 2023/24.
3. Through a survey of Scottish councils, COSLA estimates that the total budget gap faced by councils is £612m taking account of inflation, energy costs and demand pressures. When pay increases for next year are taken into account – each 1% pay increase costs approximately £100m across Scottish councils – then it is likely that local authorities will need more than £1bn in additional funding next year just to stand still.
4. The professional view this year from Directors of Finance (DoF) across Scotland is that the financial pressures being experienced are so extreme as to call into question the financial sustainability of local government. In an unprecedented move, the Directors of Finance from all 32 local authorities have written to the Deputy First Minister outlining their concerns at the financial position of local government in Scotland and noting the impact of these financial pressures on local services including schools, waste, roads, family support, public health and social care.
5. A meeting for the COSLA political group leaders with the Deputy First Minister has been arranged and a meeting has also been requested with the local government trade unions to discuss joint lobbying on the Scottish budget.

6. For Fife Council the budget gap for 2023/24 is estimated at around £32m, rising to £46m and £61m in subsequent years. In a meeting with all political groups on the Council, the Executive Director of Finance and Corporate Services outlined her proposals to narrow the budget gap for 2023/24 by a combination of budget realignment, substitute funding, adjusting for staff turnover and the use of balances. However these proposals are based on the assumption of a 3% increase in council tax (a decision on this will be taken by the Council at its budget meeting in February) and on a 'flat cash' local government settlement from the Scottish Government. If the settlement results in a further cash cut ('flat cash' is already a real terms cut in council funding) then the Council's financial position would be worsened.
7. These measures may help the Council to set a budget for the coming financial year that avoids significant cuts to services, but balances cannot be used on a recurring basis, they are available only once. The Council will face making significant and damaging cuts to services in future years if the funding coming from both UK and Scottish Governments is not increased to cover rising costs.

Pay

8. A settlement has been reached with the trade unions representing SJC and Craft workers. A revised offer has been submitted to Chief Officers. The current offer to SNCT teaching trade unions has been rejected and a one day strike took place on 24th November. Further days of action are planned by the teaching unions in January, should there have been no settlement by then. COSLA has indicated to Scottish Government that there is no additional funding available within local government to fund a revised offer and that if an increased offer was to be made to the teaching unions, then this would have to be fully funded by the Scottish Government, as would additional funding for other bargaining groups based on the 're-opener' clauses within their agreements.

Retiral of the Chief Executive

9. Steve Grimmond, the Council's Chief Executive, has indicated that he will be retiring next summer and work is now underway to recruit a new Chief Executive. Whilst there will be time to recognise and appreciate more fully Steve's contribution to Fife in his 10 years as Chief Executive, and I know he will continue to work hard in his role until his retiral, I would like to thank Steve at this time for his outstanding contribution to the Council, to Fife and to wider Scottish Local Government. Steve has undertaken his leadership role with great dedication and commitment and is universally respected within and outwith the Council. We will be sorry to lose him as our chief Executive but I'm sure all councillors will wish him well for the future.

Cost of Living Support

10. The Council's cost of living support programme for this winter is now underway, including specific benefits take up and information campaigns and communications on where to get help. A meeting with Area Chairs was held to discuss local implementation of the programme and a full briefing has been issued to all Elected Members covering, contact and referral, food support,

heating support, finance and household support, and indicating how local councillors can support the campaign.

11. Clearly there is a limit to what the Council can do to mitigate the impacts of the cost of living crisis on individuals, families and communities in Fife, but I am pleased that the Council has developed such a comprehensive winter campaign that stands comparison with any other across Scotland or the UK and I congratulate our officers and partners who are involved in developing and delivering this support.

Homelessness

12. In 2019, the Council set out our ambition to transform housing access and homelessness services within our first Rapid Rehousing Transition Plan. The plan is based on the ability to meet the needs of those in vulnerable housing circumstances earlier and prevent the need for crisis response services. The Council remains committed to that vision and are working to improve the experience of customers how are homeless or at risk of homelessness. It is fair to say that these efforts have been negatively impacted by the direct and indirect impacts of the Covid Pandemic and our priority and focus remains on meeting our statutory duties.
13. This year, the housing system is facing unprecedented pressures which, in combination, are presenting a range of challenges for service delivery. While we are not seeing a significant increase in the level of homeless presentations, we are seeing considerable demand for temporary accommodation and there have been times during the year when all resources have been exhausted. This situation continues to be monitored very closely and action taken to ensure support to vulnerable households.
14. The council has reported 2 further breaches of the statutory duty in October and 1 in November. These have been discussed with the Regulation/Inspection Management Team and feedback is awaited.
15. Arrangements have been put in place to maximise the use of all available housing stock and to provide support to people in vulnerable housing circumstances. The pressure on housing and homeless services is likely to continue as people continue to feel the effect of the Cost of Living crisis and other factors causing homelessness. We have taken steps to increase supply through a commitment to deliver Phase 3 of the Affordable Housing programme, increase property acquisitions and our approaches to increase housing options. Our priority is to create the best deal for tenants in housing need through a transfer led approach to housing allocations and meeting priority needs within the housing stock available.

Bus Services

16. Following a decision by Stagecoach to cut or reduce a number of bus services across Fife, the Council has stepped in to ensure that services judged by Stagecoach to be commercially uneconomical – but socially essential – continue to run.
17. Stagecoach announced changes to their commercial network in late August and while some of the changes were minor changes to timetables, some involved withdrawing services completely.

18. Following discussions with Stagecoach some minor timetabling changes were reversed and separate discussions with Moffat & Williamson confirmed that they will register a bus service commercially to offset the removal of the Stagecoach Service 77 which will make sure a service remains from Gauldry to Dundee.
19. The council has now stepped in to make sure the remaining socially necessary withdrawn services (service 14, 33, 36 & 81) continue to operate. Replacement services were set to start on November 7, 2022.
20. These are services that the council has agreed to subsidise to cover gaps that need to be filled in the commercial system and routes that have historically been supported. The removal of these services would have a significant impact on the local communities, particularly those who rely on public transport. In turn, the council stepped in and tendered for alternative, replacement services.
21. We are committed to creating a fairer Fife and supporting those hardest hit by the cost of living crisis. The services maintained will reassure people in our communities that where there is a social need, the council will take whatever steps it can to support the provision of essential transport, including bus services. By stepping in the main impacts of the changes proposed by commercial service have hopefully been avoided.

Green/Freeports

22. Following approval by Cabinet Committee in endorsing a Green/Freeport for the Forth, a final decision is due imminently from UK and Scottish Governments on which locations in Scotland will be designated with Green/Freeport status.
23. The Forth Green Freeport bid seeks to deliver sustainable and just economic growth. It will utilise and enhance proven skilled labour markets, business expertise and identified sites, including those at Rosyth, Burntisland and Energy Park Fife in Methil. Job growth along the Forth will also extend beyond the Fife Council area to City of Edinburgh and Falkirk Council areas respectively. There, energy and low carbon growth will create new employment in addition to enabling the enhancement of Scotland's international connectivity and export capacity through a brand-new shipping and freight ferry terminal.

Levelling Up Fund

24. Officers have recently met with the Director of the Scotland Office and Levelling Up officials, following approval of the submissions made for Fife's five Levelling Up capital proposals in each of the four UK Parliamentary constituencies and a transport bid for Fife. UK Government has advised that a decision on the award of funding for Levelling Up will be made by the end of the year. Levelling Up civil servants have recently visited Dunfermline to see proposed projects on the ground, and are seeking further information on projects across the UK in their assessment of applications.

Leven Fires

25. The Council is assisting businesses and supporting trade in Leven, following two fires in the last fortnight on the High Street. The first of these, at

Poundstretcher, saw the building made unsafe and officers from Building Standards are working with owners on making arrangements for safe demolition of the premises. Officers from Economic Development have engaged with businesses on the High Street and working with the Community Council, Communities and a range of Council teams, were able to hold the Christmas Light Switch On last weekend. Sadly, a second fire on Friday 25th November has seen a further fire in the former Mastertons building. Fife Council is working closely with Police Scotland and Scottish Fire and Rescue Service on the initial response to both fires and will be meeting with businesses to assess their needs. A priority will be to enable neighbouring businesses to recommence trade as soon as possible.

26. At this time, access to the affected areas is restricted but all other businesses remain open and the Council is encouraging shoppers to support companies in Leven in the run-up to Christmas. The Council's Safer Communities team continues to provide a presence to assure the public and businesses.

Community Social Work

27. Based on the Test of Change work underway in Kirkcaldy a number of workshop sessions were held for Elected Members to explore the concept and development of the community social work approach.
28. In November, Fife hosted a very successful national conference on community social work with participants from across Scotland and beyond. Further work is now underway to look at the possible expansion of this approach and the linkage to other People and Place initiatives across Fife.

Trusts

29. Meetings have been underway with each of the Council's arms-length trusts to explore the on-going impact of the pandemic, their recovery plans and budget positions. Covid recovery funding has been allocated to offset continued loss of income in the coming year as the trusts move to full re-opening of facilities.
30. In the case of the two largest trusts, Fife Sports and Leisure Trust and Fife Cultural Trust, it has been agreed that it would be premature to move to a 3 year or longer revised Service Level Agreement as significant uncertainties remain regarding the pace of recovery and return to pre-pandemic usage levels. It is hoped that work will be undertaken over the next 6 months which will allow longer term agreements to be developed by the start of the summer next year. An undertaking has been given by Fife Sports and Leisure Trust to move to pre-pandemic opening hours over the coming months dependent on successful recruitment of staff.

Foodbanks and Community Food Providers

31. I held a well attended online meeting with representatives of Fife's foodbanks and other community food providers. This provided an opportunity, not only for these organisations to share the pressures and demands they are experiencing on the ground, and to indicate where support from the Council might assist, but also to offer mutual support to each other.
32. Areas for further work include communications and publicising of services, joint procurement approaches, and tying benefits advice into food provision.

Fife Violence Against Women Partnership (FVAWP)

33. FVAWP gave a presentation to the meeting of the Fife Community Planning Partnership Board on 30th November. It was confirmed that the Council has been accepted onto the Equally Safe Employer Accreditation Programme and is working towards gaining a Bronze Award, led by our Human Resource team.

Scottish Cities Week

34. A promotional event will be held in London in January highlighting the opportunities for investment and collaboration with the 8 Scottish Cities, now including Dunfermline, organised by the Scottish Cities Alliance. The event had been planned for earlier this year but was postponed due to the passing of Her Majesty Queen Elizabeth. This postponement has given the opportunity for Dunfermline to play a more prominent role in the event.

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

8th December, 2022

Agenda Item No. 8

Appointment to External Organisation – St Andrews Links Trust

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

Wards Affected: All wards

Purpose

To appoint an elected member to the St Andrews Links Trust.

Recommendation(s)

The Council is asked to appoint an elected member to the St. Andrews Links Trust for the three year period 1st January, 2023 to 31st December, 2025.

Resource Implications

None

Legal & Risk Implications

External organisations have their own governance structures, and members should seek advice from Finance & Corporate Services on any concerns they have on membership of the organisations. In particular, members may be subject to other legislation such as the Companies Acts (directors' responsibilities) and charity law.

Impact Assessment

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

Consultation

The respective organisations have previously been contacted to ascertain whether they still require Council representation; and the relevant Heads of Services and Executive Directors have also previously been consulted regarding the Council's continued representation.

1.0 Background

St Andrews Links Trust – Elected Member Representative

- 1.1 The St. Andrews Links Trust consists of eight members who are Trustees of the Links Trust, three of whom are appointed by Fife Council (two elected members and one non-elected member). Appointments to the Links Trust are for a 3 year period.
- 1.2 The Provost was appointed by Fife Council on 9th June, 2022 as one of their representatives on the St. Andrews Links Trust, and his term of appointment is due to expire on 31st December, 2024.
- 1.3 Councillor Ann Verner's term of appointment is due to expire on 31st December, 2022 and nominations are sought for this. Ms Sandra Tuddenham, a representative from the local golf clubs is currently the non-elected member appointment and is appointed until 31st December, 2023.
- 1.4 It should be noted that members cannot be appointed to the St. Andrews Links Trust if they are already members of the St. Andrews Links Management Committee (or vice versa).

2.0 Rights and Responsibilities of Elected Members

- 2.1 Advice has been given in the past to elected members and officials who have been nominated to take up directorships of companies or trusts. Further advice can be provided to include information on the rights and responsibilities of elected members taking up positions on other forms of outside organisations such as Management Committees and unincorporated associations if required.

Report Contact

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8th December, 2022

Agenda Item No. 9

Licensing Board Appointment

Report by: Head of Legal & Democratic Services

Wards Affected: All wards

Purpose

This report is to invite Council to make a change to the membership of the Licensing Board.

Recommendation(s)

Council is asked to

- (1) note the resignation of Cllr Louise Kennedy-Dalby from the Licensing Board; and
- (2) appoint Cllr Lynn Ballantyne-Wardlaw to the Licensing Board.

Resource Implications

There are no direct resource implications arising from this report.

Legal & Risk Implications

In terms of Paragraph 11, Schedule 1 of the Licensing (Scotland) Act 2005, each member of a Licensing Board must comply with the requirements relating to the training of board members within three months of election to the Licensing Board.

The recommendation for appointments is in line with the agreed political balance considerations.

Impact Assessment

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

Consultation

There was no requirement for consultation.

1.0 Background

- 1.1 Cllr Kennedy-Dalby has some personal reasons for stepping back from her appointment to the Licensing Board for a period of time. It is important for the expeditious running of the Board that there is a full compliment of members available to sit on the Board.

Cllr Ballantyne-Wardlaw, if appointed, will be required to undertake training within three months of her appointment and this must be completed before she can sit on the Board.

Should Cllr Kennedy-Dalby wish to return to the Board in the future this would require the agreement of Council.

2.0 Conclusion

- 2.1 Council is asked to make the appointment as detailed above.

List of Appendices

None

Report Contact

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8th December, 2022

Agenda Item No. 10

NOTICE OF MOTIONS

Report by: Head of Legal and Democratic Services

Wards Affected: All

Purpose

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

Recommendation(s)

Council is asked to consider the motions.

Resource Implications

Not applicable.

Legal & Risk Implications

Not applicable.

Impact Assessment

Not applicable.

Consultation

Not applicable.

Lindsay Thomson
Head of Legal and Democratic Services
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Motion 1

“Council recognises the enhanced local accountability offered by the governance arrangements for the Area Roads Programme and agrees to the formation of a cross-party member/officer working group to identify other areas where decisions on the detail could similarly be devolved to Area Committees, with the objective of introducing those so identified as quickly as practicable.”

Proposed by Councillor Dave Dempsey
Seconded by Councillor Gavin Ellis

Motion 2

Voting rights of religious representatives

“Council notes the requirement for there to be three religious representatives on any committee that makes determinations on education matters.

Council also notes the recent decision by Perth and Kinross Council to remove the voting rights of religious representatives while maintaining their role as non-voting members. Council further notes that Moray and the Scottish Borders also do not extend voting rights to their religious representatives.

Council calls for a report to be brought back to full council in 2023 with options to determine the voting rights of religious representatives, including the option to remove voting rights. Councillors will be invited to make a determination on this matter in the report.”

Proposed by Councillor Aude Boubaker-Calder
Seconded by Councillor Sean Dillon

Motion 3

“Council notes the Supreme Court ruling on 23rd November 2022 that the draft Independence Referendum Bill relates to matters which have been reserved to the Parliament of the United Kingdom under the (Scotland) Act 1998. Therefore, the Scottish Parliament does not have the power to legislate for a referendum on Scottish independence.

As there will now be no second independence referendum, the Council Leader is asked to write to the First Minister and the Scottish Government to urge that the £20million of public money put aside be used for public services instead. This could include distribution to local authorities to be spent as appropriate under the remit of local government powers.”

Proposed by Councillor Kathleen Leslie
Seconded by Councillor Darren Watt

Motion 4

Benefit Sanctions

Council notes figures revealed in November showing a total of £2.3 million was taken from benefit claimants in Scotland in sanctions by the DWP in just one month this summer.

Council further notes the worst hit Westminster constituency in Scotland was Kirkcaldy and Cowdenbeath and that a total of £562k was lost to Fife, by DWP sanctions between June and August.

Council condemns the Tory government's benefit sanctions which are forcing tens of thousands of families across Scotland into destitution, undermining efforts from Fife Council and the Scottish government to address the Tory cost-of-living crisis.

Proposed by Councillor David Barratt
Seconded by Councillor Lesley Backhouse

Motion 5

"Council notes that the Local Government (Scotland) Act 1973 requires councils to appoint religious representatives to committees considering education matters.

Council further notes that in Fife, unelected religious representatives are currently afforded voting rights on education matters, but that the Act does not require this.

Council therefore resolves to amend relevant standing orders and committee powers to remove voting rights currently afforded to unelected religious representatives."

Proposed by Councillor Sarah Neal
Seconded by Councillor Sam Steele

Motion 6

"Council notes that the UN voted to set up a fact-finding investigation into human rights abuses in Iran. Over 300 people have been killed and 14,000 arrested since protests started in September following the death in police custody of Mahsa Amini. There was a recent rally at St Andrews University to support the Iranian movement "Women: Life: Freedom" attended by a large number of students, staff, and residents.

Fife Council deplores the violence in Iran and supports "Women: Life: Freedom."

Proposed by Councillor Robin Lawson
Seconded by Councillor Peter Gulline