

THE FIFE COUNCIL - FIFE COUNCIL – REMOTE MEETING

10th March, 2022

10.20 a.m. – 1.40 p.m.

PRESENT: Councillors Jim Leishman (Convener), David Alexander, Lesley Backhouse, Alistair Bain, David Barratt, John Beare, Tim Brett, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Bobby Clelland, Dave Coleman, Altany Craik, Neil Crooks, Dave Dempsey, John Docherty, Gavin Ellis, Linda Erskine, Ian Ferguson, Julie Ford, Derek Glen, David Graham, Fiona Grant, Mick Green, Sharon Green-Wilson, Gary Guichan, Judy Hamilton, Andy Heer, Zoe Hisbent, Linda Holt, Margaret Kennedy, Gordon Langlands, Helen Law, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Mary Lockhart, Donald Lothian, David MacDiarmid, Mino Manekshaw, Karen Marjoram, Alice McGarry, Lea Mclelland, Tony Miklinski, Derek Noble, Tony Orton, Ross Paterson, Bill Porteous, Graham Ritchie, David Ross, David J Ross, Fay Sinclair, Kate Stewart, Alistair Suttie, Jonny Tepp, Brian Thomson, Ann Verner, Andrew Verrecchia, Ross Vettraino, Craig Walker, Darren Watt, Richard Watt and Jan Wincott.

APOLOGIES FOR ABSENCE: Councillor Colin Davidson and Ryan Smart.

In terms of standing order 3.8 Provost agreed to consider a report on Ukrainian Refugees as a matter of urgency. The special circumstances were that the report provided an update on the anticipated response from Fife Council to the Ukraine refugee issue and sought delegated authority to take forward this work in the days and weeks ahead.

273. DECLARATIONS OF INTEREST

Councillor Brett declared an interest in paragraph 282 below – ‘Notice of Motions – Motion 4’ – as his daughter worked at one of the schools affected by the proposed changes. Councillor Brett advised that he would remain in the meeting but would not take part in the debate.

274. UKRAINIAN REFUGEES

The Council considered a report by the Head of Housing Services which outlined the proposed commitment to welcome Ukrainian refugees to Fife.

The Provost agreed to write to the Marshal of the Kujawsko-Pomorskie Region, Poland and the Polish General Consort to offer support from Fife Council.

Decision

The Council:-

(1) agreed that Fife should welcome Ukrainian refugees to Fife through any appropriate Government visa scheme;

(2)/

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- (2) agreed to make this commitment through COSLA to the Scottish Government and UK Government;
- (3) noted that the multi-agency response to support a range of vulnerable people, including the Ukrainian refugees coming to Fife will continue to be co-ordinated through the Resettlement Core Group;
- (4) delegated to the Chief Executive, in consultation with the Co-Leaders, the authority to make a specific commitment to COSLA in relation to the number of Ukrainian refugees that Fife Council can support; and
- (5) delegated to the Chief Executive, in consultation with the Co-Leaders, to liaise with Fife Council's established local and regional government partners (in Europe) to establish if there are any practical or other support Fife Council may be able to provide to the humanitarian crisis.

275. CIVIC BUSINESS BULLETIN

The Council considered the Civic Business Bulletin, a copy of which is appended as Appendix 1 to the minute.

Decision

The Council noted the Civic Business Bulletin.

276. MINUTE

The Provost, seconded by the Depute Provost, moved that the minutes of 2nd December, 2021 and 24th February, 2022 be approved.

Decision

The Council approved the minutes.

277. 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) Central and West Planning Committee of 24th November, 15th December, 2021 and 19th January, 16th February, 2022.
- (2) North East Planning Committee of 17th November, 15th December, 2021 and 12th January, 9th February, 2022.
- (3) Fife Planning Review Body of 22nd November, 2022 and 31st January, 2022.
- (4) Regulation and Licensing Committee of 26th October, 23rd November, 14th December, 2021.
- (5) Policy and Coordination Committee of 20th January, 2022.
- (6)/

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- (6) Environment, Finance and Communities Scrutiny Committee of 1st February, 2022.
- (7) Education and Children's Services, Health and Social Care Scrutiny Committee of 16th November, 2021 and 8th February, 2022.
- (8) Standards and Audit Committee of 16th December, 2021.
- (9) Superannuation Fund and Pensions Committee of 7th December, 2021.
- (10) Glenrothes Area Committee of 1st December, 2021 and 2nd February, 2022.
- (11) Levenmouth Area Committee of 17th November, 2021 and 26th January, 2022.
- (12) City of Dunfermline Area Committee of 30th November, 2021 and 25th January, 2022.
- (13) Kirkcaldy Area Committee of 25th January, 2022.
- (14) South and West Fife Area Committee of 1st December, 2021 and 2nd February, 2022.
- (15) Cowdenbeath Area Committee of 8th December, 2021 and 9th February, 2022.
- (16) North East Fife Area Committee of 24th November, 2021 and 26th January, 2022.

Decision

The Council noted the minutes.

278. CO-LEADERS' REPORT

The Council considered a report by the Co-Leaders on a number of strategic issues and an update on the Programme for Administration. The Co-Leaders provided updates on a number of issues in response to questions from members.

Decision

The Council noted the report.

279. 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 2 to the minute.

280. REVIEW OF EXTERNAL ORGANISATIONS

The Council considered a report by the Head of Legal and Democratic Services seeking the Council's approval to begin a review of the number of Council made appointments/

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appointments to external organisations to ensure that it remained beneficial for the organisations and the Council.

The Head of Legal and Democratic Services clarified, in relation to recommendation 4 of the report, that although the Council would be writing to all external organisations, there would be a number of organisations to which the Council would not wish to reduce representation.

Decision

The Council:-

- (1) noted the current list of external organisations appointments, as set out at Appendix 1 of the report;
- (2) noted the exceptional contribution that local organisations make to the community in Fife;
- (3) provided comment on the benefits of reducing the number of Council made appointments to external organisations and the principles that could be applied to this process, as set out in section 2 of the report;
- (4) agreed that it be delegated to the Head of Legal and Democratic Services to (i) contact the external organisations, to advise that the Council is seeking to reduce the number of external appointments, and to establish if, in the organisation's view, the Council appointment is/not required or could be reduced and (ii) seek feedback from those members appointed to these bodies. Then to report back to the next meeting of the Fife Council with a proposed list of organisations for Council appointment; and
- (5) agreed that the set of criteria detailed in paragraph 2.6 of the report be applied to ensure consistency when making new appointments.

281. COMMITTEE RECOMMENDATIONS

The Council considered a report by the Head of Legal and Democratic Services seeking approval of recommendations made by the North East Fife Area Committee of 26th January, 2022 and the Environment, Finance and Communities Scrutiny Committee of 1st February, 2022.

Decision

The Council:-

- (1) noted the recommendation from the North East Fife Area Committee and agreed to consider the Council's approach to the attendance of members of the public at remote area committees in the next review of Standing Orders; and
- (2) noted the recommendation from the Environment, Finance and Communities Scrutiny Committee and agreed that the matter be remitted to the Assets and Corporate Services Sub-Committee or its successor.

The/

The meeting adjourned at 11.40 a.m. and reconvened at 11.50 a.m.

282. NOTICE OF MOTIONS

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

Motion 1

Councillor Dempsey, seconded by Councillor Miklinski, moved as follows:-

“Council reaffirms its position that the Workplace Parking Levy should not be introduced in Fife.”

Decision

The motion was agreed unanimously.

Motion 2

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

“Council welcomes the introduction of the new Fife Sports Strategy which encourages everyone to become more active and take part in sports activities.

Council notes the significant challenges faced by the Sports and leisure trust over the last 2 years in being able to reopen facilities and increase users to return to facilities.

Council supports the call of the East Fife Sports Council that the Trust should look at the opening hours of all its facilities particularly in NE Fife so that there is equitable access to sports and leisure facilities across Fife.”

Amendment

Councillor Miklinski, seconded by Councillor Heer, moved as follows:-

Change third paragraph to:-

".....should look at the opening hours of all its facilities so that there is equitable access to sports and leisure across Fife.

and append

Council also requests a report to the appropriate committee on sports provision in areas not served by the Sports and Leisure Trust.”

The/

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The mover of the motion agreed to accept the amendment and the motion was agreed as follows:-

“Council welcomes the introduction of the new Fife Sports Strategy which encourages everyone to become more active and take part in sports activities.

Council notes the significant challenges faced by the Sports and Leisure Trust over the last 2 years in being able to reopen facilities and increase users to return to facilities.

Council supports the call of the East Fife Sports Council that the Trust should look at the opening hours of all its facilities so that there is equitable access to sports and leisure across Fife.

Council also requests a report to the appropriate committee on sports provision in areas not served by the Sports and Leisure Trust.”

Decision

The Council agreed the amended motion unanimously.

Motion 3

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

“Fife Council is appalled at the ongoing invasion of Ukraine by Russia.

Noting that the waging of aggressive war is a criminal act under international law, in particular Article 2(4) of the UN Charter.

The Council joins with the civilised world in condemning the actions of President Putin in initiating the war which is taking an increasing toll on military personnel and non-combatant civilians alike.

The Council supports the Scottish and UK Governments, other nations and allies in deploying measures aimed at ending the illegal Russian invasion and supporting the government and people of Ukraine in the defence of their country and the lives and liberties of their people.

The Council stands ready to assist in all appropriate ways offering humanitarian support and refuge to the people of Ukraine in this ordeal, as it has recently done for Syrian refugees and those evacuated from Afghanistan.

The invasion of Ukraine and the ongoing occupation of the Crimean peninsula and parts of the Donetsk and Luhansk oblasts, is a reminder that peace, stability and democracy cannot be taken for granted, even in Europe, and stresses the value and importance of international institutions including the United Nations, the European Union, the OSCE, the Council of Europe and NATO in continuing to safeguard and advance democracy, mutual security and economic prosperity in Europe and beyond.

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Fife Council stands with Ukraine and its people in these terrible times. And, with those Russians who are not responsible for this war, many of whom bravely speak out against it - thousands of whom have been arrested by the Russian State for taking part in peaceful protests.

The Council instructs the Chief Executive and the Co-leaders to write to Audrey Yakovlev, Consul General of the Russian Federation in Scotland, conveying the Council's condemnation of the actions of his Government.

Council notes that an initial review of the pension fund investments has taken place and it appears that there are no direct investments in Russian equity. Fund managers will be asked about the impact of sanctions on the wider financial markets and the SF&PC will be asked to review the position if necessary."

Amendment 1

Councillor David Ross, seconded by Councillor Hamilton, moved as follows:-

"Add:

Council expresses its concern at the restrictive approach to issuing visas for Ukrainian refugees currently being taken by the Home Office and calls on the UK Government to relax, expand and streamline arrangements for Ukrainian refugees to enter the UK."

Amendment 2

Councillor Leslie, seconded by Councillor Darren Watt, moved as follows:-

"Add:

Council notes the longstanding history of Fifers in supporting refugee and humanitarian crisis appeals. Today, Council recognises and thanks the contributions of individuals and groups across Fife in donating to Ukrainian refugee appeals.

Council stands with President Zelenskyy and the Ukrainian people in their right to live freely in a Ukraine recognised by the international community since 1991."

The mover of the motion agreed to accept both amendments and the motion was agreed as follows:-

"Fife Council is appalled at the ongoing invasion of Ukraine by Russia.

Noting that the waging of aggressive war is a criminal act under international law, in particular Article 2(4) of the UN Charter.

The Council joins with the civilised world in condemning the actions of President Putin in initiating the war which is taking an increasing toll of military personnel and non-combatant civilians alike.

The/

The Council supports the Scottish and UK Governments, other nations and allies in deploying measures aimed at ending the illegal Russian invasion and

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supporting the government and people of Ukraine in the defence of their country and the lives and liberties of their people.

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The invasion of Ukraine and the ongoing occupation of the Crimean peninsula and parts of the Donetsk and Luhansk oblasts, is a reminder that peace, stability and democracy cannot be taken for granted, even in Europe, and stresses the value and importance of international institutions including the United Nations, the European Union, the OSCE, the Council of Europe and NATO in continuing to safeguard and advance democracy, mutual security and economic prosperity in Europe and beyond.

Fife Council stands with Ukraine and it's people in these terrible times. And, with those Russians who are not responsible for this war, many of whom bravely speak out against it - thousands of whom have been arrested by the Russian State for taking part in peaceful protests.

The Council instructs the Chief Executive and the Co-leaders to write to Audrey Yakovlev, Consul General of the Russian Federation in Scotland, conveying the council's condemnation of the actions of his Government.

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Council stands with President Zelenskyy and the Ukrainian people in their right to live freely in a Ukraine as recognised by the international community since 1991."

Decision

The Council agreed the amended motion unanimously.

Motion 4

Councillor/

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

“Council notes that the matter of the Waid Cluster leadership was discussed following a motion to the Education and Children Services Sub-committee on 1st March 2022. The Sub-committee agreed to request a full report on future options and the proposed consultation process should be provided to the Sub-Committee or its successor prior to this consultation being carried out.

Council agrees that when the options report is considered by the Sub-committee, the Sub-committee should be invited to exclude the “Super Head” proposal (Head of Waid Academy and all 8 Primary Schools) given the significant parental and community concern.”

Amendment

Councillor Dempsey, seconded by Councillor Leslie, moved as follows:-

“Council notes that concern about the “Super Head” concept and proposal has not been limited to the East Neuk but has been expressed by parents and others across Fife”.

With the agreement of the Provost the movers of both the motion and the amendment agreed to conjoin as follows:-

“Council notes that the matter of the Waid Cluster leadership was discussed following a motion to the Education and Children Services Sub-committee on 1st March, 2022. The Sub-committee agreed to request a full report on future options and the proposed consultation process should be provided to the Sub-Committee or its successor prior to this consultation being carried out.

Council agrees that when the options report is considered by the Sub-committee, the Sub-committee should be invited to exclude the “Super Head” proposal (Head of Waid Academy and all 8 Primary Schools) given the significant parental and community concern.

Council notes that concern about the “Super Head” concept and proposal has not been limited to the East Neuk but has been expressed by parents and others across Fife”.

Decision

The Council agreed the conjoined motion unanimously.

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

The Urgent Item relating to Ukrainian Refugees had been prioritised earlier on the agenda. No further items were brought forward as a matter of urgency.

VALEDICTORY COMMENTS

As this was the last meeting of the Council prior to the Local Government Elections in May 2022, the Provost expressed his appreciation of the contributions of all members, specifically those who would not be standing again, as well as officers in supporting the work of the Council and wished them well in their future endeavours.

FIFE COUNCIL

10th March, 2022

Agenda Item No. 3

Civic Business Bulletin

Awards for Fife Order of the British Empire

Commanders of the Order of the British Empire

Miss Linda BROWN (Kirkcaldy), Executive Officer, Criminal Injuries Compensation Authority - For services to Justice and the Victims of Crime (Fife)

Professor Anne Elizabeth MAGURRAN FRSE (St. Andrews), Professor of Ecology and Evolution, Centre for Biological Diversity and the Scottish Oceans Institute, University of St Andrews - For services to Biodiversity (Fife)

Officers of the Order of the British Empire

Mrs Valerie COCKERELL (Dunfermline), Lately, Chief Officer, Official Seed Testing Station for Scotland, Science and Advice for Scottish Agriculture - For services to Scottish Agriculture (Fife)

Professor Ailsa Jane HALL (St Andrews), Director of the Sea Mammal Research Unit, and Professor of Biology, University of St Andrews - For services to Environmental Protection and Epidemiology (Fife)

Members of the Order of the British Empire

Mr Matthew John CLARK (Ladybank), Lately Chief of Staff, Scottish Liberal Democrats, Scottish Parliament - For services to Politics (Fife)

Mr Owen MILLER (Dunfermline) - For services to Athletics (Fife)

Mr Angus Walter Graeme NICOLL (Kennoway), Lately Managing Director, Peter Greig & Co Ltd. For services to the Textile Industry (Fife)

Defence Employer Recognition Scheme (ERS) Award

Fife Council was successful in revalidating its Defence Employer Recognition Scheme (ERS) silver award in August 2021. On Wednesday, 23rd February 2022 the award was accepted by Cllr Rod Cavanagh on behalf of Fife Council.

Considerable work has been undertaken over the last 18 months to improve and reinforce our commitment to members of our armed forces community who want to settle and work in Fife or are already part of Fife's armed forces community.

Work is currently being undertaken to prepare a submission for the ERS Gold Award. Applications close on the 16th of March 2022 and confirmation of the outcome will be advised in August 2022.

Fife Council
10th March, 2022
Item 7 – Question Time

QUESTION 1 FROM COUNCILLOR DAVE DEMPSEY

What decisions or other actions have been taken by the Policy & Co-ordination Committee and its various Sub-Committees that could not or would not have been taken had the Sub-Committees remained full Committees?

Answer

A consolidated list of the business considered by the Policy & Coordination Committee and also the various Sub-committees from August 2020 when the change took place is currently being prepared as part of the end of year committee assessment and can be made available.

Supplementary Question

Does that mean you don't know?

Answer

The report to committee will provide you with the information requested.

QUESTION 2 FROM COUNCILLOR TIM BRETT

How many pothole and road faults have been reported over the last 6 months and how does this compare with the same periods in the previous 2 years?

Answer

1/9/2020 – 1/3/2021 – 5212 faults reported to R&TS – 1827 containing pothole in the description

1/9/2021 – 1/3/2022 - 9747 faults reported to R&TS – 1558 containing pothole in the description

QUESTION 3 FROM COUNCILLOR TIM BRETT

How many pothole repairs are outstanding at the present time and are we meeting the 1 day and 5 day targets?

Answer

There are 1866 pothole repairs outstanding at present which relate to P3 and P4 pothole repairs. These repairs are 79% and 100% on time targets, respectively.

For February 2022

P1 pothole repairs (24 hour emergency) : 78% repaired within the 24 hr target time, (target 99%).

Priority 1

No. of P1 Repairs	No. Completed on Time (24 hours)	% On Time (Target 99%)
27	21	78

None outstanding

P2 pothole repairs (5 day) : 79% repaired within the 5 day target time, (target 95%).

Priority 2

No. of P2 Repairs	No. Completed on Time (5 Working Days)	% On Time (Target 95%)
796	630	79

None outstanding

Note : At this time of year, it is not uncommon for there to be a slight dip in target response times as periods of poor weather, including heavy rainfall and freeze/refreeze actions, increase the rate and volume of repairs required. In addition, there has been some additional staff pressures due to Covid absences. The use of external contractors is being considered to further assist with this workstream going forward.

QUESTION 4 FROM COUNCILLOR TIM BRETT

Have we seen any reduction in the number of reports of road faults from the public since the introduction of reporting through the Mygov.scot account requirement if people want feedback.

Answer

There has been an overall increase in reports from the public, but pothole reports have reduced, as detailed in Q2.

QUESTION 5 FROM COUNCILLOR TIM BRETT

What is the backlog of tree work at the present time , how many requests are outstanding ? Is there an estimate of the number of trees that have been lost in the recent storms in Fife ? How many trees can we expect to be planted over the next 12 months as replacements?

Answer

Provost, there is a backlog of tree work of four to five months with about 250 requests outstanding. Subcontractors are being employed to help address the work which is seen to be a priority. It is estimated that 329 trees have been lost in Fife during recent storms. Whereas I can't say how many trees will be planted over the next 12 months, I can say that the planned tree planting programmes will see thousands of trees planted in Fife over the next few years.

Supplementary Question

Is this information only in relation to Council trees? Can we link in with Forestry Scotland to check the position with their trees?

Answer

Only provided information relating to Council trees as this is the only information we have.

QUESTION 6 FROM COUNCILLOR TIM BRETT

How many road sign repairs are outstanding and what is the average waiting time for sign replacements?

Answer

In this financial year, 154 road signs orders have been issued for repair, 34 are awaiting completion, and the average time for repair has been 6 months. Work is ongoing to better utilise internal and external resources to help address this timescale.

QUESTION 7 FROM COUNCILLOR DAVE DEMPSEY

Has the Council carried out any analysis of the durability of pothole repairs and, if so, what was found?

Answer

Yes, there was a trial during 2003 / 2004 that looked at alternative pothole repair methods which resulted in a more robust patching specification being developed. The

principle finding of the trial was that over a 32 week period, only 4% of the 'higher quality' repairs needed a return visit for further repair work compared with 28% from the previous sample of 'traditional' make-safe repairs."

The Council now applies this 'higher quality' repair method at every location where it's appropriate to do so

Since the start of the Risk Based Assessment approach 19,922 safety defects have been identified for repair. Of these, 3240 were reported as having had a previous repair. However, this figure includes repairs which were undertaken to the previous repair specification so is not definitive on the current system. More data will be gathered as the process continues to help inform this.

Supplementary Question

Can I ask Councillor Craik to agree a revisiting of this approach is in order?

Answer

Yes and would expect getting them fixed at first attempt to be a focus for the next Administration.