

Thursday, 16th March, 2023 - 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 | 5 |
| 4. MINUTES – Minutes of the meetings of Fife Council of 8th December, 2022 and 23rd February, 2023. | 6 - 43 |
| 5. MINUTES OF COMMITTEES AND SUB-COMMITTEES | Available on intranet & website |
| Minutes of meetings of the Council's committees and sub-committees, as contained in the volume of minutes uploaded to the intranet and Fife Council website, are submitted for accuracy. | |
| 6. LEADER'S REPORT | 44 - 47 |
| 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. GOVERNANCE ARRANGEMENTS - STANDING ORDERS – Report by the Executive Director, Finance & Corporate Services. | 48 - 89 |
| 9. NOTICE OF MOTIONS – Report by the Head of Legal and Democratic Services. | 90 - 93 |
| 10. BUSINESS BROUGHT FORWARD BY THE PROVOST AS A MATTER OF URGENCY | |

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

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

Fife House
North Street

Glenrothes
Fife, KY7 5LT

9 March, 2023

If telephoning, please ask for:

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

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

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

BLENDED MEETING NOTICE

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

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

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

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

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

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

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

**Fife Council
16 March 2023**

Civic Business Bulletin

Dunfermline City Tartan

In light of Dunfermline's new status, third year pupils at all four Dunfermline High Schools are taking part in a competition to design a tartan. They have until 30th June to submit their designs and the judging will take place over the summer break. The winner will be announced at a City Status reception in August.

A Dunfermline kiltmaker is leading on this and there will be a prize for the winner.

Coronation Celebration Event

The Council will be holding a celebration on Monday 8th May in Glen Pavilion, Dunfermline. Guests will be chosen from a Fifewide volunteer list; we will be asking for online nominations and will randomly select up to 100 guests (each with a plus one).

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

Council Chamber (FHM06.001), 6th Floor, Fife House, North Street, Glenrothes

8th December, 2022

10.00 a.m. – 3.30 p.m.

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

APOLOGY FOR ABSENCE: Councillor Margaret Kennedy.

38. DECLARATIONS OF INTEREST

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

39. CIVIC BUSINESS BULLETIN

Decision

The Council noted the Civic Business Bulletin.

40. MINUTE

The Provost, seconded by Councillor Dempsey, moved that the minute of the meeting of 29th September, 2022 be approved.

Decision

The Council approved the minute.

41. MINUTE OF COMMITTEES AND SUB-COMMITTEES

Minutes/

2022 FC 47

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

- (1) West and Central Planning Committee of 21st September, 19th October and 16th November, 2022.
- (2) North East Planning Committee of 12th October and 9th November, 2022.
- (3) Fife Planning Review Body of 24th October, 2022.
- (4) Regulation and Licensing Committee of 6th September and 4th October, 2022.
- (5) Cabinet Committee of 22nd September, 20th October and 17th November, 2022.
- (6) Standards, Audit and Risk Committee of 31st October, 2022.
- (7) Pensions Committee of 26th September, 2022.
- (8) Glenrothes Area Committee of 7th September and 2nd November, 2022.
- (9) Levenmouth Area Committee of 8th November, 2022.
- (10) South and West Fife Area Committee of 28th September, 2022.
- (11) Cowdenbeath Area Committee of 26th October, 2022.
- (12) North East Fife Area Committee of 2nd November, 2022.
- (13) City of Dunfermline Area Committee of 20th September, 2022.
- (14) Kirkcaldy Area Committee of 20th September, 2022.
- (15) Fife Health and Social Care Integration Joint Board of 29th July and 30th September, 2022.

Decision

The Council noted the minutes.

42. LEADER'S REPORT

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

Decision

The Council noted the report.

43. 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 Craik, Spokesperson for Finance, Economy and Strategic Planning, answered questions 1, 2, 3, 7, 8 and 13.

Councillor Erskine, Spokesperson for Communities and Leisure, answered questions 5, 14 and 15.

Councillor Wincott, Spokesperson for Environment and Climate Change, answered questions 4, 10, 11 and 12.

Councillor/

2022 FC 48

Councillor Graham, Spokesperson for Health and Social Care, answered question 9.

Councillor Hilton, Spokesperson for Education, answered question 6.

44. **APPOINTMENT TO EXTERNAL ORGANISATION - ST ANDREWS LINKS TRUST**

The Council considered a report by the Head of Legal and Democratic Services which asked the Council to appoint an elected member to the St Andrews Links Trust.

Councillor Alexander, seconded by Councillor Robb, moved that Councillor Verner be appointed to the St Andrews Links Trust.

Councillor Kathleen Leslie, seconded by Councillor Watt, moved that Councillor Lawson be appointed to the St Andrews Links Trust.

Councillor Tepp, seconded by Councillor Calder, moved that Councillor Liston be appointed to the St Andrews Links Trust.

The meeting adjourned at 11.30 a.m. and reconvened at 11.50 a.m.

Following a point of order raised by a member, the Head of Legal and Democratic Services confirmed that an elected member who was a member of the Royal and Ancient Golf Course was ineligible to be appointed to the St Andrews Links Trust. This clarification excluded Councillor Lawson from being nominated.

Roll Call

For Councillor Verner – 33 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, 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.

For Councillor Liston – 10 votes

Councillors Aude Boubaker-Calder, John Caffrey, James Calder, Al Clark, Eugene Clarke, Fiona Corps, Sean Dillon, Jane Ann Liston, Donald Lothian and Jonny Tepp.

Abstained – 28 votes

Councillors Tom Adams, Mary Bain-Lockhart, Patrick Browne, Alistair Cameron, Ian Cameron, Alex Campbell, Altany Craik, Colin Davidson, Dave Dempsey, Graeme Downie, Gavin Ellis, Linda Erskine, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Robin Lawson, Jim Leishman, James Leslie, Kathleen/

2022 FC 49

Kathleen Leslie, Julie MacDougall, Derek Noble, Gordon Pryde, David Ross, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

Decision

The Council agreed to appoint Councillor Verner as an elected member representative to the St Andrews Links Trust for a three year period from 1st January, 2023 to 31st December, 2025.

45. LICENSING BOARD APPOINTMENT

The Council considered a report by the Head of Legal and Democratic Services which asked members to note the resignation of Councillor Kennedy-Dalby from the Licensing Board and to appoint Councillor Ballantyne-Wardlaw to the Licensing Board.

Decision

The Council agreed the change of membership of the Licensing Board.

46. 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.

Motion 1

Councillor Dempsey, having moved his motion, failed to find a seconder and his motion fell.

Motion 2

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

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.”

Amendment

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

“Council notes that the Local Government (Scotland) Act 1973 requires councils to/

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.”

The meeting adjourned at 12.20 p.m. and reconvened at 12.55 p.m.

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

Roll Call

For the Motion – 40 votes

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

For the Amendment – 30 votes

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

Abstained – 2 votes

Councillors David MacDiarmid and Craig Walker.

Decision

The Council agreed in terms of the motion.

Motion 3

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

“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/

Motion 1

Tackling Marine Pollution

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

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

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

Proposed by Councillor James Calder
Seconded by Councillor Al Clark

Motion 2

Crisis in Scottish Dentistry

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

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

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

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

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

Proposed by Councillor James Calder
Seconded by Councillor Margaret Kennedy

Motion 3

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

“The Council notes that

- Swimming is a life (saving) skill for everybody
- Schools in England have swimming integrated in their PE curriculum in primary schools; (1)

- Pupils in some countries in Europe are required to be able to swim 25 metres by the end of primary school;
- Swimming is a complete sport which is known to be good for both for physical and mental health.

The Council also notes that:

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

The council is calling for:

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

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

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

Proposed by Councillor Aude Boubaker-Calder
Seconded by Councillor Al Clark

Motion 4

Councillor Parking

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

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

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

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

Proposed by Councillor David Barratt
Seconded by Councillor Auxí Barrera

Motion 5

“Council supports the Wave Trust's 70/30 campaign to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year 2030. Council asks officers to bring a report to a future meeting of the Cabinet Committee on how the ambitions of this campaign can best be achieved in Fife.”

Proposed by Councillor MacDougall

Seconded by Councillor Craik

Motion 6

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

Proposed by Councillor Wincott

Seconded by Councillor Craik