

Cabinet Committee

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



Thursday, 9 May 2024 - 10.00 am

AGENDA

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1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTES**
 - (i) Cabinet Committee of 4 April 2024. 4 - 7
 - (ii) Education Appointment Committee of 26 February 2024. 8
 - (iii) Appeals Sub-Committee of 22 March 2024. 9
4. **UK GOVERNMENT LEVELLING-UP FUNDING: CITY OF DUNFERMLINE CULTURE FUNDING** – Report by the Head of Business and Employability Services. 10 - 18
5. **APPOINTMENT OF CHIEF PLANNING OFFICER (CPO)** – Report by the Head of Human Resources. 19 - 21
6. **SHORT TERM LET LICENSING AND THE AIG WOMEN'S OPEN** - Report by the Head of Housing Services. 22 - 25
7. **TACKLING DAMPNES AND MOULD IN PRIVATE SECTOR HOUSING - PROPOSED ACTION PLAN** – Joint report by the Head of Housing Services and the Head of Protective Services. 26 - 37
8. **INVESTING IN PLANNING - RESOURCING SCOTLAND'S PLANNING SYSTEM: CONSULTATION** – Report by the Head of Planning. 38 - 57
9. **TACKLING MARINE POLLUTION - MEMBERSHIP OF KIMO UK** – Report by the Head of Planning. 58 - 61
10. **FOOD4FIFE** – Joint report by the Head of Planning and Head of Communities and Neighbourhoods Service. 62 - 99
11. **COMMON GOOD POLICY** – Report by the Head of Communities and Neighbourhoods Service. 100 - 107
12. **CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES** 108 - 110

The committee is asked to resolve, under Section 50(a)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

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13. BUILDING FIFE'S FUTURE: REPLACEMENT OF INVERKEITHING HIGH SCHOOL (SOUTH AND WEST FIFE) - FULL BUSINESS CASE – Joint report by the Head of Education and the Head of Property Services.	111 - 150
14. ACQUISITION OF 4 HOUSES IN ST. CATHERINE WYND, HIGH VALLEYFIELD – Joint report by the Head of Housing Services and the Head of Property Services	151 - 155

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

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Head of Legal and Democratic Services
Finance and Corporate Services
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Fife, KY7 5LT

2 May 2024

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BLENDED MEETING NOTICE

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

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

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

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

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

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

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

THE FIFE COUNCIL - CABINET COMMITTEE - BLENDED MEETING**Committee Room 2, Fife House, North Street, Glenrothes****4 April 2024****10.00 am - 11.35 am**

PRESENT: Councillors Linda Erskine (Convener), Tom Adams (substituting for Councillor David Ross), David Alexander, Lesley Backhouse, Lynn Ballantyne-Wardlaw (substituting for Councillor Carol Lindsay), David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Graeme Downie, Derek Glen, Brian Goodall (substituting for Councillor Craig Walker), Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Allan Knox, Kathleen Leslie, Rosemary Liewald, Ross Vettraino and Jan Wincott.

ATTENDING: Ken Gourlay, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Lindsay Thomson, Head of Legal and Democratic Services, Laura Robertson, Finance Operations Manager, Helena Couperwhite, Committee Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Paul Vaughan, Head of Communities and Neighbourhoods Service and Lauren Bennett, Project Manager (Community Wealth Building), Communities and Neighbourhoods Service; John Mitchell, Head of Roads and Transportation Services, Michael Anderson, Service Manager (Structural Services) and Rick Haynes, Lead Consultant (Flooding, Shoreline and Harbours), Roads and Transportation Service; Gordon Mole, Head of Business and Employability Services; and Audrey Valente, Chief Finance Officer, Health and Social Care Partnership.

APOLOGIES FOR ABSENCE: Councillors Carol Lindsay, David Ross and Craig Walker.

APPOINTMENT OF CONVENER - In the absence of the Convener, Councillor Erskine was appointed to chair the meeting.

226. DECLARATIONS OF INTEREST

Councillor Derek Glen declared an interest in para. 231 - Scottish Government Place Based Investment Programme Funding - Fife's Proposed Projects 2024/25 - as he was a trustee of the Dunfermline Regeneration Trust which acted as the fundholder for the Environment Skatepark Project.

227. MINUTE

The committee considered the minute of the Cabinet Committee meeting of 7 March 2024.

The Convener advised that in terms of para. 219 of the minute - Support for Voluntary Organisations - the Head of Housing Services had confirmed that all required financial and management information from the Disabled Persons Housing Service (DPHS) had been received and that the award of £80,109 could be made for 2024/25.

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It was proposed to amend the decision in the minute to reflect this. As this was a procedural motion in terms of Standing Order No. 27.4, the motion was proposed by Councillor Erskine and seconded by Councillor Craik.

The procedural motion was unanimously agreed.

Decision

The committee agreed to approve the minute subject to the change at para. 209 as detailed above.

228. COMMUNITY ASSET TRANSFER APPLICATION BY CRAIL COMMUNITY PARTNERSHIP

The committee considered a joint report by the Head of Property Services and the Head of Communities and Neighbourhoods Service which sought approval for a Community Asset Transfer request received from Crail Community Partnership under Part 5 of the Community Empowerment (Scotland) Act 2015 to purchase Denburn Wood in Crail.

Decision

The committee approved the asset transfer request at less than market value at the price of £1 and all otherwise on the terms and conditions to the satisfaction of the Head of Property Services and the Head of Legal and Democratic Services, subject to approval of the asset transfer request by the North East Fife Area Committee.

229. PROPERTY FLOOD RESILIENCE GRANT - CAPITAL FUNDING

The committee considered a report by the Head of Roads and Transportation Services seeking approval to implement the Property Flood Resilience Grant (PFRG) process to support properties at risk of flooding.

Decision

The committee:-

- (1) approved the implementation of the Property Flood Resilience Grant process as detailed in section 2 of the report which afforded up to £5,000 per private property; and
- (2) agreed to delegate to the Convener of the Environment, Transportation and Climate Change Scrutiny Committee that an item be added to the Forward Work Programme for a monitoring report to be submitted on the property flood resilience grant in due course.

230. ANNUAL UPLIFT IN PAYMENTS TO THIRD PARTY PROVIDERS AND SOCIAL CARE CHARGES FOR 2024-25

The committee considered a report by the Director of Health and Social Care providing information on the proposed uplift in payments to third party providers and charges of Social Care Services for financial year 2024-25.

Decision

The committee:-

- (1) noted the proposed increase in the Free Personal and Nursing Care Allowance;
- (2) noted the proposed increase in hourly rates paid for service users in receipt of a direct payment, or for shared lives carers, to comply with the increase in living wage rate for 2024-25;
- (3) noted and approved the increase in rent charges for service users residing in staffed group homes or core and cluster services;
- (4) approved the revised charges for Social Care Services for 2024-25; and
- (5) noted that at para. 2.5.9 of the report, the weekly charge for community alarms would increase by £0.15 per week and not £0.25 as stated.

Having declared an interest in the following item, Councillor Derek Glen left the meeting at this stage.

231. SCOTTISH GOVERNMENT PLACE BASED INVESTMENT PROGRAMME FUNDING - FIFE'S PROPOSED PROJECTS 2024/25

The committee considered a report by the Head of Business and Employability Services seeking agreement for an approach to disbursing Fife's allocation of the Scottish Government's Placed Based Investment Programme Funding for financial year 2024/25.

Decision

The committee:-

- (1) noted the background to the fund, including likely conditions and timescales involved in delivery projects;
- (2) agreed the list of projects in Table 1 as those to receive investment from the fund during the financial year 2024/25, subject to final confirmation of funding to be made available by the Scottish Government. If funding was lower than predicted, then approved projects may be rolled forward to be delivered from the 2025/26 allocation which was expected to be £1.915m;
- (3) agreed to delegate authority to the Executive Director (Place) to disburse funds to the agreed projects; and
- (4) agreed that there was some flexibility to allow movement of funds from one project to another, as necessary, with the agreement of the Executive Director (Place) for changes above £100,000 and that, below this sum, movement was at the discretion of the Head of Business and Employability Services, assuming that the fund timescales were met.

Councillor Derek Glen re-joined the meeting following consideration of the above item.

232. SISTER CITIES - INTERNATIONAL PARTNERSHIP ARRANGEMENTS

The committee considered a report by the Head of Business and Employability Services advising on progress in relation to developing relationships for Dunfermline in respect of Sister City pairings and providing an update on further international economic partnership developments.

Decision

The committee:-

- (1) noted progress in developing strategic economic partnerships with existing and new city partners under the Sister Cities scheme and other economic agreements; and
- (2) agreed to endorse the further development of such partnerships and a development approach to growing Fife's international economic relationships.

233. COMMUNITY WEALTH BUILDING - PROGRESS REPORT

The committee considered a report by the Head of Business and Employability Services which provided a six-monthly progress update in relation to the Community Wealth Building (CWB) Policy Framework approved in April 2023.

Decision

The committee:-

- (1) agreed to endorse the progress made to date to progress Community Wealth Building delivery and noted successes and next steps; and
- (2) agreed to endorse the priorities for 2024 and beyond, particularly in terms of making progress on pillars 3 and 4 - Land and Property and Plural Ownership.

234. TREASURY MANAGEMENT 2024-27

The committee considered a report by the Executive Director (Finance and Corporate Services) outlining the revised Treasury Management Strategy and Investment Strategy of the council.

Decision

The committee approved:-

- (1) the Treasury and Investment Strategies; and
- (2) the Statutory Repayment of Loans Fund Advances Policy.

235. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES

The committee considered the list of outstanding remits from committees.

Decision

The committee noted the list of outstanding remits from committees.

2023.EAC.21

**THE FIFE COUNCIL – EDUCATION APPOINTMENT COMMITTEE –
GLENROTHES**

26th February 2024

12.00 pm – 13.45 pm

PRESENT: Councillor Dave Dempsey, Angela Logue, Head of Service and Rona Weir, Education Manager; and Samantha Cullen and Lynne Warren, Leuchars Parent Council representatives.

41. EXCLUSION OF PUBLIC AND PRESS

Decision

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

42. HEADTEACHER – LEUCHARS PRIMARY SCHOOL

The Committee interviewed 1 applicant on the short list for this post.

Decision

Agreed to recommend the appointment of the applicant.

2024 ASC 7

THE FIFE COUNCIL - APPEALS SUB-COMMITTEE

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

22 March, 2024

1.30 pm – 3.05 pm

PRESENT: Councillors Eugene Clarke (Convener), Ian Cameron, Altany Craik, Kathleen Leslie and Sarah Neal.

ATTENDING Stevie Murray, HR Lead Officer, Human Resources and Alison Higgins, Solicitor, Legal and Democratic Services

Representing the Authority – Linsey Gilmartin, HR Business Partner, Human Resources and Laura Tannahill, Service Manager – Strategic Commissioning.

Representing the Appellant – Appellant and George McColl, Trade Union Representative, Unison.

7. RESIDENTIAL CHILDCARE SERVICES - DISMISSAL APPEAL

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

The Sub-Committee considered the written submissions by both parties and also heard both parties' oral representations, following which the Authority's representatives and the appellant and their representative withdrew from the meeting.

Decision

The Sub-Committee agreed that the grounds of the appeal had not been substantiated, and therefore the appeal had not been upheld.

UK Government Levelling-Up Funding: City of Dunfermline Culture Funding

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

Wards Affected: 2, 3 and 4

Purpose

The purpose of this report is to approve the projects to be submitted to the Department for Levelling Up, Housing and Communities as a cultural investment plan for the City of Dunfermline. It includes information on the UK Government funding requirements, eligible projects and an approach to develop a long-term cultural investment plan.

Recommendations

It is recommended that committee:

- (1) approves the prioritisation of the four cultural projects in Appendix 2 to secure the provisional award by the UK Government's Levelling Up funding (LUF) for which Dunfermline will benefit from £5 million of capital funding over two years from 2024/25; and notes that these are subject to endorsement by the UK Government and completion of their design processes;
- (2) delegates to the Executive Director (Finance and Corporate Services) and Executive Director (Place) to submit and conclude the Levelling Up Culture Investment Plan for the City of Dunfermline with the UK Government; and
- (3) agrees the proposed next steps.

Resource Implications

The total value of the provisional award of the LUF Culture funding for the City of Dunfermline is £5m. The delivery and draw down of the LUF grant must be completed by March 2026. The investment plan for cultural investment in the city must be submitted by 10 May 2024. It is capital funding. There is no Levelling Up funding for revenue costs. Operational costs and funding will form part of the project business cases.

Legal & Risk Implications

The Department for Levelling Up, Housing and Communities (DLUHC) officials will work closely with the council to support this work. It seeks assurance on value for money for the investments. DHLUC will conduct a light-touch review of the proposals, before funding is confirmed, and the projects can move into delivery.

The LUF grant available is fixed and the impact of inflation on costs must be managed by the council. The project Business Cases for capital expenditure should demonstrate revenue costs and financial affordability and sustainability. No corporate funding is to be assumed in business cases.

The short-term timescale for the draw down of the LUF funding is a financial risk. The projects will have to undertake technical designs, develop a business case and obtain statutory consents before they can tender and start delivery. This can take 12-18 months depending on the complexity of the projects. If contracts are committed to, but delivery is delayed beyond March 2026, the council bears the financial risk. This will be mitigated by regular reviews of all projects (including compliance with the Subsidy Control Act) and early closure at a suitable milestone if delivery cannot be completed within the timescale.

Impact Assessment

An EqIA and a Fife Environmental Assessment Tool (FEAT) is not required as this report does not propose a change or revision to existing policies and practices. These assessments will be undertaken as part of the business case and design process for all projects. The assessment will also include compliance with the Subsidy Control Act.

The Fairer Scotland Duty, which came into force on 1 April 2018, requires the council to consider how it can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. Both the Plan for Fife and the developing Dunfermline City Plan align with this Duty in their commitment to Inclusive Growth and Jobs and Thriving places

Consultation

There has been consultation with the Head of Communities and Neighbourhoods Service, Head of Finance, and Head of Legal and Democratic Services in developing this report. A workshop with Area Committee members took place on 17 April to determine their strategic requirements.

Community consultation is required for the long-term culture plan for the City and for the projects. The Community Manager for the City of Dunfermline Area will lead on the community consultation and engagement required.

1.0 Background

- 1.1 The Chancellor of the Exchequer announced that the City of Dunfermline had been provisionally awarded up to £5 million of capital funding as part of the Spring Budget, to support local cultural regeneration projects. This is to ensure that every city in Scotland benefits from Levelling Up. The announcement of this provisional funding recognises the role cultural regeneration can play in levelling up and supporting pride in place.
- 1.2 As engagement and collaboration with local stakeholders is critical to the success of funding delivery, DLUHC requires consultation with the local MP before submitting the investment plan. DLUHC will then work closely with the council to finalise the plan and reach agreement on them. DLUHC has provided guidance on their requirements which is summarised in Appendix 1. It sets out the outputs and outcomes to be delivered by the Levelling Up funding.
- 1.3 Two projects in the City of Dunfermline were submitted as part of the Fife bids for Round 2 of the Levelling Up Funding in 2022. These were the final phase of refurbishment of St Margaret's House for cultural use and streetscape improvements to improve the quality of the environment in the city centre. The estimated costs in 2022 were £3.5m and £8.8m respectively. DLUHC concluded that they were promising projects. Since 2022, wind and watertight improvements have been carried out to St Margaret's House. The streetscape improvements do not fit with the scope of this culture funding.

- 1.4 In October 2023, the Area Committee confirmed the impacts to be achieved by the City Development Plan that would also drive a Cultural Regeneration Investment Plan. These are:
- Building strong and resilient communities
 - Making the city a Better Place to live, work and visit
 - Promoting and supporting Wellbeing.
- 1.5 The City's strategic assessment provides the evidence base for identifying priorities and needs facing the City. In February, the Area Committee considered the Local Economic Profile 2022. This included information on the City's Cultural economy – around 25% of Fife's jobs in this sector but 2.5% of the City's jobs.
- 1.6 The Dunfermline Strategic Tourism Evaluation carried out in October 2023 provides evidence for interventions based on the trends shaping destination development for Cultural Cities. For example, authentic and immersive experiences, sustainability and ensuring that communities benefit directly from tourism activities while having more meaningful interactions with the people, communities and places they visit.
- 1.7 There has been community consultation undertaken for individual regeneration projects such as Pittencrieff, Duloch and the Town Parks, The Tower Burn Trail, and St Margaret's House. The Scottish Household Survey 2022 provides evidence on participation and engagement on culture for Fife. The overall average is comparable with the Scottish average but significantly lower for vulnerable groups.

2.0 Issues

- 2.1 To secure the maximum benefits from the Levelling Up funding, the council and the City Partners need to develop a long-term (10 year) investment plan to support cultural regeneration in the City. At the heart of this investment plan would be a Theory of Change to provide focus for other investment funding, to deliver a shared vision.
- 2.2 DLUHC intends to give Fife Council the freedom to use the powers and funding available to achieve the best outcomes for Dunfermline, while seeking assurance that the spend will be value for money. DLUHC officials will work closely with the council to support this work. It will seek assurance on value for money for the investments through an appraisal which includes confirmation from the local authority of the package of interventions. DLUHC will conduct a light-touch review of these proposals, before funding is confirmed, and the projects can move into delivery.
- 2.3 The cultural needs for the City can be summarised as the need for a lasting change in the City's standing, to develop a strong brand as a cultural city, to improve the quality and accessibility of the built environment and footfall in the city centre, to strengthen connections to all of the neighbourhoods in the City, to develop the Tourism offer to respond to cultural city trends and requirements, to achieve increased cultural participation and to encourage a stronger cultural economy.
- 2.4 There are several key policies setting the strategic direction for a long-term cultural investment plan. These include the Culture Strategy for Scotland (2022) which emphasises transforming lives and empowering people through accessible culture.

3.0 Options for the Levelling Up Funding

- 3.1 A workshop with the City of Dunfermline Area Committee confirmed that their strategic requirements for this investment of this funding are:
- Cultural activities and facilities for young people
 - To disperse facilities beyond the city centre
 - Use the funding to help sustain and improve the resilience of local Third Sector Cultural organisations in the City
 - Maximise the benefit to local society and economy
- 3.2 Constraints identified include the requirement to be able to recover VAT from the capital projects, that they comply with the requirements of the Subsidy Control Act, that they will require a HM Treasury Green Book Business Case and that there is a viable and sustainable operating model and governance.
- 3.3 There may be a requirement for match funding or leverage – for the Levelling Up Round 2 applications this was 10%. This will be part of the Business Cases for each project.
- 3.4 Appendix 2 sets out capital project proposals for the City that meet the Levelling Up funding requirements, its deliverability timescales and the strategic requirements of the Area Committee.
- 3.5 There are several projects and proposals that don't meet the Levelling Up funding requirements but, if part of a ten year investment plan to achieve a cultural vision such as award of City of Culture status in 2034, could secure alternative funding or be included in subsequent phases of UK or Scottish Government funding.
- 3.6 None of the cultural projects identified so far are “shovel ready” for delivery, with their business case approved, detailed technical designs completed, and Statutory consents obtained. It is estimated that this might take 12 -18 months to complete once the project is confirmed as a priority for the Levelling Up funding.
- 3.7 Deliverability will be key and regular reviews will take place for each project including closure at an appropriate milestone. The deadline to submit the LUF investment projects is mid-May, with a decision expected prior to the summer recess.

4.0 Next Steps

- 4.1 Officers will include the four capital projects outlined in Appendix 2 in the investment plan to be submitted to DHLUC. These fit with the Levelling Up funding criteria and strategic requirements of the Area Committee. Delivery will be subject to confirmation of value for money, deliverability and compliance with Subsidy Control in the Business Case for each project.
- 4.2 An indicative delivery timeline for the Levelling up funded capital projects is outlined below.

Table 1: Indicative Delivery Timeline

2024/25		2025/26		2026/27	
Qtrs. 1&2	Qtrs. 3&4	Qtrs. 1&2	Qtrs. 3&4	Qtrs. 1&2	Qtrs. 3&4
Submit LUF proposal	Stand up design teams	RIBA Stages 3 & 4 complete. Statutory consents obtained.	Procurement. Stand up delivery teams.	Delivery	
Approval UK Government	Complete RIBA stages 1 & 2. Complete indicative business cases.	Final business cases. Viability and Subsidy assessment completed.			

It is noted that reporting on delivery of the Outcomes continues for five years after completion of the projects i.e. through to 2031/32.

- 4.3 The Area Committee and City Partners will also develop a 10 year cultural investment plan for the City, to review and prioritise the other projects and activities. This would include the Levelling Up funded projects at the core of the first two years of this, the ambition for 2034 and how the portfolio of projects and activities can realistically achieve this. This would form the basis for further funding applications and priorities.

5.0 Conclusions

- 5.1 The opportunity presented by the UK Government’s Levelling Up Funding provisional allocation of funding offers an opportunity for Fife Council to work with the City Development partners and the community to develop a long-term plan for cultural regeneration of the City of Dunfermline.
- 5.2 It provides the opportunity to learn from the success of other cultural cities by placing culture and creativity at the heart of the City’s recovery and growth plans, to drive positive local economic and social outcomes, foster lasting local and international partnerships, and bring communities together. This supports the City’s priorities of Building strong and resilient Communities, making the city a Better Place to live, work and visit and promoting and supporting Wellbeing.

List of Appendices

1. Levelling Up culture funding criteria
2. The capital funding projects that meet the strategic requirements of the Area Committee members and the funding criteria.

Background Papers

- Local Economic Profile 2022 Report by the Head of Business & Employability.
https://www.fife.gov.uk/Dunfermline/Public_Agenda_Pack_2024-02-06.pdf
- City of Dunfermline Local Community Plan 2023 – 2024 <https://www.fife.gov.uk/Agenda-City-of-Dunfermline-AC-24th-October-2023.pdf>

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Levelling Up Cultural Outputs and Outcomes

Table 2: Levelling Up Culture Definitions

Phrase	Definition
Cultural space	A permanent public building or site for the exhibition or promotion of arts and culture.
Type of cultural space	This includes, but is not limited to, museums, arts venues, exhibition centres, theatres, libraries, concert and dance halls, film facilities and other arts and cultural performance venues.
Improved cultural space	Improved means adding, renovating, or making significant repairs to facilities. It does not include maintenance of existing facilities.
New cultural space	New means any space that was not cultural space (as defined above) before the project. This could refer to new space or repurposed space.
Completed	Defined as physical completion of the facilities; completion of the repurposing or rationalisation; renovations/ restorations and the space is ready for occupancy immediately.
Amount	The total square meterage of new cultural space completed, including the number and type of facilities this measurement relates to.
Amount of floor space rationalised or repurposed	The floorspace reduced following completion of the project; changing the Use Class of the space.
Heritage buildings	Heritage building means any building on the National Heritage List for Scotland.
Renovated/restored	Adding, renovating, or making significant repairs to facilities. It does not include maintenance of existing buildings.

DLHUC have provided a menu of Outputs for projects to develop new, improved Cultural facilities or renovated/restored Heritage buildings.

Table 3: The outputs required for the Levelling Up Culture Funding

Output Indicators
m2; number and type of improved, rationalised, or repurposed cultural space completed
m2; number and type of new cultural space created
Number of heritage buildings renovated/ restored

Outcomes

Table 4: Levelling Up Culture Outcomes

Outcome indicator	Definition	Frequency
Audience numbers for cultural events	The count of attendance should be based on tickets / entry figures, where applicable.	Baseline; one, two or three years after scheme opening (depending on scheme); and then five years after scheme opening.
Number of cultural events	Cultural events include those related to: (1) Film, TV, Music, Radio (2) Heritage (3) Arts, Museums and Libraries.	
Number of visitors/audience members to cultural venues	The number of visitor admissions / audience members to cultural venues, based on tickets if possible.	
Percentage of the local population engaged with cultural and heritage activities	The % engagement in cultural opportunities in the local area during the last 12 months. Engagement can include physical and digital engagement.	
Total visitor spend at cultural venues	Total visitor spend at cultural venues during the measurement period (actual spend at venues only).	

Prioritised Cultural Capital Projects in the City of Dunfermline

These are the projects are proposed for inclusion in the LUF Culture investment plan for the City:

Project	Description	Fit with LUF Culture Outcomes	Deliverability by March 2026	Subsidy
St Margaret's House	Renovations to develop new cultural space.	Yes – subject to end use being determined	Yes – subject to operating model being determined.	To be assessed as part of the Business Case.
Fire Station Creative	Heritage building renovated/ restored. B listed so may be restrictions on energy /fabric improvements permitted.	Yes	Yes – subject to operating model being determined.	To be assessed as part of the Business Case.
Tower House	Renovations to develop new/ improved cultural space	Yes – subject to end use being determined	Yes – subject to operating model being determined.	No – youth education/ engagement activities
Dunfermline Learning Campus/Fife College – performance plaza	Create a new amphitheatre for outdoor performances by schools and College.	Yes	Yes – subject to operating model being determined.	No – youth education/ engagement activities

Other projects or activities being proposed in the City that do not fit with the Levelling Up Cultural Funding requirements or the strategic requirements will be considered for inclusion in a ten year cultural plan for the City. These include:

- Development of brand for City as a Cultural City. Community engagement to develop cultural participation, performance, and new content.
- Renovation of the Carnegie Hall/Music Institute.
- Pittencrieff Park Development Plan – renovation of the Glen Pavilion and other projects and improvement to park features.
- City Arts trail, signage, and installations.
- Smart technology to enhance visitor experience e.g., Interactive maps, mobile apps to explore the city.
- Tower Burn trail regeneration. Several components/zones.
- Refurbishment of the Town and Duloch Parks. Use of green corridors to link neighbourhoods with the City centre.
- Collaborative Cultural Initiatives.
- Street art & open-air galleries. Improvements to streetscape quality in the City Centre.
- Virtual & Augmented reality experiences to immerse visitors in the city's cultural heritage.
- Culinary experiences that reflect the city's diverse cultural influences.

Appointment of Chief Planning Officer (CPO)

Report by: Sharon McKenzie, Head of Human Resources

Wards Affected: All

Purpose

To advise members that from 1 April 2024 there is a new statutory requirement for the council to appoint a Chief Planning Officer and to agree the Head of Planning as the council's Chief Planning Officer.

Recommendation(s)

Cabinet is asked to:-

- (1) note the statutory requirement for the council to appoint a Chief Planning Officer; and
- (2) agree that the responsibilities of the Chief Planning Officer role be incorporated into the remit of the Head of Planning.

Resource Implications

None

Legal & Risk Implications

The council, as planning authority, has a statutory duty to appoint a Chief Planning Officer in line with the related published Scottish Government Guidance ("the Guidance") in respect of the role of the Chief Planning Officer.

Impact Assessment

An EqIA has not been completed and is not necessary because the report does not propose a change or revision to existing policies and practices.

Consultation

Discussion with the Executive Director (Place) and Head of Planning has been held and are supportive of the position outlined in this report.

1.0 Background

- 1.1 The statutory requirement for every planning authority to appoint a Chief Planning Officer (CPO) came into effect on 1 April 2024 in terms of Section 1A of the Town and Country Planning (Scotland) Act 1997 as amended.
- 1.2 The role of the CPO is to help strengthen leadership in planning and provide corporate recognition to the importance and positive influence of planning within authorities.
- 1.3 The Scottish Government recognises that this role already exists in some form in planning authorities and has issued Guidance to ensure some consistency between authorities and how the role contributes to the aims of the National Planning Framework 4.

2.0 Context

- 2.1 The appointment of a CPO brings an opportunity to support a more placed-based approach, supporting the council's Place principle, climate change and community wealth building agendas.
- 2.2 A key part of this role will be to ensure that town and country planning is at the forefront of the council's investment plans, helping to ensure that planning and place are being taken into account when making strategic decisions about investment, asset management, resources, integrated service delivery, in alignment with the Place principle.
- 2.3 The CPO will act as the:
 - Professional Adviser to corporate and political governance within the council
 - Place-making champion
 - Head of Profession and
 - Senior responsible officer for the council's Planning Service, ensuring that national planning priorities are delivered.

3.0 Skills, experience, and qualification requirements

- 3.1 The Scottish Government has provided Guidance to authorities outlining the CPO role and qualification requirements which are detailed below.
- 3.2 A Chief Planning Officer should be able to demonstrate experience in:
 - leadership;
 - the effective and efficient management of planning services including motivating and developing staff, individually and in teams, to achieve improved planning performance and service delivery;
 - developing and maintaining relationships with elected members and providing an interface between elected members and officials;
 - developing and maintaining effective and productive working relationships with external stakeholders;
 - change management and the application of continuous improvement;

- embedding a performance management culture that focuses on clear quality standards, service targets and outcomes;
- leading and integrating multi-disciplinary teams of professional, operational and/or support staff;
- delivering quality, customer-focused services, integrating customer care strategies and targets into planning service delivery;
- delivering an inclusive and accessible planning system through effective partnership working with local communities and with other public, private and voluntary sector organisations; and
- embedding the customer first ethos.

3.3 Although not essential, it is highly desirable for the CPO to hold chartered membership of the Royal Town Planning Institute (RTPI), the professional body of planners. The Guidance also recognises other associated professional disciplines could hold this role e.g. civil engineering.

3.4 The council's Head of Planning role embeds the requirements outlined above. The job profile will be reviewed to assess the impact of the CPO responsibilities on the grade for the post.

3.5 The CPO role and responsibility will be communicated across the council through the council's intranet and other channels as appropriate and kept up to date in this regard.

4.0 Conclusions

4.1 The council has a statutory duty to appoint a CPO and the Head of Planning role incorporates the necessary skills, knowledge, experience and qualification requirements as outlined by the Scottish Government's Guidance.

4.2 The Head of Planning can therefore be expected to act as the council's CPO and the arrangements set out in this report provides the necessary framework to support this.

Background Papers

Chief Planning Officers Guidance – Scottish Government, April 2024

Report Author:

Sharon McKenzie
 Head of Human Resources
 Human Resources
 Email: Sharon.mckenzie@fife.gov.uk

9 May 2024

Agenda Item No. 6

Short Term Let Licensing and the AIG Women's Open

Report by: John Mills, Head of Housing Services

Wards Affected: All

Purpose

To agree that the Head of Housing Services be authorised to declare the Women's Open in St Andrews a national event in line with paragraph 10.4 of the Fife Council Short Term Let (STL) Policy.

Recommendation(s)

That approval be given to declare the Women's Open in St Andrews a national event in line with paragraph 10.4 of the Fife Council Short Term Let Policy.

Resource Implications

A significant volume of applications for temporary exemptions will result in a corresponding increased workload for the team administering the short term let licensing within the Housing Service. If necessary, capacity will be increased within the team on a temporary basis to deal with the temporary exemption applications.

Legal & Risk Implications

Any policy of Fife Council is subject to judicial review. The risk is theoretically heightened in this case because there has not been any formal consultation. It is submitted that the consultation undertaken for the STL Licensing Policy is sufficient to mitigate this risk. The fact that an exemption lasts only for six weeks will likely serve to mitigate any negative long-term consequences.

Impact Assessment

An EqIA is attached. There are no relevant issues to highlight.

Consultation

Fife Council STL Policy has previously been consulted on and was approved by the Cabinet Committee on 22 September 2022. The Policy contained provision for the Head of Housing to declare a national event. There has been no additional consultation to specifically declare the Women's Open a national event.

1.0 Background

- 1.1 The Cabinet Committee on 9 March 2023 approved the Fife Council STL Policy for the second time, provided for the Head of Housing to declare that certain event as a 'National Event'. This will enable Fife Council to grant 'Temporary Exemptions' for specific properties for a period of six weeks.
- 1.2 A Temporary Exemption allows a property to be operated as a STL without a licence for a period not exceeding six weeks. It is necessary for the operator of the property to make an application to benefit. There is no requirement for a Public Notice to be displayed as part of the application process for a Temporary Exemption. Consequentially, there is no right of neighbours or others to object to a Temporary Exemption being granted.
- 1.3 When granting a Temporary Exemption, Fife Council may choose to disapply any or all of the usual conditions that a property would have been subject to had they been granted a STL Licence. Officers are currently not minded to disapply any of the usual conditions.
- 1.4 It is anticipated around 50,000 people will visit St Andrews for the Women's Open in 21-23 August 2024. This number has been supplied by Fife Council tourism colleagues. There is, therefore, an anticipated increased need for short-term lets in St Andrews to accommodate these visitors on a temporary basis. It is hoped that allowing Temporary Exemption will allow this need to be addressed.
- 1.5 The STL Policy provides that Temporary Exemption applications cannot be granted by Fife Council unless a National Event is declared by the Head of Housing. Though this is Fife Council policy, the Head of Housing has not yet been empowered to do this through an amendment to the governance documents of Fife Council. Committee approval is therefore required to declare a National Event. Amendments to the governance documents have been prepared for some time and are due to be placed before Full Council for consideration on 16 May.

2.0 Issues and Options

2.1 Option 1: To declare the Women's Open a National Event

Benefit: This will enable the Housing Service to grant applications for Temporary Exemptions. This may address the anticipated increase in demand for Short Term Lets in St Andrews during the Women's Open. An exemption lasts only for six weeks within a 12 month period and is therefore unlikely to impact the market or availability of long-term housing in St Andrews.

Risks: An increased workload may be difficult to manage for a team that is already very busy. Properties that are granted temporary exemptions will not be inspected.

2.2 Option 2: To not declare the Women's Open a National Event

Benefits: Nil. This maintains the status quo.

Risks: There may be insufficient licensed short-term let capacity in St Andrews to address the demand. Visitors may be housed unlawfully. There may be suggestions that Fife Council is not supporting women's sport.

3.0 Conclusions

- 3.1 The committee is recommended to Declare the Women's Open in St Andrews a National Event in line with paragraph 10.4 of the Fife Council STL Policy.

List of Appendices

1. Equality Impact Assessment Summary Report

Background Papers

- Short-Term Let Policy

Report Contact

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Equality Impact Assessment Summary Report

Which Committee report does this IA relate to (specify meeting date)?

Cabinet 9 May 2024

What are the main impacts on equality?

Failure to grant Temporary Exemptions may be interpreted as failure to support women's sport. However, there has been no Men's Open in Fife since the STL legislation came into effect, and so a direct comparison cannot be made. No other impacts on equality are anticipated.

What are the main recommendations to enhance or mitigate the impacts identified?

The recommended approach will avoid any suggestion of sexism. However, it would be unfair to state that not taking the recommended approach is inherently sexist.

If there are no equality impacts on any of the protected characteristics, please explain.

Further information is available from:

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Mhairi Mullen/ Service Manager / Mhairi.mullen@fife.gov.uk

Tackling Dampness and Mould in Private Sector Housing – Proposed Action Plan

Report by: John Mills, Head of Housing Services and Nigel Kerr, Head of Protective Services

Wards Affected: All

Purpose

The report outlines the work to date that council services have taken, supporting private sector tenants and owners, to ensure that the incidence of condensation, dampness and mould can be more effectively mitigated for the wellbeing of tenants and their families. The report proposes a strategic approach and Action Plan to take this important work forward during 2024/25.

Recommendations

Members are asked to:

- (1) note the update report as required by the previous Cabinet decision in May 2023;
- (2) note the updated Repairing Standard obligations on private landlords;
- (3) note the council obligations and how they are being delivered including realignment of resources to support service response, the progress on current caseload, the focus on reviewing process procedures and data, and the delivery of training to staff; and
- (4) note the progress made against the Action Plan to mitigate the incidence of dampness, condensation and black mould more effectively in private sector properties.

Resource Implications

Resourcing the action plan will be achieved through use of the existing revenue budgets for 2024/25. This will be managed by relocating the Private Housing Standards Team (currently under the Building Standards & Public Safety Team) to the Public Protection Team (Environmental Health) to enable a greater focus on this area of work.

Legal & Risk Implications

The council has legal duties in respect to ensuring that residential dwellings in the private sector are safe, meet certain repairing and environmental standards and that public health is protected. The measures explained in this report satisfy the legal duties.

Impact Assessment

An equalities assessment has not been completed and is not necessary as no change to policy or service provision are being proposed at this time.

The Fairer Scotland Duty, which came into force on 1 April 2018, requires the council to consider how it can reduce inequalities of outcome caused by socioeconomic disadvantage when making strategic decisions. There are no negative impacts identified as part of this work and will protect and enhance health and wellbeing for all.

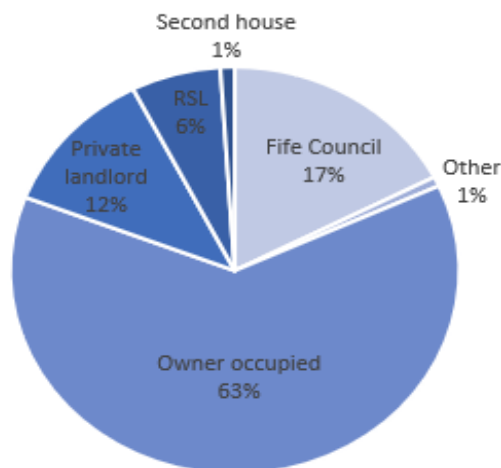
The Heads of Service for Finance and Legal and Democratic Services have been consulted in the preparation of this report.

1.0 Background

- 1.1 Housing Services review of the council's approach to tackle complaints of dampness, condensation and black mould in Council houses and proposed action plan was reported and agreed at [Cabinet Committee](#) on 4 May 2023. As part of the committee's recommendations, it was agreed that a report be brought back to Cabinet on measures employed to tackle dampness and mould in private sector housing.
- 1.2 Dampness and condensation have been areas of concern for the council for some years and there are a range of actions that we currently take to combat the problem. This can include providing advice and guidance to private sector tenants/ owner occupiers up to and including formal action to resolve more serious issues.
- 1.3 For clarity, dampness is the presence of moisture through rising damp due to a breakdown of the existing damp proof course or water ingress from leaky windows, doors or problems with guttering or roofs. Condensation is more problematic and is not the same as dampness as defined above. It is caused by a range of deficiencies in housing design and a lack of effective heating and ventilation.
- 1.4 The profile of housing by tenure in Fife is presented in chart 1 below. Of the 180,000 dwellings in Fife, 12 % are within the private rented sector, and 63% within the owner occupied category.

Chart 1

Housing Tenure in Fife



Local Housing Strategy 2023 – 26

- 1.5 The Scottish House Condition Survey (SCHS) 2017-19 provides the most accurate data on prevalence of damp and condensation within the private sector. Findings are shown in the table below. They indicate that the percentage of private rented dwellings in Fife with rising or penetrating damp (8%) is higher than within the owner-occupied sector (3%). The figure for social tenancies is not reported due to the sample size of the SHCS,

however, current estimates suggest this may be in the region of 5% in Fife. The survey indicates that the percentage of private rented dwellings with condensation issues is higher when compared to both social rented and owner-occupied dwellings, with figures of 16%, 9 % and 5% respectively.

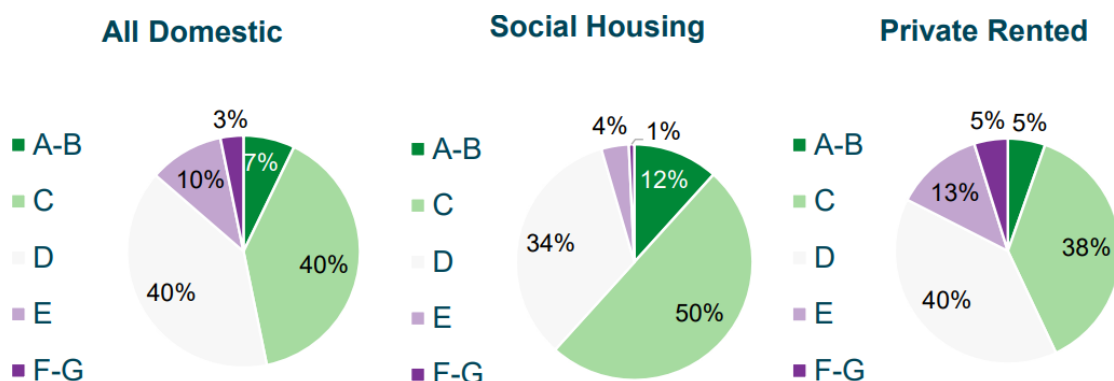
Tenure	% of dwellings with rising or penetrating damp	% of dwellings with condensation
Social Rented	*	9
Private Rented	8	16
Owner Occupied	3	5

*base sample too small to report

Scottish Housing Conditions survey 2017-19

- 1.6 A Fife Private Housing Condition Survey was carried out in 2018- 2019 by consultants, David Adamson and Partners. This survey involved a random sample of 884 dwellings across Fife and combined a physical house condition appraisal and interview with occupying households. As part of the survey work undertaken, households in private housing were asked if they considered any person in the household to suffer a long-term illness or disability. 8.6% of respondents stated that at least one person in the household was affected by a limiting long-term illness, health problem or disability. Of these, 29.1% indicated a respiratory illness, of concern when considering the extent and impact of damp and mould prevalence and the need for an effective response.
- 1.7 Damp, mould and condensation issues may be exacerbated by lack of adequate heating as well as poor ventilation. Homes with poor energy efficiency ratings are considered a driver for fuel poverty. Energy Performance Certificates (EPCs) indicate a building's 'energy efficiency rating', which gives an idea of how much fuel bills are likely to be, and the building's 'environmental impact rating', which shows how much the building affects the environment with CO2 emissions. Figures in chart 2 below indicate that 43% of private rented tenancies have an EPC rating of A, B and C or higher, this is compared to a figure of 62% for social rented tenants. This may indicate that private tenants face increased challenges with heating their properties.

Chart 2



LHEES 2023

- 1.8 Tackling condensation when private tenants and owners may be experiencing cost-of-living pressures is challenging. With the cost of energy remaining high, private sector tenants and owners may be struggling to keep themselves and their homes warm and may be reluctant to adequately heat and ventilate their properties for fear of losing the valuable heat they have generated. Unfortunately, these are the ideal conditions to create condensation and, if left long enough, to generate black mould growth.

- 1.9 The new Repairing Standard (Appendix 1) and associated guidance covers the action landlords must already take to prevent damp and mould. Landlords had one year to meet the updated Repairing Standard (from 1 March 2023), which will improve the condition of private rented property, make homes safer and ensure consistency between the social and private rented sectors. All rented homes are required to meet these standards to ensure that they are free from damp and mould.
- 1.10 The Scottish Government has proposed legislation to implement a new standard for Delivering net zero for Scotland's buildings which will introduce minimum EPC standards for the private rental sector. Proposals require properties actively rented in the private sector to have an EPC rating of C or above by 2028, while owner occupiers will need to meet the same standard by the end of 2033. Data indicates this will affect 14,000 private rented homes in Fife. Consultation on proposals concluded in March 2024.
- 1.11 Local Heat and Energy Efficiency Strategies (LHEES) set out the long-term plan for decarbonising heat in buildings and improving their energy efficiency across local authority areas. The Local Heat and Energy Efficiency Strategy and high level delivery plan was published at the end of November 2023 (a detailed delivery plan will be published by March 2025). The strategy sets out a focus for Fife to improve the energy efficiency and decarbonise heat sources of buildings in a climate friendly, ready and just manner to meet targets. Section 4.3 of the strategy identifies challenges to delivery. The detailed delivery plan will focus on measures where they are most likely to be possible, minimising potential damage to buildings, rising energy costs, or fuel poverty. To identify these measures, the council is developing an "optioneering" model to analyse and evaluate different retrofit scenarios.
- 1.12 This report contains a progress report on the council's current approach to tackling dampness, condensation and black mould in the private sector. It also provides details of proposed improvements which is underpinned by an action plan to deliver better standards in private sector housing.

2.0 Current Approach

Complaint Investigation Procedure

- 2.1 On receiving a complaint, officers will contact complainants to discuss the matters raised. Where the request goes beyond advice alone, officers will arrange to visit the property to assess the situation. At the property, officers will carry out an investigation in relation to the matters raised, physically inspecting relevant parts of the property, as appropriate.
- 2.2 For complaints regarding damp and mould, this can include using a damp meter to test walls for dampness, examining / looking for potential sources of water leaks both internal and external to the property such as drainage systems through to looking for defects to the property.
- 2.3 Officers will then effectively undertake a risk assessment in relation to the site findings and provide advice to residents. The risk assessment will identify the severity and likelihood of the issue. For damp and mould, this could include potential risk to health. Officers then have a range of options available to them, as contained within various pieces of legislation (Appendix 1). The severity of the issue is one of the factors used to determine the best course of action.

- 2.4 For cases where the issues identified are relatively minor, or where landlords do not have a responsibility to carry out works (such as if issue can be addressed by tenants' actions), officers will often simply provide advice to the resident. Where cases are more serious and actions require to be taken by the landlord, officers will provide advice to residents regarding actions that they can take, such as making a referral to the Housing Tribunal. In these cases, due to resource limitations, officers will not always contact the landlords, as ultimately potential breaches of the repairing standard are the responsibility of the tenants to progress.
- 2.5 In more serious cases where landlords could be held liable for the cause of the damp and mould, officers will contact the landlords and identify which piece of legislation is most relevant should more formal action be required. In these cases, the severity of the situation will be one of the main determining factors in deciding what actions can be taken under what legislation. As outlined in Appendix 1, some legislation places a duty on officers whereas other regulation is discretionary. In extreme cases immediate action can be undertaken without having first having to make contact with the landlord.
- 2.6 Landlord registration was introduced in 2006 by the Antisocial Behaviour etc. (Scotland) Act 2004. The regime has been strengthened further in subsequent legislation – including increased requirements for the fit and proper person test. The fit and proper person test is intended to provide a level of assurance that the landlord or agent is a suitable person to let privately rented property. It is a standard that all private landlords are required to uphold throughout the time that they operate as a private landlord. Where a person has been assessed as no longer being fit and proper, action can be taken to revoke the registration.
- 2.7 Data collated from April 2022 to date (end February 2024) indicates that the Private Housing Standards Team has received a total of 376 complaints; 229 mention damp or mould (approximately 60%). These complaints relate to both owner/occupied and private tenants - tenure is not recorded in the Uniform record but sampling indicates around 80% of all complaints received are private tenants.
- 2.8 Further analysis indicates that 90% of referrals involve dampness due to disrepair with the other 10% condensation. Dampness has been reported across a range of properties but mostly in older stock where lack of maintenance and/or lower thermal insulation might be an issue.

Assistance for Private Tenants

- 2.9 The Housing (Scotland) Act 2006 (Part 2) requires local authorities produce a statement setting out how they will provide assistance in relation to repairs, maintenance, improvements and adaptations in privately owned or rented properties.

The Scheme of Assistance is an integral part of the Local Housing Strategy and outlines how Partners in Fife will work with homeowners to:

- Encourage repairs and improvements of private housing
- Promote a culture of responsibility for private sector property maintenance
- Reduce sub-standard housing and make better use of existing housing
- Provide assistance to enable older and disabled people to live independently
- Improve energy efficiency and reduce fuel poverty

The Scheme of Assistance is a key aspect of the how the council engages with private owners and landlords to ensure standards are maintained and prevent and mitigate any issues that arise in relation to damp and mould problems.

Section 8 of the Scheme refers to energy efficiency support including the Energy Saving Trust, Home Energy Scotland and our partner organisation Cosy Kingdom. Depending on the type of funding available, funding may include EES:ABS, advice and guidance on fuel poverty and available grants such as Warm Homes.

[Fife-Scheme-of-Assistance-2022.pdf](#)

2.10 Fuel Poverty Information and Support

Fife Council facilitate advice and financial support and promote energy efficiency measures to address fuel poverty across all tenures. Both sets of action can help resolve damp and mould depending on the causal factors. Fife Council investment locally on energy advice and related services supports all residents in Fife regardless of tenure type. The council supports the private sector through our Service Level Agreement with Greener Kirkcaldy, the lead partner in the Cosy Kingdom Partnership. As well as energy advice, they offer a Handy Service to increase efficiencies (curtains, radiator panels, energy saving light bulbs, etc.) and can refer low-income owner occupiers to boiler repair or replacement services. Cosy Kingdom aim to delivery about 350 expert and in-depth energy advice sessions to private sector households during this year and will provide its handy service to at least 170 private tenure households.

2.11 In addition, the council facilitates financial awards to households struggling to heat their homes regardless of tenure through access to the Fuel Bank.

2.12 The council's Cost of Living website informs on how to access support on home energy cost challenges and highlights the Scottish and UK Government entitlements and support schemes.

3.0 Improved Approach to Condensation and Black Mould

3.1 Other priorities previously limited the capacity within Protective Services to process tenant complaints. The workload of the service has been reprofiled resulting in 3 Technical Officers becoming available from April 2024 to deal with housing condition issues.

3.2 The Private Housing Standards Team (currently under the Building Standards & Public Safety Team of Protective Services) will be relocated to the Public Protection Team (Environmental Health) to enable a greater focus on this area of work. The slight restructuring / realignment of resources will allow for a greater number of cases to be discussed with landlords, even where the tenant is ultimately the one who can pursue matters under the repairing standard. Similarly, cases where current practice is to not contact landlords, i.e. for minor issues, it is hoped that the realignment will permit this to happen.

3.3 Overall, officers will be better placed to support and assist residents and landlords until the case is resolved. This will ensure a better customer service and support for tenants through the process, whilst providing the landlord with an improved advisory service. There is also a potential for officers to give advice to a wider group where communal works are involved / required.

3.4 In addition to these improvements, a review of historical and current complaints, processes and procedures and provision of training and information is also being carried out. The review actions are:

1. Review historical/ outstanding cases of dampness and condensation in private sector housing.
2. Audit of actions taken and/or to be taken for all outstanding cases.

3. Review current processes and procedures to tackle dampness and condensation.
4. Collate and analyse all available data relating to private sector housing conditions.
5. All relevant staff to undertake training on condensation, dampness and mould.
6. Review the effectiveness of the information and engagement provided by Services to all parties on dampness/mould in private sector housing.

3.5 Table 1 reports on the review actions outlined in section 3.3.

Review Actions	Timeline	Progress
Review of outstanding complaints	End March 2024	Complete
Audit of outstanding cases	May 2024	75% complete
Review of processes and procedures	December 2024	10% complete
Collation and analysis of all available data relating to private sector housing condition	December 2024	50% Complete
Training Programme for staff	July 2024	75% complete
Review information and engagement	Ongoing	In progress

- 3.6 The numbers of complaints have been highlighted in section 2.6, however, further analysis is required to determine what changes are required to the database “Uniform” to ensure that complaints relating to dampness can be categorised more accurately and outcomes more easily tracked.
- 3.7 The majority of officers within Private Housing Standards Team have received training in damp, mould and condensation and the team has invested in new dampness meters to assist with their investigations.
- 3.8 Following the Cabinet Committee meeting, the effort will now focus on the review of information and advice for private sector tenants to help alleviate the ongoing impacts and health effects relating to dampness, condensation and black mould.

4.0 Service Principles and Priorities

- 4.1 In December 2022, the Chartered Institute of Housing (CIH) published a guide for social landlords on effectively responding to tenants’ complaints of dampness, condensation and mould and how to deal with the problem.
 - 4.2 In February 2023, the Scottish Housing Sector came together to publish a briefing on damp and mould. “Putting Safety First - a briefing note on damp and mould for social housing practitioners”.
- [Housing sector comes together to publish briefing on damp and mould \(cih.org\)](https://www.cih.org.uk/resources/publications/putting-safety-first-a-briefing-note-on-damp-and-mould-for-social-housing-practitioners)
- 4.3 Although primarily aimed at social housing landlords, the aforementioned guidance has been adapted for use by the private sector recognising the commonality of issues and actions. These actions are:

1. **Stop blaming tenants'** behaviour as the cause of condensation and shift the culture of services to work alongside tenants and landlords to provide effective advice and support
 2. **Be proactive** by providing information and promoting awareness for both tenants and landlords
 3. **Fast and Effective Response** to tenant enquiries and complaints
 4. **Engaging** with landlords to offer support and assistance
- 4.4 The information provision for private tenants and landlords informs and educates on how to prevent mould growth within the home by:
- Providing information at point of contact with either the Landlord Registration Team or Private Housing Standards Team, around preventing issues where possible through:-
 - Producing less moisture
 - Preventing the spread of moisture
 - Adequately heating and ventilating the home including information on how to access support to alleviate fuel poverty through financial support schemes and accessing energy advice services.
 - An ongoing review of information available online
- 4.5 In addition, providing information to private tenants at point of contact as to how to progress concerns with landlords via the First Teir Tribunal if necessary.

5.0 Conclusions and Next Steps

- 5.1 Following review and audit of this area of work, Housing and Protective Services are now in a better position to quantify and understand dampness complaints from private sector tenants and are developing an improved approach to offer advice, support and service to these tenants during 2024/25.

John Mills
Head of Housing Services

Nigel Kerr
Head of Protective Services

List of Appendices:

1. Summary of Private Sector Housing Legislation

List of publications relied on in the preparation of this report:

- February 2023 Putting People's Safety First - CIH, ALACHO, SFHA, SHR
- [putting-safety-first.pdf \(cih.org\)](#)
- [Fife-Scheme-of-Assistance-2022.pdf](#)
- [Local heat & energy efficiency strategy \(LHEES\) and delivery plan | Fife Council](#)

Report Contacts

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Summary of Private Sector Housing Legislation

There are a range of different pieces of legislation which are applicable to damp and mould in private sector housing. In summary, the main ones are:

- Repairing Standard – Chapter 4 of the Housing (Scotland) Act 2006, as amended, places a **duty on private landlords** to ensure that properties they let out meet minimum physical standards. Specifically, private landlords must ensure that, at both the start and at all times throughout a tenancy, as per section 13(1):
 - “(a) the house is wind and water tight and in all other respects reasonably fit for human habitation,*
 - (b) the structure and exterior of the house (including drains, gutters and external pipes) are in a reasonable state of repair and in proper working order,*
 - (c) the installations in the house for the supply of water, gas and electricity and for sanitation, space heating and heating water are in a reasonable state of repair and in proper working order,*
 - (d) any fixtures, fittings and appliances provided by the landlord under the tenancy are in a reasonable state of repair and in proper working order,*
 - (e) any furnishings provided by the landlord under the tenancy are capable of being used safely for the purpose for which they are designed...*
 - (h) the house meets the tolerable standard”*

However, the duty only applies where a tenant has notified a landlord, or the landlord has become aware of the need for works to be undertaken for the property to meet the repairing standard. Once aware, landlords need to undertake relevant works as soon as reasonably possible. One exception to this is where there are communal areas shared between different owners and the landlord has been refused access / consent to undertake work by the other owners.

Where a landlord refuses to undertake works after becoming aware of the need for them to be carried out, it is for the tenant to report matters to the Housing and Property Chamber. A tribunal from the Housing and Property Chamber will then decide if repairs are required, and the tribunal can require the landlord to undertake works. In cases involving vulnerable tenants, local authorities can report landlords to the Chamber.

In making a determination as to whether a property meets the standard, consideration will be given to factors such as the age of the property and its location. Relevant guidance would also need to be taken into account.

In relation to damp and mould, the repairing standard could apply to cases where a property is not water tight due to cracks in the property or where there are damaged windows. Similarly, defective guttering causing water to enter a property. Defective heating systems can also exacerbate any damp and mould issues. Officers from Fife Council can provide advice to tenants and landlords on matters which could be covered under the repairing standard, however it is ultimately for the Housing and Property Chamber to make a determination where required.

- Tolerable Standard – Section 85 of the Housing (Scotland) Act 1987, as amended, places a **duty on local authorities** to ensure that any properties which do not meet a specified list of standards are either brought up to standard, closed or demolished. A property meets the tolerable standard where it, as per section 85(1):

“(a) is structurally stable;

(b) is substantially free from rising or penetrating damp;

(c) has satisfactory provision for natural and artificial lighting, for ventilation and for heating;

(ca) has satisfactory thermal insulation;

(d) has an adequate piped supply of wholesome water available within the house;

(e) has a sink provided with a satisfactory supply of both hot and cold water within the house;

(f) has a water closet [or waterless closet] available for the exclusive use of the occupants of the house and suitably located within the house;

(fa) has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;

(g) has an effective system for the drainage and disposal of foul and surface water;

(ga) in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installation for the purposes of that supply;

“the electrical installation” is the electrical wiring and associated components and fittings, but excludes equipment and appliances;

“the relevant requirements” are that the electrical installation is adequate and safe to use;]

(h) has satisfactory facilities for the cooking of food within the house;

(i) has satisfactory access to all external doors and outbuildings;

[F6(j) has satisfactory equipment installed for detecting, and for giving warning of, fire or suspected fire;

(k) has satisfactory equipment installed for detecting, and for giving warning of, carbon monoxide present in a concentration that is hazardous to health”

Where properties fail to meet the tolerable standard, tenants can report matters to the Housing and Property Chamber as outlined above for the repairing standard.

In terms of actions which can be taken by Fife Council to deal with below tolerable standard properties, these are widespread and dependant on the nature and extent of the failure. In summary, these include:

- A defective or dangerous building notice under the Building (Scotland) Act 2003 (outlined below)
- A works notice under section 30 of the Housing (Scotland) Act 2006 for urgent repairs
- A closing order under section 114 of the Housing (Scotland) Act 1987
- A demolition notice under section 33 of the Housing (Scotland) Act 1987 / a demolition order under section 115 of the Housing (Scotland)

- Maintenance orders and Maintenance plans under section 43 and 44 of the Housing (Scotland) Act 2006
- Designation of an area as a Housing Renewal Area, as per Chapter 1 of the Housing (Scotland) Act 2006

Many of these can be applied to common repairs where multiple owners are involved. Indeed, some, such as Housing Renewal Areas, are more relevant for widespread issues across multiple properties in an area.

In relation to damp and mould, the tolerable standard covers matters such as rising damp due to insufficient damp proof course, penetrating damp caused by cracks to the property and defective drainage or poorly installed bath's, showers and similar causing water leaks.

- Statutory Nuisance – Section 79 of the Environmental Protection Act 1990 outlines a number of matters which can constitute a statutory nuisance. Specifically, in relation to damp and mould, 79(1)(a), states that “any premises in such a state as to be prejudicial to health or a nuisance” can constitute a statutory nuisance. For damp and mould, it is the prejudicial to health limb which would need to be proven, i.e. that the damp and mould was prejudicial to health. Further, it would also need to be proved that the damp and mould was down to the actions of the owner, and not due to another party or actions of the tenant.

Officers from Fife Council are under a duty to investigate complaints relating to statutory nuisance, and where a statutory nuisance is identified they **shall serve** an abatement notice on relevant parties. An abatement notice requires steps to be taken to abate the nuisance within a set timeframe. It is an offence not to comply with an abatement notice, and where this happens works can be undertaken in default and costs recovered. However, there is no duty for steps to be taken beyond serving a notice, with various factors having to be taken into account such as the extent and cost of works involved, seriousness of the issue and similar, when considering appropriate actions following non-compliance with a notice.

In relation to damp and mould, this would primarily relate to cases where there was a defect in or on a property causing water to ingress into another property. For example, damage to a communal roof or a leak at a shower tray. Where multiple owners are involved, all would be deemed to be liable for common parts.

- Building Standards – Section 28 of the Building (Scotland) Act 2003 provides that a local authority **may serve** a “defective building notice” on a building owner, requiring them to rectify any identified defects to a building in set timeframes, in order to bring it back into a reasonable state of repair. Consideration needs to be given to factors such as the age and location of the building.

It is an offence for parties not to comply with the requirements of a defective building notice, and local authorities can carry out works where compliance has not been achieved, and recover expenses.

In relation to damp and mould, this could potentially include issues such as missing roof tiles, which are causing water to ingress into a property.

- Building Standards – Section 29 of the Building (Scotland) Act 2003 provides that where a local authority has identified a building which is deemed to be a “dangerous building”, they **must undertake works**. The building must be considered to be a danger to people in or near to the property and / or members of the public. In terms of works, these can include preventing access to the area through to demolition, and any costs can be recovered.

Local authority officers have the option of serving a notice on an owner requiring steps to be taken. Where notices are not complied with, **works may be undertaken** by the local authority with costs recovered. Similarly, where immediate action is required, local authorities can undertake emergency works to make the building safe, and recover costs.

Damp and mould could be a side effect of the main cause of a property becoming dangerous, as opposed to the reason for it becoming dangerous. For example, significant cracks to a building could allow water ingress, however it would likely be the potential for the building to collapse which would lead to a notice being served. Alternatively, excessive dampness / water ingress could lead to rotting timbers or similar, potentially affecting the stability of parts of a property.

As can be seen, cases involving damp and mould, and its causes, often fit under more than one piece of legislation. Officers will undertake discussions to determine the most appropriate course of action for the specific case / circumstances and work collaboratively to achieve satisfactory outcomes.

Officers will try to work with relevant owners / agents etc., encouraging parties to take responsibility for remedying any defects found. However, where compliance is not achieved, or more immediate works are needed, Fife Council officers have a range of enforcement tools which can be utilised, as outlined.

9 May 2024
Agenda Item No. 8

Investing in Planning – Resourcing Scotland’s Planning System: Consultation

Report by: Pam Ewen, Head of Planning

Wards Affected: All

Purpose

To seek approval of a proposed response to the Scottish Government consultation paper on Investing in Planning – Resourcing Scotland’s Planning System.

Recommendations

Members are requested to:

1. review and approve the proposed consultation response as set out in Appendix 1 to this report;
2. authorise officers to submit the consultation to the Scottish Government; and
3. delegate to the Head of Planning, in conjunction with the Convener, to include additional comments agreed by this committee and respond to the consultation.

Resource Implications

The consultation response requests that where there is concern that potential change(s) could place a burden on the planning authority resources, that any such change be externally funded. The consultation seeks to invest in the planning system and increase funding to planning authorities through the development management process. Preparation of the proposed response falls within the workstream of the Planning Service.

Legal & Risk Implications

There are no legal or risk implications in responding to this consultation because it is in response to an invitation to comment on a Scottish Government consultation.

Impact Assessment

An equality and/or other impact assessment is not required because this is a consultation response to proposed planning guidance. The Scottish Government will undertake the relevant impact assessments in relation to any changes which follow on from the consultation.

Consultation

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

1.0 Background

- 1.1 The Scottish Government published the consultation seeking views and comments on the investing in planning – resourcing Scotland’s planning system in February 2024. The consultation period closes on 31 May 2024.
- 1.2 The purpose of the consultation is to explore how better to resource the planning system. The Minister for Local Government Empowerment and Planning outlines that he is aware of challenges of resourcing the public sector planning service. He has noted that timescales for planning decisions are not improving despite lower numbers of new applications entering the system in recent months and the capacity of local authority planning teams has reduced over time. This has increased pressure to already challenging workloads. The consultation is part of an initiative to encourage people to work together to find solutions, so that the planning system can facilitate change, rather than being perceived as a barrier to investment.
- 1.3 Heads of Planning Scotland have been seeking full cost recovery through planning fees for over ten years. An increase to statutory fees was implemented a few years ago and the Scottish Government, at that time, indicated the intention of moving towards full cost recovery. The consultation, as set out in this report, focuses on the development management (planning applications and related work) process with the Scottish Government considering that Development Plans should be funded through the Local Government financial settlement (para. 18).
- 1.4 In parallel with this delay in moving to full cost recovery, the planning system in Scotland has become much more complex. Whilst the Scottish Government recognise this in the consultation document (para. 12), the implementation of National Planning Framework 4 has added further complexity.
- 1.5 The consultation document provides a range of options which have the potential to improve the capacity of the Scottish planning system focusing on planning authorities. These options have been identified through stakeholder workshops on 20 November 2023 and other engagements held over the last few years. The consultation aims to address current and future challenges with a view to identifying actions that will improve capacity. While not focusing exclusively on the financial aspect, a large part of the consultation contains this focus.
- 1.6 The consultation document confirms the current challenges facing the planning system, including:
 - financial pressures on planning authority budgets;
 - demographic challenges with 39.6% of the workforce being reported as 50 or older and a reduction in the number of new planners entering the profession;
 - a general shortage of planning professionals in the workforce and an increasing number being employed in the private sector;
 - economic challenges in the development sector; and
 - the pace of change in the development industry with new technologies and net zero commitments.
- 1.7 The consultation document suggests that action is required to address these issues offering solutions like skills, recruitment and retention to improved funding arrangements.

2.0 Discussion

2.1 The first part of the consultation covers 'working smarter'. This sets out recent innovative changes to the way the planning system operates aimed at improving planning success, including enhanced collaboration, raising the planning profile both nationally and locally and the requirement for Chief Planning Officers (subject of a separate report to Cabinet) and installing a National Planning Improvement Champion. The National Planning Improvement Champion has introduced the National Planning Improvement Framework as a new way of monitoring success. Fife planning authority are one of ten authorities in the first cohort trialling a new national performance framework. Digital innovation and system changes implemented through the planning reform is also set out to show how the planning system has already progressed to 'working smarter' and innovatively. Further system changes are proposed with additional mechanisms being explored and further changes being implemented through the recent Planning Act.

2.2 In terms of moving forward, the consultation paper sets out identified issues and ideas for working smarter. The following were identified in the consultation paper:

Proportionality: There is a concern raised that there is inconsistency across authorities on information requirements to support planning applications. It is suggested that proportionate approaches to information requirements are identified and shared as best practice. A short life working group will be established to work on this.

Certainty: Applicants contend that certainty of decision-making timescales is more important than speed of decision making. To achieve this, the consultation notes the effectiveness of processing agreements which are agreements between the planning authority and applicant on agreed timescales for determining applications. The consultation queries their use, effectiveness and whether a discretionary fee could be applied for their use. Fife Council frequently use processing agreements to agree timescales for determination and these can be effective but cannot guarantee absolute certainty. A small fee may be taken for these but considered unnecessary. The main constraint identified by the Planning Service to the use of processing agreements is ensuring input is received from consultees timeously given the stretched resources of the consultees. It is therefore unlikely that a fee for this would be cost effective in real terms.

Streamlining, Alignment and Standardisation: The consultation report outlines areas where councils could streamline consenting processes internally where several consents from across the council could be required for one development. Standardisation around Planning Obligations and Schemes of Delegation are also proposed as areas for consideration.

Skills, Recruitment and Retention: The consultation report notes the need for additional planning workforce to replace those lost in the next 10-15 years. It is noted that this challenge is being tackled by different organisations but also needs to be tackled by the Scottish Government directly. Action taken by the Scottish Government with their partners has included:

- providing young people with an insight into planning as a career option;
- 10 x £2000 RTPI bursaries for students undertaking post graduate planning degrees;
- promotion of planning apprenticeships. Dundee University and Fife Council successfully piloted a model of practice-based study which has enabled a small number of individuals to complete an undergraduate degree while working part time within the planning authority;

- encouragement of continuation of planning schools in Scotland; and
- Working with Partners in Planning to develop a skills strategy which will identify the specialist skills required to address the requirements of NPF4 and the wider skills required to ensure we have planners with the expertise to deliver on our ambitions for Scotland.

The consultation report acknowledges that there are similar workforce challenges across the UK. The report notes that in England a Pathways into Planning graduate programme has been established, funded by the Department for Levelling-Up, Housing and Communities. The programme aims to market planning as a career to graduates from all degree backgrounds and identify talented graduates to work in local government. Local authorities can employ graduates from this pool, offering a contract of at least three years in the first instance. Councils benefit from an educational bursary for each graduate, which can be used towards the cost of putting them through an RTPI-accredited apprenticeship or part time Master's degree. Fife Council consider this should be actively pursued by the Scottish Government as it would allow councils to target talent from other disciplines.

A range of further measures are also recognised.

The Planning Services consider the hiring and retention of skilled staff as one of the most important aspects of this consultation. The Planning Services have been highly successful in hiring graduates and students and replacing lost staff and recognise that the retention of skilled staff is equally important. The training of new staff by skilled and experienced staff is a priority together with providing opportunities and continued development for those existing skilled and experienced staff. Planning Services recently achieved a national planning innovation award for the approach in nurturing future planners.

A Planning Hub: The creation of a Planning Hub is suggested which would establish a central pool of staff that could be utilised by planning authorities when required. A Building Standards Hub has been established and is hosted in Fife Council. The consultation suggests a Planning Hub could provide technical expertise, technical support/ advice, support in processing large or complex applications, help with additional 'surge' capacity, help embed good practice and build confidence and resilience within authorities. The consultation paper asks for views on where this Hub might be hosted, suggesting hosts being Scottish Government, a public organisation or within a host authority. In addition, the consultation raises questions around how the Hub would be funded. The Planning Services are interested in a Hub being explored further but have concern as to how it would operate and be funded.

- 2.3 The second part of the consultation paper is titled 'raising resources' and primarily looks at other mechanisms or routes to additional fund the planning system. This part of the paper begins by looking at planning fees. It notes that some councils use discretionary fees out with the statutory fees as a source of additional funding. The Planning Services use discretionary fees for planning work such as pre-application and condition discharge. Charging is also used for administrative purposes such as the completion of legal agreements or submission of planning applications in paper form. The following were identified as potential changes to fee charging:

Annual Inflationary Increase: The paper proposes that planning fees are automatically adjusted annually in line with inflation. Currently fees are increased irregularly. Planning fees are largely calculated based on floorspace, number of units or size of site with the fee increasing with the size of application. The Planning Services fully support this proposal and this is a long-awaited proposed change. The increase should apply to the individual fees, increments and the maximum fee scale. It is proposed that this should be an annual increase in line with inflation.

Locally Setting Planning Fees: This has previously been explored by the Scottish Government but there was little support at that time. The paper outlines that each council could set their own local fees including providing bespoke development charging based on the type of development and/or the nature of the individual application - such as need for a legal agreement. The paper suggests that this could allow for full cost recovery. In addition, it suggests that different charging structures could be used such as phased payments or similar. While this is an interesting idea the Planning Services have indicated that the preference would be for the planning fees to remain set at a national level due to concerns about consistency and complexity of setting planning fees locally. The suggested bespoke fees would add a level of complexity which would add additional administrative and staff resource costs. Different fees across Scotland would also remove consistency which might likely result in negative impacts.

Increasing Discretionary Charging: As previously confirmed, Fife Council already carry out discretionary charging for planning work although not all councils do. The paper sets out that discretionary charging could be increased across all planning work and this is something the Planning Services support. This is unlikely to be hugely beneficial to Fife Council as there are very few areas that are not currently charged for. However, this could give a legislative support to increase current charges. This part of the paper queries whether any of these charges should be refundable if the level of the service associated with the work are not met. The Planning Services would need to fully understand how this would operate before offering comment as there are questions over arbitration and the review processes.

Fee Proposals on Unallocated sites (sites not allocated for development in the Development Plan): There is a general opinion that applications for sites which are not allocated in the Local Development Plan (LDP) require greater resource to determine due to none of the background work for the site having been carried out during the LDP process. Consequently, the paper suggests an increased planning fee for these types of applications. The Planning Services are supportive of this but only for certain types of development as not all development has an LDP allocation.

Fees for Masterplan Consent Areas: Masterplan Consent Areas were brought in through the Planning (Scotland) Act 2019 and are essentially an allocation which the planning authority can give a range of consents to. Development can be brought forward in those areas without requiring full planning permission. As these are allocated by planning authorities, a large degree of work would be needed to bring together a masterplan and carry out all associated assessments. The costs of undertaking this are significant and there is no allocated budget. The Planning Services support the requirement for funding, seeing this as necessary and requiring to be fully funded. Otherwise, this would place a further burden on the planning authority and be contrary to the aim of investing in planning.

Fees for Appeals: The paper sets out a series of proposals for bringing in a charge for making a planning appeal (including Local Review Body). A significant amount of work can be needed to effectively defend planning appeals, particularly if complex issues are involved or further procedure/process is needed. The Planning Services are very supportive of this measure. The paper suggests that appeals for non-determination should not be subject to a fee. The Fife Council response contends that this should be subject to a fee. Non determination appeals still involve significant process and regularly the application assessment has not been fully completed. The paper sets out proposals on how the fee level will be determined with a percentage of the application fee being the favoured option. In principle, this would be acceptable, however, it is unlikely to cover all complexities of appeal. In the larger applications, usually all information has been submitted for determination and the matters for appeal relate to specific issues. Appeals

for smaller sites can have complex issues due to there being less available information or increased reasons for refusal. The percentage-based approach would see less appeal fee for these. A balance of fee is therefore suggested to be needed in these circumstances and this is set out in the Fife Council response.

Digital Service Charge: The Scottish Government operate the digital service which hosts the online planning portal and aims to make digital improvements to the planning process. The paper asks for ideas on how this could be financed moving forward with an additional planning charge being mooted. This could be included in an uplift in fees but may not be palatable given the other proposed charges being considered.

Energy Generation: Currently, any energy generation application of greater than 50MW is determined by the Energy Consents Unit (ECU) based in the Scottish Government. Councils are consulted as part of the process and therefore still carry out associated assessment work. Due to the increase in applications of this type the ECU have found their ability to determine applications timeously more difficult. The paper suggests that more of these types of applications could be determined by planning authorities with the fee being paid directly to the planning authority. A review of the consultations undertaken in the last three years show that Fife Council have had only a small number of applications in this sphere. It is likely that this workload could be accommodated by Fife Council with the whole planning fee being submitted to the council. This would allow more localised autonomy of that type of development. It is not clear whether this would require a change to legislation and therefore an amended planning process. This would need to be fully funded.

Offshore: Currently, no planning fee is received by local authorities for consultation on offshore energy generation applications. This follows a similar process to that set out above. As these projects are offshore, the planning input is significantly less although there is some assessment carried out. The Fife Council response sets out that 20% of the fee received for these applications should be provided to the planning authority to cover costs.

Hydrogen Projects/ Shellfish Farming: The paper asks questions around the planning fee category for these developments. The response sets out that hydrogen projects should have their own planning fee category and no comments if provided on shellfish farming.

Prior Notification/ Approval: Prior Notification/ Approval is required for certain developments which benefit from Permitted Development Rights and may have additional impacts. Usually matters such as design or siting are agreed through these processes. These fees are low due to the specific nature of assessment. The paper questions whether these fees meet the level of assessment. The Planning Services have found that some Prior Notification applications have fees too low for the level of assessment. This includes those relating to Coal Authority and Network Rail matters. The Fife Council response recommends raising these in particular. These application types are likely to increase due to additional Permitted Development Rights being brought in and therefore the fees should be proportionate to the work.

Cumulative Impact: The paper sets out that it is unlikely that all these measures will be implemented and asks which is considered the highest priority. The Planning Services consider the inflationary rise in planning fees to be most worthwhile as it would see fees being reviewed on an annual and reasonable basis. Fees for planning appeals is also considered urgent as this would assist Fife Council recover some of the expense on resourcing Local Reviews. All these measures could be implemented as they would not result in a significant risk to planning fees for applicants.

3.0 Conclusions

- 3.1 The consultation paper has presented some worthwhile ideas for helping to resource the planning system and they are largely supported by the Planning Services. Some of the measures would need further detail before they could be fully supported as detailed in the report. These measures would not result in a planning system that is fully funded but does move towards full cost recovery of development management. The additional fee income that these measures could provide would be welcome and result in some work which is currently unfunded becoming chargeable.

List of Appendices

1. Fife Council proposed response to the consultation paper Investing in planning – resourcing Scotland’s planning system: consultation

Background Papers

- Fife Council draft response to the Scottish Governments’s consultation paper: [Investing in planning – resourcing Scotland’s planning system: consultation](#)
- [National Planning Framework 4 \(2023\)](#)

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Fife Council proposed response to the consultation paper Investing in planning – resourcing Scotland’s planning system: consultation

Question 1: Which assessments might benefit most from improved proportionality?

There are no assessments which could be generally considered to benefit from improved proportionality. Where assessments are required, there will be an agreed level of information needed. It is highly recommended that pre-application is used to scope out the need for assessments and/or determine the level of detail needed in assessments as a way of frontloading the process.

The ability to improve proportionality will be agreed through consideration of each site on its own individual merit. This is best done through pre-application. For example, a site which may need Flood Risk Assessment due to location on mapping, may not require a full Flood Risk Assessment once an understanding of the proposal and specific location is established in the pre-application process.

Rather than a focus on proportionality, Fife Council would suggest focusing on providing tools that aid assessment of aspects of a development proposal, e.g. biodiversity enhancement.

Question 2: To what extent do you agree that processing agreements are an effective tool for creating certainty in planning decision making timescales?

Strongly agree | **Partially agree** | No view | Partially disagree | Strongly disagree

Processing agreements can be used to create mutually agreed targets for information submission and planning authority assessment. This can help create realistic targets and goals for the process which can increase certainty to the process. It usefully identifies realistic timescales for determination on more complex cases. The weakness is that the planning process relies on consultation with parties who are not within the Planning Service of the Council. It is therefore difficult to achieve a binding timescale without ensuring the commitment of the external consultees beforehand and with stretched resources a commitment to responding in a specified time is difficult for all concerned.

Some applicants seek processing agreements to agree shorter timescales rather than using them as a practical tool for determining the application. Where processing agreements are not realistic, certainty on determination is diminished. It is also Fife Council’s experience that applicants see Processing Agreements as being deadlines on the Planning Authority only and quite often the information requirements and deadlines specified for applicants are not met.

This question is posed under the section on certainty. Consideration needs to be given to certainty required for a Planning Authority to be able to rely on receipt of a quality application submission that is appropriately scoped with sufficient information to progress appropriately. Nationally the percentage of applications which can be validated on first receipt is low (below 50%); an inefficient use of limited resources nationally. Consideration of a national validation standard that requires more detail at point of submission, and a move nationally to automate validation of application should be national priorities and would certainly aid investment in planning. This would also link directly to pre-application discussions which would determine the level of information required for each submission.

Question 3: Do you consider that current resourcing issues are impacting on the use of processing agreements?

Strongly agree | **Partially agree** | No view | Partially disagree | Strongly disagree

As above. The resourcing of the consultees makes it difficult for the Planning Authority to commit to a processing agreement. While the Planning Authority can commit to timescales, if their work is reliant on outside parties such as consultees who cannot sign up to commitments then the agreed timescales have less value. Consultees tend to have other statutory work priorities or are reliant on specialists with other statutory work priorities, e.g. environmental health, and flooding. Where resources are stretched (e.g. outbreak of disease or flooding events), the work needed to respond to planning consultations can suffer.

Assessment of development proposals is much more complex than it was 10 years ago and has become increasingly more so since National Planning Framework (NPF) 4. This places even greater burden on consultees who are also requiring more time to interpret and apply NPF4 in their responses at a time when they are already stretched.

Question 4: Would you be prepared to pay a discretionary fee to enter into a processing agreement?

Yes | **No view** | No

Whilst this question appears directed to applicants, from a Planning Authorities perspective (which is important too) a discretionary fee could be taken to cover the administrative costs of a processing agreement. There would be concerns that the expectation of this was that the processing agreement became binding. This fee should not be seen as an absolute guarantee of delivery of a decision by a certain date. It is unclear what the purpose of this fee would be as the fee value would be low given the work required to create a processing agreement and, the administrative cost of taking a fee might outweigh the fee itself.

Question 5: What additional actions can we take to improve certainty in the planning process?

Infrastructure planning (capacity and delivery) is one of the greatest challenges to determining development proposals and their implementation. The Council note that the Scottish Government are progressing work on an Infrastructure First approach and urge for this to be progressed timeously to assist with the preparation of Delivery Plans as part of Local Development Plans. More clarity on infrastructure delivery and increased resource to support this, then this should greatly reduce timescale to planning application delivery. Fife Council have been able to find funding streams to assist with the delivery of transportation infrastructure but found no funding mechanism to assist with education infrastructure to assist in facilitating development. A solution(s) being found for this would greatly reduce application determination times and help development delivery overall.

Certainty in decision making not only rests with the timescales of the planning authority. Timescales around validation of applications and the ability of the planning authority to start the process of application assessment are also important. Many applications that are submitted are invalid on receipt or lack the appropriate supporting information for full assessment. Heads of Planning Scotland research shows that on average 45% of applications were valid on first receipt (2016/17-2022/23). Consideration towards a mandatory system of pre-application that includes validation standards for major applications for example may assist in ensuring the information requirements are agreed by both applicant and planning authority. New more comprehensive national validation standards set against the pre-application response would ensure that

applications are not valid until the agreed level of information was submitted. The implementation of a more effective validation system and, automated validation (as is used by some planning authorities in England) would surely needs provide certainty and drive greater efficiency. This would include the ability to scope out submission requirements through pre-application.

When valid applications have been submitted without the correct supporting information or there is a need for the Planning Authority to request additional information later the applicant requires to submit this additional information without any set timescale. This can lead to significant delay in determining the application and is out with the control of the planning authority. Once the further information is submitted, there can be an expectation that the planning authority will be able to determine the application straight away. However often further consultation and assessment is required. This results in many applications sitting dormant for long periods, determinately affecting the statistical performance of the Planning Authority. A standard, national timescale for submission of additional information could be introduced to benefit all parties. The timeframes could be extended where the information requirements are more complex. The delay in receiving this information can often be an area of conflict in applications with the planning authority often seen as being unreasonable if an application is refused on lack of information. Agreed standards in terms of application submission and information re-submission would greatly improve this situation.

Certainty in the planning system is going to be adversely affected by the inception of NPF4 without the benefit of guidance. Questions arise around policy interpretation which inevitably leads to differing opinions across authorities. In the absence of guidance, this will likely only be resolved through case law. Uncertainty will likely increase and lead to longer determination periods. In addition, there is a lack of guidance on the contents and types of supporting information referred to in some of the policies. There remains an urgent need for guidance from the Scottish Government.

The Scottish Government also needs to be more supportive. Planning authorities are being left to interpretate the policies and are being asked to work with other authorities on the application of policy interpretation. This will not improve certainty. Given the policies are written by the Scottish Government then assistance with the interpretation of policy from the Scottish Government is considered essential.

Local Government resourcing is challenging for officers with specialist roles, such as environmental health and flooding. NPF4 policies, together with permitted development rights changes in relation to some energy developments, requires a greater dependence on such specialist roles. This is compounded over the past 5+ years with the Government's Key Agencies reducing the support they provide on planning applications nationally, e.g. SEPA. Consideration is required on how such roles can be resourced nationally, and how Key Agencies can provide greater support in responding to development proposals where this relates to their specialist knowledge, such as flooding. This has been compounded with a shortage of people in these disciplines and many moving to the private sector.

Question 6: Do you have further ideas on opportunities for streamlining, alignment or standardisation?

As noted under questions 2 and 5, greater automation of planning application process, including validation should be considered. This would reduce workload of officers.

As set out in question 5, the implementation of an infrastructure first approach needs national solutions to delivering and funding infrastructure. Infrastructure delivery is a significant burden on the determination of planning applications. Bringing forward new legislation to support the infrastructure first approach with a workable national solution(s) to delivery is a priority. In this

regard, there is also a concern as to how any new legislation may be written and what type of financial burden this may have on Councils in terms of infrastructure delivery. The legislation needs to be written in a way that ensures that there is no significant financial risk to the Council from s.75A applications as currently s.75A allows a challenge to the Council but no mechanism to allow for uplift of contributions if there is a shortfall. It is weighted towards developers. In similar vein the use of Unilateral Agreements should be removed. These seem to more recently be used commonly by DPEA in appeal decisions. Councils cannot carry risk of capital infrastructure gap funding, unless the Scottish Government provide funding solutions to close any gaps.

Another delay in application determination is education assessment and debate. It would be useful to have primary and secondary methodologies being consistent nationally. Heads of Planning Scotland undertook research several years ago for the Scottish Government, but change has not yet been progressed in this regard.

If there is a concern with regards to the level of information being requested for planning applications, could there be an agreed format and content expectation for supporting information? This could help create a general standardisation across all planning authorities. Working groups could establish a set level of information for application types that could be established as a national baseline. This would set all planning authorities at a similar level and standardise expectations across Scotland, as well as forming new validation standards. Planning authorities could still request additional information based on the location and complexity of application and this would be established through pre-application or local guidance.

A common constraint of quick decision making is the availability of specialists to review supporting information. Many Councils need to outsource this, and some are only able to rely on information from applicants without specialist assessment. Where there is a shortfall in specialist provision, a central reserve of specialists or fund to temporarily hire consultants may assist. The best way of achieving this would be to better resource the specialist agencies such as Nature Scot and SEPA so that they can respond on a greater number of planning applications. This could also be available where local authorities are under pressures due to an upturn in applications or temporary reduction in staff. It is becoming increasingly obvious that the specialist agencies such as SEPA and Nature Scot are unable to provide additional assistance and are taking a lesser role in applications. This increases the burden on planning authorities but better funding to these agencies would reduce the burden.

Question 7: Are there any skills actions which you think should be prioritised?

The apprenticeship schemes highlighted should be prioritised. Even with promoting planning as a career in schools, many school leavers will still not be sure which career they wish to pursue. Providing general apprenticeship schemes across the Council can open planning as a career to those who were unsure. Fife Council have fostered its relationship with Dundee University and more laterally Fife College to become very successful in recruitment and offering students a successful career path. Fife Council have also used other youth workforce incentives to create posts even on a temporary basis. Fife Council recently won a SPIA award for our graduate programme, and a colleague brought in through these types of programmes was awarded the Scottish Young Planner of the Year. The focus however should not only be on hiring graduates but also on hiring directly from school with a work placed learning pathway. The Pathways into Planning graduate programme should also be pursued. Fife Council have developed several graduates changing degree or moving into planning from another associated degree. Recruiting from a wider graduate field would broaden the ability of Councils to recruit and train - particularly if this fits with the RTPI accreditation.

Question 8: Are there any skills actions not identified which you think would make a significant impact?

An increase in recruitment to address the planner shortfall will lead to a significant influx of inexperienced planners. There is already a noted reduction in planning experience with the current constraints on planning authorities and colleagues leaving the profession. The training of new planners from those with experience and expertise is difficult to balance with current workloads. The loss of planners to more specialist fields such as EIA or energy sectors due to the increase in opportunities in those areas leads to gaps in knowledge and experience. It is important that such skills are retained in the profession and effort is made to allow the experienced colleagues to be involved in the training of the future generation of planners - especially at a time of change in the planning system. Greater resourcing for planners would help create the capacity to allow for this continued training.

The further development of student and practising planner's skills in fields such as data analysis, urban design, adaptation and mitigation of climate change, development viability and delivery are all fundamental.

The sharing of knowledge and experience is important. While the Heads of Planning Scotland Knowledge Hub is successful, in- person forums can be more successful. Previously the Scottish Government hosted Development Management and Development Planning Forums which brought together planners from different local authorities. The sharing of knowledge in this way allows issues to be discussed and consistency improved across the country. Hosting more of these and/or creating a schedule of events which could be hosted by others would be a useful way of improving skills.

Similarly, the Scottish Government could lead on CPD sessions led by queries or issues raised by planners. This could complement the training delivered through the Improvement Service for Heads of Planning Scotland which is funded by planning authorities annually. Fife Council host internal CPD sessions introducing new topics or updates on legislation which improves internal consistency. Nationwide CPD sessions could be hosted to further increase consistency and bridge areas where there is a current lack of guidance. These can be hosted online. Key Agencies should be delivering regular online CPD sessions.

The sharing of knowledge across sectors is important and short term and long-term opportunities should be regularly identified. There have been proposals for private and public sector workers to experience opportunities in each sector previously. This should continue to be explored. As should opportunities for knowledge sharing on new technologies or land use proposals. then this should also be explored. A good example of this are the issues surrounding hydrogen proposals. Being a new technology it would be useful if those working in that specific field were able to share their knowledge with others, likely be led by the private sector who are designing the schemes.

Question 9: Do you think that the concept of a 'planning hub', modelled on the Building Standards Hub would support authorities and deliver improvement in the system?

Strongly agree | **Partially agree** | No view | Partially disagree | Strongly disagree

A central resource that can be called on when needed to assist with short term temporary resourcing or a knowledge shortfall would be very useful. A national resource could be called upon to agree interpretation of policies and provide a short-term recruitment opportunity for Scottish Government when drafting guidance or providing staffing support when workloads are compromised for some reason, are too high or there are other staffing issues. Whilst the temporary use of specialists when required would be beneficial to planning authorities, it is considered that some of this could be achieved through Key Agencies on matters such as

flooding, and biodiversity enhancement being better resourced. The approach of increasing specialist support to the planning system through Key Agencies would provide greater consistency nationally and allow those specialists to work within wider teams in their specialist areas. This would further develop those holding such specialisms which would create a valuable resource. Over more recent years, Key Agencies have significantly reduced their involvement in development management, resulting in Councils having to fund and resource specialist input where they can.

The operation of the hub would need to be separate from the planning authority and the planning authority retain autonomy. Assistance to the planning authority would need to be controlled by the planning authority with the Hub planners integrating into the planning authority for that period. Their line management may remain in the Hub but their work would report to the planning authority.

Embedding good practice might better sit with the new National Planning Improvement Champion role in the Improvement Service - with additional resource, rather than an independent and new hub. That could also apply to any CPD training opportunities. Para 60 of the consultation suggests the hub could be expanded 'to further areas of performance and improvement support'; Fife Council consider that would be better to sit with an expanded national improvement coordination role in Improvement Service.

The Building Standards Hub concept is not directly comparable to planning, and careful consideration would require to be given to how a planning hub could operate in a development management context to safeguard the integrity of the respective roles and functions.

Question 10: Are there other ways a hub could add value and provide support in the short and longer term?

With information gathering from experience of different local authorities, the hub could feedback to the National Planning Improvement Champion identifying areas of improvement. The hub could work alongside the Improvement Service in this regard. This should not undermine the role of Heads of Planning Scotland and other existing national bodies within the planning system. Rather it would need to complement.

Any hub should focus on providing a short term and temporary resource.

Question 11: Which of the options do you think is most suitable, and why?

i. Within Scottish Government

ii. Within public organisation

iii. Within a host authority

iv. Other

v. No view

The response depends on the identification of the main function of the hub. If it was improvement, then it should sit within the National Improvement Champion and an expanded resource. If it was assisting local authorities with application processing, then it should be within a host authority.

Question 12: How do you think a Planning Hub could be resourced?

A percentage increase to planning fees specifically to fund the hub would not be equitable across authorities. This differentiates the proposed planning hub from the building standards hub and the suggested scope of the planning hub. A planning hub for application or specialist resource should be on a pay as one uses basis. Not all authorities would use this equitably, and it is not the role of Councils to financially assist other Councils. This could be taken out of the overall planning fee at the online payment stage to reduce administration costs for planning authorities. If established, the hub should have a role in employing and developing students and graduates and not solely focus on experienced staff; the latter of which may risk draining experience from planning authorities resulting in the creation of further issues rather than providing a solution.

Question 13: Do you agree that planning fees should increase annually in line with inflation?

Strongly agree | Partially agree | No view | Partially disagree | Strongly disagree

This is a fundamental requirement and must be given high priority to implement. Planner wages and associated ancillary costs across all sectors will likely rise each year with inflation. To ensure the planning process can pay for itself as much as possible, the planning fees should rise accordingly. Without an inflationary increase the received fees would in effect reduce annually as arguably is the current position.

Question 14: Is a calculation based on the 12 month Consumer Price Index the most appropriate mechanism?

Strongly agree | Partially agree | No view | Partially disagree | Strongly disagree

It is agreed that this would be the best way to ensure that rising costs are matched by rising fees. Further detail on how this would be implemented is needed as the uplift in fee would change every year and the Scottish Government would need information on the inflationary rate before bringing forward the necessary uplift.

Question 15: Should an annual inflationary increase apply to:

i. Individual fees and increments

ii. Individual fees, increments and maximums

iii. No view

Question 16: What would be your preferred approach to how planning fees are set in the future?

For consistency and resource efficiency, statutory planning application fees should be set at the national level. Discretionary fees for things such as pre-application should be set at a local level. This would allow each planning authority to set a priority level against these and price accordingly.

Question 17: Are there key principles which should be set out in the event that fee setting powers are devolved to planning authorities?

The maximum planning application fee should be capped nationally to ensure that certain developments are not priced out of the system. The Council is concerned that devolving fee setting to individual Councils could distort markets and have the potential of being used to attract investment which would run contrary to the principle of increased fees moving towards full cost recovery. This approach is therefore not supported as it would impact negatively on attracting investment in Scotland.

Question 18: What other processes that support the determination of a planning application could authorities be given powers to charge at their discretion?

Fees for the completion and monitoring of legal agreements should be considered. Legal agreements can take many months or longer to complete, absorbing a considerable amount of time, and cost, for planners and legal representatives. In addition, the monitoring of the agreement obligations and contribution payments to be received and associated invoicing can be resource intensive.

Fees for EIA screening and scoping exercises may be relevant as these can be time consuming and resource intensive.

A clerk of works type role within the Council should be funded through the system to monitor construction of development sites and compliance with the planning regulation.

The monitoring of sites would assist the enforcement of the planning permission and any complaints received and provide a more accurate and speedy resolve. This could be written into legal agreements as a small discretionary fee/ Contribution. In certain sites it might assist reduce other associated costs for the developer such as insurances and health and safety regulation. This is standard, effective practice for mineral sites and could equally work elsewhere – particularly if it involves a specialism not held within the Council – for example – renewable energies. .

Consideration should be given to strengthening enforcement powers and applying costs for the related work. Planning enforcement is a discretionary statutory function but is necessary and under resourced currently.

If an application requires to be assessed for validation more than twice, a discretionary administration fee should be charged.

Consideration must be given to investing in planning by encouraging discretionary fees for parts of the resource intensive parts of the local development plan process, e.g. promotion of development sites.

There is an issue in resourcing Roads Construction Consents (RCC). Currently, these cannot be charged for and add significant burden to resources. Fife Council have transport officers within the planning team to coordinate the planning application and RCC process as much as possible as detailed in Designing Streets. However, there is still a workload demand on transport officers separate to the planning process (but part of the development process) currently unfunded.

Question 19: Do you think the circumstances where a refund can be requested is set out as part of any published information regarding the introduction of a discretionary charge?

If considered necessary, it should be set out in guidance and applied nationally to secure consistency and fairness of application. Fife Council would wish to be consulted on guidance on this point.

Question 20: Do you agree with the principle that authorities should have discretionary powers to increase fees for a proposal on an unallocated site within the development plan?

Strongly agree | **Partially agree** | No view | Partially disagree | Strongly disagree

Where the assessment of an application for an unallocated site was likely to result in a significant amount of additional work then this might be a factor for an increased fee. The principle of an increased fee is agreed with.

Not all land uses or development types will necessarily have a Local Development Plan allocation and there needs to be a distinction between the types of development that this might apply to.

Question 21: Do you agree that planning authorities should be able to recoup the costs of preparing a Masterplan Consent Area through discretionary charging?

Strongly agree | Partially agree | No view | Partially disagree | Strongly disagree

For a MCA to be workable, implementable and have considered all aspects that makes a place acceptable, a significant amount of work will need to be carried out to create the masterplan. This would essentially be the same level of work as a Planning Permission in Principle and may even require Environmental Impact Assessment. The Council would not be able to sustain such costs without assurance of full reimbursement. If there is no prospect of reimbursement it is unlikely that these will be taken forward. Full cost recovery of MCAs requires to be mandatory. Otherwise, the Scottish Government is placing a further financial burden on planning authorities which is unsustainable and contrary to investing in planning.

Question 22: Do you agree with the types of appeals that should incur a fee?

Yes | no view | **No**

The Council agrees that fees should be introduced for appeals, however suggests other categories are considered. Non-determination appeals should incur a fee. These appeals can be more onerous as the application has not reached its conclusion and may not have been fully assessed and/or consulted upon as aforesaid. This usually involves more resource from the Council and consultees in the appeal process. Appellants may use this process as a mechanism to bypass negotiations with the planning authority if they consider the application is likely to be refused as this appeal opportunity avoids incurring a fee at appeal.

The Council also considers that the appeal fee for non-allocated greenfield sites should be doubled.

Question 23: Do you agree that setting the fee for applying to appeal the refusal of planning permission (to either DPEA or the planning authority) is set as a percentage of the original planning application fee?

Strongly agree | **Partially agree** | No view | Partially disagree | Strongly disagree

Taking a percentage fee of a planning application could result in very large appeal fees which may not be representative of the amount and/or level of work required and may be on single issues of review. Large fees may deter some applicants from making an appeal. Alternatively, small fees might be taken for relatively complex appeals with multiple reasons for refusal which need additional specialist support. The fee structure for the smaller developments should be representative of the potential work as a smaller percentage of fee for larger developments and higher percentage of fee for smaller developments may reflect the actual associated work and resource.

The fee structure should represent the route of the elected appeal. Hearings, site visits and inquiries should all result in additional fee and costed on a daily rate to be fair and consistent.

Question 24: If a percentage of fee approach to appeal charging was considered most appropriate, what level do you consider would be most appropriate to reflect volume of work by DPEA or the LRB?

10% | 20% | 30% | 40% | No view | **Other**

The highest fee (40%) should be considered as this would be appropriate to cover all complexities. If this is considered excessive, then a sliding scale could be considered. For example, 10% of the lowest fees charged may not cover staff time on more complex appeals and should therefore be set at higher percentage rate. 10% of the larger fees could provide an income that is suitable for the appeal.

Question 25: Do you agree that an authority should consider waiving or reducing an appeal fee where they have offered such a waiver on the related planning application?

Strongly agree | Partially agree | No view | Partially disagree | **Strongly disagree**

This would result in greater complexity and potential unfairness, opening the process to favouritism and unfairness.

Question 26: Do you have views on how a service charge for applying for planning permission or a building warrant online could be applied?

Fife Council currently add a service charge to non-online applications to cover administration costs of scanning etc. This is taken as a flat fee and paid on top of the application fee. The concern with adding any service charge for online submissions would be that it encourages applicants to move back to paper submissions. The submission of an application online should be resourced through the planning application fee. However, as noted in response to Q18, if an application requires to be assessed for validation more than twice a discretionary administration fee should be charged to cover the additional administration and work involved.

Question 27: What other options are there to resource the operation and improvement of the eDevelopment service?

As detailed above, any charging mechanism could be a deterrent to online submissions. Additional charging through the planning system would be difficult to justify. Some form of alternative funding stream needs to be considered.

Question 28: Should the current threshold of 50MW for applications for electricity generation which are to be determined by authorities be altered?

Yes | **No view** | No

There are advantages and disadvantages to progressing this. Having the Energy Consents Unit (ECU) determine the applications offers a level of national consistency although there appears to be a lack of resource to determine these quickly and/or within a reasonable timeframe. A solution would be to increase the resource within the ECU.

A benefit of making the decisions within the planning authority would be the giving of greater local autonomy to such decisions. This would increase the workload pressures on planning authorities.

Fife has seen an increase in ECU consultations although not as much as other authorities. The impact of this across authorities is therefore likely to be disproportionate with more remote Councils likely to bear a greater burden.

If the determination of these applications remains within the existing Electricity Act process, there is the concern of a greater burden being placed on planning authorities leading on the resourcing of the associated Public Inquiry work, rather than simply being a consultee, as is currently the case. This will create additional workload which will require funding.

Question 29: Should different thresholds apply to different types of generating stations?

Yes | No view | No

This would allow consideration as to what could be accommodated most easily within planning authorities and what might be more easily accommodated within the ECU. A higher threshold for battery storage for example might be easily accommodated by planning authorities as there is less workload demand compared to windfarms.

Question 30: What would be the resource implications of increasing the threshold for the determination of applications for onshore electricity generating stations?

This depends on the type of electricity generating stations. A shift to planning authorities of applications such as pumped hydro or windfarms would see significant workload increases in not only the administration of supporting information and processes - but - also in the consultation and assessment processes. Other electricity generating stations would still impact resources but to a lesser degree.

Planning authorities would need to set up processes and procedures for dealing with these types of applications as the relevant legislation differs from the Planning Act. This would include internal programs and guidance. Greater administration would be involved, including consultation requests and responses. As these are larger application types, they would likely require more experienced officers which will reduce their ability to process other application types and nurture new colleagues to the planning system. More senior and/or experienced officers may need to be employed and/or existing employees taken from other duties. The resource implications of any public inquiry are also a concern. The overall length of process will tie up planning officers for longer periods while they also balance other applications. The creation of the Planning Hub may also reduce experienced staff in planning authorities which could impact on their ability to deal with this type of additional workload.

Any additional burden on planning authorities requires to be fully funded.

Question 31: If Scottish Government were to make a voluntary contribution equivalent to a percentage of the offshore electricity fee to authorities, what level of contribution would be appropriate to support some recovery of costs? Please provide justification for your answer.

20% would be appropriate. The assessment considerations for planning authorities for these types of applications will be less. There will be some specialist input on matters such as visual impact or ecology however. The planner input and specialist assessment therefore needs to be properly reflected in the fee.

Question 32: Should we introduce a new category of development for applications for hydrogen projects? If so, how should these fees be set/calculated?

Yes | No view | No

It is not clear at present which category this falls within and the types of structures and equipment on these sites are differ to other developments. The fee category should therefore match that of hydro-electric or solar electric applications/development.

Question 33: Are there different considerations for hydrogen production when compared with proposals which are concerned only with storage and distribution?

Yes | No view | No

Water and electricity connections for the process chosen to create the hydrogen. If the site is producing hydrogen, it is likely that there will be greater transport requirements as the site will quickly reach storage capacity without regular offtake. The production is likely to require some type of electricity source which may also therefore involve renewable energy. The impacts of this and its connection to the production facility will need further consideration.

Question 34: Do you agree that the standard £100 which applies to most prior notification and approval applications is appropriate?

Yes | No view | No

Agreed for the very basic prior notification applications which do not tend to lead to prior approval. However, where prior approval is required or some type of assessment completed, then a higher fee is necessary and justifiable, to ensure the associated work is fully funded and does not result in a financial burden on planning authorities.

Question 35: Are there particular PDR classes where you think the current fee should be amended? If so, please explain why that is considered to be the case.

For applications related to rail activity there is currently, no fee required. This is because those applications move straight to Prior Approval rather than requiring Prior Notification first. The way the guidance is written indicates that a fee should be taken when moving between Prior Notification to Prior Approval. This should therefore be amended in the interests of clarity, consistency and so that a fee can be taken.

Prior Approval relating to coal authority matters tend to require significantly more work than other Prior Notification/ Approvals. The fee for this should therefore be uplifted.

Question 36: Would a reduction of the current fee (£200 per 0.1 hectare) be an appropriate approach to resolving this issue?

No View.

Question 37: What would you consider to be a reasonable fee for shellfish farm applications? (Please elaborate on your answer using an average shellfish farm development (5 x 220m twin-headline longlines at 20m spacing with 30m end moorings) as an example.)

No view.

Question 38: Which proposal would you most like to see implemented?

The proposals relating to an annual inflationary uplift in planning fees, fees for planning appeals, and further discretionary charging.

Recognition of the skills investment is important to ensure that sufficient staff resource is available to meet the work demand. The uplift in planning fees annually is needed to help meet the costs of the planning system out with the more general reviews of planning fees and require to be carried out and/or reviewed on a less regular basis.

Question 39: Do you have other comments on the cumulative impact of the proposals?

To invest in planning, it is essential that the impact of changes does not place any additional financial burden on planning authorities than already exists. Careful consideration on the cumulative impact is therefore necessary.

Changes to full cost recovery would best be implemented quickly given that this has been a matter of consideration for over 10 years. Any dilution or phasing of the introducing of increased fees would have a negative impact on planning authorities at this time.

Question 40: Do you have other ideas to help resource the planning system? Please set out how you think the proposal could be resourced.

The Council disagrees with the proposed approach to full cost recovery solely being focused on development management.

The scope of full cost recovery should include aspects of development planning. For example, site assessment work is a detailed and considerable work task for planning authorities. The associated discretionary fees should therefore be recognised as an important element of resourcing planning authorities, admittedly allowing for with exemptions where deemed necessary.

New recent legislation e.g. Permitted Development Rights has brought with it greater complexity, reduced application fees yet staff resources still required to work through complexity. So, resourcing can be assisted through new legislation being streamlined, and not placing additional unfunded burdens on Planning Authorities.

Any additional financial resource will firstly assist with maintaining existing investment in Planning Authorities, and to cope with the unfunded burdens that have been placed on the planning system through a decade+ of legislative changes which have resulted in a much more complex system.

Question 41: Please provide any information on the potential impacts of our proposals to assist with preparation of the following impact assessments:

Business and Regulatory Impact Assessment

Equality Impact Assessment

Islands Communities Impact Assessment

Children's Rights and Wellbeing Impact Assessment

Fairer Scotland Duty

Strategic Environmental Assessment

No comment

9 May 2024

Agenda Item No. 9

Tackling Marine Pollution - Membership of KIMO UK

Report by: Pam Ewen, Head of Planning Services

Wards Affected: All

Purpose

The purpose of this report is to advise on the benefits of membership and budget implications of KIMO UK and consider whether the council should pursue membership of KIMO UK as requested by Motion 1 raised at the Fife Council meeting on 16 March 2024.

Recommendation(s)

The committee are asked to recommend:-

- (1) that Fife Council does not pursue formal membership of KIMO UK; and
- (2) that Fife Council continues to support KIMO UK's Fishing for Litter project that is operational in Pittenweem Harbour and the private St Andrews harbour.

Resource Implications

There are no resource implications to the Council as a result of approving this report, as the recommendation is not to pursue membership of KIMO UK.

Legal & Risk Implications

None noted.

Impact Assessment

An equality impact assessment is not necessary as it is considered that the implementation of the proposal will not have any impact on the equality groups. Activities of KIMO UK are beyond the scope of Climate Fife 2024.

Consultation

The Head of Environment and Building Services, Head of Roads and Transportation Services, Head of Finance and Head of Legal and Democratic Services have been consulted during the preparation of this report. No additional issues were noted. KIMO UK were also consulted.

1.0 Background

- 1.1 At the Fife Council meeting of 16 March 2023, Motion 1 by Councillor Calder, seconded by Councillor Al Clark, was unanimously agreed as follows:

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/ 2023 FC 69 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.”

Explanation of KIMO

- 1.2 KIMO is a local government member group with collaboration with Non-Government Organisations (NGOs) at regional and international levels. The focus is to prevent pollution and protect, preserve and enhance the seas and coastal waters of the North-East Atlantic and Baltic regions. KIMO’s support includes eight Scottish local authorities [Aberdeen, Aberdeenshire, Argyll and Bute, Comhairle nan Eilean Siar, Highland, Orkney Islands, Shetland Islands and South Ayrshire] and some funding from the Scottish Government.
- 1.3 The objectives of KIMO UK are to:
- Exchange information on effective pollution prevention and cleaning up operations and sustainable development.
 - Lead by example by improving regional marine environments.
 - Lobby national governments, the European Commission and others to take effective actions on issues affecting northern seas.
 - Make joint representations against threatening proposals.
 - Undertake demonstrative environmental projects.
- 1.4 KIMO is involved with four action areas:
- plastic pollution and marine litter
 - offshore energy
 - maritime safety and pollution from ships
 - hazardous waste and dumping at sea.

2.0 Issues and Options

Benefits and dis-benefits of joining KIMO

2.1 KIMO provides:

- A forum for networking and collaboration, such as the North Sea Commission's Marine Resources Group to co-ordinate strategies on marine pollution between local and regional levels.
- Lobbying nationally and internationally and participating in consultations. For example, international conventions, industry and politicians and participates in EU legislation stakeholder consultations and on national marine policy.
- Opportunities for networking around the North Sea and the Baltic Sea regarding fishing fleets and marine environment.
- A work program including collaborating to access funding for joint initiatives to assist members to implement marine environment actions that align to EU legislation and policy, to national legislation and to the UN Sustainable Development Goals, with a focus on Goal 14, Life Under Water.
- Whilst there are benefits to joining KIMO, they are at a high level and it is unlikely that Fife would benefit directly from this.

2.2 Whilst the Council acknowledges the importance of the marine environment, the benefits of KIMO's work are beyond Fife Council's current scope. As such there are no staff resources currently assigned to marine environment that could be made available to contribute to the networking and meetings or to deliver associated work. There is limited knowledge of the marine environment and issues within the Council which would make it challenging to participate.

2.3 Only one Council harbour and one private harbour are involved in a KIMO project (see Fishing for Litter in section 2.6 - 2.8), however the participating vessel operators are unwilling to formally register, so duration is currently unknown.

2.4 Marine Scotland is a directorate of the Scottish Government responsible for managing Scotland's seas and freshwater fisheries, with focus on fishery management and fishing vessel compliance with regulations. Marine Scotland currently fund some Fishing for Litter projects across Scotland (see 2.6 - 2.8 below).

Budgetary implications of KIMO UK membership

2.5 Staff resource and an elected member would have to be appointed to support the networking activities, four meetings each year and to deliver any work that arises. There are currently no resources set aside for this as no one has experience in marine pollution and it is beyond the scope of the work of the Council.

Membership of KIMO UK requires an annual membership payment that is currently set at £1,300.

Fishing for Litter Project

2.6 KIMO's Fishing for Litter project is operated by KIMO members and unaffiliated fishing vessels from across the United Kingdom and beyond. Fishing for Litter project enables fishermen to collect rubbish as part of their work at sea and return it to shore at no cost to them. Waste collected at sea is brought ashore and put into skips placed in harbours. Waste is collected from harbours by Fishing for Litter project at no cost to fishing vessels or local authorities. The waste is currently landfilled, however, there is a trial underway, funded by the local authorities in Dunbar and Eyemouth to maximise recycling and

reduce landfilled waste in Fishing For Litter's blue skips. The cost of landfill is currently £103.70 per tonne. Fishing for Litter Scotland state they have removed 2,250 tonnes of rubbish from the ocean since 2005, across 36 ports.

- 2.7 All ports and fishing vessels can participate in the Fishing for Litter project regardless of whether the local authority is a member of KIMO. St. Andrews and Pittenweem harbours are involved in the Fishing for Litter Project. St. Andrews Harbour Trust manage the harbour and their involvement in the Fishing for Litter project.
- 2.8 Fife Council has facilitated Pittenweem Harbour's local fishing vessels' participation in the Fishing for Litter project as part of a six month trial from October 2023 to March 2024. To reduce the risk of fly tipping, the Fishing for Litter skip is locked and located in a secure area, managed by the harbourmaster. However, on completion of the six-month trial, vessel operators declined to formally register with Fishing for Litter. The Fishing for Litter project will continue to collect and landfill the waste landed by Pittenweem fishing vessels for now, but KIMO are keen to secure the formal involvement of vessel operators. This does not require Fife Council to become members of KIMO. As the vessel operators are not willing to formally register with Fishing for Litter, the Council has limited influence on whether vessels working from Fife harbours will continue to be involved.

3.0 Conclusions

- 3.1 Fife Council has limited control within the marine environment. No staff resource or budget is currently allocated to support this. There is little staff knowledge within the Council on the marine environment. Membership of KIMO is not required to allow participation of Fife harbours in the Fishing for Litter project. As such, membership of KIMO is not recommended.
- 3.2 The continued Pittenweem Harbour involvement in KIMO's Fishing for Litter project does not rely on Fife Council being members of KIMO. St. Andrews Harbour Trust are managing their local vessels' involvement in the project and are not members of KIMO.

Background Papers

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

- None, only reference to the KIMO UK website:
<https://www.kimointernational.org/networks/uk/>

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Food4Fife

Report by: Pam Ewen, Head of Planning Services and Paul Vaughan, Head of Communities and Neighbourhoods Service

Wards Affected: All

Purpose

The purpose of this report is to seek approval of Food4Fife Strategy and Action Plan.

Recommendation(s)

Members are requested to:

1. approve the Food4Fife Strategy (as set out in Appendix 1); and
2. note that:
 - Food4Fife is a joint plan with NHS Fife and the Public Health and Wellbeing Committee will also be approached for approval;
 - the Community Growing Pillar is largely delivered through the Allotment, and Community Growing Strategy as approved 8 Feb 2024 Cabinet Committee; and
 - the full scope of this strategy will only be possible where additional external funding is provided, considered alongside other priorities, and project business cases approved.

Resource Implication

Approval of this report does not have any direct budgetary implications. The high-level actions described under each pillar (see section 2.2 below) are within existing service activities and budgets. Implementation of new actions within the Strategy Transformations (Section 2.2) will be predicated on accessing additional, external funding and appropriate resources to assist in delivering the strategy. The full scope of this strategy will only be possible where additional external funding is provided and considered alongside other priorities, progressing only where business cases have been approved.

Actions will be implemented in partnership with NHS Fife and other members of the Food4Fife Partnership. NHS Fife has provided £36,000 toward an officer resource within Fife Council in 2024/5. This post will support the Food4Fife partnership, develop and co-ordinate projects within the strategy and seeking additional funding for delivery.

[The Good Food Nation \(Scotland\) Act 2022](#)¹ with a requirement to produce a Good Food Nation Plan (see Section 1.5 below) is a new duty with no new or additional funding to support delivery. The first plan has been delivered with funding from external resources. Future plans will require funds to be identified.

¹ [The Good Food Nation \(Scotland\) Act 2022](#)

Legal & Risk Implications

The Food4Fife Strategy supports council responsibilities and priorities, including the [Climate Fife](#)² (2024) Big Community Move, and support to key deliver areas under [Fife's Economic Strategy](#)³; [Living well, working well and flourishing in Fife Population health and wellbeing strategy 2023–2028](#)⁴; [Fife Council Allotment & Community Growing Strategy](#)⁵ and [Zero Waste Fife: Resource Strategy & Action Plan 2018-2028](#)⁶.

It will help the council meet its duties under the [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)⁷ and help tackle the climate emergency. The Good Food Nation (Scotland) Act 2022 placed a requirement on certain public bodies, including the local authority and health board, to produce a Good Food Nation Plan [*Section (10) subject to secondary legislation*]. Food4Fife is also required to support delivery of the [National Good Food Nation Plan](#)⁸. Food4Fife will be Fife Council's Good Food Nation Plan, as such is in a good place to understand these duties.

Impact Assessment

Food4Fife was subject to full Strategic Environmental Assessment ([SEA Environmental Report – Food4Fife Strategy Final 1.0](#)), which means a [Fife Environmental Assessment Tool](#) is not required.

An Equalities Impact Assessment template was completed and approved. This determined that: 'the Strategy will not negatively impact any equality groups. The documents will aim to improve access to food in Fife'.

A Health Impact Assessment is proposed to be undertaken by NHS Fife during 2024.

Consultation

The Food4Fife Strategy is not an output of one organisation but a product of collaboration and joint working between partners from across Fife's food system. The Food4Fife Partnership has been the focus for this work and a list of members will be provided with the final strategy. Working groups were set up to develop each of the six Pillars.

Within Fife Council this included consultation with Business and Employability Service (Economic Development), Procurement, Facilities Management Services and Communities Services and Corporate Development.

A five week public engagement exercise occurred between 20 March to 26 April 2024 (See section 1.6). This took the form of an online survey and in person at libraries within the seven areas and at Fife House. The public engagement was advertised via local press and stakeholder networks.

Head of Finance and Head of Legal and Democratic Services has been consulted in the preparation of this report.

² https://www.fife.gov.uk/_data/assets/pdf_file/0020/560072/Climate-strategy-2024-final.pdf

³ <https://www.investfife.co.uk/wp-content/uploads/2023/08/FIFE-ECONOMIC-STRATEGY-2023-30-AUG.pdf>

⁴ <https://www.nhsfife.org/media/4cixmio8/phwb-strategy-web.pdf>

⁵ [Agenda-Pack-for-Cabinet-Committee-8th-February-2024.pdf \(fife.gov.uk\)](#) – item 9

⁶ https://www.fife.gov.uk/_data/assets/pdf_file/0032/193379/Resources-Strategy-Action-Plan.pdf

⁷ [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019 \(legislation.gov.uk\)](#)

⁸ [National Good Food Nation Plan \(www.gov.scot\)](#)

1.0 Background

- 1.1 In August 2021, organisations from across Fife came together to launch the **Food4Fife Partnership**. The partnership recognised a need to collaborate with a more unified strategic approach to establish a vision and address the key challenges for food in Fife. The Partnership committed themselves to work across boundaries and disciplines to ensure actions were connected and benefited the whole food system. The Partnership has led the development of the draft Food4Fife Strategy 2024-2029. Funding and guidance to enable the strategy to be developed to this stage was provided by Sustainable Food Places⁹.
- 1.2 The partnership built on existing activity undertaken by the partnership members, notably the important work building sustainable food access provision coming out of the crisis support from the last 4 years.
- 1.3 Food4Fife will help action on the food related issues and will set the direction and focus of food activities in Fife. Food4Fife covers the entire Fife local authority area and will operate for a five-year period from 2024 to 2029, with progress reporting every two years, reviewed fully at the end of the 5 year period.
- 1.4 Climate Fife Strategy (2024) outlines three “Big Moves” to transform how we will do things over the coming years. The Big Community Move will transform Fife’s approach to supporting community climate action, empowering our communities to transform local food, waste, transport and energy generation systems to create community wealth and wellbeing. This Food4Fife Strategy provides a pathway to support delivery of this ambition.
- 1.5 The Good Food Nation (Scotland) Act 2022 placed a requirement on certain public bodies, including the local authority and health board, to produce a Good Food Nation plan [*Section (10) not yet in force*]. The Food4Fife Strategy is Fife Council’s Good Food Nation Plan.
- 1.6 **Public Engagement Exercise**
- 1.7 A five-week public engagement exercise took place between 20 March to 26 April 2024. This took the form of an online survey and in person at libraries within the seven areas and at Fife House. The public engagement was advertised via local press and stakeholder networks.
- 1.8 Key findings were:
- Do you agree with the aims of the Food4Fife Strategy? **87% agree.**
 - Do you agree with the focus of the farming, soils and climate pillar? **84% agree.**
 - Do you agree with the focus of the sustainable food economy pillar? **84% agree.**
 - Do you agree with the focus of the sustainable food procurement pillar? **81% agree.**
 - Do you agree with the focus of the healthy food for all pillar? **87% agree.**
 - Do you agree with the focus of the community food pillar? **87% agree.**
 - Do you agree with the actions in the plan? **84% agree**, and
 - Common feedback to ensure there are achievable outcomes and identified responsible owners for key actions.
- 1.9 Following consultation, the Food4Fife Strategy has been reviewed by key stakeholders.

⁹ <https://www.sustainablefoodplaces.org/>

2.0 Summary and priorities for Food4Fife over the next five years

- 2.1 In 2021, the Food4Fife Partnership developed and agreed the vision to: “Create a sustainable food culture for a healthy Fife”.
- 2.2 Food4Fife has two key “Transformations”, these describe new, priority actions and an ambitious pathway for change for Fife’s Food system. They are supported by six pillars, each representing the focus of current activity and includes existing high-level actions and outcomes. They are:

Empowering Communities Transformation

- 2.2.1 The aim of this transformation is to reduce food poverty by providing a dignified, fair and just access to healthy, culturally appropriate, food for all. Achieve through supporting an interconnected community infrastructure that offers places to grow, places to learn and places to access food. It is supported by the pillars:
1. **Healthy Food for All:** Working to stop and prevent food poverty by providing a dignified, fair and just access to healthy and affordable food for all.
 2. **Community Food:** Empowering Fife’s food community and citizenship through communication and increased access to growing spaces, food skills and education.

Growing Our Economy Transformation

- 2.2.2 The aim of this transformation is to support delivery of Fife’s Economic Strategy, including maximising public procurement of local food, supporting local suppliers to deliver into local markets and support increasing markets for climate and nature friendly food. It is supported by the following pillars:
3. **Food Economy:** Supporting local food producers and suppliers to create a food economy and culture that supports living wages, that’s local, high quality and innovative with good career prospects.
 4. **Catering and Procurement:** Using Fife’s public procurement for community wealth building we will bring local food into our public buildings including schools, hospitals and learning institutions.
 5. **Farming, Soils and Climate:** Growing food in Fife that is climate friendly and climate ready, reduces waste, redistributes excess and supports soil health and biodiversity.

Food4Fife Partnership

- 2.3 Finally, delivery will be supported by the Food4Fife Partnership, supported by the 6th pillar:
6. **Partnership Working:** Working in partnership across all parts of the food system, driving positive change through leadership and a Fife-wide food strategy.

3.0 Risks and Opportunities

- 3.1 There are several challenges for this Strategy and Action Plan.
- 3.2 There are increasing pressure on public service budgets, a limited amount of wider funding available and an increasing demand for services with local communities keen to develop their capacity for food related activities. Alongside this, changes are needed in way food is produced, distributed, processed, purchased and how much food is wasted to help meet environmental, health and economic challenges. Building sustainable food access provision is particularly important coming out of the crisis support from the last four years.
- 3.3 In turn, there are opportunities to increase local resilience by reducing carbon emissions, improving biodiversity and health outcomes and increase the strength of the local economy.
- 3.4 Food4Fife builds on existing work of public bodies: how this supports the health of Fifers; community access to places to grow, learn and access food; how we support Fife business and how we use public sector procurement.
- 3.5 Additional resources will be needed to fulfil the full potential of the Food4Fife vision. Partnership working will be key. The Food4Fife Partnership recognises the need to explore new funding models beyond existing Fife public sector resources. Alongside this, communication and skills development will be crucial to delivering both action and behavioural change. All actions are dependent on approved business case and securing resources/funding for the lead organisation.
- 3.6 The Food4Fife Strategy and Action Plan will be monitored through the Food4Fife Partnership governance structure and formal reporting within both Fife Council and NHS Fife. Recognising this is a fast-changing area of work, there will be ongoing updates with reporting on each of the Pillars. The action plans will respond and develop each year as a living agile document.
- 3.7 The Fife Partnership is currently reviewing partnership delivery mechanisms as part of the 2024 strategic assessment and so the governance and delivery structures outlined in report may change.

4.0 Conclusions

- 4.1 To summarise, the production and publication of a Good Food Plan is a requirement under The Good Food Nation (Scotland) Act 2022. Food4Fife is to fulfil NHS Fife's and Fife Council's requirement to produce a Good Food Nation Plan. As outlined, the Food4Fife Strategy is aspirational and will set the direction and focus of food activities to support the people in Fife across the six pillars and the two key transitions. Additional funding and resources beyond Fife public sector resources, driven by approved business cases, will be critical to enable this change. Members are being asked to approve the Food4Fife Strategy and Action Plan 2024-29.

List of Appendices

1. Draft Food4Fife Strategy and Action Plan

Background Papers

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

- [The Good Food Nation \(Scotland\) Act 2022](#)
- [The Community Empowerment \(Scotland\) Act 2015, part 9](#)
- [Net Zero: Climate Change Plan 2018–2032 – update](#)

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Food4Fife

Strategy & Action Plan
2024-2029

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Foreword

The health we enjoy is firmly linked to the food we eat. Our health and wellbeing flourishes when we eat well.

We need our food to be environmentally sustainable, be affordable and accessible to everyone, and be healthy and nutritious. Unfortunately, we know all too well some people in Fife face stark choices about what and how they feed themselves and their families.

In Fife, we are fortunate that we produce some of the best food and drink in the world. Our food is enjoyed around the globe, and we have a strong food and drink sector.

The food system is complex, and to make changes that will improve sustainability, accessibility, and nutritional value we need to work across all parts of the food system. This means working in partnership with farmers and growers, food businesses, public procurement, and communities.

Food is such an important issue for everyone in Fife. Fife Council is delighted to jointly support this strategy together with NHS Fife and the wider Food4Fife Partnership. Partnership has been key to developing the strategy and will be even more important now we come to delivery.

Cllr. Jan Wincott
Fife Council Spokesperson,
Environment & Climate Change



Increasing awareness of the climate emergency and biodiversity crisis means more people want to know where their food comes from; how it has been grown and by whom; the food miles it has travelled; how it has been processed; and the impact it will have on their health and wellbeing. Our food strategy aims to support the changes needed across the food system to enjoy fresh, seasonal, delicious, and affordable food based on sustainable use of our land and assets.

I have been very fortunate in the last two years in chairing the Food4Fife Partnership to have worked with people across Fife who are passionate about changing our food system for the better and benefit of everyone.

In 2030, when we look back at our journey, what will be the story we tell about our land, our health and food? This strategy is one of our first steps to create a sustainable food culture for a healthy Fife.

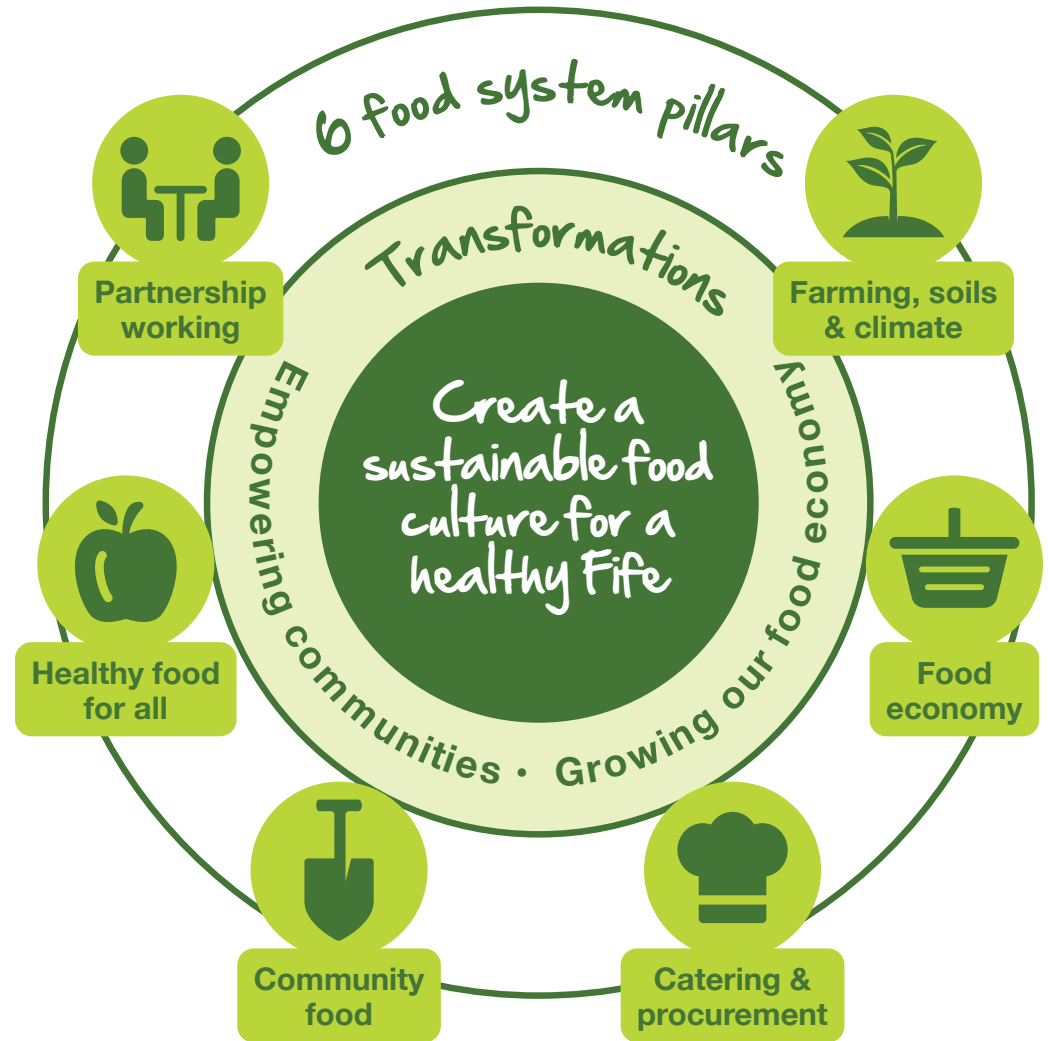
Jo-Anne Valentine
NHS Fife
Chair of the Food4Fife Partnership



Our Food4Fife Vision

In August 2021, organisations from across Fife came together to launch the Food4Fife Partnership. The partnership recognised a need to collaborate. They committed themselves to work across boundaries and disciplines to address the key challenges for Food in Fife. The Partnership developed and agreed the vision to:

Create a sustainable food culture for a healthy Fife



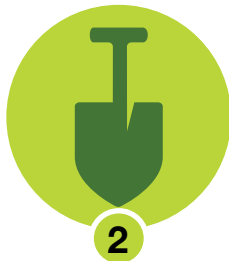
6 pillar food system framework

To support our food vision we have created a 6-pillar framework using the **Sustainable Food Places** model. Each pillar represents one part of Fife's food system. This framework highlights how the pillars (parts of the food system) connect and interact. Each individual pillar has its own vision statement and chapter, see pages 14-25. The chapters summarize the food situation in Fife, highlighting the ambition, direction of travel and high-level actions.



Healthy food for all

Working to stop and prevent food poverty by providing a dignified, fair, and just access to healthy and affordable food for all.



Community food

Empowering Fife's food community and citizenship through communication and increased access to growing spaces, food skills and education.



Food economy

Supporting local food producers and suppliers to create a food economy and culture that supports a real living wage, that's local, high quality and innovative with good career prospects.



Catering & procurement

Using Fife's public procurement to support community wealth building. We will bring local food into our public buildings including schools, hospitals, and learning institutions.



Farming, soils & climate

Growing food in Fife that is climate friendly and climate ready, reduces waste, redistributes excess and supports soil health and biodiversity.



Partnership working

Working in partnership across all parts of the food system, driving positive change through leadership and a Fife-wide food strategy.

Environmental protection will be a focus across all pillars.

Our challenges

There are several challenges we need to overcome to ensure Fife's food nourishes our people and planet.

The way we currently produce, distribute, process, buy and waste our food does the following.

- Creates up to 30% of global climate emissions¹.
- Is a driver for biodiversity loss, soil degradation and the nature crisis.
- Is linked to our health crisis of obesity and diabetes.
- Is a driver in food waste and plastic pollution.
- Does not always cover the full cost of food production.

From a climate, nature, health, and waste perspective we need to change our present food system². If we do not, as we are reliant on food imports, we risk the ability to feed ourselves as the effects of climate change increase. Climate change will affect the global food systems ability to maintain supplies and reasonable costs. Changing a system cannot happen overnight. However, action needs to start now.

We are fortunate in Fife. We have many sustainable food and drinks companies whose excellent work we can build on to make these bigger changes. To achieve this and meet our Food4Fife Vision this strategy looks to deliver two key transformations.

1 Climate Change and Nature | Sustain (sustainweb.org)

2 Brief 2 What is the food system.
A food policy perspective (city.ac.uk)



If people are eating nutritious food it impacts on everything from the NHS to school attainment to how often people visit the dentist. It links back to how we produce food and the effect that has on the environment. Sustainable farmers, Claire Pollock and Nikki Storrar Ardress Farm ardrossfarm.co.uk



Strategic transformations

There are the two strategic transformations providing a pathway and priority actions to meet our ambitions.

The tables below show the related pillars and their outcomes. This would help us to monitor progress.




Empowering communities

Transforming local action around growing, healthy food and access.

Pillar	Outcomes
 Healthy food for all	<ul style="list-style-type: none"> ● Reduced food poverty ● Increased health and wellbeing ● Improved access to food
 Community food	<ul style="list-style-type: none"> ● Increased capacity around food growing, cooking and diets ● Increased land available for growing and orchards ● Increased opportunities for social gathering, volunteering and community cohesion

Growing our Food economy

Transforming local action for Fife business, employment, procurement, and the environment.

Pillar	Outcomes
 Food economy	<ul style="list-style-type: none"> ● Increased resilience and business security for local producers and Fife's food and drinks industry ● Increased jobs and skills, fair pricing and wages ● Increased community wealth
 Catering & procurement	<ul style="list-style-type: none"> ● Improved local food security and supplies through reduced reliance on imported foods ● Increased use of local food
 Farming, soil & climate	<ul style="list-style-type: none"> ● Reduced carbon footprint and nature degradation ● Improved adaptation to unavoidable climate change ● Reduced food waste

Transformation 1 Empowering our communities

The aim is to reduce food poverty by providing a dignified, fair, and just access to healthy, culturally appropriate, food for all, either fresh or cooked. Building on what already exists across the region we can develop projects further to create an interconnected community infrastructure that offers **places to grow, places to learn** and **places to access food**.

This transformation takes a long-term view to reducing food poverty and links to NHS public health targets, NHS Green Space Strategy and the Allotment & Community Growing Strategy outcomes. This supports, but does not repeat, emergency projects linked to Fife Council's Tackling Poverty & Preventing Crisis work.

Two areas of work can be developed

- Increasing the community food infrastructure across all local areas in Fife to ensure places to grow and enable food access
- Increasing opportunities for training and capacity building to facilitate learning

Places to grow could offer a range of different spaces across Fife from community gardens, school and church spaces, allotments through to markets gardens. These spaces could also include different facilities to ensure Places to access and Places to learn. For example, community shops, training kitchens, public diners, greenhouses, storage, and distribution options.

Example project - Market garden with facilities

One example of a combination of all of these could be a Market garden with facilities project. This would be a large infrastructure project that could ensure access to food across the region. A flexible modular design that could include all parts for learning, growing, and access, or be designed appropriate for each site. Projects could be in partnership with allotments, community gardens and existing organisations such as FCCAN's (Fife Communities Climate Action Network) or create new opportunities where there are food access gaps.



Amanda, volunteer cook at Grow West. In 2023 volunteer cooks at Grow West provided over 1000 free meals.

www.growwestfife.org

Actions - what we will do

Stage 1

Research and survey

- Understand what land is available across Fife and how it can be used, with a focus on areas of deprivation.
- Identify existing facilities within the seven areas of Fife.
- Identify funding resources for future project delivery before progressing to stage 2

Stage 2

Develop business cases, funding and partnerships for the following:

- **Places to grow** - Market gardens, community gardens and greenhouses (heated potentially by recoverable heat). Produce to be ideally organic.
- **Places to learn** - Training kitchens and gardens offering courses and information on how to cook and grow food and what is a healthy diet.
- **Places to access food**, fresh and cooked such as community facilities, shops, social supermarkets and public diners.

Stage 3

Develop business cases for appropriate food storage, freezing and distribution options at strategic sites across the region. Storage and freezer opportunities increase availability of seasonal produce and reduce food waste. Distribution hubs close to production sites will enable food deliveries to charities, food banks, pantries as well as procurement, hospitality, and tourism markets.

Outputs

Outputs from the Market garden with facilities project could include:

- Fresh seasonal fruit and veg available through the community shop /social supermarket to community members and food banks, hubs, pantries etc
- Cooked food to eat in or takeaway via the public diners and training kitchens
- Training in growing, cooking and what is a healthy diet via the training kitchen and gardens
- Creating opportunities for jobs and training such as managing and running a market garden
- Volunteering opportunities in the kitchens, diners and gardens
- Community spaces and places within nature for community gathering, cohesion and wellbeing
- Storage and distribution options for food deliveries locally
- Increased awareness of local food through marketing and communication campaigns

This transformation project links the **Healthy Food for All** and **Community Food** pillars work.

Project Timeline

2024

Undertake research and survey

2025

Secure partnerships and funding

2026/29

Build infrastructure
Run campaigns

Transformation 2

Growing our economy

Our aim with this second transformation project is to support delivery of **Fife's Economic Strategy 2023-30** with the following:

- Maximise public procurement of local food by developing and shortening our food supply chains. This can support Fife's self-sufficiency
- Support local suppliers to deliver into local markets of public procurement, hospitality and tourism at scale. By doing so it can secure jobs and skills within Fife's food and drinks industry. It can also support the recovery and growth of Fife's tourism and hospitality sector by promoting Fife as a food region with food trials and agritourism
- Increase markets for climate and nature friendly food. This can help protect Fife's soils, decouple food energy from fossil fuels all of which can reduce climate emissions from Fife's food system.

Fife remains a breadbasket for Scotland and is in a strong position to take this work forward. Community Wealth Building offers Fife many opportunities to ensure the local food system works well for local people and that any wealth generated by the local food economy stays in Fife.

Example project - Public Procurement Project

This could look at increasing the amount of local food that is purchased through public procurement. The working group for this project is the Fife Wide Procurement Group, which includes Fife Council, NHS Fife, St Andrews University and Fife College.

Actions - what we will do

Stage 1

Undertake a 4-stage information and modelling project to understand the following:

- Supply and demand of food for public procurement, hospitality, and tourism markets,
- Risks to food and drinks businesses from climate impacts
- Gaps, and opportunities in infrastructure to enable local food markets
- Costs and community wealth building potential

Stage 2

Increase the number of primary food producers (farmers, growers) and processors we work with and link them with the Food from Fife network, our Fife wide public procurement teams, Fife Council's Business & Employability Team, and Fife's wholesalers

Stage 3

Increase purchase of local produce through public procurement, hospitality, and tourism markets

Stage 4

Strengthen food markets both locally and Scotland wide for climate and nature friendly produce



Falkland Kitchen Farm is a 5-acre organic market garden in Fife. They grow over 70 varieties of fruit, veg and herbs selling to local retailers, restaurants and a veg box scheme.

falklandkitchenfarm.co.uk

Outputs

This will support our understanding of:

- What food is grown where and how much there is
- Risks to food production in terms of soils, drought, and flooding
- Gaps and opportunities for a local food infrastructure in terms of processing, storage, refrigeration, distribution, and funding
- Opportunities for economic growth and resilience

Our **Food Economy, Farming, Soils and Climate** and **Catering and Food Procurement** pillars summarize further details.

Project Timeline

2024

- Stage 1 of information and modelling project
- Increase clusters of food producers
- Increase procurement of local food

2025

- Stage 2 and 3 of information and modelling project
- Increase procurement of local food
- Plan partnership and funding for local food infrastructure

2026/29

- Stage 4 of information and modelling project
- Increase procurement of local food
- Increased climate and nature friendly food markets
- Build infrastructure



Eats Rosyth is a community led charity who grow and share food, reduce waste, help the environment, and improve food education. They have an orchard, community garden and hub that sells and serves food.

www.eatsrosyth.org.uk

Our Pillars

Each of the following chapters show one of the six food Pillars, noting its ambition. Each chapter was developed by a multi-agency working group contributing a wealth of knowledge and perspective on Fife's food system.

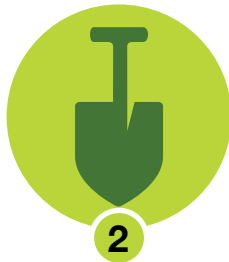
The Food4Fife strategy has been developed by the Food4Fife partnership. The partnership work has been supported by the **Sustainable Food Places** (SFP) network and **Nourish Scotland** who facilitate food partnerships across Scotland.



1

Healthy food for all

Working to stop and prevent food poverty by providing a dignified, fair, and just access to healthy and affordable food for all.



2

Community food

Empowering Fife's food community and citizenship through communication and increased access to growing spaces, food skills and education.



3

Food economy

Supporting local food producers and suppliers to create a food economy and culture that supports a real living wage, that's local, high quality and innovative with good career prospects.



4

Catering & procurement

Using Fife's public procurement to support community wealth building. We will bring local food into our public buildings including schools, hospitals, and learning institutions.



5

Farming, soils & climate

Growing food in Fife that is climate friendly and climate ready, reduces waste, redistributes excess and supports soil health and biodiversity.



6

Partnership working

Working in partnership across all parts of the food system, driving positive change through leadership and a Fife-wide food strategy.

Environmental protection will be a focus across all pillars.

Healthy Food for All



Working to stop and prevent food poverty by providing a dignified, fair, and just access to healthy and affordable food for all.

Poor diet is a major risk factor for obesity, cancer, coronary heart disease and diabetes. Overweight and obesity is UK's biggest cause of cancer after smoking.

NHS Fife Director of Public Health Report 2020 and 2021 (nhsfife.org)

The ambition for Fife is nobody goes hungry; that everyone has enough resources to eat healthily; and nobody should have to make choices between heating and eating. The right to good and culturally appropriate food is not a privilege. The right is for everyone no matter who they are, what they do or where they live.

Key to achieving this is to change people's food environment. This strategy puts in place steps to enable these rights.

The Healthy Food for All Pillar builds on previous work in Fife. Research carried out in 2017 estimated that approximately 24,000 adults in Fife were experiencing food insecurity³. The covid pandemic and the cost of living crisis have brought the needs of people facing hardship, and the diversity of community and institutional responses, into even sharper focus.

3. Food Poverty and Food Insecurity in Fife (2017)

4. NHS Fife Director of Public Health Report 2020-21

5. NHS Fife Children and Young People in Fife (2023)



Macauley's Fruit & Veg Merchant, Burntisland

Across Scotland, gradual increases in overweight levels have been seen since 2011 and were at their highest levels since 2003 in 2019.

Poor nutrition is a major risk factor for obesity and for a range of chronic diseases including cancer, heart disease and Type 2 diabetes. As with other health outcomes, inequalities are stark. Obesity rates among adults, for example, are higher in Scotland's most deprived areas compared to the least deprived.

There is also evidence of the strong links between nutrition and mental health.

68% of adults in Fife were overweight with 31% being obese³

23% of Primary 1 children in Fife were at risk of being overweight or obese⁴

Prevalence of Type 2 diabetes is three times greater in the most deprived areas than the least

Health inequalities in Fife have increased as a result of the pandemic and are likely to be exacerbated further by the economic crisis. We need to act urgently to ensure all of Fife's citizens have the best opportunity for good health. This includes work in rural areas, where pockets of poverty and deprivation can be masked by Scottish Index of Multiple Deprivation (SIMD) data, and limited access to services and transport is a significant challenge.

Tackling Poverty and Preventing Crisis is a key priority in the **Plan for Fife 2021-2024 Update**, and a significant programme of reform is underway with the aim of ensuring people get the help they need, when they need it. This includes actions around benefit take-up and income maximisation, support with fuel and childcare costs, and providing early, joined-up support through a 'no wrong door' approach. This part of the Food4Fife Strategy references the Tackling Poverty and Preventing Crisis programme of work but aims not to duplicate it. Instead, it sets out actions where there is a clear and direct relationship with food.

While our goal is to end food insecurity and the need for emergency food provision, this plan recognises the need for, and the vital role played by, providers of free and low-cost food. In particular, those providers mitigating food insecurity who are rooted in and led by communities. We want to ensure that provision is adequate, appropriate, sustainable, and dignified.

The Healthy Food for All actions include work to build knowledge and skills around food in our communities and increasing understanding of the impact of good nutrition on physical and mental health wellbeing. This Pillar and the Community Food Pillar's work will be closely linked particularly around training and skills.

Food is about much more than physical nutrition. Food is a vehicle for bringing people together, building connections and strengthening communities.

The events of the last few years have affected food security, cooking and eating habits, and social connections. But with these challenges come opportunities to:

- Understand, explore and work together
- Look differently at our habits and responses
- Build on the best of what has happened so far
- Take more coordinated action to ensure healthy food for all.

High level actions

- Ensure everyone has access to healthy and culturally appropriate food through increased food infrastructure and public food services (schools, care homes, colleges, university, and hospitals).
- Support research and data collection around the causes, solutions, and monitoring of food poverty, and ensure communication across all services.
- Increase communication campaigns and capacity building to support people toward eating healthily, including food preparation and cooking skills.

Healthy Food for All has been written in collaboration with Local Welfare Reform & Anti-Poverty Groups, Food Insecurity Network, Health promotion, Food and Health teams NHS, Communities & Neighbourhoods staff and the Food4Fife Partnership.

Community Food



Empowering Fife's food community and citizenship through communication and increased access to growing spaces, food skills and education.

Community food encourages people to grow their own fresh produce, stay active, feel connected to nature, and be part of their community.

The Fife Allotment and Community Growing Strategy highlights that more people want to grow their own fruit, vegetables, flowers, and herbs. To do this people need access to land, in ways that are safe and sustainable, and to be supported with the requisite skills and knowledge. Community growing should be accessible to all who want to take part. This means having opportunities suitable for people of all ages, abilities, and life circumstances.

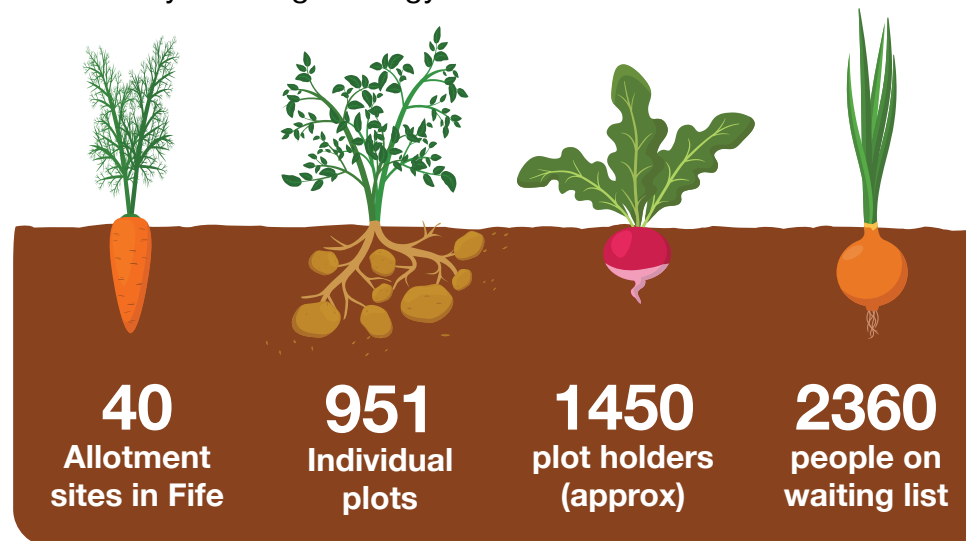
There are many different forms of community growing. These include market gardens, allotments, orchards, edible hedgerows, and growing spaces in schools, churches, health centres, as well as town and village bloom groups. This strategy looks to support people to access the space, which is right for them, whether that is an individual plot or joining a community organisation. Actions also encourage redistribution and sharing of surplus food to where it is needed. A challenge going forward will be to find appropriate land, enabling access to it and ensuring change of use for growing.

Wareing Altyre Plot



This strategy builds on the previous Fife Allotment Strategy by expanding the remit to include community growing. By doing this, the Community Food Pillar seeks to empower Fife's food community and citizenship. Through communication and increased access to growing spaces, food skills and education we will look to grow the Good Food Movement across Fife.

The Community Food pillar actions are led by Fife's Allotment and Community Growing Strategy 2024.



High level actions

- Expand, create, develop and manage sites for growing food via a range of options from people's gardens through to markets gardens.
- Create capacity through developing horticulture and food preparation skills.
- Encourage participation across the region to create a joined up good food movement.
- Support communities' groups to start, sustain and build on best practise.

People Learning About Nature in Tayport (PLANT) has been working on projects bringing people together to grow food and flowers, while reducing carbon emissions and enhancing Tayport's natural environment.

tayportgarden.org



The Community Food pillar links to the **Farming, Soils & Climate** and the **Healthy Food for All** pillars.

Community Food has been written in collaboration with Fife Council Communities and Corporate Development, the Community Projects Team, Community Food Working Group, the Food Insecurity Network, and the Food4Fife Partnership.



St Monans - First allotment site with a community orchard linked to new housing and supported by developers. Used by local school and community groups.

Food Economy



Supporting local food producers and suppliers to create a food economy and culture that supports living wages, that's local, high quality and innovative with good career prospects.

This chapter sets out why entrepreneurs and businesses in Fife's food economy need support to become more sustainable to ensure long term resilience.

'**Food From Fife**' Network, the regional food group supported by Fife Council and Scotland Food & Drink, brings together local businesses, promoting the quality and variety of their offerings. It includes top restaurants, neighbourhood cafes; resort hotels, B&B's; artisan producers, large-scale manufacturers, markets, festivals; and everything in between. This network and their website along with The **Food4Fife** website will be key communication tools for positive change moving forward.

Fife's food economy has shown remarkable resilience over the past few years, with pressures from Brexit and Covid impacting significantly on all within the sector. Its inherent entrepreneurial strength gives confidence. Its actors, with appropriate support, can continue to be innovative ensuring businesses across all sections of the food system.



Bowhouse A food hub for small businesses to collaborate and call home.
www.bowhousefife.com

Fife's food and drink sector is a considerable wealth generator for the area.

1,500
businesses (2021)

15.8%
of Fife's businesses

Annual turnover
£550m

Supporting
14,800
jobs

Home to
524 farms
of 50 hectares or more

1,530
smaller farms and
small holdings

It is clear; however, climate change will impact adversely on the sector, in primary production and secondary manufacturing areas, processing, storage, and logistics. Fife's food and drink sector underpins Fife's tourism and retail sectors. Any stress within the food and drink sector causes disruptive ripples in these other industries.

For the food system in Fife to continue to produce, process and get to market sustainable products, it requires long-term systemic change where every sector of the bioeconomy adapts their practices to successfully meet the future.

Putting entrepreneurs and enterprises at the heart of local economic development and promoting them to consumers ensures buying healthy and sustainable food becomes an easy choice. This then supports jobs, businesses, and communities which in turn contributes to the regeneration of our town and city centres.

Identifying the changes required starts with an analysis of how the business model for the whole sector currently operates. This strategic analysis and research has started and will help to identify the correct programmes of support for individual businesses.



scotlandthebread.org

GH Barnett, Anstruther

The **Fife Economic Strategy (2023-30)** sets a vision for a vibrant and resilient Fife economy which is Stronger, Greener and Fairer.

High level actions

- Further analysis to develop products and programmes of support for businesses to sustainably start, operate, grow, and trade.
- Support food and drinks business development to achieve net zero and build resilience.
- Undertake information collection and modelling projects to support development of local food infrastructure opportunities.
- Explore and develop new climate and nature friendly food and drink markets.

Food Economy pillar links closely with the **Farming, Soils & Climate** and **Catering & Food Procurement** pillars.

This Food Economy Pillar has been written in collaboration with Fife Council Business and Employability Service and the Food4Fife Partnership.



www.csinclairfish.com

Catering & Food Procurement



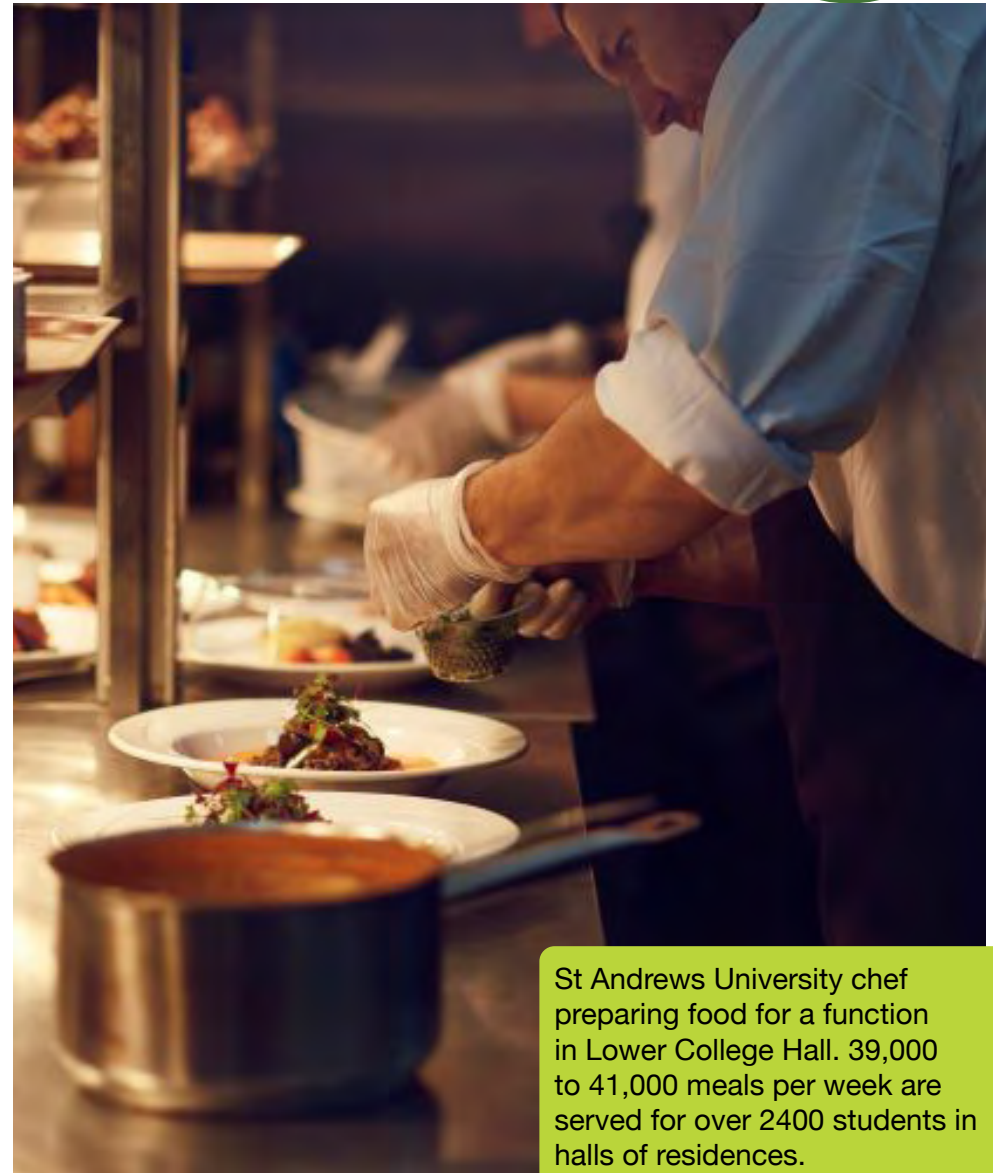
Using Fife's public procurement for community wealth building we will bring local food into our public buildings including schools, hospitals, and learning institutions.

Food procurement in Scotland is changing. There is pressure to become more agile in the face of national and global change, as well as new commitments to use the public purse to deliver greater public and environmental good.

Catering and procurement provide uniquely powerful levers for promoting good food. It has vast potential, and therefore importance, in transforming catering across a wide range of settings, from nurseries, schools and colleges through hospitals and care homes, workplace canteens, and smaller scale catering outlets.

Through this change it will then be possible to not only improve the eating habits of many thousands of people but also to create the large-scale demand for healthy, sustainable, and local food. This underpins a fundamental shift in the food production and supply system in Fife and offers opportunities for improving the local economy and community wealth building.

Collaboration between catering, procurement and menu teams, suppliers, growers, and distribution contractors, will be key to enable change.



St Andrews University chef preparing food for a function in Lower College Hall. 39,000 to 41,000 meals per week are served for over 2400 students in halls of residences.

High level actions

- Develop and embed approaches to increase procurement of local food.
- Work with suppliers and Fife Council's Business & Employability Service to support local food producers into the supply chain,
- Enable procurement contracts to include community benefits and promote sustainability in line with best practice and regulation requirements.
- Ensure best value for health as well as budgets. Ensure all opportunities to achieve health and environmental improvements are considered
- Explore alternative approaches for procurement. Consider commercial elements and practicing a risk minimisation approach
- Carry out research pilots to understand local market, cost, and health implications.
- Improve collaborative working across organisations and partnerships.

Public sector annual spend on food procurement

Fife Council	NHS Fife	St Andrews Uni
£6.7m	£5.1m	£3.5m
4.26m	18,677	
School meals served per year	Free school meals per day	

To reduce the environmental impacts of procurement activity, the Fife Wide Procurement Team will utilise the Scottish Government's 'Procurement Journey' guidance. Adopting these tools and best practice principles across all partners will make a real difference and support efforts to tackle the climate emergency.

The Procurement pillar works very closely with the **Farming, Soils and Climate** and **Food Economy** pillars.

Fife has established a Fife wide procurement group who collaborated on this strategy. Members represent Fife Council, Fife College, NHS Fife, the University of St Andrews, Fife Council Catering Service and the Food4Fife Partnership.



HNC professional cookery students preparing for dinner service at The Academy, the training restaurant at Fife college.

Farming, Soils & Climate



Growing food in Fife that is climate friendly and climate ready, reduces waste, redistributes excess and supports soil health and biodiversity.

Fife has an abundance of seasonal food and a strong food and drinks business network that delivers world class food production. Many Fife farmers are leading the way in sustainable and regenerative practices. The Scottish Government has set out a vision for Scotland as a leader in sustainable and regenerative farming⁶. Farmers will be supported to move in this direction through new legislation. This strategy supports the growth of local markets for sustainable, regenerative and organic food produce.

The transition of Scottish agriculture to net zero will need guidance and support. Two reports offering information and targets include, **Farming for 1.5 degrees a transformational pathway** and **WWF Scotland report, Delivering for net zero**.

The Food4Fife partnership will work with Fife farmers, NFU and Scottish government to support reductions and improve business resilience to the impacts of unavoidable climate change.



View the **Fields of Hope** film made with Fife Farmers, which premiered at COP26. Visit our.fife.scot/food

⁶ Agriculture and Rural Communities (Scotland) Bill



Balbirnie Home Farms
www.balbirnie.com

Tackling the nature and climate emergencies requires us to redefine the role of farmers. For decades we've been asking them to deliver food, and they have stepped up to that challenge despite many difficulties. Now we're asking them to deliver for nature and climate too, because the path to net zero has to go through a farm gate.

Nigel Miller, former president of the NFUS

Sustainable farming is critical to maintain and protect biodiversity. Action is also needed to improve the structure, retention, and health of soil to:

- Improve water retention, helping to reduce impacts of flooding and soil loss,
- Increase the capacity of the soil to store carbon (sequestration),
- Reduce harmful agrochemical inputs and run off and maintain soils fertility.
- Building capacity and sharing knowledge

The strategy supports developing networks of landowners and farm clusters/groups, in Fife, to work in partnership. This will be key to bring about positive change.

Labour shortages are negatively impacting Fife's Food and drinks sector. It will be crucial to work with schools' colleges and landowners to encourage a new generation of land workers and food producers.

The impacts of unavoidable climate change bring risks to food supplies. Fife needs to reduce its dependence on imported food. Understanding the scale of food production and consumption in Fife is critical to our local food economy and food security. This will require an information and modelling project to map resilience, gaps, and opportunities; to inform required investment.

Food waste needs to be reduced across all the Pillars in this strategy, from growing right through to eating. Wasted food from each stage wastes all the energy and resources that went into growing, processing, transporting, and cooking it. Closing the loop in the food system and applying circular economy principles to the whole food and drink sector will be important. Action will link to the **Zero Waste Fife Resources Strategy**.

High level actions

- Expanding the network of farmers working together across Fife to support action within this pillar.
- Undertake necessary research work to redistribute unused food and ensure households take action to reduce food waste.
- Undertake the information and modelling project to understand market scope and infrastructure gaps and opportunity
- Understand what food production areas are at risk of flooding and or drought and recommend adaptation methods for food resilience and security.

Farming, Soils and Climate chapter has been written in collaboration with Fife farmers, members of the Fork to Farm Dialogues, and the Food4Fife Partnership. The **Farming, Soils & Climate** pillar works very closely with the **Food Economy** and **Procurement** pillars.



Sheep grazing on a herbal ley (temporary grasslands made up of legume, herb and grass species) at Kilburns Farm, Balmerino

Partnership working



Food4Fife Partnership and Governance

The Food for Fife Partnership, strategy goals and action are recognised and supported nationally by Scottish Government and local policy and legislation.

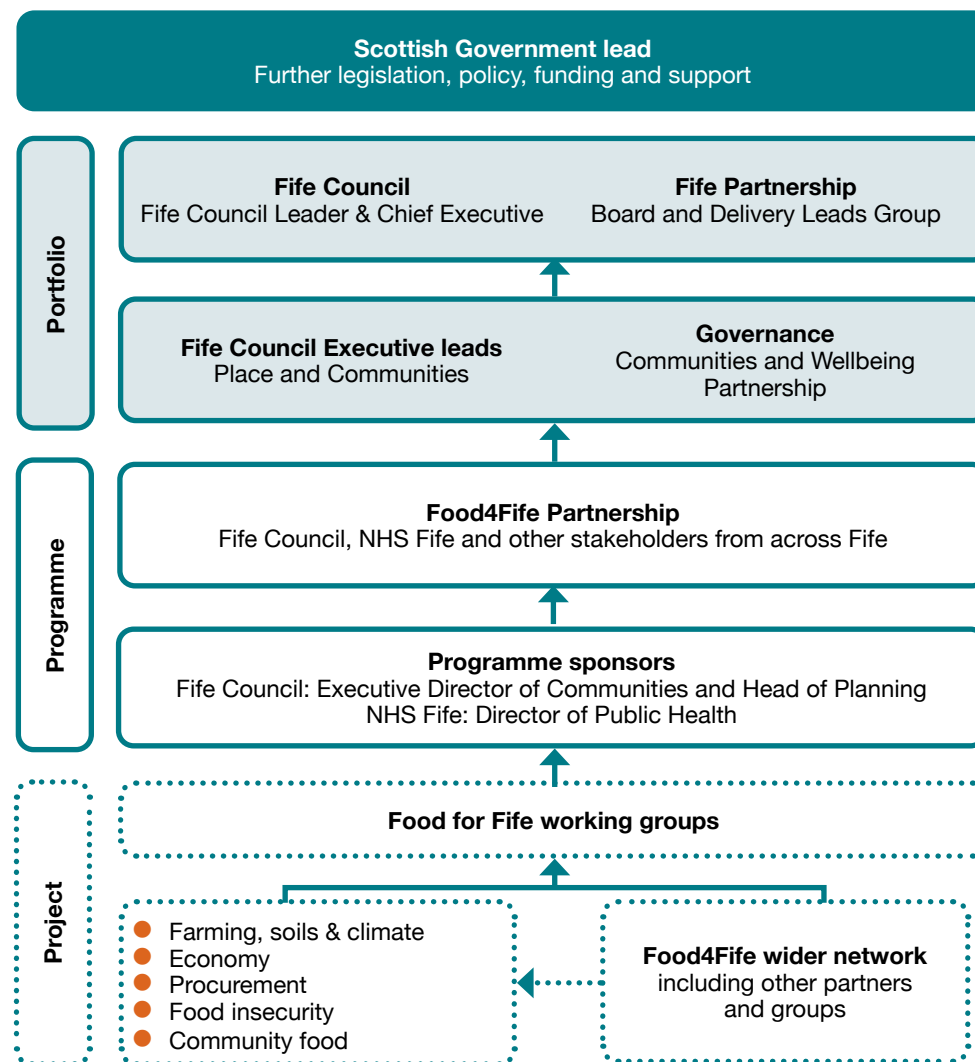
The **Good Food Nation (Scotland) Act 2022** placed a duty on the Scottish Government and certain public bodies, including the local authority and health board, to produce a Good Food Nation plan. Public bodies must report progress every 2 years and review the plan every 5 years. Food4Fife strategy fulfils our Good Food Nation responsibilities.

To transform Fife’s food system into one that is healthy and sustainable, Fife needs a joined-up strategic approach and committed long-term collaboration. This needs to happen between individuals and organisations across every sector and at every level; from community grassroots and third sector organisations to businesses and council leaders.

Legislation, policy, support and finance around agriculture, farming and food are fast-evolving areas. Coordination of these areas and input to national legislation and policy will be through the Food4Fife Partnership and Governance Pillar.

See **Appendix 2** for details of partnership members.

The below diagram illustrates the Food4Fife Partnership governance structure.



Implementation and monitoring progress

The Food4Fife Strategy actions will be monitored through the Food4Fife Partnership governance structure. There will be ongoing updates with reporting on each of the Pillars. The action plans will respond and develop each year as a living agile document.

Increasing our Resources, Knowledge and Skills

There is increasing pressure on public service budgets, a limited amount of wider funding available, and an increasing demand for services with local communities keen to develop their capacity for food related activities.

The Good Food Nation is a new duty with no new funding as yet announced. A limited number of Food4Fife Strategy actions will be supported within existing NHS Fife and Fife Council work areas. The Food4Fife Partnership recognises the need to explore new funding models beyond existing Fife public sector resources.

Staff capacity for delivery of projects is also under pressure across the public and 3rd Sectors. Communication and skills development will be crucial to delivering both action and behavioural change. Partnership working will be key to wider delivery.

Example of partner change projects and actions

- Climate Action Fife - Climate Friendly Food
- Climate Action Fife - Mapping Fife's fruit trees
- Go Falkland - Falkland Estates Event
- NHS Fife Greenspace strategy and actions
- Fife Council Climate Fife 2024 strategy and actions

High level actions:

- Support administration and governance of the Food4Fife Partnership to deliver and meet requirements of Good Food Nation (Scotland) Act 2022.
- Responding, where agreed, to food related legislation and policy.
- Reporting annually to NHS Fife and Fife Council
- Developing a Food4Fife Partnership communications plan enabling collaborative working across the Pillars.
- Secure funding opportunities for partnership projects



Greener Kirkcaldy's Community Training Garden at Ravenscraig Walled Garden



Partnership working

Climate Action Fife and the **Fife Climate Hub** are partner projects that empower community-led action on climate. They facilitate and support FCCAN (Fife Community Climate Action Network).

These groups are not only taking action on the climate crisis but work includes tree planting, nature protection, community gardens, access to food and support and training around cooking and growing food.



Balbirnie's Future Foundation planting the trees at Balbirnie Park with children from Markinch Primary School. Fruit and tree project Climate Action Fife



CLEAR, Buckhaven and Methil



Sustainable Cupar

Ceilidh for Nature is an annual event with the aim of inspiring people to do more for nature. The ceilidh is a collaboration with Rachel Ives of Balmerino, a regenerative farm and wool producing company and Rory Fyfe of Kinkell Byre who leads on the rewilding project at Kinkell. The event brings together farmers and landowners and those who care about protecting nature.



GO Falkland brings together vital voices and organisations in regenerative farming and forestry with the aim of generating awareness, engagement and agency in people and organisations within Fife and across Scotland. Led by farmers and those who work the land, the aim is towards a healthier and fairer future in Fife and Scotland's food and farming systems.



East Neuk Estates is a cluster of 7 farms including Balcarres, Balcaskie, Elie, Gilston, Kilconquhar, Charleton and Strathtyrum which together cover over 6% of Fife's agricultural land. They farm for local markets producing wheat, oats and vegetables using the principles of Regenerative agriculture. They also have a mob-grazing cattle enterprise producing high quality grass-fed beef from cattle that spend all year outside.



Appendix 1 National and Local Policy

The Food for Fife Partnership and strategy goals and action are recognised and supported nationally through Scottish Government and local policy and legislation.

The **Good Food Nation (Scotland) Act 2022** placed a duty on the Scottish Government and certain public bodies, including the local authority and health board, to produce a Good Food Nation plan. These public bodies must also report progress every 2 years and review the plan every 5 years. Food4Fife strategy fulfils our Good Food Nation responsibilities. It sets out the main outcomes to food related issues for Fife Council and NHS Fife for their areas of authority, together with aspirations and actions from other partners.

The **Community Empowerment (Scotland) Act 2015, part 9** outlines the duty for a Scottish council to prepare a food-growing strategy for its area. This covers allotments, or other areas of land for use by a community for the cultivation of vegetables, fruit, herbs, or flowers. The Food4Fife plan sets the policy context under this Act, with detailed actions outlined in the Fife Allotment and Community Growing Strategy.

Scotland's third Land Use Strategy **Land use - getting the best from our land: strategy 2021 to 2026** provides a holistic focus for Scotland's land, the demands placed upon it and the benefits

received. It recognises 'Scotland's land is a precious resource and fundamental to our economy, our environment and our wellbeing as a nation'.

The **Agriculture and Rural Communities Bill (2023)**, as introduced, outlines the objectives of the Scottish Government to support farmers.

In 2023 the Scottish Government consulted on **Tackling the Nature Emergency - strategic framework for biodiversity**. Objective 3: looked to 'embed nature positive farming', with a key action to: 'ensure increased uptake of high diversity, nature-rich, high soil-carbon, low intensity farming methods while sustaining high quality food production'.

Securing a green recovery on a path to **Net Zero: Climate Change Plan 2018–2032 – update** restated the target to reduce food waste by one third by 2025, against a 2013 baseline. This sought to



Cairnie Fruit Farm, Cupar

Appendix 2

Food4Fife Partnership membership

Jo-Anne Valentine

NHS Fife and Chair of Food4Fife Partnership

Cllr Jan Wincott

Fife Council's Spokesperson for Environment and Climate Change

Cllr Jean Hall Muir

Co-Chair of Dunfermline Greenspace SCIO and Cllr for Dunfermline Central.

Geraldine O Riordan

Climate Action Fife/ FCCAN Project Manager
Community Food Team, Greener Kirkcaldy

Craig Leitch

Fife Climate Hub (Project manager)

Geoffrey Proudlock

Fife College (Director, Faculty of Business, Enterprise and Tourism)

Lawrie Wilkinson

Fife College (Food Procurement)

Carolyn Bell

Fife Council and Food Coordinator for Food4Fife

Lauren Bennett

Fife Council (Policy Officer)

Hazel Cross

Fife Council (Economic Development)

Tariq Ditta

Fife Council (Head of Facility Management Service)

Peter Duncan

Fife Council (Allotment and Community Growing Officer)

Graeme Ferguson

Fife Council (Economic Development)

Derek Hamilton

Fife Council (Procurement)

Jacqui Lambert

Fife Council (Procurement)

Shirlie McKie

Fife Council (Service Manager – Hospitality)

Hugh Muschamp

Fife Council (Climate Change Zero Waste Lead Officer)

Kevin Okane

Fife Council (Greenspace Partnership Officer)

Pamela Stevenson

Fife Council (Enterprise & Business Development Manager)

Sheena Watson

Fife Council (Community Investment)

Fiona Lockett

Fife Health & Social Care Partnership (Senior Health Promotion Officer - Food and Health)

Vicki Bennett

NHS Fife

Jimmy Ramsay

NHS Fife (Head of Sustainability)

Lorraine Hartley

NHS National Services Scotland (Procurement)

Yvonne Batehup

NHS Scotland (Catering lead)

Sarah Cutler

St Andrews University (Procurement)

Kate Maitland

NFUS Fife

Johnnie Balfour

Balbirnie Home farms

Sam Parsons

Balcaskie Estate

Rachel Ives

Balmerino Farm

Lynne Ogilvie-Niven

Falkland Estate

Bryde Marshall

Falkland Kitchen Farm

Ninian Stewart

Falkland Trust

Philip Sheane

Toll farm

Andrew Whitley

Chair of Bread for Good Community Benefit Society (Scotland the Bread)

Lynsey Cochrane

Scotland the bread

Glossary

Active food citizenship

A shift towards healthier and more sustainable food requires high public awareness of food issues and widespread participation in food-related activity, by both individuals and institutions, as part of a growing movement of active food citizenship

Adaptable

In this context, being able to adapt to unavoidable climate change. The changes that are already happening, or are likely to happen, with increasing extremes of weather / temperature.

Agroecology

Agroecology is sustainable farming that works with nature. Agroecology is the application of ecological concepts and principals in farming. It promotes farming practices that mitigate climate change, works with wildlife, and gives power to approaches led by local people.

Agritourism

Agritourism can be defined as a form of commercial enterprise that links agricultural production and/or processing with tourism to attract visitors onto a farm, ranch, or other agricultural business for the purposes of entertaining and/or educating the visitors while generating income for the farm, ranch, or business owner.

Biodiversity gain

A way of calculating how a development, or a change in land management, will beneficially change the biodiversity value of a site.

Carbon Sequestration

Actions to help tackle the climate emergency by reducing carbon dioxide in the air. Carbon sequestration is using natural processes to absorb emissions from the atmosphere and capture these in things like soils or wood in growing tree.

Climate Emergency

A public commitment to stop all carbon emitting activities as rapidly as possible. Fife Council has committed to set a target for a net-zero greenhouse gas emissions by 2045 at the latest. This will require a huge transformation in Fife's communities

Ecology

Ecology is the study of relationships between plants, animals, people, and their environment - and the balance between these relationships.

Fork to Farm

Dialogues are local-led, relationship-building meetings aimed at bringing farmers into food system and food policy discussions.

Food system

A collective term used to describe the supply chain interfaces for food and drink including food production, processing, distribution and storage networks, waste management, markets and consumption.

Good food / Healthy food

Food that helps the health of the population

Nature Emergency

The loss of species and degradation of the natural environment which is a threat to humanity which requires restoration of nature.

Net Zero

Cutting greenhouse gas emissions to as close to zero as possible, with any remaining emissions re-absorbed from the atmosphere, by oceans and forests for instance.

Organic

Food which is produced using environmentally and animal friendly farming methods (agroecological) defined and regulated by organic standards.

Risk optimisation

Something that minimise the risks from an action. For this strategy taking action to best ensure food would be available to purchase at the right time and price.

Systemic change

Change that reaches all or most parts of a system. Where all or almost everything changes.

Sustainable

Balancing the needs of the people, the environment and the economy.

Sustainable and regenerative farming

Farming that delivers high quality food production, climate mitigation and adaptation, and nature restoration. Such as organic standards and agroecological approaches.

Food for Fife Strategy & Action Plan 2024-2029

For more information
visit our.fife.scot/food



Common Good Policy

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

Wards Affected: Fife-wide

Purpose

The purpose of this report is to present a revised Common Good Policy Statement.

Recommendation(s)

The committee is asked to:

- (1) note the context for the review and the work undertaken; and
- (2) approve the revised Common Good Policy Statement.

Resource Implications

The revised Common Good Policy Statement highlights the resource impact on the use of Common Good funds and how these will be used in the future. The policy revisions will have a possible impact on revenue balances being more generally used for maintenance and improvements of Common Good assets.

The policy for any surplus revenue balances accumulated within the Common Good Fund over a three-year period is detailed at paragraph 2.9 of the Policy Statement. This will provide resources to fund repairs and maintenance on Common Good assets. This is a change from the existing policy of utilising 70% of surplus balances over a three- to five-year period to purchase additional investments and 30% remaining as revenue balances.

Legal & Risk Implications

The Community Empowerment (Scotland) Act 2015 (the “Act”) and subsequent guidance highlights the need to consult on changes in the way Common Good assets, including funds, are used.

Impact Assessment

An equality impact assessment has been undertaken that shows no detriment to any protected characteristic.

Consultation

The Common Good Working Group has been involved in the development of the revised Policy Statement, including representatives from Legal, Finance and Property Services. The draft Policy Statement was presented at all Area Committees across Fife and a public consultation carried out, including community councils.

1.0 Background

- 1.1 In April 2022, the Policy and Co-ordination Committee considered a report on Common Good Policy and Procedures.
- 1.2 Common Good funds are made up of the heritable property (land and buildings) and moveable assets (paintings, furniture, etc.) that belonged to the former burghs of Scotland. On local government reorganisation in 1975, the burghs were abolished and Common Good assets and funds passed to the district and regional councils. The Community Empowerment Act 2015 includes a legal obligation to maintain and publish a register of Common Good property (both heritable and moveable).
- 1.3 As of 1 April 2024, there were 289 assets with Common Good elements. The total area of land covered by Common Good Titles was 618 hectares. As of 31 March 2023, the Common Good had investments totalling £3.503m. Common Good Property, Plant and Equipment and Leasehold Property are valued at £170m.
- 1.4 Further to presentation of the April 2022 report, committee agreed that all information on Common Good should be brought into one draft Policy Statement and that a consultation should be undertaken.
- 1.5 A draft Common Good Policy Statement was developed, containing clarifications and changes to the way the Council manages the Common Good. This was presented to Area Committees across Fife in late 2022 and early 2023 for their consideration and comment. A public consultation was then conducted in summer 2023, in accordance with the requirements of the Community Empowerment (Scotland) Act 2015 and guidance around use of the Common Good.

2.0 Revised Common Good Policy Statement

- 2.1 Appendix 1 contains the revised Common Good Policy Statement.
- 2.2 The revised Policy Statement contents cover:
 - a) What is Common Good?
 - b) Investment of Common Good funds
 - c) The use of Common Good funds for the maintenance of Common Good assets
 - d) Common Good Grants
 - e) Other uses of Common Good Funds
 - f) Common Good Assets and the Common Good Register
 - g) The role of Committees
 - h) Key principles for Common Good.

3.0 Conclusions

- 3.1 The revised Common Good Policy Statement responds to feedback from community groups, the council and external audit and helps to provide improved clarity as to the role and management of Common Good in Fife.

List of Appendices

1. Common Good Policy Statement

Background Papers

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

- Common Good Policy and Procedures – Policy and Coordination Committee 14th April 2022 [Agenda-and-papers-for-Policy-and-Co-ordination-committee-of-14th-April-2022.pdf \(fife.gov.uk\)](#)

Report Contact

Gill Musk
Policy Officer
Community Investment Team
Email: gill.musk@fife.gov.uk

Common Good Policy Statement

1.0 Purpose of Policy Statement

1.1 To explain what Common Good is, what the Council can do with it and how.

2.0 What is Common Good?

2.1 Common Good is made up of the heritable land, buildings and structures, along with moveable items (paintings, furniture, etc.) that belonged to the former burghs of Scotland. In a number of areas this also included cash funds. Through Local Government reorganisation the Common Good has been passed down to the local authorities. Almost all former burghs have Common Good.

2.2 The Local Government (Scotland) Act 1973 abolished the Burghs and Common Good was transferred to the district councils by way of The Local Authorities (Property etc) (Scotland) Order 1975. The 1973 Act and the Community Empowerment (Scotland) Act 2015 provide a statutory framework for the appropriation and disposal of Common Good and also provide requirements for consultation. The main legal restrictions on Common Good assets and funds are set out below:

- * Some Common Good land and buildings can only be appropriated or disposed of with the consent of either the Sheriff Court or the Court of Session. These are known as “inalienable” Common Good assets.
- * If the Council is considering whether to sell, lease or change the use of any Common Good asset, it requires to follow a statutory consultation process including consulting with the Community Council and other interested bodies and advertising the proposals in line with Section 104 of the 2015 Act.
- * There is a general obligation to maintain Common Good assets and not let them fall into disrepair. The first call on the Common Good Fund is to maintain the assets.
- * When spending money out of the Fund, regard is to be had to the interests of the inhabitants of the former burgh. This is generally taken to mean that the spend is to be for the public benefit of the former burgh.
- * There is now a legal obligation, in terms of Section 102 of the 2015 Act, to maintain and publish a register of Common Good land, buildings and moveable assets. The Common Good Asset Register, Common Good land map and list of disposals can be accessed at <http://www.fife.gov.uk/kb/docs/articles/council-and-democracy/land-and-property/common-good>

2.3 It is worth noting that, due to the time which has passed since property was first acquired by a burgh, it can be difficult to establish whether property is Common Good.

2.4 As well as property and other assets, there are a number of towns in Fife that have a Common Good Fund which is administered by Fife Council:

- Cowdenbeath Area – Cowdenbeath and Lochgelly
- Glenrothes Area – Leslie and Markinch
- Kirkcaldy Area – Kirkcaldy including Dysart, Burntisland and Kinghorn
- Levenmouth Area – Buckhaven & Methil, Leven
- North East Fife Area – Auchtermuchty; Crail; Cupar; Elie & Earlsferry; Falkland; Anstruther; Newburgh; Newport; Pittenweem; St Andrews; St Monans; and Tayport
- South and West Area – Consolidated Fund covering Dunfermline, Culross, Inverkeithing, Rosyth

- 2.5 The level of funds available varies significantly between the different Common Good Funds.
- 2.6 These Common Good funds, although held by the Council, are legally distinct from the Council's other funds and any money held within these funds, including the income from any assets which make up these funds, are to be used solely for the public benefit of the former burgh.
- 2.7 Common Good funds generate income annually from rental agreements, interest on investments held and interest on revenue balances. Revenue balances should be accumulated over a three-year period.
- 2.8 While local authorities have no specific legal duties to maintain Common Good land and buildings, Fife Council's policy position is that the Council maintain Common Good assets along with the rest of the Council's assets. Therefore, the first call on the relevant Common Good Fund is to maintain the assets.
- 2.9 Thereafter, the annual income is used to support local projects. Any surplus balances accumulated within the Common Good Funds over a three-year period should be used 50% to purchase additional investments, 25% retained to finance the maintenance of the heritable property associated with the Fund and 25% remaining as revenue balances to fund any additional projects the area would like to support. Where the Common Good Fund has no heritable property, 70% of the accumulated funds should be invested and 30% remains as revenue balances.

3.0 Use of Common Good Funds for Maintenance

- 3.1 The Council is not required to maintain Common Good assets to a higher standard than any other Council asset, although regard will be had to the significance in historical, archaeological, architectural or landscape terms of Common Good assets.
- 3.2 The following principles concern maintenance of Common Good assets:
- * If a Common Good asset is occupied and actively managed by a Council Service then that Service is required to fund any repairs or maintenance from their own budgets, within available resources. Any income generated from these properties would be paid to the Council as they are actively managing the properties and incurring all the costs.
 - * Where properties are leased to external organisations with no Council Service being involved in the management of the property, that income should be credited to the Common Good account.
 - * Where application is made to the Common Good Fund for repairs or maintenance of assets, a clear business case (including details of any relevant lease arrangements) must be presented.

4.0 Common Good Grants

- 4.1 These are currently administered by Communities and Neighbourhood Area Teams. Applications can be submitted from external bodies, individuals and from Council Services. Submitted applications go through an initial assessment by the Area Team to check that the proposal is eligible. If applications meet the basic criteria of providing public benefit in the former burgh, consultation is carried out with the relevant community through the Community Council (unless the Community Council are the applicant or no Community Council is established) and the Ward elected members. Thereafter, applications of £5,000 and under are determined by Officers. Above that level, they are reported to and considered by the appropriate Area Committee.

- 4.2 The Common Good Application Form can be found under the relevant section at <https://www.fife.gov.uk/kb/docs/articles/council-and-democracy/community-group-support-and-funding/fife-grants>

5.0 Other Uses of Common Good Funds

- 5.1 Common Good funds could be put to other uses, e.g. employment of staff, with any decision having to be in the best interest of the inhabitants of the former burgh(s).
- 5.2 It is permitted by the legislation for the local authority to borrow funds to advance to the Common Good and the Common Good to repay this to the loans fund. The repayment would include principal and interest. The Common Good can only do this through the Council – they cannot borrow directly from an external lender. This can only be done for Common Good assets that are not on the Council balance sheet and the borrowing can only be for capital expenditure. A Common Good Fund could only seek to borrow in this way if it has enough funds to repay principal and interest.

6.0 How do we know if something is a Common Good Asset?

- 6.1 Fife Council is required to establish and maintain a Register of Property which is held by the local authority as part of the Common Good. The aim of this is to provide transparency about the existence of Common Good assets and to ensure that there is community involvement in the decisions taken about their identification, use and disposal.
- 6.2 The register is a living document and any additional assets which are identified as Common Good will be added to the register and any assets, which are deemed after investigation not to form part of the Common Good, will be removed.
- 6.3 Fife Council has published the register so that it is publicly accessible and will undertake to carry out a full review of the register at least every five years. Amendments to the register can be requested and investigated at any time. If there are amendments, new iterations of the register will be published on an annual basis.
- 6.4 If you think the register needs to be updated in any way, please send details and supporting evidence to commongoodenquiries@fife.gov.uk. Such evidence might include charters/minutes/other documents pertaining to the burgh. The Council will consider all requests.

7.0 Where do Committees come into this?

- 7.1 Head of Communities and Neighbourhoods has responsibility for overall budgetary control and scrutiny of the Council's Common Good funds, including decisions relating to repair and maintenance and inclusion of additional items on the Common Good Register.

Cabinet Committee

- 7.2 Overseeing the management and use of all Council (including Common Good) assets and resources, and the development and implementation of the plans including:
- finance;
 - physical assets (including land, buildings and other property) including a Corporate Asset Management Plan;
 - human resources (including the development and training strategy for elected members and employees);
 - information (including information technology); and
 - intellectual property.

Area Committees

- 7.3 Taking decisions on matters within their local area insofar as these have been remitted by Council or other Committees including:
- considering all matters relating to expenditure from Common Good funds insofar as not delegated to officers;
 - to consider an annual report on the management of the Common Good;
 - to provide a view to the Cabinet Committee on proposed changes of use and disposal of Common Good assets within the boundary of the Area Committee and not covered by other policy.

West Fife Area Common Good Sub-Committee

- 7.4 To consider the disbursement of monies from the Common Good Fund.

Common Good and Trusts Investment Sub-Committee

- 7.5 To arrange for the supervision of the management and administration of the investments of the Common Good fund and all trust funds and to make decisions relating to the appointment of fund managers in that regard.

8.0 Key Principles for Common Good

8.1 Assets forming part of the Common Good of a former burgh are owned by Fife Council.

Fife Council is obliged to administer these in accordance with the normal principles of best value. It is also obliged to administer assets having regard to the best interests of the inhabitants of the former burgh. One of the means by which these interests can be established is consultation with the community, including the Community Council. Any decision making (after taking representation into account) ultimately rests with Fife Council.

8.2 Common Good assets should be treated consistently across Fife.

This principle is largely self-explanatory. Due to historical differences between the district councils who administered Common Good assets after 1975, and indeed previous practices of the burghs, Common Good assets were not always administered consistently throughout the County. Fife Council will strive to achieve consistency wherever possible, having regard to local differences where these are material.

8.3 Common Good assets should be managed and disposed of as efficiently and effectively as the Council's other assets.

Many Common Good assets - whether land or buildings - have a clear community purpose. Common Good assets can be disposed of or appropriated for another use. Where there is greater benefit to the community in disposing of the asset rather than holding onto it, then the authority is entitled to do so. The disposal income will be credited to the relevant Common Good Fund and it can then be used to benefit the community in other ways. In managing all of its assets, the Council is seeking to ensure that they are used to best value, whether that is by holding, leasing or using the asset itself or disposing of it where it is surplus to the requirements of the Council and the community as a whole.

8.4 If the Council is considering transfer of Common Good land to a community organisation, this should be done by following the Community Asset Transfer process.

This will allow the Council to evaluate the community body's business case and assess whether the asset can be transferred at less than market value. In all cases of transfer, the Council is required to comply with the Community Empowerment (Scotland) Act 2015 and, if the property is inalienable, apply to the Sheriff or Court of Session for consent.

- 8.5 Any "rentals" charged to a Council Service budget from the Common Good Fund should truly reflect the value of the asset and the cost of its maintenance. It should also reflect any income derived from the asset by the Council.**

This arrangement between a Council Service occupying a Common Good asset and the Common Good Fund is designed to protect the interests of the inhabitants of the former burgh and the Common Good Fund itself. Where Common Good assets are occupied or are the responsibility of Council Services, Services are responsible for the maintenance of the asset (land and buildings) to recognised safety standards for occupation and/or use. In the case of buildings, this includes making them wind and watertight. Where assets are leased to others, maintenance obligations will be per the lease agreement. In either case, where funds allow, funding for maintenance or improvements costs may be requested from the Common Good Fund. Rentals would also reflect other policies of the Council for example the Subsidised Leases Policy

- 8.6 Where a Common Good asset is unoccupied or unused, the Council will seek to find a use for it, either within or outwith the Council. Disposal should be considered as an option to minimise costs to the Common Good. Maintenance of unoccupied or unused Common Good assets will fall on the Common Good Fund.**

If the asset is unoccupied or unused, the costs of its maintenance and holding costs etc. should come from the Common Good Fund. However, the Council is under an obligation to ensure, as rapidly as possible, that assets held on the Common Good are put to beneficial use of some sort. In the case of buildings, if there is no possible beneficial use, then disposal or demolition may have to be considered, the costs of which will be met from the Common Good Fund. Disposal of the cleared site should be considered as an option. This may recoup any losses from the Common Good Fund.

- 8.7 Where a Common Good asset is declared surplus and it is proposed that the asset is to be disposed and Court approval is required, the expenses of proceeding to Court and, if successful, the costs of sale, should be taken from the sale proceeds. If the proposed disposal is initiated by a third party, then the third party would bear these costs. The net sale proceeds would be put back into the Common Good Fund for the benefit of the inhabitants.**

Cabinet Committee

Outstanding Remits from Committees

Title	Service(s)	Comments
6th June, 2024		
Change Planning and Organisation Change	Communities	As agreed at 30.11.23 Cabinet meeting - Para. 5.2 of report refers - <i>A further report will be brought to the Cabinet around June 2024 seeking agreement to the detail of change and to subsequent implementation.</i>
Fencing Policy	Housing	As agreed at Community and Housing Services Sub-Committee of 03.02.22 - - Para. 4.1 of report refers
Mothballing of Milton of Balgonie Primary School - Consultation Report	Education	As agreed at 11.01.24 Cabinet meeting - para. 198 of 2024.CC.108 refers - Cabinet Committee Minute - 11th January 2024 - Consultation report to be brought back to Cabinet
12th September, 2024		
Housing Allocation Policy Review - Task & Finish Group Update	Housing	As agreed at 08.02.24 Cabinet meeting - para. 207 of 2024.CC.114 refers - Cabinet Committee Minute - 8th February 2024 - Report back to Cabinet Committee following completion of the Task and Finish Group remit in the Autumn.
10th October, 2024		
South and West Fife - Community Use Arrangements Update	Communities	As agreed at 07.03.24 Cabinet meeting - para. 221 of 2024.CC.121 refers - Cabinet Committee Minute - 7th March 2024 - A further report be submitted to Cabinet in Autumn 2024.
Community Wealth Building	Business and Employability	As agreed at 06.04.23 Cabinet meeting - para. 97 of 2023.CC.51 refers - Cabinet Committee Minute - 6th April 2023 - Six monthly update to be submitted to Cabinet

Title	Service(s)	Comments
7th November, 2024		
Anti-Bullying Policy	Education	As agreed at 02.11.23 Cabinet meeting – para. 169 of 2023.CC.93 refers – Cabinet Committee Minute - 2nd November 2023 - Report to be brought back in a year's time
Housing Service – Domestic and Sexual Abuse Policy – Review	Housing Services	As agreed at 02.11.23 Cabinet meeting – para. 173 of 2023.CC.95 refers – Cabinet Committee Minute - 2nd November 2023 - Report to be brought back in a year's time
Social Housing Net Zero Standard (SHNZS) - Scottish Government Consultation Response	Housing Services	As agreed at 07.03.24 Cabinet meeting - para. 223 of 2024.CC.122 refers - Cabinet Committee Minute - 7th March 2024 - A further report be brought back to Cabinet later in 2024.
6th February, 2025		
Local Heat and Energy Efficiency Strategy Delivery Plan	Planning	As agreed at 30.11.23 Cabinet meeting - para. 176 of 2023.CC.98 refers - Cabinet Committee Minute - 30th November 2023 - Detailed Delivery Plan to be reported to Cabinet by March 2025

Unallocated		
Transfer of Development Land at North Fod, Dunfermline Update	Estates	As agreed at Cabinet 09.03.23 – para. 92 of 2023.CC.48 refers - Cabinet Committee Minute - 9th March 2023 - Further report on the details surrounding the development of the site to be reported back in due course
Wave Trust 70/30 Campaign	Education	As agreed at 16.03.23 Fife Council meeting – para. 60 of 2023.FC.70 refers - Fife Council Minute - 16th March 2023
Houses in Multiple Occupation (HMO): Review of the Overprovision Policy	Housing Services	As agreed at 04.05.23 Cabinet meeting - para 107 of 2023.CC.57 refers – Cabinet Committee Minute - 4th May 2023 - Report to be presented during 2024
Policy on the return of items of local, cultural or historical significance for local displays and heritage centres	Communities and Neighbourhoods	As agreed at 07.09.23 Cabinet meeting - para. 147 of 2023.CC.78 refers - Cabinet Committee Minute - 7th September 2023 Fife Tourism Strategy report

Title	Service(s)	Comments
Unallocated		
The Big Hoose Project – Update	Communities	As agreed at 05.10.23 Cabinet meeting - Para. 3.6 of Cost of Living - Winter Programme report refers - A separate report to be submitted to Cabinet once the council receives the evaluation and funding proposal.
Pay Strategy and Job Evaluation Project	Human Resources	As agreed at 30.11.23 Cabinet meeting - para. 188 of 2023.CC.103 refers - Cabinet Committee Minute - 30th November 2023 - see also para. 4.1 of report - updates to be brought back to Cabinet
Pedestrian and Cyclist Access to Household Waste Recycling Centres	Environment and Building Services	As agreed at 11.01.24 Cabinet meeting - para. 199 of 2024.CC.110 refers - Deferred to a future meeting
Allotment & Community Growing Strategy 2024-2028 Update	Communities and Neighbourhoods	As agreed at 08.02.24 Cabinet meeting - para. 209 of 2024.CC.115 refers - Cabinet Committee Minute - 8th February 2024 - Further report back to Cabinet in due course.
Budget Planning 2024-27 - HRA Capital Plan Update	Finance and Corporate Services	As agreed at 08.02.24 Cabinet - para. 11.5 of report refers - <i>Due to a number of emerging financial risks, more time will be taken to model and test affordability of the HRA Capital Plan and a further report will be brought to this committee in the coming months</i>