

# FIFE COUNCIL OF 2<sup>ND</sup> DECEMBER, 2021

## MINUTE VOLUME

### NOTE

Items in the minutes will be marked to indicate that such items are subject to the approval of the Council or another Committee, as the case may be, as follows:-

- C = Subject to approval of the Council
- S = Subject to approval of the appropriate Strategic Committee
- A = Subject to approval of the appropriate Area Committee

If telephoning, please ask for Emma Whyte, Committee Officer,  
Finance & Corporate Services (Telephone:- 03451 555555 Ext. 442303).

**FIFE COUNCIL**

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## THE FIFE COUNCIL - CENTRAL AND WEST PLANNING COMMITTEE – REMOTE MEETING

29th September, 2021

2.00 p.m. – 4.30 p.m.

**PRESENT:** Councillors Alice McGarry (Convener), David Alexander, Alistair Bain, John Beare, Bobby Clelland, Dave Coleman, Derek Glen, Zoe Hisbent, Gordon Langlands, Helen Law, Ross Paterson and Andrew Verrecchia.

**ATTENDING:** Kevin Treadwell, Service Manager – Major Business & Customer Service, Jamie Penman, Planning Assistant – Development Management and Mark Barrett, Lead Officer Transportation Development Management, Economy, Planning & Employability Services; Mary McLean, Legal Team Manager and Emma Whyte, Committee Officer, Legal and Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Mino Manekshaw and Derek Noble.

### 169. DECLARATIONS OF INTEREST

Councillor Hisbent declared an interest in paragraph 174 below – ‘21/01493/LBC – Burntisland Harbour, Harbour Place, Burntisland’ – as her employer had commented on the application.

### 170. MINUTE

The Committee considered the minute of the meeting of the Central and West Planning Committee of 1st September, 2021.

#### Decision

The Committee agreed to approve the minute.

### 171. 19/01725/PPP - LAND TO EAST OF A823 WELLWOOD, FIFE

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for residential development, open space areas, path and cycle network and associated development at Colton SDA.

#### Decision

The Committee agreed:-

- (1) to approve the application subject to the thirty-eight conditions and for the reasons detailed in the report as well as conclusion of a legal agreement securing the following matters:-
  - the/

- the securing of proportionate financial contribution towards a new Primary School;
  - providing access to the land associated with the link road within the site should this be needed to deliver the Northern Link Road;
  - a Strategic Transport contribution of £5332 per market unit
  - a contribution of £6067 per 3 bedroom market residential units towards secondary school education. This shall be increased and decreased on a sliding scale per bedroom and index linked;
  - a contribution of £226 per 3 bedroom residential units towards St Margaret's Roman Catholic Primary School. This shall be increased and decreased on a sliding scale per bedroom and index linked;
  - the securing of 25% affordable housing on the site;
  - securing the final delivery of landscaping and open space for development areas should the development stall for 3 years or more; and
  - a financial contribution or direct completion of the Northern Link Road at the eastern end of the development site outwith the area of site specified on plan 50126\_106 and condition 22 including land, CPO and construction costs.
- (2) that authority be delegated to the Head of Planning Service in consultation with the Head of Legal & Democratic Services to negotiate and conclude the legal agreement necessary to secure the obligations set out in paragraph (1) above;
- (3) that should no agreement be reached within 12 months of the Committee's decision, authority be delegated to the Head of Planning in consultation with the Head of Legal & Democratic Services to refuse the application; and
- (4) that the duration for planning permission be extended to 15 years.

**172. 21/00346/FULL - LAND TO THE NORTH OF PITCAIRN CENTRE, MOIDART DRIVE, GLENROTHES**

The Committee considered a report by the Head of Planning relating to an application for the change of use of former woodland plantation to form outdoor activity education centre (Class 10), including the siting of No. 5 modular buildings, erection of fencing and gates, formation of pathways and alterations to existing bus stop.

**Decision**

The Committee agreed to approve the application subject to:-

- (1) the nineteen conditions and for the reasons detailed in the report;
- (2)/

- (2) an amendment to Condition 18 to ensure the colour of the metal gates be agreed by Council officers; and
- (3) an additional condition to ensure that the land be reinstated to its former condition if the operation were to cease operating for a period greater than 6 months, subject to taking any future Covid restrictions into account with the wording of the proposed condition to be delegated to the Head of Planning.

**173. 21/00954/PPP - LAND TO THE EAST OF RED PATH BRAE, ORCHARD TERRACE, KINGHORN**

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for residential development, including affordable housing, access, landscaping, open space and associated engineering work on land at Mid Mire, Kinghorn.

**Decision**

The Committee agreed to refuse the application for the three reasons detailed in the report.

**174. 19/03130/FULL - GRAHAMS THE FAMILY DAIRY MILK PRODUCTS LTD, BLOCK 1 2 AND 3 GLENFIELD INDUSTRIAL ESTATE**

The Committee considered a report by the Head of Planning relating to an application for the erection of No. 3 single storey extensions to food production facility (Class 5) with associated air-conditioning condensers and drainage works (retrospective).

**Decision**

The Committee agreed to approve the application subject to the condition and for the reason detailed in the report.

*The meeting adjourned at 3.25 p.m. and reconvened at 3.35 p.m.*

*Having earlier declared an interest, Councillor Hisbent left the meeting prior to consideration of the following item.*

**175. 21/01493/LBC - BURNTISLAND HARBOUR, HARBOUR PLACE, BURNTISLAND**

The Committee considered a report by the Head of Planning relating to an application for listed building consent for the erection of fencing and gates to the harbour.

**Motion**

Councillor Langlands, seconded by Councillor Clelland, moved that the application be refused as the design and the proposed materials did not respect the setting of the harbour and the views of the harbour and beyond.

**Amendment/**

### **Amendment**

Councillor McGarry, seconded by Councillor Alexander, moved approval of the application as per officer recommendation.

### **Vote**

**For the Motion** – 5 votes

Councillors Bobby Clelland, Gordon Langlands, Helen Law, Ross Paterson and Andrew Verrecchia.

**For the Amendment** – 6 votes

Councillors Alice McGarry, David Alexander, Alastair Bain, John Beare, Dave Coleman and Derek Glen.

Having received a majority of votes, the Amendment to approve the application, was carried.

### **Decision**

The Committee agreed to approve the application subject to the four conditions and for the reasons detailed in the report.

## **176. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

### **Decision**

The Committee noted the list of applications dealt with under delegated powers for the period 9th August to 5th September, 2021.

## THE FIFE COUNCIL - CENTRAL AND WEST PLANNING COMMITTEE – REMOTE MEETING

27th October, 2021

2.00 p.m. – 4.05 p.m.

**PRESENT:** Councillors John Beare (Convener), David Alexander, Alistair Bain, Bobby Clelland, Derek Glen, Mick Green, Zoe Hisbent, Gordon Langlands, Helen Law, Mino Manekshaw, Derek Noble and Ross Paterson.

**ATTENDING:** Mary Stewart, Service Manager - Major Business & Customer Service, Kevin Treadwell, Service Manager - Major Business and Customer Service, Declan Semple, Lead Officer and Scott Simpson, Planner - Development Management (South Section), Economy, Planning & Employability Services; Christopher Glendinning, Solicitor, Mary McLean, Legal Team Manager (Planning, Property & Contracts) and Emma Whyte, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Dave Coleman, Alice McGarry and Andrew Verrecchia.

In the absence of both the Convener and the Vice-Convener, the Committee agreed to appoint Councillor John Beare as Convener for this meeting.

### 177. DECLARATIONS OF INTEREST

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

### 178. MINUTE

The Committee considered the minute of the meeting of Central and West Planning Committee of 29th September, 2021.

#### Decision

The Committee agreed to approve the minute.

### 179. 20/00774/PPP - LAND AT CALAIS MUIR WOOD, SANDPIPER DRIVE, DUNFERMLINE

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for mixed use development including Class 4 (Business), 5 (General) and 6 (Storage for Distribution).

#### Motion

Councillor Law, seconded by Councillor Glen, moved refusal of the application on the grounds that it would have a detrimental impact on natural heritage and the protection of the natural environment.

#### Amendment

Councillor/

Councillor Beare, seconded by Councillor Bain, moved approval as per officer recommendation and removal of the wording “unless further evidence is submitted which clearly demonstrates that the 15 metre buffer zone can be lessened” from Condition 1b.

### **Vote**

**For the Motion** – 6 votes

Councillors Bobby Clelland, Derek Glen, Derek Noble, Gordon Langlands, Helen Law and Ross Paterson.

**For the Amendment** – 6 votes

Councillors Alistair Bain, David Alexander, John Beare, Mick Green, Mino Manekshaw, and Zoe Hisbent.

The Convener used his casting vote in favour of the Amendment, which was accordingly approved.

### **Decision**

The Committee agreed to approve the application subject to:-

- (1) the nine conditions and for the reasons detailed in the report; and
- (2) removal of the wording “unless further evidence is submitted which clearly demonstrates that the 15 metre buffer zone can be lessened” from Condition 1b.

#### **180. 21/01535/FULL - SITE TO THE WEST OF CAMDEAN PRIMARY SCHOOL, ADMIRALTY ROAD, ROSYTH**

The Committee considered a report by the Head of Planning relating to an application for Approval Required by Condition for the erection of 36 dwellinghouses with associated road and car parking (11/06658/PPP) (Section 42 application for removal of conditions 8c and 8d of 14/03627/ARC relating to noise levels).

### **Decision**

The Committee agreed to approve the application subject to the eight conditions and for the reasons detailed in the report.

*The meeting adjourned at 3.40 p.m. and reconvened at 3.45 p.m.*

#### **181. 21/00508/ARC - LAND TO SOUTH OF CADHAM ROAD, CADHAM ROAD, GLENROTHES**

The Committee considered a report by the Head of Planning relating to an application for approval of matters specified in conditions 2 (parts a, b, c, d, e, f, h, i, j and k); 26 and 28 of 18/01756/EIA in relation to 145 houses.

### **Decision/**

## **Decision**

The Committee agreed to approve the application subject to:-

- (1) the twelve conditions and for the reasons detailed in the report; and
- (2) amendments to Conditions 3-7 (inclusive) as follows:-
  3. The entire Cadham to A92 Link Road approved through planning reference: 20/01224/ARC shall be constructed to Fife Council adoptable standards and available for public use prior to the completion of the first house on site H2 (as defined in the approved Development Phasing Strategy), unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, completion shall refer to the acceptance of a completion certificate or the grant of permission for temporary occupation or use by the relevant verifier in terms of the Building (Scotland) Act 2003.

Reason: To ensure the timely delivery of key infrastructure.

4. The north noise mitigation bund approved through planning reference: 20/01224/ARC shall be fully completed prior to the completion of the first residential property on site H2 (as defined in the approved Development Phasing Strategy), unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, completion shall refer to the acceptance of a completion certificate or the grant of permission for temporary occupation or use by the relevant verifier in terms of the Building (Scotland) Act 2003.

Reason: To ensure the timely delivery of key infrastructure.

5. Details of a 3m wide shared use path along the full west side of the Cadham Link Road shall be submitted for approval by the Planning Authority. Thereafter the shared use path shall be fully completed in accordance with the approved details and available for public use prior to the completion of the first residential property on site H2 (as defined in the approved Development Phasing Strategy), unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, completion shall refer to the acceptance of a completion certificate or the grant of permission for temporary occupation or use by the relevant verifier in terms of the Building (Scotland) Act 2003.

Reason: In the interest of road safety - to ensure the provision of adequate pedestrian/cyclist facilities.

6. The northern SuDs basin approved through planning reference: 20/01224/ARC shall be fully completed prior to the completion of the first residential property on site H2 (as defined in the approved Development Phasing Strategy), unless otherwise agreed in writing by the Planning Authority. For the avoidance of doubt, completion shall refer to the acceptance of a completion certificate or the grant of permission for temporary occupation or use by the relevant verifier in terms of the Building (Scotland) Act 2003.

Reason/

Reason: To ensure the timely delivery of key infrastructure.

7. Details of the proposed pedestrian/cycle footpaths shown on drawing GLEN/PLAN/001H between Plots 10 - 11, Plots 22 – 26, Plots 45 – 52, Plots 103 - 144 and Plots 113 - 114 including connections to the wider network of paths are to be submitted and approved by the Planning Authority. The Paths shall be built to in accordance with the approved drawings and open to the public prior to the completion of their respective neighbouring plots. For the avoidance of doubt, completion shall refer to the acceptance of a completion certificate or the grant of permission for temporary occupation or use by the relevant verifier in terms of the Building (Scotland) Act 2003.

Reason: To ensure the timely delivery of safe pedestrian/cycle routes through the site.

**182. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

**Decision**

The Committee noted the list of applications dealt with under delegated powers for the period 6th September to 3rd October, 2021.

## THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE- REMOTE MEETING

22 September, 2021

1.45 p.m. – 3.20 p.m.

**PRESENT:** Councillors Donald Lothian (Convener), Tim Brett, John Docherty, Andy Heer, Jane Ann Liston, David MacDiarmid, Karen Marjoram, Bill Porteous, Jonny Tepp, Brian Thomson and Ann Verner.

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management, Economy, Planning & Employability Services; Lindsay Thomson, Head of Legal & Democratic Services, Elizabeth Mair, Committee Officer and Steven Paterson, Solicitor, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Bill Connor, Linda Holt, Margaret Kennedy, Tony Miklinski and Dominic Nolan.

### 297. DECLARATIONS OF INTEREST

Councillor Thomson declared an interest in Para. 301 - '20/02099/FULL - East Grange Farmhouse, Grange, St Andrews' - as a family member lived adjacent to the site and had commented on the application.

### 298. MINUTE

The Committee considered the minute of the North East Planning Committee of 25th August, 2021.

#### Decision

The Committee agreed to approve the minute.

### 299. 20/02239/FULL - CARPHIN HOUSE, LUTHRIE, CUPAR

The Committee considered a report by the Head of Planning relating to an application for the formation of replacement hardstanding to existing courtyard (retrospective).

#### Decision

The Committee agreed to:-

- (1) refuse the application on the grounds of visual amenity, for the reasons that the replacement surface had failed to preserve the character and integrity of the Category C Listed Building and its settings in line with Section 59 (1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 and was contrary to Policies 1 and 14 of the adopted FIFEplan Local Development Plan (2017);
- (2)/
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to draft and formulate an appropriately worded

planning reason to properly reflect the issues outlined and referred to at (1) above; and

- (3) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to take enforcement action to ensure either the restoration of the original surface, if still available, or replacement with natural stone.

**300. 21/00450/LBC - CARPHIN HOUSE, LUTHRIE, CUPAR**

The Committee considered a report by the Head of Planning relating to an application for Listed Building Consent for formation of replacement hardstanding to existing courtyard (in retrospect).

**Decision**

The Committee agreed to:-

- (1) refuse the application for the following reasons:-
  - (i) justification for the development would have been provided by planning application 20/02239/FULL which has now been refused; and
  - (ii) in the interests of preserving the setting of the Category C Listed Building; the development is visually discordant and intrusive and contrary to Section 14(2) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 and is also contrary to Policies 1 and 14 of the adopted FIFEplan Local Development Plan (2017);
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to draft and formulate appropriately worded planning reasons to properly reflect the issues outlined and referred to at (1) and (2) above; and
- (3) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to take enforcement action to ensure the restoration of the original surface, if still available, or replacement with natural stone.

**301. 20/02099/FULL - EAST GRANGE FARMHOUSE, GRANGE, ST ANDREWS**

*Prior to consideration of the following item Councillor Thomson, having declared an interest, left the meeting at this point.*

The Committee considered a report by the Head of Planning relating to an application for the erection of first floor extension of domestic garage to form self-contained accommodation.

**Decision/**

**Decision**

The Committee agreed to refuse the application for the two reasons detailed in the report

*Councillor Thomson re-joined the meeting following consideration of the above application.*

**302. 21/01832/FULL - TROMIE SHORE STREET, CELLARDYKE**

The Committee considered a report by the Head of Planning relating to an application for the erection of domestic garage with first floor habitable accommodation and erection of timber gates.

**Decision**

The Committee agreed:-

- (1) to approve the application subject to the three conditions and for the reasons detailed in the report, subject to the removal of the word 'timber' from Condition 2;
- (2) an additional condition requiring that the new gates be of a suitably designed open style and not solid timber as originally proposed; and
- (3) to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to draft and formulate an appropriately worded planning condition to properly reflect the issues outlined and referred to at (2) above.

**303. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

**Decision**

The Committee noted the lists of applications dealt with under delegated powers for the period 9th August to 4th September, 2021.

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## THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

20th October, 2021

1.30 p.m. – 3.30 p.m.

**PRESENT:** Councillors Donald Lothian (Convener), John Docherty, Andy Heer, Linda Holt, Jane Ann Liston, David MacDiarmid, Karen Marjoram, Tony Miklinski, Dominic Nolan, Bill Porteous, Jonny Tepp and Ann Verner.

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management; Martin McGroarty, Lead Professional - Minerals, Economy, Planning & Employability Services; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Tim Brett and Brian Thomson.

### 304. DECLARATIONS OF INTEREST

Councillor Lothian declared an interest in Para. 306. - '21/00913/FULL - Pitmedden Farm, Fife' - as he had had some involvement relating to animal welfare concerns relative to the application site.

Councillors Holt and Nolan declared an interest in Para. 308. - '20/00568/EIA - Land at Kenly Farms, Kippo, Kingsbarns' - as Councillor Holt had led a campaign against wind farm/turbine developments prior to being elected as a Fife Councillor; and Councillor Nolan had previously expressed a view in principle on applications of this nature.

### 305. MINUTE

The Committee considered the minute of the North East Planning Committee of 22nd September, 2021.

#### **Decision**

The Committee agreed to approve the minute.

*Prior to consideration of the following item, Councillor Lothian, having declared an interest, left the meeting at this point and Councillor Verner, Vice-Convener took the Chair.*

### 306. 21/00913/FULL - PITMEDDEN FARM, FIFE

The Committee considered a report by the Head of Planning relating to an application for the erection of a dwellinghouse.

#### **Motion/**

### **Motion**

Councillor Heer, seconded by Councillor MacDiarmid, moved to refuse the application on the grounds that the proposed development was contrary to SPP (2014), Policy 1 of TAYplan and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business.

### **Amendment**

Councillor Porteous, seconded by Councillor Tepp, moved as an amendment, to approve the application subject to the six conditions and for the reasons detailed in the report.

### **Roll Call Vote**

#### **For the Motion** - 8 votes

Councillors Docherty, Heer, Holt, Marjoram, MacDiarmid, Nolan, Miklinski and Verner.

#### **For the Amendment** - 3 votes

Councillors Liston, Porteous and Tepp.

Having received a majority of votes, the motion to refuse the application was carried.

### **Decision**

The Committee:-

- (1) agreed to refuse the application on the grounds that the proposed development was contrary to SPP (2014), Policy 1 of TAYplan, and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business; and
- (2) delegated to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reason for refusal in order to ensure that a decision on the application was not unduly delayed.

*Prior to consideration of the following item, Councillor Lothian re-joined the meeting.*

#### **307. 21/01091/FULL - LAND 300M SOUTH OF BALMULLO FARM, MOONZIE MILL, BALMULLO**

The Committee considered a report by the Head of Planning relating to an application for engineering operations to construct an agricultural lagoon for the storage of farm derived digestate.

### **Motion/**

### **Motion**

Councillor Tepp, seconded by Councillor Liston, moved to refuse the application in the interests of residential amenity on the grounds that the proposed development, due to its scale, siting and proximity to nearby residential properties, would detrimentally impact their residential amenity due to odour/ malodour and was therefore contrary to Policies 1 and 10 of the adopted FIFEPlan 2017.

### **Amendment**

Councillor Miklinski, seconded by Councillor Verner, moved as an amendment to approve the application subject to the two conditions and for the reasons detailed in the report.

### **Roll Call Vote**

#### **For the Motion** - 4 votes

Councillors Docherty, Holt, Liston and Tepp.

#### **For the Amendment** - 8 votes

Councillors Heer, Lothian, Marjoram, MacDiarmid, Nolan, Miklinski, Porteous and Verner.

Having received a majority of votes, the amendment to approve the application was carried.

### **Decision**

The Committee agreed to approve the application subject to the two conditions and for the reasons detailed in the report.

#### **308. 20/00568/EIA - LAND AT KENLY FARMS, KIPPO, KINGSBARNES**

The Committee considered a report by the Head of Planning relating to an application under Regulation 11 for renewal of planning permission 16/01425/EIA - erection of 6 wind turbines (100m to tip) and ancillary development including control building, construction of access roads, upgrading of existing access road and temporary construction compound (Section 42 application to vary planning conditions 13, 14, 15, 16, 17, 18, 37 and 38) at land at Kenly Farms, Kippo, Kingsbarns, Fife.

### **Decision**

The Committee agreed to approve the application for renewal of planning permission 16/01425/EIA subject to the 38 conditions and for the reasons detailed in the report.

**309./**

**309. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

**Decision**

The Committee noted the lists of applications dealt with under delegated powers for the period 6th September to 1st October, 2021.

## THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY – REMOTE MEETING

27th September, 2021.

2.00 p.m. – 3.35 p.m.

**PRESENT:** Councillors David Barratt (Convener), Rosemary Liewald, Alice McGarry, Bill Porteous and Graham Ritchie.

**ATTENDING:** June Barrie, Manager (Legal Services), Legal and Democratic Services; Bryan Reid, Planner, Planning Service; and William Shand, Planning Adviser to the FPRB.

### 113. DECLARATIONS OF INTEREST

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

### 114. MINUTE

The minute of the Fife Planning Review Body of 9th August, 2021 was submitted.

#### Decision

The Review Body approved the minute.

### 115. APPLICATION FOR REVIEW - ANNFIELD COTTAGE, BRUNTON, CUPAR (APPLICATION NO. 20/00489/FULL)

The Review Body considered the Application for Review submitted by Arthur Stone Planning and Architectural Design Limited, on behalf of Mr. John Bell, in respect of the decision to refuse planning permission for the erection of a two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear (Application No. 20/00489/FULL).

#### Decision

The Review Body agreed:-

- (1) sufficient information was before them to proceed to decide the matter; and
- (2) the application be refused (upholding the appointed officer's determination) and that the content of the Decision Notice be delegated to the Head of Legal and Democratic Services, in consultation with the Convener.

### 116. APPLICATION FOR REVIEW - 40 MILLHILL STREET, DUNFERMLINE (APPLICATION NO. 20/03024/FULL)

The Review Body considered the Application for Review submitted by Architect Peter Cummins, on behalf of Mr. Kevin Kit, in respect of the decision to refuse planning permission for change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door (Application No. 20/03024/FULL).

#### Decision/

## **Decision**

The Review Body agreed:-

- (1) sufficient information was before them to proceed to decide the matter; and
  - (2) the application be approved subject to conditions (reversing the appointed officer's determination) and that the content of the Decision Notice be delegated to the Head of Legal and Democratic Services, in consultation with the Convener.
-

## THE FIFE COUNCIL - REGULATION AND LICENSING COMMITTEE - GLENROTHES

17th August, 2021

9.30 a.m. – 4.40 p.m.

**PRESENT:** Councillors Carol Lindsay (Convener), Alistair Cameron, Bill Connor, John Docherty, Gavin Ellis, Garry Haldane, Zoe Hisbent, Gordon Langlands, Lea McLelland, David MacDiarmid, Graham Ritchie and Ryan Smart.

**ATTENDING:** Kimberley Langley, Solicitor, Gillian Love, Lead Officer, Miscellaneous Licensing and Craig Ritchie, Licensing Enforcement Officer all in Finance and Corporate Services; Sergeant Neil Ewing, Police Scotland (Fife Division); Finlay Ross, Lead Officer and Erin Richardson, Housing Management Officer (both Private Sector Regulation); and Robert Brown, Technical Officer (Private Housing Standards) last three officers for item 386 only.

**APOLOGIES:** Councillors David Graham, Mick Green and Jane Ann Liston.

### 378. URGENT BUSINESS

The Convener advised that in terms of Section 50(B)(4)(b) of the Local Government (Scotland) Act 1973, she had agreed that the item of business at 381(l) below be considered as a matter of urgency.

### 379. CHANGE OF MEMBERSHIP

Councillor Carol Lindsay welcomed Councillor Gavin Ellis to his first meeting of the Regulation & Licensing Committee and Members noted that Councillor Ellis had replaced Councillor Dominic Nolan as a Member of the Committee.

### 380. MINUTE

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 22nd June, 2021.

#### Decision

The Committee approved the Minute.

#### CIVIC GOVERNMENT (SCOTLAND) ACT 1982

### 381. APPLICATIONS IN RESPECT OF WHICH COMMENTS HAD BEEN MADE

The Committee considered applications for licences by the undernoted and, having heard the representative for Police Scotland (Fife Division) or the Council's Lead Officer, Miscellaneous Licensing as well as the applicants thereon, dealt with the applications as shown:-

Applicant/

Applicant

Activity & Period of Licence Applied For

- (a) Mr. Muhammad Arif                      Taxi Driver  
(new application)  
1 year

**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the Applicant a further opportunity to appear.

- (b) Mr. David Blyth                      Taxi Driver  
(new application)  
1 year

**Decision**

The Committee agreed to grant the licence with a warning.

- (c) Mr. Stewart George Couper              Taxi Driver  
(new application)  
1 year

**Motion**

Councillor Garry Haldane, seconded by Councillor Bill Connor, moved that the licence be granted.

**Amendment**

Councillor Ryan Smart, seconded by Councillor Graham Ritchie, moved, as an Amendment that the licence be granted with a warning.

**Vote**

Amendment    -    4  
Motion        -    7

**Decision**

The Committee agreed to grant the licence.

- (d) Mr. Michael Cunningham              Taxi Driver  
(renewal)  
3 year

**Motion/**

**Motion**

Councillor Lea McLelland, seconded by Councillor Gavin Ellis, moved that the licence be granted with a warning.

**Amendment**

Councillor David MacDiarmid, seconded by Councillor Garry Haldane, moved, as an Amendment, that the licence be granted and requested that the Applicant re-attend the first available taxi driver's training course at Fife House in Glenrothes.

**Vote**

Amendment - 5  
Motion - 7

**Decision**

The Committee agreed to grant the licence with a warning.

- (e) Mr. Gary Foy                      Taxi Driver  
    (new application)  
    1 year

**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the Applicant a further opportunity to appear.

- (f) Mr. Arturas Ilesmantas             Taxi Driver  
    (new application)  
    1 year

**Decision**

The Committee agreed to refuse the licence.

- (g) Mr. Michael Lundon                 Taxi Driver  
    (renewal)  
    1 year

**Motion**

Councillor Lea McLelland, seconded by Councillor Garry Haldane, moved that the licence be granted with a warning.

**Amendment/**

**Amendment**

Councillor Alistair Cameron, seconded by Councillor Graham Ritchie, moved, as an Amendment, that the licence be refused.

**Vote**

Amendment - 4  
Motion - 7

**Decision**

The Committee agreed to grant the licence with a warning.

- (h) Mr. Shaun McLaren                      Taxi Driver  
    (new application)  
    1 year

**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the Applicant a further opportunity to appear.

- (i) Mr. Kevin McNicoll                      Taxi Driver  
    (renewal)  
    3 year

**Decision**

The Committee agreed to grant the licence with a warning and requested that the Applicant re-attend the first available Taxi Driver's training course at Fife House, Glenrothes.

- (j) Mr. Arkadiusz Rogulski                      Taxi Driver  
    (new application)  
    1 year

**Decision**

The Committee agreed to grant the licence.

- (k)/

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(k)	Mr. Arshdeep Singh	Taxi Driver (new application) 1 year

**Decision**

The Committee agreed to refuse the licence.

(l)	Miss Lleona McLean	Taxi Driver (new application) 1 year
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**Decision**

The Committee agreed to grant the licence.

The applicants had been invited to attend and be represented at the meeting and with the exception of the applicants at (a), (e), (f), (h) and (k) above were all present and heard. The applicant at (b) was supported by his partner, Jane Easton Mitchell and the applicant at (j) was supported by his son, Mateusz Rogulski.

Consideration of the applications at (a), (c), (f) and (k) above was continued from the meeting held on 22nd June, 2021.

The warning given to the applicants at (b), (d), (g) and (i) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

The reason for refusal of the applications at (f) and (k) above was that the applicants were not considered to be fit and proper persons to hold the licences applied for in view of the nature and extent of previous convictions/offences recorded against them.

**382. EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public and press from the meeting for the following items of business at 383 to 385 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 7A to the Act.

383./

### 383. APPLICATIONS IN RESPECT OF WHICH COMMENTS HAD BEEN MADE

The Committee considered applications for licences by the undernoted and, having heard the representative for Police Scotland (Fife Division) or the Council's Lead Officer, Miscellaneous Licensing as well as the applicants thereon, dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(a)	Mr. James Campbell	Taxi Driver (new application) 1 year

#### Decision

The Committee agreed to grant the licence with a warning and requested that the Applicant attend the first available Taxi Driver's training course at Fife House, Glenrothes.

(b)	Mr. Bradley Ovenstone	Taxi Driver (new application) 1 year
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#### Motion

Councillor David MacDiarmid, seconded by Councillor Garry Haldane, moved that the licence be granted with a warning subject to satisfactory documentation being submitted to the Licensing Team prior to the licence being issued.

#### Amendment

Councillor Lea McLelland, seconded by Councillor Gavin Ellis, moved, as an Amendment, that the licence be refused.

#### Vote

Amendment - 5  
Motion - 6

#### Decision

The Committee agreed to grant the licence with a warning which was subject to the Applicant submitting satisfactory documentation to the Licensing Team prior to the licence being issued.

(c)

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(c)	Mr. Mehmet Tarkocin	Private Hire Operator – Kirkcaldy Zone (new application) 1 year

### Motion

Councillor Ryan Smart, seconded by Councillor Gavin Ellis, moved that the licence be refused.

### Amendment

Councillor Garry Haldane, seconded by Councillor Bill Connor, moved, as an amendment, that the licence be granted.

### Vote

Amendment	-	4
Motion	-	8

### Decision

The Committee agreed to refuse the licence.

The applicants had been invited to attend and be represented at the meeting and were all present and heard. The applicant at (c) was supported by Sirfraz Mohammed, Private Hire Operator, Glenrothes.

The warning given to the applicants at (a) and (b) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

The reason for refusal of the application at (c) above was that the applicant was not considered to be a fit and proper person to hold the licence applied for in view of the nature and extent of previous incidents he had been involved in.

*(Prior to consideration of the application at (b) above, Councillor Ryan Smart declared an interest in this item, as he was known to the Applicant, and left the meeting for this item only).*

*(Councillor Gavin Ellis left the meeting following consideration of Item (c) above and re-entered the meeting prior to consideration of item 385(a) below).*

### 384. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCES

The Committee considered exercising its power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 in respect of the undernoted licences, and, having heard the representative for Police Scotland (Fife Division) or the Council's Civic Government Licensing Enforcement Officer and the Licenceholders thereon, dealt with the licences as shown:-

<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
(a) Mr. Jason Clarke	Taxi Driver 1829/0038826 Expiry Date: 25 March, 2022

#### Decision

The Committee agreed to continue consideration of the above matter to its next meeting to afford the Applicant an opportunity to appear with a representative.

(b) Mr Mehmet Tarcokin	Taxi Driver 9174/0043215 Expiry Date: 16 February, 2024
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#### Decision

The Committee agreed not to suspend the licence.

The licenceholders had been invited to attend and be represented at the meeting and were present and heard.

### 385. OPPOSED APPLICATIONS

The Committee considered applications for licences by the undernoted in respect of which police objections had been intimated and dealt with the applications as shown:-

<u>Applicant</u>	<u>Activity and Period of Licence Applied For</u>
(a) Mr. Dillon McEwen	Street Trader trading in hot & cold food & drinks at King George V Playing Fields Car Park, Leven Thursday & Friday 5.00pm – 10.00 pm & Saturday & Sunday from 12.00 pm – 10.00 pm (new application) 1 year

#### Motion/

Motion

Councillor Ryan Smart, seconded by Councillor Gavin Ellis, moved that the licence be granted.

Amendment

Councillor Graham Ritchie, seconded by Councillor Lea McLelland, moved, as an Amendment, that the licence be refused.

Vote

Amendment -	4
Motion -	8

**Decision**

The Committee agreed to grant the licence.

- |     |             |  |
|-----|-------------|--|
| (b) | Mr John Kay | Taxi Driver<br>(new application)<br>1 year |
|-----|-------------|--|

**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the Applicant a further opportunity to appear.

The applicants and objector had been invited to attend and be represented at the meeting. The applicant at (a) was present, heard and represented by his Solicitor, Paul Mullen, Glasgow. Detective Inspector Kieron Marsh was present and heard as representative for Police Scotland (Fife Division) for the application at (a) above. The applicant at (b) was not in attendance.

Consideration of the application at (b) above was continued from the meeting held on 22nd June, 2021.

**386. APPLICATION IN RESPECT OF WHICH REPRESENTATIONS HAD BEEN MADE**

The Committee considered application for licence by the undernoted and, having heard the applicant's representative thereon, dealt with the application as shown:-

Applicant/

<u>Applicant</u>	<u>Activity and Period of Licence Applied For</u>
Roy McLachlan & Eliza McLachlan	House in Multiple Occupation for 42 Market Street, St. Andrews. (renewal) 3 year

### **Decision**

The Committee considered the application and representations received and agreed that:-

- the applicants were fit and proper persons to be authorised to permit persons to occupy any living accommodation as an HMO;
- the agents were fit and proper to be authorised to permit persons to occupy any living accommodation as an HMO;
- the property was suitable for use as an HMO or could be made suitable with conditions; and
- granting the licence would NOT result in the overprovision of HMOs in the locality in which the living accommodation concerned was situated.

The Committee, thereafter, made the following decision on the application.

### **Decision**

The Committee agreed to grant the licence.

The applicants and respondents were invited to attend and be represented at the meeting. The applicants were not in attendance but were represented by their agent, Ellen Davidson. No respondents were in attendance.

*(Councillors Gavin Ellis and Lea McLelland left the meeting during consideration of the above item).*

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## THE FIFE COUNCIL - REGULATION AND LICENSING COMMITTEE - GLENROTHES

21st September, 2021

9.30 a.m. – 1.43 p.m.

**PRESENT:** Councillors Carol Lindsay (Convener), Alistair Cameron, John Docherty, Garry Haldane, Gordon Langlands, Lea McLelland, David MacDiarmid, Graham Ritchie and Ryan Smart.

**ATTENDING:** Steven Paterson, Solicitor, Gillian Love, Lead Officer, Miscellaneous Licensing and Craig Ritchie, Licensing Enforcement Officer all in Finance and Corporate Services; and Sergeant Neil Ewing, Police Scotland (Fife Division).

**APOLOGIES:** Councillors Bill Connor, Gavin Ellis, David Graham, Zoe Hisbent and Jane Ann Liston.

### 387. **MINUTE**

The Committee considered the Minute of Meeting of the Regulation and Licensing Committee of 17th August, 2021.

#### **Decision**

The Committee approved the Minute.

### CIVIC GOVERNMENT (SCOTLAND) ACT 1982

### 388. **APPLICATIONS IN RESPECT OF WHICH COMMENTS HAD BEEN MADE**

The Committee considered applications for licences by the undernoted and, having heard the representative for Police Scotland (Fife Division) or the Council's Lead Officer, Miscellaneous Licensing as well as the applicants thereon, dealt with the applications as shown:-

<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(a) Mr. Gordon Adams	Taxi Driver (new application) 1 year

#### **Decision**

The Committee agreed to grant the licence with a warning.

(b)/

Applicant Activity & Period of Licence Applied For

- (b) Mr. Muhammad Arif Taxi Driver  
(new application)  
1 year

**Decision**

The Committee agreed to refuse the licence.

- (c) Mr. Alan Folland Taxi Driver  
(new application)  
1 year

**Decision**

The Committee agreed to refuse the licence.

- (d) Mr. Gary Foy Taxi Driver  
(new application)  
1 year

**Motion**

Councillor John Docherty, seconded by Councillor Garry Haldane, moved, that the licence be granted with a warning.

**Amendment**

Councillor David MacDiarmid, seconded by Councillor Alistair Cameron, moved, as an Amendment that the licence be refused.

**Vote**

Amendment - 2  
Motion - 7

**Decision**

The Committee agreed to grant the licence with a warning.

- (e) Mr. Wayne Hutchison Taxi Driver  
(new application)  
1 year

**Decision**

The Committee noted that the above application had been withdrawn.

- (f)/

<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(f) Mr. Shaun McLaren	Taxi Driver (new application) 1 year

**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant a further opportunity to appear.

(g) Mr. Fraser Macdonald	Taxi Driver (renewal) 3 year
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**Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant a further opportunity to appear.

The applicants had been invited to attend and be represented at the meeting and with the exception of the applicants at (b), (e), (f) and (g) above were all present and heard.

Consideration of the applications at (b), (d) and (f) above was continued from the meeting held on 17th August, 2021.

The warning given to the applicants at (a) and (d) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

The reason for refusal of the applications at (b) and (c) above was that the applicants were not considered to be fit and proper persons to hold the licences applied for in view of the nature and extent of previous convictions/offences recorded against them.

**389. EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the public and press from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 7A to the Act.

**390. APPLICATIONS IN RESPECT OF WHICH POLICE COMMENTS HAD BEEN MADE**

The Committee considered applications for licences by the undernoted and, having heard the representative for Police Scotland (Fife Division) and the applicants thereon, dealt with the applications as shown:-

Applicant/

<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(a) Mr. Savas Cecen	Late Hours Catering for premises at 12 North Street, Glenrothes Sunday – Thursday until 1.00 am & Friday & Saturday until 2.00 am (new application) 3 year

### **Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant a further opportunity to appear.

(b) Mr. David Cameron, trading as The Kirkcaldy Motor Company Ltd.	Second Hand Dealer selling second hand cars from premises at Orchard Place, Thornton Monday – Saturday 9.00 am – 6.00 pm (new application) Until 18th February, 2022
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### **Motion**

Councillor Garry Haldane, seconded by Councillor Lea McLelland, moved that the licence be granted.

### **Amendment**

Councillor David MacDiarmid, seconded by Councillor Graham Ritchie, moved, as an Amendment, that the licence be granted with a warning.

### **Vote**

Amendment	-	3
Motion	-	6

### **Decision**

The Committee agreed to grant the licence.

(c) Mr. William McKenzie	Taxi Driver (renewal) 3 year
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### **Decision**

The Committee agreed to grant the licence.

(d)/

	<u>Applicant</u>	<u>Activity &amp; Period of Licence Applied For</u>
(d)	Mrs. Blair Staples	Taxi Driver (renewal) 1 year

**Decision**

The Committee agreed to grant the licence with a warning.

(e)	Mr. Dobromir Stoyanov	Taxi Driver (new application) 3 year
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**Decision**

The Committee agreed to grant the licence.

(f)	Mr. Michael Williamson	Taxi Driver (new application) 1 year
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**Decision**

The Committee agreed to grant the licence.

The applicants had been invited to attend and be represented at the meeting and with the exception of the applicant at (a) above were all present and heard. The applicant at (c) above was supported by Peter Robertson, Taxi Operator, West Fife and the applicant at (d) above was supported by Sharna Staples.

The warning given to the applicant at (d) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

**391. CONSIDERATION OF POSSIBLE SUSPENSION OF LICENCE**

The Committee considered exercising its power of suspension under paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 in respect of the undernoted licence, and, having heard the Council's Lead Officer, Miscellaneous Licensing thereon, dealt with the licence as shown:-

Licenceholder/

<u>Licenceholder</u>	<u>Type, No. of Licence &amp; Expiry Date</u>
Mr. Jason Clarke	Taxi Driver 1829/0038826 Expiry Date: 25 March, 2022

### **Decision**

The Committee agreed to continue consideration of the above matter to its next meeting to afford the applicant a further opportunity to appear and be represented by a Solicitor.

The licenceholder had been invited to attend and be represented at the meeting but was not present.

### **392. OPPOSED APPLICATIONS**

The Committee considered applications for licences by the undernoted in respect of which police objections had been intimated and dealt with the applications as shown:-

	<u>Applicant</u>	<u>Activity and Period of Licence Applied For</u>
(a)	Mr John Kay	Taxi Driver (new application) 1 year

Prior to full consideration of the above application a vote was taken on whether justice could not be done other than by hearing a second Police report which included further information. This led to a vote as follows:-

#### Motion

Councillor Ryan Smart, seconded by Councillor John Docherty, moved, that justice could not be done other than by considering the second Police report with further information.

#### Amendment

Councillor David MacDiarmid, seconded by Councillor Garry Haldane, moved, as an Amendment, that the second Police report with further information need not be considered.

#### Vote

Amendment	-	4
Motion	-	5

The/

The decision was taken to release the second Police report, for consideration, which included further information.

### **Decision**

The Committee agreed to grant the licence with a warning.

- (b) Mr. Liam Mahady      Taxi Driver  
   (new application)  
   3 year

### **Decision**

The Committee agreed to continue consideration of the above application to its next meeting to afford the applicant a further opportunity to appear.

The applicants and objector had been invited to attend and be represented at the meeting. The applicant at (a) was present and heard. The applicant at (b) was not in attendance.

Consideration of the application at (a) above was continued from the meeting held on 17th August, 2021.

The warning given to the applicant at (a) above was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

Following consideration of the last item the Lead Officer, Miscellaneous Licensing, asked the Committee to consider whether or not an application should be granted under delegated powers and, following a lengthy discussion, there was a vote taken on the application, as follows:

### **Motion**

Councillor Ryan Smart, seconded by Councillor Graham Ritchie, moved that the applicant be brought in to a hearing for possible suspension of his licence.

### **Amendment**

Councillor Garry Haldane, seconded by Councillor Alistair Cameron, moved, as an Amendment, that the licence be granted with a warning.

### **Vote**

Amendment      -      7  
Motion              -      2

### **Decision/**

## **Decision**

The Committee agreed to grant the licence with a warning.

The warning given to the above applicant was that any future misdemeanours brought to the attention of the Committee could result in suspension of the licence.

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## THE FIFE COUNCIL - POLICY AND CO-ORDINATION COMMITTEE – REMOTE MEETING

16th September, 2021.

10.00 a.m. – 12.55 p.m.

**PRESENT:** Councillors David Ross (Convener), David Alexander, David Barratt, John Beare, Tim Brett, Altany Craik, Dave Dempsey, Linda Erskine, Derek Glen (substituting for Craig Walker), David Graham, Judy Hamilton, Andy Heer, Linda Holt, Helen Law, Donald Lothian, Mino Manekshaw, Karen Marjoram, Alice McGarry (substituting for Carol Lindsay), Tony Miklinski, David Ross, Fay Sinclair and Ross Vettraino.

**ATTENDING:** Steve Grimmond, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Les Robertson, Head of Revenue and Commercial Services, Sharon McKenzie, Head of Human Resources, Lindsay Thomson, Head of Legal and Democratic Services and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; John Mills, Head of Housing Services; Diarmuid Cotter, Head of Customer and Online Services and Paul Vaughan, Head of Communities and Neighbourhoods Service; and Alan Paul, Senior Manager (Property Services), Assets, Transportation and Environment.

Prior to the start of business, the Convener intimated the intention to vary the sequence of items from that on the agenda with Item 5 - Updated Financial Plan and Revenue Monitoring 2021-22 - being taken prior to Item 4 - General Fund Revenue Budget 2022-25.

### **314. DECLARATIONS OF INTEREST**

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

### **315. MINUTES**

(i) **Policy and Co-ordination Committee of 5th August, 2021.**

#### **Decision**

The Committee approved the minute.

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

- Assets and Corporate Services of 19th August, 2021.
- Community and Housing Services of 26th August, 2021.

#### **Decision**

The minutes were noted.

**316./**

### **316. GENERAL FUND REVENUE BUDGET 2022-25**

The Committee considered a report by the Executive Director (Finance and Corporate Services) outlining the significant financial challenge the Council faced in both the short and medium-term.

#### **Decision**

The Committee:-

- (1) noted the terms of the report;
- (2) agreed to use the information contained within the report as the basis for the development of initial budget strategy for 2022-23 and beyond; and
- (3) noted that the figures were subject to change following the UK Spending Review and the Scottish Government budget.

*The following item was dealt with following para. 315 above.*

### **317. UPDATED FINANCIAL PLAN AND REVENUE MONITORING 2021-22**

The Committee considered a report by the Executive Director (Finance and Corporate Services) which provided members with a strategic overview of Fife Council's finances and an updated financial plan for the current financial year. Funding solutions were also outlined to deal with the continued financial implications of Covid-19 as well as reform and recovery from the pandemic in the current financial year, 2021-22.

#### **Motion**

Councillor David Ross, seconded by Councillor Alexander, moved an additional recommendation as follows:-

"It is recommended that members: -

- v) approve the short-term investment detailed in the attached schedule using unallocated COVID funding". (The schedule is attached as an Appendix to the minute.)

#### **Amendment**

Councillor Tim Brett, seconded by Councillor Donald Lothian, moved a further recommendation, in addition to that proposed by Councillor Ross, that the report also be submitted to the Environment, Finance and Communities Scrutiny Committee for further scrutiny.

Councillor Dempsey requested that it be recorded that his amendment to add the following words at the end of the joint Administration motion "and assign to Area Committees the task of working up the detail of how this investment will be made", be withdrawn following an assurance from the Convener that, where appropriate, Area Committees would be involved in working up proposals contained within the motion.

#### **Roll/**

## Roll Call

### **For the motion – 15 votes**

Councillors David Alexander, David Barratt, John Beare, Altany Craik, Linda Erskine, Derek Glen, David Graham, Judy Hamilton, Linda Holt, Helen Law, Karen Marjoram, Alice McGarry, David Ross, Fay Sinclair and Ross Vettraino.

### **For the Amendment – 2 votes**

Councillors Tim Brett and Donald Lothian.

### **Abstained – 4**

Councillors Dave Dempsey, Andy Heer, Mino Manekshaw and Tony Miklinski.

The motion was accordingly carried.

## Decision

The Committee:-

- (1) noted the high level financial position as detailed in the report;
- (2) supported the updated financial plan for 2021/22 in response to the financial pressures as detailed in section 2 of the report;
- (3) instructed all Services to continue to mitigate additional costs, continue to deliver approved savings and to contain expenditure within the approved budget provision wherever possible;
- (4) noted that detailed provisional outturn reports would be submitted to the relevant Sub-Committees when it was practical to do so; and
- (5) approved the short-term investment detailed in the attached schedule using unallocated COVID funding.

## **318. CAPITAL INVESTMENT PLAN UPDATE**

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic financial overview of the Capital Investment Plan and advised on the projected outturn for the 2021-22 financial year.

## Decision

The Committee:-

- (1) approved the proposed Capital Investment Plan re-profiling contained within Appendix 1 of the report to deal with carry forward budgets from 2020-21 into later years of the Plan and noted the following:-
  - the projected outturn position, the risks and mitigating actions for the major projects within the Capital Investment Plan;
  - the projected outturn position for the 2021-22 Capital Investment Plan;
  - that/

- that more detailed capital outturn reports for 2021-22 would be submitted to relevant Sub-Committees of the Council, in accordance with agreed financial reporting arrangements; and
- that budget variances would be managed by the appropriate Directorate in conjunction with the Investment Strategy Group.

**319. BAD DEBTS 2020-21**

The Committee considered a joint report by the Head of Revenue and Commercial Services and the Head of Housing Services summarising the irrecoverable bad debts that had been written off during 2020-21 by the Finance and Corporate Services Directorate and Housing Services.

**Decision**

The Committee noted the contents of the report.

*The meeting adjourned at 11.30 a.m. and re-convened at 11.45 a.m.*

**320. PAYMENT STRATEGY UPDATE**

The Committee considered a joint report by the Head of Customer and Online Services and the Head of Revenue and Commercial Services updating members on the approach taken to payments being made in the Council.

**Decision**

The Committee approved the approach in relation to payments being taken in the Council.

**321. TAY CITIES - CITY OF CULTURE**

The Committee considered a report by the Head of Communities and Neighbourhoods Service providing information on the bid for Tay Cities to be UK City of Culture 2025.

**Decision**

The Committee:-

- (1) approved the joint expression of interest to be City of Culture in 2025 made by the Tay Cities Region; and
- (2) agreed that further reports be brought forward if the Tay Cities expression of interest was successful in being included on the longlist.

**322. VOLUNTARY EARLY RETIREMENT (VER)**

The Committee considered a report by the Head of Human Resources providing an update on the implementation of the revised VER (Voluntary Early Retirement) policy and seeking agreement on the Council's revised Discretion Policy Statement.

**Decision/**

## **Decision**

The Committee:-

- (1) noted that the updated position in terms of the UK's exit payment cap did not affect the Council's revised policy position;
- (2) noted the revisions to Council policy following Policy and Co-ordination Committee's agreement to change discretionary elements of exit packages;
- (3) noted the minor administrative changes to the Council's Employer Discretion Statement;
- (4) noted the arrangements for transition and implementation of the new Policy;
- (5) noted the review of the Council's payback periods and agreed to the implementation of the proposed payback period of two years with increased scrutiny of exits with a payback between two and three years;
- (6) agreed to the implementation of the payback period on an individual basis in the first instance with increased scrutiny applied to any payback period made on a group basis;
- (7) noted the intention of Trusts and ALEOs to adopt the Council's new Policy;
- (8) noted the costs associated with exits during 2020/21;
- (9) noted the changes to the workforce profile during 2021/21; and
- (10) agreed to the proposed change to the panel within the Internal Disputes Resolution Procedure.

### **323. FUTURE WORKSTYLES**

The Committee considered a joint report by the Head of Human Resources and the Head of ICT providing an update on the progress of the Future Workstyles project specifically in relation to introducing blended workstyles.

## **Decision**

The Committee:-

- (1) noted the update on the delivery plan which detailed the numbers in scope and the proposed approach for the move management plan;
- (2) noted the principles of providing technology and deploying devices;
- (3) noted that the lessons learned from the pilot were at an early stage of development and that further updates would be provided in due course;
- (4) agreed the revised interim principles (terms and conditions) for those covered by the blended workstyle pilot (detailed in Appendix 1);
- (5)/

- (5) approved funding of £1.250m from reserves as outlined in the resource implications section of the report; and
  - (6) noted the range of benefits linked to this programme of work.
-

## THE FIFE COUNCIL - POLICY AND CO-ORDINATION COMMITTEE – REMOTE MEETING

4th November, 2021.

10.00 a.m. – 12.30 p.m.

**PRESENT:** Councillors David Alexander (Convener), Lesley Backhouse (substituting for Craig Walker), David Barratt, John Beare, Tim Brett, Altany Craik, Dave Dempsey, Linda Erskine, David Graham, Judy Hamilton, Andy Heer, Helen Law, Carol Lindsay, Donald Lothian, Mino Manekshaw, Karen Marjoram, Tony Miklinski, David Ross, Fay Sinclair and Ross Vettraino.

**ATTENDING:** Steve Grimmond, 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 Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Paul Vaughan, Head of Communities and Neighbourhoods Service and Andrew Gallacher, Community Manager (City of Dunfermline), Communities and Neighbourhoods Service; Keith Winter, Executive Director (Enterprise and Environment), Gordon Mole, Head of Business and Employability, Kirstin Marsh, Strategic Growth and City Deals Project Manager, Morag Millar, Strategic Growth and City Deals Programme Manager, Economy, Planning and Employability Services and Martin Kingham, Service Manager (Roads Network Management), Roads and Transportation Service; Shelagh McLean, Head of Education and Children's Services and Avril Graham, Sustainable Estate Officer, Education and Children's Service; John Mills, Head of Housing Services and Vania Kennedy, Service Manager - Income Poverty and Private Housing, Housing Services.

**APOLOGY FOR ABSENCE:** Councillor Linda Holt.

### 324. DECLARATIONS OF INTEREST

Councillor John Beare declared an interest at para. 329 – Levelling Up Fund Update – due to his employment as an Office Manager and Senior Researcher to Peter Grant, MP and the requirement within the report that the levelling up bids should have local MP support. Councillor Beare had applied the objective test and concluded that it was so remote and insignificant that he advised he would remain and participate for this item.

### 325. MINUTES

(i) **Policy and Co-ordination Committee of 16th September, 2021.**

#### Decision

The Committee approved the minute.

(ii)/

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

- Environment and Protective Services Sub-Committee of 2nd September, 2021.
- Education and Children's Services Sub-Committee of 7th September, 2021.
- Economy, Tourism, Strategic Planning and Transportation Sub-Committee of 9th September, 2021.

### **Decision**

The minutes were noted.

## **326. NATIONAL CARE SERVICE CONSULTATION**

The Committee considered a report by the Chief Executive asking members to consider Fife Council's response to the National Care Service consultation being carried out by the Scottish Government.

### **Decision**

The Committee noted the main issues arising from the consultation and approved Fife Council's response.

## **327. HOUSING REVENUE ACCOUNT (HRA) CONSULTATIVE BUDGET 2022-23**

The Committee considered a joint report by the Head of Housing Services and the Head of Finance seeking agreement on appropriate options for increasing HRA rents and associated charges in 2022-23. The proposed options would form the basis of statutory consultation with tenants to subsequently inform the HRA budget decision at full Council on 24th February, 2022.

### **Decision**

The Committee:-

- (1) agreed to survey Council tenants around options for a rent increase in 2021-22 of 2.5%, 3.0% and 3.5%, to also apply to charges for services, garage sites, lockups and temporary accommodation;
- (2) noted that the outcome of the full tenant consultation would be reported to full Council on 24th February, 2022;
- (3) noted the assumptions that underpinned the HRA medium-term financial strategy;
- (4) considered the current HRA financial position and emerging pressures, including the potential costs of the Energy Efficiency Standard for Social Housing (EESH2) over the period 2022-32;
- (5) agreed the recommendation for implementing an HRA reserves policy aiming to hold minimum reserves based on 2% of the mainstream rent income budget; and
- (6)/

- (6) agreed the proposals for use of HRA reserves in 2022-24 and remitted to the Community and Housing Services Sub-Committee any decisions around the use of £1.5m uncommitted reserves.

**328. RATIFICATION OF THE REGIONAL PROSPERITY FRAMEWORK FOR THE EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION AND FIFE I3 PROGRAMME UPDATE**

The Committee considered a report by the Executive Director (Enterprise and Environment) seeking formal ratification by Fife Council of the Regional Prosperity Framework for the Edinburgh and South East Scotland City Region. The report also provided an update on the Fife Industrial Innovation Investment (i3) Programme which was funded through the Edinburgh and South East Scotland City Region Deal.

**Decision**

The Committee:-

- (1) formally endorsed the full final version Regional Prosperity Framework (RPF) for the Edinburgh and South East Scotland City Region as detailed in Appendix 1 to the report;
- (2) noted the overall number and content of responses to the consultation, the major themes which emerged and the broadly positive nature of the majority of responses;
- (3) noted that, following approval of the RPF by the Joint Committee, a number of additional actions were underway to support the RPF, namely:-
  - (i) formal endorsement of the RPF by regional partners;
  - (ii) preparation of an implementation and action plan to support delivery; and
  - (iii) finalisation of a publication version to include additional graphic content;
- (4) noted that the RPF would inform the review of Fife's Economic Strategy in 2022, the next iteration of the Local Development Plan and, the now in hand, Local Transport Strategy; and
- (5) noted the update on the Fife i3 Programme.

**329. LEVELLING UP FUND UPDATE**

The Committee considered a report by the Executive Director (Enterprise and Environment) providing members with an update on the UK Levelling Up Fund.

**Motion**

Councillor David Alexander, seconded by Councillor David Ross, moved that the recommendations contained within the report be approved.

**Amendment/**

### Amendment

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

“Delete Recommendation (2) and renumber.

Add Recommendation

(4) Asks Area Committees to review, update and prioritise Appendix 1 to best reflect local priorities such that the Council may have a catalogue of 'Shovel-Ready' projects available for any future external funding from whatever source.”

### Roll Call

#### **For the motion – 16 votes**

Councillors David Alexander, Lesley Backhouse, David Barratt, John Beare, Tim Brett, Altany Craik, Linda Erskine, David Graham, Judy Hamilton, Helen Law, Carol Lindsay, Donald Lothian, Karen Marjoram, David Ross, Fay Sinclair and Ross Vettrano.

#### **For the amendment – 4 votes**

Councillors Dave Dempsey, Andy Heer, Mino Manekshaw and Tony Miklinski.

The motion was accordingly carried.

### Decision

The Committee:-

- (1) noted the progress in developing Levelling Up Fund applications for a Fife transport application and four Constituency applications;
- (2) noted the latest information on possible projects to be included in five potential future bids to the UK Levelling Up Fund and agreed that the shortlisted projects be developed further prior to submission in the next round of funding;
- (3) agreed that a one off £225,000 additional revenue budget would be provided from uncommitted balances held, to increase the UK government funding that had been provided for developing applications; and
- (4) delegated to the Executive Director (Finance and Corporate Services) and the Executive Director (Enterprise and Environment), in consultation with the Co-Leaders, to complete and submit the applications once the deadline for the next round of Levelling Up funding was announced.

*The meeting adjourned at 11.35 a.m. and reconvened at 11.50 a.m.*

#### **330. CIVIC HONOURS COMPETITION TO CELEBRATE HER MAJESTY THE QUEEN'S PLATINUM JUBILEE IN 2022**

The Committee considered a report by the Head of Communities and Neighbourhoods Service providing members with information on the Civic Honours competition that had been launched across the UK to celebrate Her Majesty The Queen's Platinum Jubilee in 2022.

### Decision/

### **Decision**

The Committee:-

- (1) noted a Civic Honours competition had been launched across the UK;
- (2) supported the submission of bids from the Dunfermline and St. Andrew's areas; and
- (3) agreed that final approval for each bid would be undertaken by the local Area Committee.

*Councillor Donald Lothian left the meeting during consideration of the above item.*

### **331. "SCHOOL STREETS" PART-TIME TRAFFIC EXCLUSION ZONES**

The Committee considered a joint report by the Head of Assets, Transportation and Environment and the Head of Education and Children's Services providing members with an update on "School Streets".

### **Decision**

The Committee:-

- (1) noted the experiences of other local authorities where "School Streets" had been implemented;
- (2) remitted officers from Roads and Transportation and Education and Children's Services to agree three pilot locations, including Denend Primary School, Cardenden where a temporary trial of the initiative could take place during financial year 2022/2023 and report their findings to the Economy, Tourism, Strategic Planning and Transportation and the Education and Children's Services Sub-Committees; and
- (3) agreed the street selection criteria detailed at para. 1.4 within the report for assessing the potential viability of part-time traffic exclusion zones at primary schools in Fife.

*Councillor Donald Lothian re-joined the meeting following consideration of the above item.*

### **332. UPDATE REPORT ON THE DEPARTURE IN ADMINISTRATION OF THE SCHOOLS ADMISSIONS POLICY (NOVEMBER 2020)**

The Committee considered a report by the Executive Director (Education and Children's Services) providing members with an update, including the stakeholder evaluation feedback received, following the implementation of the online Primary 1 enrolment process approved on 19th November, 2020 by this Committee. As a result of the successful implementation of online enrolment for nursery and Primary 1 applications, members were asked to approve a departure from the existing administration process for Primary 7 to Secondary 1 enrolment, through transition to a digital online process for all applications for session 2022/2023.

### **Decision/**

### **Decision**

The Committee:-

- (1) noted the contents of the report in relation to the evaluation of the online process for Primary 1 enrolment;
- (2) approved the continuation of the digital, online process for Primary 1 and nursery enrolments for the foreseeable future; and
- (3) approved the departure from the administration process in the existing school admissions policy for P7 to S1 transition to enable implementation of an online digital process for academic session 2022/23.

### **333. TREASURY MANAGEMENT ANNUAL REPORT 2020-21 AND UPDATE 2021-22**

The Committee considered a report and update prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) publication, Treasury Management in the Public Services - Code of Practice and Cross-Sectorial Guidance Notes, which had been adopted by the Committee on 12th April, 2018. The Council were required to comply with the Code through the Local Government in Scotland Act 2003.

### **Decision**

The Committee noted the contents of the report.

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## THE FIFE COUNCIL - ENVIRONMENT, FINANCE & COMMUNITIES SCRUTINY COMMITTEE – REMOTE MEETING

2 November 2021

10.00 a.m. – 11.30 a.m.

**PRESENT:** Councillors Tim Brett (Convener), Neil Crooks, John Docherty, Linda Erskine, Ian Ferguson, Derek Glen, Mick Green, Andy Heer, Carol Lindsay (substitute for Rosemary Liewald), Ross Paterson, Fay Sinclair, Darren Watt and Jan Wincott.

**ATTENDING:** Eileen Rowand, Executive Director, Les Robertson, Head of Revenue & Commercial Services, Caroline MacDonald, Procurement Service Manager, Stuart Fargie, Category Manager (Construction), Jacqui Laing, Category Manager, Corporate, Helen Guthrie, Accounting Technician, Finance & Corporate Services; Ken Gourlay, Head of Assets, Transportation and Environment; Robin Baird, Chief Executive Officer, Ross Fenwick, Service Manager (Compliance & Processing), Fife Resource Solutions; William Penrice, Research Team Manager, Lynn Reilly, Research Consultant, Communities and Neighbourhoods; Gordon Mole, Head of Business and Employability, Adam Dunkerley, Opportunities Fife Partnership Manager, Economy, Planning & Employability Services; Anne-Marie Cardle, HR Service Manager, Human Resources and Elizabeth Mair, Committee Officer, Legal & Democratic Services.

**ALSO ATTENDING** Councillor Ross Vettraino (for paragraph 66)

### 60. DECLARATIONS OF INTEREST

Councillor Jan Wincott declared an interest in Paragraph 66 – ‘Landfill Sites - Odour Issues’, as she was a member of the Board of Fife Resource Solutions, however, she considered that this was covered by a Specific Exclusion so she would remain and participate in the meeting.

### 61. MINUTE

The Committee considered the minute of meeting of the Environment, Finance & Communities Scrutiny Committee of 31 August 2021.

Arising from consideration of the minute, with reference to Paragraph 56(4) - Environmental Health, the Convener advised that he had written to the Co- Leaders of the Council but had not yet received a reply. With reference to Paragraph 58 - Community Asset Transfer, Councillor Crooks advised that the final report from the Working Group had been passed to officers and a full report would be submitted to the next meeting of the Committee.

### Decision

The Committee agreed to:-

- (1) approve the minute; and
- (2) note the updates provided.

62./

**62. EMPLOYABILITY ACTIVITY IN FIFE: NO ONE LEFT BEHIND PROGRESS AND NEXT STEPS**

The Committee considered a report by the Head of Business and Employability providing an update from the Opportunities Fife Partnership on employability activity in Fife delivered through Employability Pathway activity, 'No One Left Behind' and Fife Council's internal delivery.

**Decision**

The Committee agreed to:-

- (1) note the employability pathway activity being delivered throughout Fife across the different funding strands;
- (2) recognise the direction of travel regarding employability delivery in line with emerging national frameworks; and
- (3) note the roll out of Employment Recruitment Incentives in line with the Fife Job Contract single portal approach, exploring the inclusion of additional jobs and apprenticeships within the Fife Council jobs market and those of partner organisations such as the NHS and Third Sector.

**63. TACKLING POVERTY - FUNDING ANALYSIS**

The Committee considered a report by the Executive Director, Communities, providing an update on the impact of anti-poverty spending.

**Decision**

The Committee agreed to:-

- (1) note the update information contained in the report;
- (2) note that the Tackling Poverty and Preventing Crisis Delivery Board would take forward work on data and impact; and
- (3) recommend that this work continued to be monitored by the relevant Committee of Fife Council.

**64. COMMERCIALISATION PROGRAMME - PROCUREMENT TRANSFORMATION PROJECT**

The Committee considered a report by the Head of Revenue and Commercial Services providing a progress report on the "Transforming Fife Council's Procurement Service" project as part of the Commercialisation Programme and wider Changing to Deliver Programme.

**Decision**

The Committee noted:-

- (1) that the Transforming Procurements projects outcomes identified in the original Procurement business case had now been met;
- (2) the return on investment delivered as a result of this agreed programme of change;
- (3)/

- (3) the improvement in procurement skills and capabilities;
- (4) that all programmed follow on activity was now embedded and forming part of Procurement business as usual; and
- (5) that this was the final progress report as all procurement project activity had moved into business as usual and future governance would be reported through the annual Procurement report to the Policy and Co-ordination Committee or other relevant Committee of Fife Council.

#### **65. AGENCY WORKERS AND OVERTIME**

The Committee considered a report by the Head of Human Resources providing the annual update on the spend attributable to Agency Workers and Overtime and the work being undertaken to ensure the use of agency workers and overtime was appropriate and kept to a minimum.

##### **Decision**

The Committee agreed to:-

- (1) note the performance against the agreed upper limit of 0.5% of the Council's total annual staffing budget; and
- (2) recommend that this situation continued to be monitored by the relevant Committee of Fife Council.

#### **66. LANDFILL SITES - ODOUR ISSUES**

The Committee considered a report by the Head of Assets, Transportation and Environment advising of the works completed to date and the future works planned to mitigate the odour issues at Lochhead and Lower Melville Wood Landfill Sites.

##### **Decision**

The Committee agreed:-

- (1) to note the content of the report; and
- (2) that an update report be submitted in six months' time to the relevant Committee of Fife Council.

#### **67. ENVIRONMENT, FINANCE & COMMUNITIES SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

The Committee considered the Environment, Finance and Communities Scrutiny Committee Forward Work Programme. The Convener advised that efforts would be made to deal with the unallocated reports in the programme prior to the forthcoming Local Government Election in May, 2022, by briefing note where appropriate.

##### **Decision**

The Committee noted the programme which would be updated as appropriate.

**THE FIFE COUNCIL - EDUCATION AND CHILDRENS SERVICES, HEALTH AND SOCIAL CARE SCRUTINY COMMITTEE- REMOTE MEETING**

**14th September, 2021**

**10.00 a.m. – 12.50 p.m.**

**PRESENT:** Councillors Tony Miklinski (Convener), Ian Cameron, Altany Craik, Kathleen Leslie, Carol Lindsay, Karen Marjoram, Lea McLelland, David Ross, Jonny Tepp and Ann Verner. William Imlay, Religious Representative.

**ATTENDING:** Fiona McKay, Divisional General Manager (Interim), Health and Social Care; Maria Lloyd, Head of Education and Children's Services (Secondary Schools and Specialist Support), Shelagh McLean, Head of Education and Children's Services (Early Years and Directorate Support); Rona Weir, Education Manager, Education, Adam Brown, Depute Principal Psychologist - Strategic, Education; Lynn Gillies, Service Manager (Operations Glenrothes/Family Support), Children and Families and Criminal Justice Services; Kimberley Hankin, Team Manager, Children and Families and Criminal Justice Services; Mark Smith, Service Manager (Fife Wide), Children and Families and Criminal Justice Services; Tracy Hogg, Business Partner, Finance; Neil Finnie, Quality Improvement Officer (Additional Support for Learning), Education; Lesley Robb, Lead Officer (Committee Services) and Wendy MacGregor, Committee Officer, Legal and Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Colin Davidson and Andy Heer. George Haggarty, religious representative.

**51. DECLARATIONS OF INTEREST**

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

**52. MINUTE**

The Committee considered the minute of the meeting of the Education and Children's Services, Health and Social Care Scrutiny Committee of 25th May, 2021.

**Decision**

The Committee agreed to approve the minute.

**53./**

**53. REPORT ON PROGRESS ON THE WORK OF THE MULTI-AGENCY STRATEGIC OVERSIGHT GROUP - FOCUS ON (NEURODEVELOPMENTAL PATHWAY) INITIALLY FOR AUTISM - PROGRESS REPORT**

The Committee considered a report by the Head of Education and Children's Services providing an update for members on the progress made since the Scrutiny Committee meeting on 9th February, 2021 on the establishment of a Multi-Agency Strategic Oversight Group Focus (Neurodevelopmental pathway) Initially for Autism, including developing actions to address issues.

The report also outlined proposals for Three 'Test for Change' pilots. The first pilot proposed by Health and Social Care with Scottish Autism and One Stop Shop (OSS), the second pilot proposed by the NHS and the third proposed by Education with support of the NHS. Members were updated on progress made to date in relation to the action plan developed, covering the 6 main priority areas agreed as a focus for one year, being:-

- Consolidate current position across Partners
- Neurodevelopmental Pathways
- Communication
- Improving Outcomes for Autistic People
- Transitions
- Other Gaps Identified

**Decision**

The Committee acknowledged:-

- (1) the progress made to date in establishing the Multi-Agency Strategic Oversight Group Focus (Neurodevelopmental pathway) Initially for Autism and the development of the action plan covering the six main priority areas which would be focused on for one year; and
- (2) concerns from members that 75% of young people with autism who had left school, were not in work. The Committee requested that consideration be given to include information for scrutiny in a report to be submitted to the Committee meeting on 3rd February, 2022, on support offered in the work place for employees with autism and the impact to society and on individuals in regard to unemployment.

**54. CARE EXPERIENCED YOUNG PEOPLE - MENTAL HEALTH SUPPORTS**

The Committee considered a report by the Executive Director, Education and Children's Services expressing the views of care experienced young people who were supported by the Young People's team and their experience of accessing mental health support. The report detailed information on local and national drivers around supporting care experienced young people and referred to collective statutory corporate parenting responsibilities.

**Decision/**

## **Decision**

The Committee:-

- (1) acknowledged the views of care experienced young people, supported by the Young People's team, and their experience of accessing mental health support; and
- (2) noted the improvement activity in mental health support services for young people and acknowledged the resource, structure and system challenges which limited opportunity for some young people to access support.

### **55. OUR MINDS MATTER : FIFE CAMHS PARTNERSHIP**

The Committee considered a report by the Executive Director - Education and Children's Services providing an overview of the work of Fife Child and Adolescent Mental Health Services (CAMHS) within the Our Minds Matter and Community Mental Health and Wellbeing Frameworks.

## **Decision**

The Committee considered the content of the report and noted:-

- (1) the significant increase of referrals to the CAHMS Service during the Covid-19 pandemic, with the majority of referrals generated from General Practitioner (GP) surgeries;
- (2) 65% of referrals would be better supported by other Services;
- (3) during the transition from child (CAMHS) to adult mental health services, service users would often disengage and not receive the required level of support;
- (4) due to high demand for mental health services, children and young people who did not present with significant risk have had to wait longer than the Scottish Government Referral to Treatment Target (RTT) of 18 weeks; and
- (5) agreed that a report providing an update on the work of the Our Minds Matter; Fife CAMHS Partnership be submitted to the Scrutiny Committee meeting in September, 2022.

The meeting adjourned at 11.25 a.m.

The meeting reconvened at 11.30 a.m.

### **56. 2020-21 REVENUE BUDGET PROVISIONAL OUT-TURN REPORT FOR SOCIAL CARE SERVICES**

The Committee considered a report by the Director of Health and Social Care and the Executive Director of Finance and Corporate Services highlighting the provisional out-turn position for the 2020-21 Revenue Budget for Social Care as at 31st March, 2021.

## **Decision/**

**Decision**

The Committee considered and noted the out-turn position for the 2020-21 Revenue Budget for Social Care as at 31st March, 2021.

**57. 2020-21 CAPITAL MONITORING PROJECTED OUTTURN**

The Committee considered a joint report by the Director of Health and Social Care and the Executive Director of Finance and Corporate Services updating members on the Capital Investment Plan and the provisional out-turn as at 31st March, 2021 for the 2020-21 financial year for areas within the scope of the Education and Children's Services, Health and Social Care Scrutiny Committee.

**Decision**

The Committee noted the performance and activity across the 2020-21 Financial Monitoring period as at 31st March, 2021.

**58. 2021-22 REVENUE BUDGET PROJECTED OUT-TURN REPORT FOR SOCIAL CARE SERVICES**

The Committee considered a joint report by the Director of Health and Social Care and the Executive Director, Finance and Corporate Services highlighting the projected out-turn position for the 2021-22 Revenue Budget for Fife Council Social Care Services for Adults and Older People as at 30th June, 2021.

**Decision**

The Committee noted the projected out-turn position for the 2021-22 Revenue Budget for Fife Council Social Care Services for Adults and Older People as at 30th June, 2021.

**59. 2021-22 CAPITAL MONITORING PROJECTED OUTTURN**

The Committee considered a joint report by the Director of Health and Social Care and the Executive Director, Finance and Corporate Services updating members on the Capital Investment Plan and the provisional out-turn as at 30th June, 2021 for the 2021-22 financial year for areas within the scope of the Education and Children's Services, Health and Social Care Scrutiny Committee.

**Decision**

The Committee noted the performance and activity across the 2021-22 Financial Monitoring period as at 30th June, 2021.

*Councillor Ann Verner left the meeting during consideration of the above item.*

**60. EDUCATION AND CHILDREN'S SERVICES, HEALTH AND SOCIAL CARE SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

The Committee noted the Education and Children's Services, Health and Social Care Scrutiny Committee Forward Work Programme.

## THE FIFE COUNCIL - STANDARDS AND AUDIT COMMITTEE – REMOTE MEETING

7th October, 2021

10.00 a.m. – 12.20 p.m.

**PRESENT:** Councillors Dave Dempsey (Convener), John Beare, Gordon Langlands, Jonny Tepp, Ann Verner and Ross Vettraino.

**ATTENDING:** Elaine Muir, Head of Finance; Lindsay Thomson, Head of Legal and Democratic Services, Diarmuid Cotter, Head of Customer and Online Services, Communities; Martin Kotlewski, Service Manager – Solutions and Service Assurance, Business and Technology Solutions; Carolyn Ward, Audit Team Manager, Audit and Risk Management Services; Laura McDonald, Lead Officer, and David Thomson, Customer Experience Lead Officer/SPSO Liaison Officer, Customer and Online Services; Helena Couperwhite, Manager - Committee Services, Fiona Stuart, Data Protection Officer and Wendy MacGregor, Committee Officer, Legal and Democratic Services.

**ALSO IN ATTENDANCE:** Patricia Fraser, Senior Audit Manager and Ross Hubert, Auditor, Audit Scotland.

**APOLOGIES FOR ABSENCE:** Councillors Dave Coleman and Derek Noble.

### 189. DECLARATIONS OF INTEREST

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

### 190. MINUTES

The Committee considered:-

- (a) the minute of the meeting of the Standards and Audit Committee of 3rd June, 2021

**Decision**

The Committee agreed to approve the minute.

- (b) the minute of the meeting of the Standards and Audit Committee of 29th June, 2021.

**Decision**

The Committee agreed to approve the minute.

191./

## **191. INFORMATION REQUESTS ANNUAL REPORT 2020-21**

The Committee considered an annual report by the Head of Customer and Online Services, Communities detailing requests for information received by Fife Council in terms of the Freedom of Information (Scotland) Act 2002 (FOISA); the Environmental Information (Scotland) Regulations 2004 (EIR); and the GDPR/ Data Protection Act 2018 (DPA).

### **Decision**

The Committee:-

- (1) noted the workload arising from managing information requests;
- (2) discussed and provided comment on the performance detailed in the report; and
- (3) requested that 2021 statistics which detailed the number of SARS requests received by Fife Council and Appendix 1 to the report, AR Information requests, be included in the annual report submitted to the Committee in 2022, so that a comparison in annual data would be available for members to scrutinise.

## **192. DATA PROTECTION ANNUAL REPORT**

The Committee considered an annual report by the Data Protection Officer, Legal and Democratic Services, highlighting key data protection statistics for Fife Council and developments in relation to data protection law and practice. Data protection priorities for Fife Council over the last year and steps taken to action these were also detailed in the report.

### **Decision**

The Committee:-

- (1) noted the work of the Data Protection Officer and the Data Protection Team to ensure continued compliance across the Council with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 and in continuing to adapt processes to enable vital COVID related data sharing initiatives and projects to take place in a compliant way;
- (2) provided comment on the performance detailed in this report acknowledged concern in relation to the low number of employees in some Fife Council Services who had not completed the data protection training;
- (3) noted the steps taken via the Information Governance Working Group, the ICT Governance Board and staff communications to improve performance; whilst noting the recommendation to reassess the statistics towards the end of 2021; and
- (4) agreed that an update report would be submitted to this Committee at its meeting on 17th February, 2022 with a focus on training statistics and work carried out to enforce the requirement to complete the online Data Protection training module by employees of Fife Council.

### **193. COMPLAINTS UPDATE**

The Committee considered a report by the Executive Director - Communities providing a brief update on Fife Council complaints closed between 1st April, 2020 and 31st March, 2021 (performance and information).

#### **Decision**

The Committee discussed and commented on the Council's performance during the pandemic, noted the increased volume, the subject matter of complaints received, and the associated responsiveness.

### **194. FIFE COUNCIL - MANAGEMENT REPORT 2020-21**

The Committee considered a report by the Head of Finance presenting the Fife Council Management Report provided by Audit Scotland. A summary of the key issues was identified during the interim audit work carried out at Fife Council by Audit Scotland as well as the management responses from Council officers. The findings in the report determine the approach to the audit of the 2020/21 annual accounts carried out by Audit Scotland.

#### **Decision**

The Committee:-

- (1) considered and acknowledged the contents of the report; and
- (2) noted that Audit Scotland would use the results of the interim audit work to determine their approach to the audit of the 2020-21 annual accounts.

### **195. UPDATE ON 2021/22 AUDIT PERFORMANCE AND ANALYSIS OF ISSUED REPORTS**

The Committee considered a report by the Audit Team Manager, Risk Management Services, providing an update on 2021/22 audit performance information and providing an analysis of the findings in audit reports issued since the last report to this Committee. Highlighted in the report were areas of concern and instances where Services were not taking appropriate action.

#### **Decision**

The Committee:-

- (1) noted the contents of the report and the Analysis of Issued Audit Reports detailed in Appendix 1 to the report; and
- (2) requested that Fife Council Services were notified where no further audit actions were required and congratulated on their achievement.

### **196./**

**196. INTEGRATION JOINT BOARD ANNUAL REPORT 2020/21**

The Committee considered a report by the Head of Finance presenting the Integration Joint Board (IJB) Annual Audit Report for noting as part of the overall assurance portfolio in support of the governance statement. In return, the Fife Council Annual Audit Report was shared with the IJB Audit and Risk Committee.

**Decision**

The Committee noted the Integration Joint Board Annual Audit Report 2020/21.

**197. STANDARDS AND AUDIT FORWARD WORK PROGRAMME**

The Committee considered the Standards and Audit Forward Work Programme,

**Decision**

The Committee noted the Standards and Audit Forward Work Programme which would be updated accordingly.

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## THE FIFE COUNCIL - SUPERANNUATION FUND AND PENSIONS COMMITTEE AND FIFE PENSION BOARD – REMOTE MEETING

28th September, 2021

10.00 a.m. – 12.45 p.m.

**PRESENT:** Committee - Councillors Dave Dempsey (Convener), David Barratt, Bobby Clelland, Altany Craik, Colin Davidson, Fiona Grant, Alistair Suttie and Jonny Tepp.

Fife Pension Board – Councillors Dave Coleman and Ian Ferguson, Ross Hugh, Gordon Pryde and John Wincott.

**ATTENDING:** Elaine Muir, Head of Finance, Laura C Robertson, Finance Operations Manager, John Mackie, Pension Administration Team Manager, Fiona Clark, Pensions Specialist, Revenue and Commercial Services, Karen Balfour, Senior Banking and Investments Officer, Finance; Helena Couperwhite, Manager - Committee Services and Wendy MacGregor, Committee Officer, Legal and Democratic Services.

**ALSO IN ATTENDANCE:** David Hickey, Portfolio Manager, Stewart Piotrowicz, Portfolio Manager, Bruce Miller, Chief Investments Officer, Lothian Pension Fund and Clare Scott, Independent Professional Observer.

**APOLOGIES FOR ABSENCE:** Committee - Councillor Mino Manekshaw.

Fife Pension Board - Robert Graham, Colin Paterson and Vicki Wyse.

Prior to the start of business, the Convener intimated the intention to vary the sequence of items from that on the agenda and welcomed Clare Scott, to the meeting. Clare had been appointed as Independent Professional Observer for the Fife Pension Fund.

### 157. DECLARATIONS OF INTEREST

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

### 158. MINUTES

The Committee considered:-

- (a) the minute of the Superannuation Fund and Pensions Committee meeting of 15th June, 2021.

#### Decision

The Committee agreed to approve the minute.

- (b) the Fife Pension Board comments arising from the meeting on 15th June, 2021

#### Decision/

### **Decision**

The Committee noted:-

- (1) the comments from the meeting on 15th June; and
  - (2) the updates provided by the Head of Finance on the areas within the Fife Pension Board comments.
- (c) the minute of the Superannuation Fund and Pensions Committee meeting of 29th June, 2021.

### **Decision**

The Committee agreed to approve the minute.

- (d) the Fife Pension Board comments arising from the meeting on 29th June, 2021.

### **Decision**

The Committee noted:-

- (1) the comments from the meeting on 29th June; and
- (2) the updates provided by the Head of Finance on the areas within the Fife Pension Board comments.

## **159. PENSIONS ADMINISTRATION MONITORING**

The Committee considered a report by the Executive Director, Finance and Corporate Services providing members with monitoring information on the performance of the Pensions Team and the service provided to members of the fund.

### **Decision**

The Committee:-

- (1) Noted the level of annual performance relative to the target and to the previous year; and
- (2) agreed that the breach of regulations would be recorded in the breaches log and that a report to the Pensions Regulator would not be required.

**160./**

## 160. FIFE PENSION FUND - FOSSIL FUELS INVESTMENTS

The Committee considered a report by the Head of Finance providing a response to a motion agreed by the Superannuation Fund and Pensions Committee on 15th June, 2021, for a report to be prepared setting out the impacts for the Fife Pensions Fund if it was to introduce a policy of partial or complete fossil fuel divestment and the steps that would be necessary to achieve this.

### **Decision**

The Committee:-

- (1) noted that the agreed Statement of Responsible Investment Principles (SRIP) recognised the risks and opportunities surrounding Climate Change;
- (2) agreed to advance the actions and commitments contained in the Statement of Responsible Investment Principles;
- (3) agreed that a Development session would be organised, providing specialist investment and legal advice as well as the opportunity for in-depth discussion, questions, and debate to explore the topic on Fossil Fuel Investment further; and
- (4) agreed to the following additional recommendations to the report –
  - noted that the agreed Statement of Responsible Investment Principles (SRIP) sets out our aim that all holdings covered by the Transition Pathway Initiative will have a business plan whose carbon performance is in-line with the Paris agreement or better by 2025;
  - agreed that the SRIP should be updated following COP26 to reflect any changes to international agreements on climate change;
  - agreed that the Fund should consider divestment from companies who fail to meet this ambition; and
  - agreed that the Fund should consider divestment and avoid new investment in fossil fuel companies which are not covered by the Transition Pathway Initiative and that a working definition of a fossil fuel company should be established for this purpose.

*Councillor Altany Craik left the meeting following consideration of the above item.*

The Committee adjourned at 11.40 a.m.

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The Committee reconvened at 11.45 a.m.

161./

## **161. FIFE PENSION FUND - RISK MANAGEMENT**

The Committee considered a report by the Head of Finance providing an updated Risk Register for Fife Pension Fund. The risks associated with the Fund had been reviewed and updated scores provided to reflect the internal controls in places.

### **Decision**

The Committee:-

- (1) reviewed and considered the contents of the report;
- (2) noted that the risks would be reviewed on a regular basis and that reports would be submitted to this Committee should any changes occur or otherwise on an annual basis.

## **162. FIFE PENSION FUND BUDGETARY CONTROL**

The Committee considered a report by the Executive Director, Finance and Corporate Services, providing members with details of the provisional outturn of the Pension Fund for 2020-21 and Budget for 2021-22.

### **Decision**

The Committee:-

- (1) noted the provisional outturn for 2020-21;
- (2) agreed the indicative budget for 2021-22;
- (3) noted that further reports in relation to the financial position of the Fund would be submitted to this Committee on a bi-annual basis.

## **163. SUPERANNUATION FUND AND PENSIONS COMMITTEE FORWARD WORK PROGRAMME**

The Committee noted the content of the Superannuation Fund and Pensions Committee Forward Work Programme which would be updated accordingly.

## **164. REVIEW OF SHARED SERVICE ARRANGEMENTS (PRIVATE REPORT)**

The Committee resolved, under Section 50(a)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of part 1 of schedule 7a of the Act.

The Committee considered a report by the Head of Finance providing the Committee and Fife Pension Board with an update on the outcome of the annual review of the effectiveness of the Terms of Reference for the Joint Investment Strategy/

Strategy Panel (JISP). The report also provided an update in relation to the shared service arrangement between the Fife Pension Fund and the Lothian Pension Fund, detailing a review of progress made relative to the original proposal for collaboration.

### **Decision**

The Committee:-

- (1) noted the outcome of the annual review of the Terms of Reference of the JISP;
- (2) recognised the continuing benefits of collaborative working with Lothian and Falkirk Pension Funds; and
- (3) agreed to endorse continued collaborative working with Lothian and Falkirk Pension Funds.

## **165. FIFE PENSION FUND - INVESTMENT UPDATE (PRIVATE REPORT)**

The Committee resolved, under Section 50(a)(4) of the Local Government (Scotland) Act 1973, as amended, to exclude the public and press from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of part 1 of schedule 7a of the Act.

The Committee considered a report by the Head of Finance providing an overview of the Fund's investments as of 30th June, 2021. A verbal update of manager monitoring activity and of investment strategy was also provided.

### **Decision**

The Committee noted:-

- (1) the Fund's strategic asset allocation and current allocations relative to target;
- (2) the value of the Fund's assets on 30th June, 2021 after returning +5.4% over the quarter;
- (3) that the Fund was making steady progress towards revised target allocations, agreed in June 2021, and;
- (4) that longer term absolute returns were strong and relative returns were above both the asset and liability benchmarks.

## THE FIFE COUNCIL - GLENROTHES AREA COMMITTEE – REMOTE MEETING

6th October, 2021

9.30 a.m. – 10.00 a.m.

**PRESENT:** Councillors Fiona Grant (Convener), John Beare, Altany Craik, Julie Ford, Derek Noble, Ross Vettraino and Jan Wincott.

**ATTENDING:** Vicki Connor, Co-ordinator (Programme & Financial Management), Roads & Transportation Services, Assets, Transportation & Environment; Norman Laird, Community Manager (Glenrothes), Communities and Neighbourhoods; David Thomson-CRM, Customer Experience Lead Officer / SPSO Liaison Officer, Customer & Online Services; Sarah Else, Education Manager, Education & Children's Services; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGY FOR ABSENCE:** Councillor Mick Green.

### 236. DECLARATIONS OF INTEREST

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

### 237. MINUTE

The Committee considered the minute of meeting of the Glenrothes Area Committee of 23rd June, 2021.

#### Decision

The Committee agreed to approve the minute.

### 238. YOUNG CARERS

The Committee considered a report by the Executive Director, Education and Children's Services providing an overview of the national and local context for Young Carers with a particular focus on those within the Glenrothes Committee area.

#### Decision

The Committee:-

- (1) noted the contents of the report;
- (2) agreed to continue to seek updates on supports available to Young Carers within Fife and in each locality;
- (3)/

- (3) acknowledged that the three year 'Getting it Right for Young Carers in Fife Strategy' was due for renewal in 2021/22 and that an update was expected to be available by May, 2022; and
- (4) noted the work which continued to be undertaken to support young carers across Fife.

#### **239. COMPLAINTS UPDATE**

The Committee considered a report by the Executive Director, Communities providing an overview of complaints received relating to the Glenrothes area for the year 1st April, 2020 to 31st March 2021.

##### **Decision**

The Committee noted the complaints responded to in target timescales and the proportionality of Service complaints.

#### **240. AREA ROADS PROGRAMME 2020-21 – FINAL REPORT**

The Committee considered a report by the Head of Assets, Transportation and Environment advising on the delivery of the 2020-21 Area Roads Programme (ARP).

##### **Decision**

The Committee noted the contents of the report and Appendices.

#### **241. GLENROTHES AREA COMMITTEE FORWARD WORK PROGRAMME**

The Committee considered the Glenrothes Area Committee draft Forward Work Programme 2021/22.

##### **Decision**

The Committee:-

- (1) noted the draft Glenrothes Area Committee Forward Work Programme 2020/21; and
- (2) agreed to feed back to the Community Manager (Glenrothes) and the Convener any suggestions for further reports to be included, within the context of the remit of this Committee.

#### **242. PROPERTY TRANSACTIONS**

The Committee considered a report by the Head of Assets, Transportation and Environment advising on action taken using the List of Officer Powers in relation to property transactions.

##### **Decision**

The Committee noted the contents of the report.

## THE FIFE COUNCIL - LEVENMOUTH AREA COMMITTEE – REMOTE MEETING

22<sup>nd</sup> September, 2021

9.30 a.m. – 11.20 a.m.

**PRESENT:** Councillors Ken Caldwell (Convener), Colin Davidson, David Graham, John O'Brien, David Alexander, Graham Ritchie, Ryan Smart and Alistair Suttie.

**ATTENDING:** Alexander Anderson, Service Manager - Waste Operations, Scott Clelland, Service Manager, Assets, Transportation and Environment, Environment and Building Services; David Paterson, Community Manager, Levenmouth, Communities and Neighbourhoods; David Thomson, Customer Experience Lead Officer, SPSO Liaison Officer, Customer and Online Services and Michelle Hyslop, Committee Officer, Legal and Democratic Services.

### 279. DECLARATIONS OF INTEREST

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

### 280. MINUTE

The Committee considered the minute of meeting of the Levenmouth Area Committee of 11th August, 2021.

#### Decision

The Committee agreed to approve the minute.

### 281. COMPLAINTS UPDATE

The Committee considered a report by the Executive Director, Communities which provided an overview of complaints received relating to the Levenmouth Area for the period 1st April, 2020 to 31st March, 2021.

#### Decision

The Committee noted the contents of the report.

*Councillor Smart joined the meeting during consideration of the above item.*

### 282. GROUNDS MAINTENANCE SERVICE DOMESTIC WASTE AND STREET CLEANSING SERVICE ANNUAL REVIEW 2021

The Committee considered a report by the Senior Manager, Environment and Building services advising members of the performance of grounds maintenance, domestic waste collection and street cleansing services in 2021. The report also provided information on the management changes within these Services and identified how community-led decision making would shape operational delivery in the future.

#### **Decision./**

### **Decision**

The Committee noted:

- (1) the extraordinary challenges faced in the delivery of grounds maintenance, domestic waste collection and street cleansing services in 2021;
- (2) the structural and organisational measures which had been taken to improve service delivery; and
- (3) the new decentralised way of working which would deliver local priorities and help communities shape their environment.

*Councillor Davidson left the meeting during consideration of the above item.*

### **283. SUPPORTING THE LEVENMOUTH LOCAL COMMUNITY PLAN – CAPITAL WORKS PROPOSALS**

The Committee considered a report by the Head of Communities and Neighbourhoods which provided members with an update on the residual capital balances, which included the additional capital allocation agreed by Fife Council in 2021. The report asked members to allocate the remaining expenditure to future capital projects and provided an update on previously completed capital projects.

### **Decision**

The Committee agreed: -

- (1) the outline proposals for the capital projects for the next two years of the current funding allocation;
- (2) to provide further guidance to the Community Manager on the projects to be prioritised given the limited budget availability;
- (3) the promotion and exploration of other options to fund future projects; and
- (4) the current projects which were already covered by the retained capital budgets from previous capital work allocations.

*Councillor Graham temporarily left the meeting during consideration of the above item.*

### **284. SETTLEMENT TRUST - ANNUAL UPDATE ON EXPENDITURE AND FUNDS HELD – 2020/21**

The Committee considered a report by the Head of Communities and Neighbourhoods which provided a position statement on the expenditure relating to the Settlement Trust covering Levenmouth and a Fife-wide statement of funds held in both capital and revenue as at April, 2021.

### **Decision./**

### **Decision**

The Committee agreed to:-

- (1) note the expenditure statement for the financial year 2020/21 contained in Appendix 1;
- (2) note the funds available at the year-end relating to amounts held as interest in revenue and capital accounts;
- (3) approve the projects supported by the disbursement of these funds as detailed in Section 2.0 of the report; and
- (4) note the acceptable uses for the funding as detailed in Appendix 2 of the report.

#### **285. SUPPORTING THE LEVENMOUTH LOCAL COMMUNITY PLAN – BUCKHAVEN FIRE WORKS DISPLAY**

The Committee considered a report by the Head of Communities and Neighbourhoods which asked members to consider one-year recovery funding of up to £5,000, from the Ward 22 budget, which would allow the set-up of the fireworks display and bonfire within the Buckhaven area.

### **Decision**

The Committee: -

- (1) agreed the request for funding up to a maximum of £5,000 to be taken from the Ward 22, Local Community Planning Budget if required for the firework and bonfire display, proposed to take place within Buckhaven in November, 2021;
- (2) noted that Fife Council would act as a guarantor for the funding up to the maximum amount of £5,000, to allow arrangements for the fireworks display to go ahead should the local community be unable to fund the event from local sources; and
- (3) noted that members of the organisation group are volunteers from the Buckhaven and Denbeath Community Council.

#### **286. SUPPORTING THE LEVENMOUTH PLAN - PROMENADE CAR PARK SURFACING WORK**

The Committee considered a report by the Head of Communities and Neighbourhoods which sought agreement for funding to be allocated from the Ward 21, Local Community Planning Budget for the resurfacing work on the Common Good car park at the Promenade, Leven.

### **Decision./**

### **Decision**

The Committee: -

- (1) agreed to a contribution of up to £6,000 to be drawn from the Ward 21, Local Community Planning Budget, and used towards the total cost of £17,000 to carry out the resurfacing works on the promenade, Leven;
- (2) noted that a contribution of around £9,000 would be drawn from the private roads budget held for the Levenmouth Area; and
- (3) noted that £2,000 would be requested from the Common Good fund for the Levenmouth Area.

### **287. SUPPORTING THE LEVENMOUTH PLAN - ANTI SOCIAL BEHAVIOUR CONCERNS MULBERRY CRESCENT**

The Committee considered a report by the Head of Communities and Neighbourhoods which sought agreement from members for the installation of a barrier to prevent motorcycle and other vehicle incursions onto the grassed area within Mulberry Crescent.

### **Decision**

The Committee agreed to:-

- (1) the alternative engineering solution proposed by colleagues within ground maintenance service; and
- (2) fund £10,000 from the Ward 22 budget to cover the installation costs which had increased from the requested funds of £7,660 previously submitted to members following the site visit at Mulberry Crescent.

*Councillor Graham rejoined the meeting during consideration of the above item.*

### **288. LEVENMOUTH AREA COMMITTEE FORWARD WORK PROGRAMME**

### **Decision**

The Committee noted the content of the Levenmouth Area forward work programme.

## THE FIFE COUNCIL - CITY OF DUNFERMLINE AREA COMMITTEE – REMOTE MEETING

5th October, 2021

9.30 a.m. – 10.30 a.m.

**PRESENT:** Councillors Helen Law (Convener), James Calder, Ian Ferguson, Derek Glen, Garry Haldane, Ross Paterson, David J Ross and Fay Sinclair.

**ATTENDING:** Andrew Gallacher, Community Manager - City of Dunfermline, Communities and Neighbourhoods; Eleanor Hodgson, Accountant, Finance; Emma Whyte, Committee Officer, Legal & Democratic Services

**ALSO ATTENDING:** Alan Caldwell, Caldwell Associates.

**APOLOGIES FOR ABSENCE:** Councillors Gavin Ellis and Jean Hall Muir.

### 273. DECLARATIONS OF INTEREST

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

### 274. MINUTES

The Committee considered:-

- (a) Minute of meeting of City of Dunfermline Area Committee of 24th August, 2021.

**Decision**

The Committee agreed to approve the minute.

- (b) Minutes of the meetings of West Fife Area Common Good Sub-Committee of 24th April and 16th June, 2021.

**Decision**

The Committee agreed to approve the minutes.

### 275. COMMON GOOD ANNUAL REPORT 2020/21

The Committee considered a report by the Executive Director (Finance and Corporate Services) which advised members of the current status of the Common Good/

Good Funds in the area and relevant fund activities over the financial year 2020/2021.

### **Decision**

The Committee noted the information contained in the relevant Appendices for the various Common Good funds.

#### **276. SETTLEMENT TRUST - ANNUAL UPDATE ON EXPENDITURE AND FUNDS HELD – 2020/21**

The Committee considered a report by the Head of Communities and Neighbourhoods Service advising members on the position of the expenditure relating to the Settlement Trusts in their area. The report also provided a Fife-wide statement of funds held in both capital and revenue accounts as at April, 2021.

### **Decision**

The Committee:-

- (1) noted the expenditure statement for the financial year 2021/21 as detailed in Appendix 1 of the report;
- (2) noted the funds available at the year end relating to amounts held as interest in revenue accounts and as capital;
- (3) noted the detail of the projects supported by the disbursement of these funds detailed in section 2 of the report; and
- (4) noted the acceptable uses for the funding as detailed in Appendix 2 of the report.

#### **277. PRESENTATION - PLAN 4 FIFE AND THE PEOPLE AND PLACE LEADERSHIP APPROACH**

The Committee were provided with a verbal update and presentation of the Plan 4 Fife Update 2021 - 2024 – Recovery and Renewal, which gave details of the four recovery and renewal priorities as we emerged from the pandemic.

### **Decision**

The Committee noted the update.

#### **278. PRESENTATION - A STRATEGIC GREENSPACE REPORT FOR DUNFERMLINE**

The Committee were provided with a verbal update on the project commissioned to develop a greenspace benefits strategy for the Dunfermline and surrounding areas. Members were advised that the strategy would be developed over the next/

next five months in four stages from October through to March, 2022 and that communities and local members would be consulted throughout the process.

### **Decision**

The Committee noted the update.

*Councillor Leishman joined the meeting during consideration of the above item.*

## **279. NOTICE OF MOTION**

In terms of Standing Order 8.1(1), the following Notice of Motion was submitted:-

Councillor Law, seconded by Councillor Ferguson, moved as follows:-

“Committee calls for a report to be brought by officers to the next Dunfermline area committee with recommendations on the implementation of residents only parking at Foundry Street, Dunfermline and for this report to also include options on what parking measures can also be taken in the neighbouring area of Lady Campbell’s Court. Dunfermline.”

### **Decision**

The Motion was unanimously agreed.

## **280. PROPERTY TRANSACTIONS**

The Committee considered a report by the Head of Assets, Transportation and Environment which advised members of action taken using the List of Officer Powers in relation to property transactions.

### **Decision**

The Committee noted the contents of the report.

## **281. CITY OF DUNFERMLINE AREA COMMITTEE FORWARD WORK PROGRAMME**

### **Decision**

The Committee noted the City of Dunfermline Area Committee forward work programme.

## THE FIFE COUNCIL - KIRKCALDY AREA COMMITTEE – REMOTE MEETING

05 October, 2021

2.00 pm – 3.55 pm

**PRESENT:** Councillors Neil Crooks (Convener), Lesley Backhouse, Alistair Cameron, Ian Cameron, Rod Cavanagh, Judy Hamilton, Gordon Langlands, Kathleen Leslie, Carol Lindsay and David Ross.

**ATTENDING:** Julie Dickson, Community Manager (Kirkcaldy Area), Communities and Neighbourhoods; David Thomson, Customer Experience Lead Officer / SPSO Liaison Officer, Customer & Online Services; Ronnie Hair, Property Investment & Development Manager, Ian McCrory, Lead Professional (Economic Regeneration), Economy, Planning & Employability Services; Lesley Robb, Lead Officer (Committee Services), Legal & Democratic Services.

### URGENT BUSINESS BEING BROUGHT BY THE CONVENER

The Convener advised of an additional item which they had agreed to take as urgent business, which was relevant and competent and due to local Members having received representations from their constituents on proposed changes by Scotrail to the timetable for rail services from Kirkcaldy Railway Station. The Convener moved its consideration, in terms of Standing Order 3.8 (2), to allow the Committee to determine a Committee position on the proposals which had a negative impact on the Kirkcaldy Area Service provision. This was unanimously agreed and a Motion was considered at Para. 287 below.

#### 281. DECLARATIONS OF INTEREST

No declarations were submitted in terms of Standing Order 7.1.

#### 282. MINUTE

The Committee considered the minute of the meeting of Kirkcaldy Area Committee of 24 August 2021.

##### Decision

The Committee approved the minute.

#### 283. SUPPORTING THE LOCAL COMMUNITY PLAN - KIRKCALDY AREA LOCAL BUDGETS ADDITIONAL ALLOCATIONS

The Committee considered a report by the Head of Communities and Neighbourhoods allocating further spending from the following Kirkcaldy Area Budgets:

- (1) Local Community Planning Budget 2021-22, under the Plan 4 Kirkcaldy Area Change Fund budget allocation; and
- (2) Anti-Poverty Carry Forward 2020-21 and Anti-Poverty Budget 2021-22.

##### Decision/

## **Decision**

The Committee:

- (1) noted a correction to the published report at Para. 2.3, last sentence and should read "the allocation requested for this proposal from October to April is £3,900.";
- (2) agreed to the proposed allocation of £7,230 to Linton Lane Centre for IT and fundraising support, from the Local Community Planning Budget 2021-22 - Plan 4 Kirkcaldy Area Change Fund; and
- (3) agreed to the proposed allocation of £25,500 for a Welfare Support worker to work alongside the Test of Change Team, covering the period October 2021 to September 2022, from the remaining 2020-21 Anti-Poverty carry forward and the 2021-22 Anti-Poverty Budget.

### **284. KIRKCALDY CHARRETTE PROGRESS REPORT**

The Committee considered a report by the Head of Business and Employability providing Members with an update on implementation of the recommendations of the Kirkcaldy Charrette that took place in early 2014.

## **Decision**

The Committee:

- (1) commented on the ongoing progress made against objectives of the 2014 Kirkcaldy Charrette;
- (2) agreed that the ambition to regenerate the area remains consistent with the objectives of recently published Fife Council documents such as the Mid-Fife Economic Investment Prospectus (April 2021) and the Leading Economic Recovery (LER) Action Plan (March 2021); and
- (3) acknowledged that the report built on the annual Economic Profile Report (December 2020) presented to the Area Committee in January 2021 that outlined a wide range of challenges and opportunities for the local economy.

### **285. COMPLAINTS ANNUAL UPDATE REPORT**

The Committee considered a report by the Executive Director, Communities providing Members with an overview of complaints received relating to the Kirkcaldy Area for the period 1 April 2020 to 31 March 2021.

## **Decision**

The Committee:

- (1) noted a correction to the published report at Para. 2.0 "Volume & Responsiveness" where final bullet point should read "Overall responsiveness has improved over the last year where the percentage of all complaints closed in target timescales has improved from 86% and is above the Council average. Similarly stage 1 has increased from 84% and stage 2 cases improved from 94%";
- (2) considered the report received; and
- (3) noted the complaints responded to in target timescales and the proportionality of Service complaints.

## **286. PROPERTY TRANSACTIONS**

The Committee considered a report by the Head of Assets, Transportation and Environment advising Members of action taken using the List of Officer Powers in relation to property transactions.

### **Decision**

The Committee noted the contents of the report.

## **287. URGENT ITEM - MOTION**

### **Motion**

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

"The Area Committee notes the motion agreed at the meeting of Fife Council held on 23 September 2021, in respect of concerns with the proposed changes to the Scotrail timetable, which would have the overall effect of reducing services for Fife.

The negative impact on services in Kirkcaldy Area in particular, is significant and public concern warrants a specific response from local Members.

The Area Committee expresses concerns at the impact of the proposed changes for the Kirkcaldy Area and its residents, specifically the downgrading of the Kirkcaldy Rail Hub, which would have an impact on Employability and Tourism in the area, as well as the direct service from Kirkcaldy to Queen Margaret Hospital in Dunfermline.

We call upon the Area Convener to write on behalf of the Area Committee, to Scotrail highlighting local concerns at the proposed timetable changes.

We also call upon the Area Convener to write on behalf of the Area Committee, in similar terms to the Scottish Government requesting they reject the current proposals and come forward with a comprehensive plan to encourage the public back onto rail services safely, following the COVID pandemic impact."

### **First Amendment**

Councillor Leslie, seconded by Councillor Crooks, moved as the first amendment that the following statement be added to the proposed Motion.

"Additionally, expresses concern about the impact on those using the rail network with accessibility requirements, who will be further limited by proposed timetable changes."

### **Second Amendment**

Councillor Ian Cameron, seconded by Councillor Backhouse, moved as the second amendment that the following statement be added to the proposed Motion, in addition to that proposed by the First Amendment.

"We ask that no decision is made on the proposed timetable changes until an impact assessment is undertaken with a focus on the local economy and local communities, by Fife Council."

After/

After discussion Councillor Ian Cameron and Councillor Backhouse agreed to withdraw the second amendment.

The Committee unanimously agreed to conjoin the Motion and First Amendment.

### **Decision**

The Committee unanimously agreed the following:

The Area Committee notes the motion agreed at the meeting of Fife Council held on 23 September 2021, in respect of concerns with the proposed changes to the Scotrail timetable, which would have the overall effect of reducing services for Fife.

The negative impact on services in Kirkcaldy Area in particular, is significant and public concern warrants a specific response from local Members.

The Area Committee expresses concerns at the impact of the proposed changes for the Kirkcaldy Area and its residents, specifically the downgrading of the Kirkcaldy Rail Hub, which would have an impact on Employability and Tourism in the area, as well as the direct service from Kirkcaldy to Queen Margaret Hospital in Dunfermline.

The Committee additionally, expresses concern about the impact on those using the rail network with accessibility requirements, who will be further limited by proposed timetable changes.

We call upon the Area Convener to write on behalf of the Area Committee, to Scotrail highlighting local concerns at the proposed timetable changes.

We also call upon the Area Convener to write on behalf of the Area Committee, in similar terms to the Scottish Government requesting they reject the current proposals and come forward with a comprehensive plan to encourage the public back onto rail services safely following the COVID pandemic impact.

## **288. KIRKCALDY AREA COMMITTEE FORWARD WORK PROGRAMME**

### **Decision**

The Committee noted:

- (1) the contents of the Kirkcaldy Area Committee forward work programme;  
and
- (2) a report on “Car Parking and Placemaking Review – Update on Motion agreed at meeting 24 August, 2021” would be presented at the next meeting of Kirkcaldy Area Committee on 30 November, 2021.

## THE FIFE COUNCIL - SOUTH AND WEST FIFE AREA COMMITTEE – REMOTE MEETING

6th October, 2021.

9.30 a.m. – 11.00 a.m.

**PRESENT:** Councillors Alice McGarry (Convener), David Barratt, Bobby Clelland, Dave Coleman, Dave Dempsey, Sharon Green-Wilson, Tony Orton and Andrew Verrecchia.

**ATTENDING:** Claire Mackinlay, Area Housing Manager (South and West Fife) and Deborah Stevens, Lead Officer (Area Regeneration), Housing Services; Fiona McKay, Divisional General Manager, Health and Social Care; Alastair Mutch, Community Manager (South and West Fife) and Lisa Hemphill, Local Development Officer, Communities and Neighbourhoods Service; Eleanor Hodgson, Accountant and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services;

**ALSO IN ATTENDANCE:** Tommy Deans, BEAR Scotland; Graeme Paget, Transport Scotland; and Alan Goodwin, Amey (for para. 300 only).

**APOLOGIES FOR ABSENCE:** Councillors Mino Manekshaw and Kate Stewart.

### 297. DECLARATIONS OF INTEREST

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

### 298. MINUTE

The Committee considered the minute of the South and West Fife Area Committee meeting of 25th August, 2021.

#### Decision

The Committee agreed to approve the minute.

### 299. PETITION - THE CAIRNS, CHARLESTOWN

In terms of Standing Order No. 6.1 (2), the Committee considered a petition submitted by Mr. Alan Yates containing twenty-eight signatures relating to parking issues at The Cairns, Charlestown.

The Convener invited the Area Housing Manager, Housing Services to present her briefing paper in response to the petition.

#### Decision

The Committee agreed that:-

(1)/

- (1) detailed costings on bringing the road up to an adoptable standard be undertaken by the Transportation Service, including design costs, etc. and that, once these costings had been finalised, that a report on the position be brought back to Committee in February, 2022; and
- (2) consultation with the residents of The Cairns, Charlestown be undertaken once options had been identified but also to ascertain whether they had any alternative solutions to address the issues raised within the petition.

### **300. TRANSPORT SCOTLAND – UPDATE**

Graeme Paget, Area Manager, Transport Scotland advised that he had regular liaison meetings with Fife Council and also with BEAR Scotland relating to the Queensferry Crossing.

Graeme then introduced Alan Goodman from Amey who gave a brief update on the Intelligent Transport System (ITS) position on the Crossing, advising that most complaints received were in relation to speed restrictions on the bridge coming on and staying on for too long. A brief update was given on the Variable Mandatory Speed Limits (VMSLs) system that had been used to look at traffic data and which system would automatically set speed restrictions when it detected queues forming. The system had only recently been used on this section of the A90 but had been removed after a few months due to fine tuning required on the system. The speed restrictions currently activated on the Crossing were therefore manually controlled by the Control Room and Mr. Goodman expected an update on the fine tuning configuration of the VMSL in the next month or so.

Graeme Paget also highlighted that drivers were sometimes unaware of Road Traffic Accidents (RTAs)/breakdowns on the Crossing which also caused delays and took time to remove.

Tommy Deans of BEAR Scotland advised that the Control Room were always monitoring the traffic on the Queensferry Crossing and aimed to clear any RTAs/breakdowns away as soon as possible. It was also noted that the traffic signals on slip roads, coming off the main road, would shortly be integrated with the Transport Scotland system and their Control Room would be taking control of these. The traffic signals would be managed by the automated system and should adjust the traffic signals depending on the traffic flows.

Mr. Deans also advised that the cables on the north tower of the Queensferry Crossing were currently being cleaned by specialists, on a trial basis, to ascertain whether this process could reduce the chance of ice secretion. A Committee had also been set up to look at other options to reduce the risk of ice on the cables.

Various questions from members were then put to and answered by Mr. Paget, Mr. Goodman and Mr. Deans.

#### **Decision**

The Convener thanked Mr. Paget, Mr. Goodman and Mr. Deans for their detailed and informative briefings and looked forward to receiving an update in six to twelve months' time.

**301./**

**301. ANNUAL REPORT ON OUTCOMES OF CARE INSPECTORATE INSPECTION AND GRADING PROCESS**

The Committee considered a report by the Director of Health and Social Care advising members of the range of inspections that had been undertaken by the Care Inspectorate and highlighted the inspection grades awarded for care services within the South and West Fife Area.

It was noted that, during the Covid-19 pandemic, the Care Inspectorate suspended their routine care home inspection activity. However, whilst inspection activity was not in place, the Care Inspector for each service was in regular contact with all services to monitor care providers but also to offer regulatory support and guidance. Due to the suspension to inspection, it was noted that several care services had not been inspected since the last report to Committee.

**Decision**

The Committee noted the outcome of the inspection process and grades awarded to care services in Fife.

**302. SUPPORTING THE LOCAL COMMUNITY PLAN - SOUTH EAST INVERKEITHING REGENERATION - PROGRESS REPORT**

The Committee considered a joint report by the Head of Housing Services and the Head of Communities and Neighbourhoods Service advising members of progress with the regeneration of South East (SE) Inverkeithing.

**Decision**

The Committee noted the work undertaken so far with the regeneration of SE Inverkeithing.

**303. COMMON GOOD FUNDS ANNUAL REPORT 2020-2021**

The Committee considered a report by the Executive Director (Finance and Corporate Services) advising members of the current status of the Common Good Funds in the area and relevant fund activities over the financial year 2020/2021.

**Decision**

The Committee noted the information contained in the relevant Appendices for the various Common Good funds.

**304. AREA CAPITAL UPDATE REPORT 2021-2022**

The Committee considered a report by the Executive Director (Finance and Corporate Services) advising members of the current status of the additional capital investment awarded to the South and West Fife Area in the 2017-20 budget.

**Decision**

The Committee noted the information contained within the report and relevant Appendices for the capital funding allocations.

**305./**

**305. SETTLEMENT TRUST - ANNUAL UPDATE ON EXPENDITURE AND FUNDS HELD - 2020/21**

The Committee considered a report by the Head of Communities and Neighbourhoods Service advising members on the position of the expenditure relating to the Settlement Trusts in their area. The report also provided a Fife-wide statement of funds held in both capital and revenue accounts as at April, 2021.

**Decision**

The Committee:-

- (1) noted the expenditure statement for the financial year 2021/21 as detailed in Appendix 1 of the report;
- (2) noted the funds available at the year end relating to amounts held as interest in revenue accounts and as capital;
- (3) noted the detail of the projects supported by the disbursement of these funds detailed in section 2 of the report; and
- (4) noted the acceptable uses for the funding as detailed in Appendix 2 of the report.

**306. NON-SETTLEMENT TRUST - ANNUAL UPDATE ON EXPENDITURE AND FUNDS HELD - 2020/21**

The Committee considered a report by the Head of Communities and Neighbourhoods Service advising members on the expenditure position relating to the Non-Settlement Trust covering the South and West Fife Area. The report also provided a Fife-wide statement of funds held in both capital and revenue accounts as at April, 2021.

**Decision**

The Committee:-

- (1) noted the expenditure statement for the financial year 2020/2021 detailed in Appendix 1 of the report;
- (2) noted the funds available at the year end;
- (3) noted the detail of the projects supported by the disbursement of these funds detailed in section 2 of the report; and
- (4) noted the acceptable uses for the funding.

**307. SOUTH AND WEST FIFE AREA COMMITTEE FORWARD WORK PROGRAMME 2021**

**Decision**

The Committee noted the Forward Work Programme 2021 which would be further updated as appropriate.

## THE FIFE COUNCIL - COWDENBEATH AREA COMMITTEE – REMOTE MEETING

6th October, 2021

2.00 p.m. – 3.20 p.m.

**PRESENT:** Councillors Linda Erskine (Convener), Alistair Bain, Alex Campbell, Gary Guichan, Rosemary Liewald, Mary Lockhart, Lea Mclelland and Darren Watt.

**ATTENDING:** Sarah Roxburgh, Community Manager (Cowdenbeath Area), Gary Daniell, Team Manager (Community Development), Euan Connelly, Community Education Worker (Benarty), Margaret King, Community Education Worker (Bowhill and Cardenden) and Scott Meikle, Community Education Worker (Kelty), Communities and Neighbourhoods; Phil Clarke, Lead Consultant, Traffic Management (South Fife), AT&E Roads & Transportation Services; and Emma Whyte, Committee Officer, Legal and Democratic Services.

Prior to the start of business, the Convener intimated the intention to vary the sequence of items from that on the agenda with Items 7, 8 and 9 being taken prior to Items 4, 5 and 6 due to unavoidable delays by officers attending other meetings.

### **246. DECLARATIONS OF INTEREST**

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

### **247. MINUTE**

The Committee considered the minute of the meeting of the Cowdenbeath Area Committee of 18th August, 2021.

#### **Decision**

The Committee agreed to approve the minute.

### **248. CLD SUMMER PROGRAMME AND ENHANCED SUMMER PROGRAMME 2021**

The Committee considered a report by the Head of Communities and Neighbourhoods which provided members with a summary of the CLD summer programme and enhanced summer (Active Fife) programme for 2021 within the Cowdenbeath Area.

#### **Decision**

The Committee:-

- (1) welcomed and noted the presentation provided by youths that had attended the summer programme and thanked them and officers for their contributions; and
- (2) noted the content of the report.

**249./**

**249. PETITION - SCHOOL LANE**

In terms of Standing Order No. 6.1 (2), the Committee considered a petition raised by representatives of Denend Primary School Parent Council containing 36 signatures, the terms of the petition being to close School Lane, Cardenden during peak times.

The Convener invited the appropriate Officer from Assets, Transportation and Environment to present their briefing report in response to the petition.

**Decision**

The Committee agreed:-

- (1) to support the implementation of a pilot School Streets Initiative in Cardenden;
- (2) that officers would explore options for adding an additional footway, any additional safety measures and the adoption of the road;
- (3) that should the School Streets Initiative not be enough to regulate the behaviour of the school parents, the Area Committee would consider implementation of resident barriers; and
- (4) that a report be brought back to a future ward meeting on the options.

**250. OBJECTION TO SPEED CUSHIONS – C26 FORDELL AND COLEDGE**

The Committee considered a report by the Head of Assets, Transportation and Environment which asked members to consider an objection to proposed speed cushion on C26 Fordell and Coaledge.

**Decision**

The Committee agreed to set aside the objection, allowing officers to proceed with the construction of the traffic calming measures.

**251. PROPERTY TRANSACTIONS**

The Committee considered a report by the Head of Assets, Transportation and Environment advising members of action taken using the List of Officer Powers in relation to property transactions.

**Decision**

The Committee noted the content of the report.

**252. COWDENBEATH AREA COMMITTEE FORWARD WORK PROGRAMME**

**Decision**

The Committee noted the draft Forward Work Programme for the Cowdenbeath Area Committee.

**253./**

## 253. PUBLIC QUESTIONS

Questions were submitted (in terms of Standing Order No 6.1.) by Mr Paul McGowan, resident of Lochgelly.

### Question 1

It is noted that in the minutes of the Cowdenbeath Area Committee, dated the 29th March 2017, that:

*“ The Area Committee welcomes the decision by the administration to create an Active Leisure Fund of £500,000 for the Cowdenbeath Area, as agreed at the Executive Committee on 28th March, 2017 and agree that it be allocated as follows:--extract-*

- *£150,000 Lochgelly Public Play Park”*

Can the area committee confirm if these monies were allocated to Lochgelly Public Park and what monies have been spent from this fund?

### Response

Yes the monies were allocated to Lochgelly Public Play Park. No monies have been spent to date.

Can the area committee also confirm if this £150k is separate to the £120k allocated to the park from the Lomond Housing Section 75 agreement?

### Response

Confirmed as separate. Not the same level of funding or specifically allocated to the park.

Finally, can the area committee confirm what improvements have taken place at Lochgelly Public Park (excluding the skatepark and fenced games area), since the funding became available?

### Response

No improvements have been made.

### Question 2

It is noted that in the minutes of the Cowdenbeath Area Committee, dated the 16th June 2021, that:

*“227. SAFER COMMUNITIES TEAM UPDATE REPORT - The Committee considered a report by the Head of Housing Services, providing an update on the operational activity of the Safer Communities Team within the Cowdenbeath Committee area during the 12 month period from 1 April 2020 to 31 March 2021.*

### Decision/

Decision

*The Committee:- (2) agreed that a workshop be arranged to allow members to input to the development of a plan to deal with recent anti-social issues arising in Lochgelly.”*

Can the area committee confirm when the workshop will (or has been) arranged?

Response

The workshop regarding anti-social behaviour issues in Lochgelly Public Park took place on Thursday 16th September 2021.

**Decision**

The Committee noted the questions submitted by Mr Paul McGowan and the respective responses provided.

## THE FIFE COUNCIL - NORTH EAST FIFE AREA COMMITTEE – REMOTE MEETING

29 September, 2021

9.30 a.m. – 11.30a.m.

**PRESENT:** Councillors Donald Lothian (Convener), Tim Brett, John Docherty, Andy Heer, Linda Holt, Margaret Kennedy, Jane Ann Liston, David MacDiarmid, Karen Marjoram, Bill Porteous, Jonny Tepp, Brian Thomson and Ann Verner.

**ATTENDING:** Donald Grant, Community Manager (North East Fife); Sheena Watson, Team Manager (Community Development), Caitlin Brown, Development Officer, Communities and Neighbourhoods; Stuart Goodfellow and Dhusjan Sivaratnam, Technician Engineers, Traffic Management (North Fife), Roads & Transportation Services; David Thomson, Customer Experience Lead Officer / SPSO Liaison Officer, Customer & Online Services; and Elizabeth Mair, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Tony Miklinski and Dominic Nolan.

### 372. DECLARATIONS OF INTEREST

Councillor Liston declared an interest in Para. 374 - Local Community Planning Budget Request - St Andrews Bandstand Restoration - as she attended meetings of the Royal Burgh of St Andrews Community Council Common Good Sub-Committee. However, she was satisfied that the interest was so insignificant and remote that it would not prejudice discussion or decision making in her role as a Councillor and she would therefore remain in the meeting.

Councillor Porteous declared an interest in Para. 383 - Property Transactions - as he was a trustee of the West Braes Project, Pittenweem. However, he was satisfied that the interest was so insignificant and remote that it would not prejudice discussion or decision making in his role as a Councillor and he would therefore remain in the meeting.

### 373. MINUTE

The Committee considered the minute of meeting of the North East Fife Area Committee of 11 August, 2021. With reference to paragraph 365, Eden Contamination Incident, the Convener advised that no response had yet been received to the letter sent to Scottish Water but that a reminder would be issued.

#### Decision

The Committee agreed to approve the minute.

### 374./

**374. LOCAL COMMUNITY PLANNING BUDGET REQUEST - ST ANDREWS BANDSTAND RESTORATION**

The Committee considered a report by the Head of Communities & Neighbourhoods seeking agreement for a contribution from the St Andrews Local Community Planning Budget (LCPB) towards the costs of the St Andrews Bandstand restoration project.

**Decision**

The Committee approved a contribution of £42,500 from the St Andrews Local Community Planning Budget (LCPB) towards the costs of the St Andrews Bandstand restoration project.

**375. PROPOSED WAITING RESTRICTIONS - OLD ST ANDREWS ROAD, GUARDBRIDGE**

The Committee considered a report by the Head of Assets, Transportation and Environment in respect of proposals to introduce "No Waiting at Any Time" restrictions on Old St Andrews Road, Guardbridge.

**Decision**

The Committee agreed, in the interests of accessibility and road safety:-

- (1) to the promotion of a Traffic Regulation Order (TRO) to introduce 'No Waiting at Any Time' restrictions at Old St Andrews Road, Guardbridge, with all ancillary procedures, as detailed in drawing no. TRO/21/41 attached to the report; and
- (2) authorised officers to confirm the Traffic Regulation Order within a reasonable period unless there were objections.

**376. PROPOSED AMENDMENT TO WAITING RESTRICTIONS - 40 SHANWELL ROAD, TAYPORT**

The Committee considered a report by the Head of Assets, Transportation and Environment in respect of proposals to amend waiting restrictions on Shanwell Road, Tayport. It was advised that the reference to 'Boat Brae and Boat Road' in recommendation i) in the report should be replaced with 'Shanwell Road'.

**Decision**

The Committee agreed, in the interests of road safety:-

- (1) to the amendments to the waiting restrictions on Shanwell Road as detailed on Drawing TRO21/40/1 attached to the report, with all ancillary procedures; and
- (2) authorised officers to confirm the Traffic Regulation Order within a reasonable period unless there were objections.

**377./**

### **377. ANNUAL COMPLAINTS UPDATE**

The Committee considered a report by the Executive Director, Communities, providing an overview of complaints received relating to the North East Fife area for the year 1 April, 2020 to 31 March, 2021.

#### **Decision**

The Committee:-

- (1) noted the complaints responded to in target timescales and the proportionality of Service complaints; and
- (2) commended the quality of the report.

### **378. CLD AND ANTI-POVERTY UPDATE**

The Committee considered a report by the Head of Communities & Neighbourhoods providing a 6-month update of the spend of the NEF Anti-Poverty funding and a 12-month report of the work of the NEF Community Development Team.

#### **Decision**

The Committee:-

- (1) noted the work that was being delivered to address poverty and inequality in North East Fife by the NEF Community Development Team and voluntary sector partners;
- (2) noted the activities undertaken to benefit individuals and communities experiencing poverty in a rural setting;
- (3) commended the quality of the report; and
- (4) commended all involved, both Council staff and volunteers, for their dedicated and effective work.

*Councillors Marjoram and Kennedy joined the meeting during consideration of the above item.*

### **379. SETTLEMENT TRUST - ANNUAL UPDATE ON EXPENDITURE AND FUNDS HELD – 2020/21**

The Committee considered a report by the Head of Communities & Neighbourhoods providing a position statement on the expenditure relating to the Settlement Trusts in the North East Fife area along with a Fife wide statement of funds held in both capital and revenue accounts as at April, 2021.

#### **Decision**

The Committee agreed to note:-

- (1) the expenditure statement for the financial year 2020/21 detailed in Appendix 1 to the report;
- (2)/

- (2) the funds available at the year-end relating to amounts held as interest, in Revenue accounts and as Capital;
- (3) the use of the funding as noted in section 2.0 of the report; and
- (4) the acceptable uses for this funding as detailed in Appendix 2 of the report.

### **380. NOTICE OF MOTION - ST ANDREWS UNIVERSITY**

In terms of Standing Order No. 8.1(1), the following Notice of Motion had been submitted:-

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

"The North East Fife Area Committee congratulates the Principal, the 'Doctors, Masters and Scholars' and all staff of the University of St Andrews upon achieving the top ranking in the Times & Sunday Times Good University Guide for 2022, the first time that a university other than Oxford or Cambridge has topped this table. While Scots might rightly observe 'Guid gear comes in sma bulk' the Greeks also had a word, or rather two words, for this achievement: Aien aristeuein, 'always excel' or 'always to be the best' which is fittingly the motto of our top-class University."

#### **Decision**

The Committee agreed unanimously with the terms of the motion as detailed.

### **381. NOTICE OF MOTION - APPLICATION FOR CITY STATUS**

In terms of Standing Order No. 8.1(1), the following Notice of Motion had been submitted:-

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

"North East Fife Area Committee notes that Her Majesty The Queen has agreed that competitions may be held for a grant of city status to mark Her Platinum Jubilee in 2022. Applications must be made the local authority and therefore the Area Committee acknowledges that the appropriate governance will be required before an application is submitted. The Area Committee is aware that the Royal Burgh of St Andrews Community Council has indicated that it wishes to regain its historical city status. The Committee agrees to offer its support to this application in consideration of any formal Council decision".

#### **Decision**

The Committee agreed unanimously with the terms of the motion as detailed.

### **382. NOTICE OF MOTION - NORTH EAST FIFE HOLIDAY VILLAGES**

In terms of Standing Order No. 8.1(1), the following Notice of Motion had been submitted:-

#### **Motion**

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

"We/

"We request that officers prepare a report outlining the proposed levels of service in respect of toilets maintenance, refuse collection , parking management and traffic safety including harbours and Management of Wild Camping, Motorhomes and Countryside Access during the busy summer period of 2022 and subsequent years, to address the challenges experienced in East Neuk and Landward' Holiday Villages this year?"

Amendment

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

"Add "to the Area Committee" after "report", add "in areas of North East Fife, particularly" after "experienced" and add "and St Andrews" after "Villages".

The movers of the motion agreed to conjoin and the conjoined motion was agreed as follows:-

"We request that officers prepare a report to the Area Committee outlining the proposed levels of service in respect of toilets maintenance, refuse collection , parking management and traffic safety including harbours and Management of Wild Camping, Motorhomes and Countryside Access during the busy summer period of 2022 and subsequent years, to address the challenges experienced in areas of North East Fife, particularly the East Neuk and Landward' Holiday Villages and St Andrews this year?"

Decision

The conjoined motion was agreed unanimously.

**383. PROPERTY TRANSACTIONS**

The Committee considered a report by the Head of Assets, Transportation and Environment advising of action taken using the List of Officer Powers in relation to property transactions.

Decision

The Committee noted the report.

**384. NORTH EAST FIFE AREA COMMITTEE FORWARD WORK PROGRAMME**

The Committee considered the current forward work programme for the North East Fife Area Committee.

Decision

The Committee:-

- (1) noted the current forward work programme for the North East Fife Area Committee;
- (2) agreed that dates be confirmed for the unallocated items relating to Health & Social Care and the Director of Public Health Annual Report; and
- (3) requested an update on the position regarding the Pupil Equity Fund report.

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