

**THE FIFE COUNCIL - CABINET COMMITTEE – BLENDED MEETING**

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

**9th February, 2023.**

**10.00 a.m. – 11.15 a.m.**

**PRESENT:** Councillors David Ross (Convener), David Alexander, Lesley Backhouse, David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Dave Dempsey, Linda Erskine, Derek Glen, David Graham, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Rosemary Liewald, Carol Lindsay, Jonny Tepp, Ross Vettraino, Craig Walker and Jan Wincott.

**ATTENDING:** Steve Grimmond, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Lindsay Thomson, Head of Legal and Democratic Services, Helena Couperwhite, Manager (Committee Services) and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Michael Enston, Executive Director (Communities) and Sinead O'Donnell, Improvement Consultant, Communities and Neighbourhoods Service; Gordon Mole, Head of Business and Employability Services and Morag Millar, Programme Manager (Strategic Growth and City Deals), Business and Employability Service; Paul Darcy, Programme Manager (New Building Housing), Housing Services; and Ms. Mary Caldwell, Religious Representative.

**APOLOGY FOR ABSENCE:** Mr. Brian Blanchflower, Religious Representative.

**71. DECLARATIONS OF INTEREST**

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

**72. MINUTE**

The Committee considered the minute of the Cabinet Committee meeting of 12th January, 2023.

**Decision**

The Committee agreed to approve the minute.

**73. SERVICE CONCESSIONS**

The Committee considered a report by the Executive Director (Finance and Corporate Services) detailing changes to statutory guidance for accounting for the repayment of debt on "Service Concessions" or Public Private Partnerships (PPP) and/

and Non-Profit Distribution (NPD) Contracts. Use of the new statutory guidance required approval by Fife Council, therefore, this report provided detailed information for consideration before final agreement by Fife Council.

**Decision**

The Committee:-

- (1) noted the report and the implications of adopting the revised accounting arrangements for Service Concessions;
- (2) noted the proposed use of the benefits generated from adopting the revised arrangements; and
- (3) recommended to Fife Council that the use of Service Concessions arrangements be approved as outlined in the report based on the Section 95 Officer's view that to do so was prudent, affordable and sustainable.

**74. GENERAL FUND REVENUE BUDGET 2023-26**

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing an update on the financial implications for the Council's General Fund Revenue Budget position for 2023-24 to 2025-26 following publication of the Scottish Government's budget and the Local Government Finance Settlement.

**Decision**

The Committee noted the information contained within the report and the strategy and approach to setting a balanced budget and noted the level of council tax to levy for 2023-24 and beyond.

**75. REGIONAL PROSPERITY FRAMEWORK DELIVERY PLAN**

The Committee considered a report by the Head of Business and Employability Services seeking approval for the Edinburgh and South East of Scotland Regional Prosperity Framework Delivery Plan. The Plan was a live document that would be updated every twelve months to reflect changes to the local, regional and macro economy and to ensure that regional activity could react and remain relevant to city region partners.

**Decision**

The Committee:-

- (1) approved the Edinburgh and South East of Scotland Regional Prosperity Framework Delivery Plan; and
- (2) noted that the Delivery Plan would be considered by the other five constituent local authorities in Edinburgh and South East Scotland City Region (ESESCR) ahead of the ESESCR Joint Committee meeting on 3rd March, 2023.

**76. DECENTRALISATION - ISSUES AND IMPROVEMENT**

The Committee considered a report by the Executive Director (Communities) updating members on the review of the current Scheme of Decentralisation and to consider next steps.

**Decision**

The Committee:-

- (1) agreed that the current review of the Scheme of Committee Powers (which would report to full Council) provided an opportunity to review and clarify the Area Committee role in relating to scrutiny, influence on policy and service priorities and local community planning;
- (2) established a process of review of service areas - as set out in paras. 2.10 and 2.11 of the report - in relation to the Area Committee role in scrutiny, shaping priorities and potential for varying service levels; and
- (3) noted the work on organisational arrangements for people and place and requested a further report on proposals for change.

**77. SCOTTISH GOVERNMENT CONSULTATION ON EDUCATION APPEAL COMMITTEES AND TRANSFER OF FUNCTIONS TO SCOTTISH TRIBUNALS SERVICE**

The Committee considered a report by the Head of Legal and Democratic Services seeking agreement on Fife Council's position on the Scottish Government Consultation on Education Appeals Committee and the transfer of functions to the Scottish Tribunals Service.

**Decision**

The Committee:-

- (1) agreed that Fife Council's response to the consultation would be that Education Appeal Committees should remain with Fife Council; and
- (2) agreed the draft response to the consultation set out at Appendix 1 to the report.

**78. AFFORDABLE HOUSING PROGRAMME - 34 NEW HOUSES - CUPAR ROAD, NEWBURGH (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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

The Committee considered a report by the Head of Housing Services seeking authority to commence negotiations and conclude legally binding agreements for the development of 34 new affordable houses.

**Decision/**

**Decision**

The Committee agreed to authorise the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction:-

- (1) for the acquisition of the site of the proposed housing development of 34 new Affordable Council houses for social rent at the site known as Cupar Road (north of), Newburgh;
- (2) for the direct award of a construction consent for the construction of 34 new Affordable Council houses for social rent at the site known as Cupar Road (north of), Newburgh; and
- (3) to suspend the Contract Standing Orders - Scheme of Tender Procedures 2018 in terms of Contract Standing Order No. 6.1 in respect of the proposed direct award of the construction contract on the grounds of the special circumstances detailed in the report.

**79. AFFORDABLE HOUSING PROGRAMME - 32 NEW HOUSES - KILRYMONT ROAD, ST. ANDREWS (PRIVATE REPORT)**

The Committee considered a report by the Head of Housing Services seeking authority to commence negotiations and conclude legally binding agreements for the development of 32 new affordable houses.

**Decision**

The Committee agreed to authorise the Head of Housing Services, the Head of Assets, Transportation and Environment and the Head of Legal and Democratic Services to conclude negotiations and enter into legally binding agreements on terms to their satisfaction:-

- (1) for the acquisition of the site of the proposed housing development of 32 new Affordable Council houses for social rent at the site known as Kilrymont Road, St. Andrews;
  - (2) for the direct award of a construction consent for the construction of 32 new Affordable Council houses for social rent at the site known as Kilrymont Road, St. Andrews; and
  - (3) to suspend the Contract Standing Orders - Scheme of Tender Procedures 2018 in terms of Contract Standing Order No. 6.1 in respect of the proposed direct award of the construction contract on the grounds of the special circumstances detailed in the report.
-