

THE FIFE COUNCIL - CABINET COMMITTEE – BLENDED MEETING

Committee Room 2, Fife House, North Street, Glenrothes

10 August 2023

1.00pm – 2.55pm

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

ATTENDING: Ken Gourlay, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Laura Robertson, Finance Operations Manager, Sharon McKenzie, Head of Human Resources, Jacqui Cameron, Service Manager and Stevie Murray, HR Lead Officer, Human Resources, 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; Pam Ewen, Head of Planning, Alastair Hamilton, Service Manager (Development Management) and Alison Wood, Planner, Planning Service; and Michael O’Gorman, Service Manager (Estates and Asset Management), Estates Service.

ALSO ATTENDING: Paul Wilson, Link Asset Group (for para. 136 only).

APOLOGIES FOR ABSENCE: Councillors Dave Dempsey, Judy Hamilton, Rosemary Liewald and Carol Lindsay.

132. DECLARATIONS OF INTEREST

Councillor Linda Erskine declared an interest at para. 139 – Equal Pay – as she had been a witness for the Council at the Employment Tribunal Hearing.

133. MINUTE

The committee considered the minute of the Cabinet Committee meeting of 29 June 2023.

Decision

The committee agreed to approve the minute.

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134. FIFE COUNCIL RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON PROPOSED CHANGES TO PERMITTED DEVELOPMENT RIGHTS (PHASE 3)

The committee considered a report by the Head of Planning seeking approval of a proposed response to the Scottish Government's consultation on Phase 3 Amendments to Permitted Development Rights (PDR) applying to various forms of development for both domestic and non-domestic properties. PDRs are rights to undertake different types of development and changes to land and property which individuals and businesses can undertake without requiring planning permission.

Decision

The committee:-

- (1) reviewed and approved the proposed consultation response as set out within the Appendix to the report;
- (2) authorised officers to submit the consultation to the Scottish Government; and
- (3) delegated to the Head of Planning, in conjunction with the Convener and the Finance, Economy and Strategic Planning Spokesperson, to include additional comments agreed by this committee and respond to the consultation, forwarding a copy of the response being submitted to the Scottish Government to the political group leaders.

135. CONSULTATION RESPONSE TO LOCAL LIVING AND 20-MINUTE NEIGHBOURHOODS: DRAFT PLANNING GUIDANCE

The committee considered a report by the Head of Planning seeking approval of a proposed response to the Scottish Government consultation on the draft Local Living and 20-minute Neighbourhoods: Draft Planning Guidance.

Decision

The committee:-

- (1) reviewed and approved the proposed consultation response as set out in the Appendix to the report;
- (2) authorised officers to submit the consultation to the Scottish Government; and
- (3) delegated to the Head of Planning, in conjunction with the Convener and the Finance, Economy and Strategic Planning Spokesperson, to include additional comments agreed by this committee and respond to the consultation, forwarding a copy of the response submitted to the Scottish Government to the political group leaders.

136. TREASURY MANAGEMENT 2023-26

The committee considered a report by the Executive Director (Finance and Corporate Services) requesting members to adopt the Treasury Management Code 2021 for inclusion in the financial regulations and to adopt the Treasury Management Policy Statements. The report outlined the revised Treasury Management Strategy and Investment Strategy of the council following the recently approved Capital Investment Plan and sought members' approval of the associated prudential indicators.

Decision

The committee agreed to:-

- (1) adopt the Treasury Management Code 2021 Edition as published by the Chartered Institute of Public Finance and Accounting (CIPFA);
- (2) adopt the clauses in paragraph 2.1 of the report as part of the council's Financial Regulations;
- (3) adopt the Treasury Management Policy Statement;
- (4) approve the Treasury and Management Strategies;
- (5) approve the Statutory Repayment of Loans Fund Advances Policy; and
- (6) approve the revised Prudential Indicators detailed within Appendix C which were agreed at the Fife Council meeting on 22 June 2023.

The meeting adjourned at 2.00pm and reconvened at 2.10pm.

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 Part 1 of Schedule 7A of the Act (relevant paragraph numbers are detailed beside the heading to each item).

137. AFFORDABLE HOUSING PROGRAMME - LEVEN MILL, GLENROTHES (PRIVATE REPORT) (paras. 8 and 9)

The committee considered a joint report by the Head of Housing Services and the Head of Property seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24), to purchase affordable homes for social rent at Leven Mill, Glenrothes.

Decision

The committee authorised the Head of Legal and Democratic Services to enter into legally binding agreements, on terms to their satisfaction, for the acquisition of newly constructed affordable homes at Leven Mill, Glenrothes.

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138. AFFORDABLE HOUSING PROGRAMME - MAIN ROAD, GAULDRY (PRIVATE REPORT) (paras. 8 and 9)

The committee considered a joint report by the Head of Housing Services and the Head of Property seeking authority, as part of the ongoing implementation of the Transitional Affordable Housing Programme (TAHP 2022-24), to conclude legally binding agreements for the acquisition of land and the delivery of affordable (older persons) homes for social rent and an employee welfare unit at Main Road, Gauldry.

Decision

The committee:-

- (1) agreed to purchase land at Main Road, Gauldry for affordable housing in accordance with the policy framework established by the 2023/24 Strategic Housing Investment Plan (SHIP); and
- (2) noted that, following purchase, the council would enter into a Design and Build contract for the development of new affordable homes and an employee welfare unit at the site at Main Road, Gauldry for a total indicative price (including the land acquisition) recognising that the figure may be adjusted as detail of the proposal was finalised.

Councillor Linda Erskine, having declared an interest in the following item, left the meeting at this stage.

139. EQUAL PAY (PRIVATE REPORT) (paras. 11 and 12)

The Committee considered a report by the Executive Director (Finance and Corporate Services) providing an update on the outcome of the Employment Tribunal determination of the equal pay claims against Fife Council on behalf of current and former Fife Council employees.

Decision

The Committee:-

- (1) noted the decision of the Employment Tribunal;
- (2) accepted the advice on options and next steps, as informed by the council's independent legal adviser and officers; and
- (3) agreed all other recommendations contained within the report.