

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

**Committee Room 2, Fife House, North Street, Glenrothes**

**11 January 2024**

**10.00 am - 2.20 pm**

**PRESENT:** Councillors David Ross (Convener), David Alexander, Lesley Backhouse, David Barratt, John Beare, James Calder, Fiona Corps, Altany Craik, Graeme Downie, Linda Erskine, Derek Glen, Brian Goodall (substituting for Councillor Carol Lindsay), Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Kathleen Leslie (substituting for Councillor Dave Dempsey), Rosemary Liewald, Jonny Tepp, Ross Vettrains and Jan Wincott.

**ATTENDING:** Ken Gourlay, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Les Robertson, Head of Revenue and Commercial Services, Lindsay Thomson, Head of Legal and Democratic Services, Margaret McFadden, Solicitor, Legal Services, Helena Couperwhite, Committee Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Carol Connolly, Executive Director (Place), Pam Ewen, Head of Planning Services and Ross Spalding, Service Manager, Planning Service, Gordon Mole, Head of Business and Employability Services, Morag Millar, Programme Manager and Pamela Stevenson, Enterprise and Business Development Manager, Enterprise and Employability Services; Nigel Kerr, Head of Protective Services, James Whiteford, Building Standards Pilot Hub Director and Alan McAulay, Building Standards Hub Director, Protective Services; Diarmuid Cotter, Head of Customer and Online Services, John Mills, Head of Housing Services and Gavin Smith, Housing Manager, Housing Services; Shelagh McLean, Head of Education and Children's Services and Avril Graham, Team Manager, Education and Children's Services; and Mr Alastair Crockett, Religious Representative.

**APOLOGIES FOR ABSENCE:** Councillors Dave Dempsey and Carol Lindsay and Mr. Ian Macaulay, Religious Representative.

**189. DECLARATIONS OF INTEREST**

No declarations of interest were submitted in terms of Standing Order No. 22.

**190. MINUTES**

(i) Minute of the Cabinet Committee of 30 November 2023.

**Decision**

The committee agreed to approve the minute.

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

Education Appointment Committee of 13, 17 and 27 November and 8 December 2023.

**Decision**

The minutes were noted.

**191. REVENUE MONITORING 2023-24**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic overview of Fife Council's finances and reported the current forecast position for 2023/24.

**Decision**

The committee:-

- (1) noted the high-level financial position as detailed in the report;
- (2) noted that there were ongoing financial impacts arising from the current economic climate which continued to be managed by Services with an element of protection from inflationary risk being accounted for centrally;
- (3) instructed Services to mitigate overspends as far as possible and ensure strong financial management;
- (4) noted that detailed monitoring reports would be submitted to the relevant Scrutiny Committees; and
- (5) requested that Scrutiny Committees ensure appropriate level of support and challenge in relation to financial reports.

*Councillor Derek Glen left the meeting during consideration of the above item.*

**192. CAPITAL INVESTMENT PLAN - MONITORING 2023-24**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic financial overview of the Capital Investment Plan and advising on the provisional outturn for the 2023-24 financial year.

**Decision**

The committee:-

- (1) approved the Housing Revenue Account Capital Investment Plan re-phasing as detailed in paragraph 3.1 of the report;
- (2) noted the projected outturn position and that the level of financial risk continued to be heightened due to high levels of inflation and supply chain challenges;
- (3) noted that more detailed capital outturn reports for 2023-24 would be submitted to relevant Scrutiny Committees of the council;
- (4) noted that budget variances would be managed by the appropriate Directorate in conjunction with the Investment Strategy Group; and

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- (5) noted the updated prudential indicators provided and that these would be reported on a quarterly basis.

*Councillor Derek Glen rejoined the meeting during consideration of the above item.*

### **193. LOCAL TAXATION - REVISION TO CHARGING**

The committee considered a joint report by the Head of Revenue and Commercial Services and the Head of Customer and Online Services providing an update on Fife Council's Empty Rates Charging Policy previously agreed at Cabinet Committee in January 2023. The report also included a proposal to use powers to increase charges within council tax from 100% to 200% for all dwellings classified as second homes.

#### **Decision**

The committee:-

- (1) approved the proposed Empty Rates Charging Policy effective from 1 April 2024;
- (2) agreed that the council would levy an additional 100% council tax charge on all dwellings identified as second homes; and
- (3) noted the revised policy gave officers discretion not to charge the second homes additional charge in exceptional circumstances (as currently operating for long-term charging).

### **194. CLIMATE FIFE 2024 - STRATEGY AND ACTION PLAN**

The committee considered a report by the Head of Planning Services seeking approval of the Climate Fife 2024 - Strategy and Action Plan.

#### **Decision**

The committee:-

- (1) approved the Climate Fife 2024 - Strategy and Action Plan; and
- (2) agreed that an action be included within the Strategy in relation to the work being undertaken within the Education Service.

### **195. APPOINTMENT OF CHIEF PLANNING OFFICER (CPO)**

This item was deferred to a future meeting of the committee.

### **196. NATIONAL BUILDING STANDARDS HUB - HOSTING WITHIN FIFE COUNCIL**

The committee considered a report by the Head of Protective Services seeking approval for Fife Council to formally host the permanent national Building Standards Hub (BSH) as a separate specialist unit within Protective Services, delivering national specialist advice, learning and development and a range of building standards system services to all Scottish local authority building standards teams and wider construction sector stakeholders.

**Decision**

The committee:-

- (1) noted that the Scottish Government had approved the creation of a national Building Standards Hub and awarded the hosting of the Hub to Fife Council as a specialist unit within Fife Council's Protective Services;
- (2) approved the hosting of the newly established Building Standards Hub within Fife Council, noting that the Building Standards Hub would be fully funded from building warrant fee income; and
- (3) remitted to the Heads of Protective Services, Legal and Democratic Services and Finance and Corporate Services to engage with the Scottish Government to complete the contractual arrangements.

*The meeting adjourned at 11.40 am and reconvened at 12.00 pm.*

**197. FIFE'S HOMELESSNESS STRATEGY 2024-27**

The committee considered a report by the Head of Housing Services which followed an October 2023 Cabinet Committee report where members agreed to develop a comprehensive strategy and plan to reduce homelessness in Fife over the next three years.

**Decision**

The committee:-

- (1) agreed the Homelessness Strategy 2024-27;
- (2) noted that the Strategy would be subject to ongoing review and development led by the Ending Homelessness Together Board and integrated into the Local Housing Strategy framework reported to the Fife Housing Partnership;
- (3) approved specific actions set out in Section 3 of the report with a focus on legacy / backlog position to reduce pressure on temporary accommodation services, with the caveat that external funding may be subject to change in future years and require review; and
- (4) noted the extreme housing and homelessness pressures facing the council which raised a significant risk of a reduction in the council's capacity to deliver sufficient affordable housing and agreed that the Leader of the Council write urgently to the First Minister, Prime Minister and Leaders of all political parties in the Scottish Parliament pointing out cuts to affordable housing budgets and seeking urgent support to mitigate housing pressures in Fife ahead of budget discussions at Holyrood, emphasising that failure to take urgent action would lead to Fife Council having no alternative other than to declare a housing emergency.

**198. REVIEW OF THE MOTHBALLING OF MILTON OF BALGONIE PRIMARY SCHOOL**

The committee considered a report by the Head of Education and Children's Services responding to the decision of the Cabinet Committee of 17 November 2022 and information contained within the 22 September 2022 committee report,

with the findings of the review of the current information relating to Milton of Balgonie Primary School. The report also responded to the feedback from two engagement sessions held in early November with parents/carers of pupils living in the Milton of Balgonie Primary School catchment area and parent/carers of pupils enrolled in Coaltown of Balgonie Primary School. As a result of the review and the feedback from the engagement sessions, a statutory consultation proposal paper was presented with a proposal to close Milton of Balgonie Primary School and to rezone the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools. Approval of the content of the proposal was sought and the committee was asked to authorise officers to proceed to statutory consultation in respect of the proposal.

### **Decision**

The committee:-

- (1) noted the information contained within the report in respect of the current position regarding pupil numbers within the catchment area of Milton of Balgonie Primary School and the current position with planning applications in both the Milton of Balgonie Primary School and Coaltown of Balgonie Primary School catchment areas;
- (2) approved the content of the statutory Consultation Proposal paper, in terms of the Schools (Consultation) (Scotland) Act 2010, relating to the proposed closure of Milton of Balgonie Primary School and the rezoning of the catchment areas of Coaltown of Balgonie, Pitteuchar East and Thornton Primary Schools with the following amendments:-
  - (i) para. 13.2 - in the first sentence, change the word "consideration" to "presumption";
  - (ii) para. 13.3 - change to read "No decision can be made on the future use of the site unless the closure proposal is approved by the Cabinet Committee, meantime, potential educational uses will continue to be explored; and
  - (iii) para 15.1(c) - add the following at the end of the sentence "with the presumption that these will be within the control of the Education Service to ensure that, should the number of primary aged pupils in this area increase to a level that may require provision of an additional primary school in the future, that it may be done so at the least cost to the council";
- (3) authorised officers to proceed to statutory consultation in terms of the Consultation Proposal;
- (4) authorised officers to make inconsequential amendments to the Consultation Proposal paper (including the timeline) as may be necessary and councillors for Glenrothes North, Leslie and Markinch and Glenrothes Central and Thornton to be consulted in relation to any other amendments to the Consultation Proposal;
- (5) authorised the continued mothballing of Milton of Balgonie Primary School until the outcome of the statutory consultation process was determined and, during the continued mothballing period, approved the arrangement whereby any child or children wishing to enrol at Milton of Balgonie Primary School would be offered a place at Coaltown of Balgonie Primary School and provided with free transport if they met the distance criteria;

- (6) noted that the Consultation Report would be brought back to a future meeting of the Cabinet Committee.

**199. PEDESTRIAN AND CYCLIST ACCESS TO HOUSEHOLD WASTE RECYCLING CENTRES**

This item was deferred to a future meeting of the committee.

*The meeting adjourned at 1.30 pm and reconvened at 1.40 pm.*

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).

**200. FIFE INDUSTRIAL INNOVATION INVESTMENT PROGRAMME - EDINBURGH AND SOUTH EAST OF SCOTLAND CITY REGION DEAL - TRANCHE 3 BUSINESS CASE (PRIVATE REPORT) (paras. 8 and 9)**

The committee considered a report by the Head of Business and Employability Services seeking approval for the Tranche 3 Business Case (years 7-10) for the Fife Industrial Innovation Investment (i3) Programme which would be submitted to the Edinburgh and South East Scotland City Region Deal Joint Committee for approval.

**Decision**

The committee:-

- (1) approved the Tranche 3 Business Case detailed in Appendix 1 to the report, noting that the business case would be subject to minor amendments to address comments from the Scottish Government before approval. The Tranche 3 Business case was subject of the agreement of the Scottish and UK Governments and the Edinburgh and South East Scotland City Region Deal Joint Committee;
- (2) delegated authority to the Executive Director (Place), the Head of Legal and Democratic Services and the Head of Finance to secure partner agreement and authorised them to submit the Tranche 3 Business Case to the Edinburgh and South East Scotland City Region Deal Joint Committee and Government partners for final approval;
- (3) noted that the capital receipts from the disposal of land were being reinvested in the Fife i3 Programme and the Capital Plan, noted that this principle formed part of the agreed Programme Business Case and was a requirement of the Government investment; and
- (4) noted that the paper followed on from the Programme Business Case for the Fife i3 Programme, approved in January 2019, and the approval of the Tranche 2 Business Case in November 2020. The Full Business Case approval included Fife Council's capital funding for the whole Programme.

**201. FORTH GREEN FREEPORT - DELIVERY ARRANGEMENTS (PRIVATE REPORT) (para. 6)**

The committee considered a report by the Head of Business and Employability Services which confirmed that an Outline Business Case (OBC) had been made to Government/s as authorised in September 2022 Cabinet reporting. The report also set out governance arrangements for progression of the consequential Full Business Case (FBC) and the necessary Forth Green Freeport Operating Company. Fife Council remained subject to a Memorandum of Understanding which covered the commercial confidentiality of the Forth Green Freeport (FGFP) OBC.

**Decision**

The committee:-

- (1) delegated to the Head of Business and Employability Services, in consultation with the Head of Revenues and Commercial Services and Head of Finance, to:-
  - continue progression and submission of a Full Business Case in Spring 2024 in line with current UK and Scottish Government guidance; and
  - develop FGFP non-domestic rate retention methodology/s including proposed like-minded local economic development reinvestment within inner and outer boundary of FGFP, noting that further detail on this will be made available to the forthcoming Finance, Economy, and Corporate Services Scrutiny Committee; and
  
- (2) approved:-
  - Fife Council representative arrangements for the proposed FGFP Operating Company (OpCo) with the appointment of the Cabinet Spokesperson for Finance, Economy and Strategic Planning to the FGFP Board; and
  - the allocation of a recurring revenue contribution per annum, over three years as Fife Council financial contribution to the OpCo – taken from existing revenue budgets.

*Councillor Derek Glen left the meeting during consideration of the above item.*