

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

Council Chamber, 6th Floor, Fife House, North Street, Glenrothes

7 December 2023

10.00 am – 12.50 pm

PRESENT: Councillors Jim Leishman (Convener), Tom Adams, David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Al Clark, Eugene Clarke, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine, Julie Ford, Derek Glen, Brian Goodall, Peter Gulline, Jean Hall Muir, Judy Hamilton, Alycia Hayes, Stefan Hoggan-Radu, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, James Leslie, Kathleen Leslie, Carol Lindsay, Jane Ann Liston, Mary Lockhart, Donald Lothian, David MacDiarmid, Julie MacDougall, Lea McLelland, Lynn Mowatt, Sarah Neal, Derek Noble, John O'Brien, Nicola Patrick, Gordon Pryde, Bailey-Lee Robb, David Ross, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Andrew Verrecchia, Ross Vettraino, Craig Walker, Darren Watt, Daniel Wilson, Jan Wincott and Conner Young.

APOLOGIES FOR ABSENCE: Councillors Fiona Corps, David Graham and Cara Hilton.

99. DECLARATIONS OF INTEREST

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

100. CIVIC BUSINESS BULLETIN

Decision

The council noted the Civic Business Bulletin.

101. MINUTE

The Provost, seconded by Councillor Erskine, moved that the minute of the meeting of 21 September 2023 be approved.

Decision

The council approved the minute.

102. MINUTES OF COMMITTEES AND SUB-COMMITTEES

Minutes of the undernoted committees and sub-committee, as contained in the volume of minutes were submitted for accuracy:-

- (1) West & Central Planning Committee of 13 September, 11 October, 8 November 2023.
- (2) North East Planning Committee of 18 October 2023.
- (3) Fife Planning Review Body of 23 October 2023.
- (4) Regulation and Licensing Committee of 5 September, 3 October 2023.
- (5) Cabinet Committee of 7 September, 5 October, 2 November 2023.
- (6) Standards, Audit & Risk Committee of 28 September, 9 November 2023.
- (7) Pensions Committee of 28 September 2023.
- (8) Glenrothes Area Committee of 4 October 2023.
- (9) Levenmouth Area Committee of 4 October 2023.
- (10) City of Dunfermline Area Committee of 24 October 2023.
- (11) Kirkcaldy Area Committee of 31 October 2023.
- (12) North East Fife Area Committee of 25 October 2023.
- (13) Cowdenbeath Area Committee of 14 June, 6 September, 1 November 2023.
- (14) South and West Fife Area Committee of 21 June, 6 September, 1 November 2023.
- (15) Education Scrutiny Committee of 18 September, 14 November 2023
- (16) Finance, Economy and Corporate Services Scrutiny Committee of 26 October 2023.
- (17) People and Communities Scrutiny Committee of 16 November 2023
- (18) Environment, Transportation and Climate Change Scrutiny Committee of 12 September 2023.
- (19) Fife Health & Social Care Integration Joint Board of 28 July, 29 September 2023.

Decision

The council noted the minutes.

103. LEADERS REPORT

The council considered a report by the Leader of the Council on a number of strategic issues. The Leader provided updates on a number of issues in response to questions from members.

Decision

The council noted the leader's report.

104. QUESTION TIME

In terms of Standing Order 9.3, the following questions were submitted:-

Question 1 from Councillor Ian Cameron

What discussions has the Spokesperson for Health & Social Care had with NHS Fife, about the rising cardiology waiting times across the Kingdom?

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Answer (Spokesperson for Health & Social Care)

Can I start by congratulating the NHS Fife Cardiac Arrhythmia and implantable devices team who won Cardiology Team of the Year at the Scottish Healthcare Awards a couple of weeks ago and to thank the staff for the fantastic work they are doing in a critical area of care.

I have received questions from other Cllrs regarding Cardiology waiting times so despite the efforts of staff there are obviously still concerns around waiting times for cardiac procedures in Fife and across Scotland.

Following my appointment to the Health Board I have already raised this with a number of individuals including the Chief Executive, Medical Director and Director of Acute Services.

I have received the following answer from the Chief Executive of NHS Fife.

“Prior to covid Cardiology in Fife performed well. At the end of 2019/2020 only 25 patients were waiting longer than 12 weeks for an appointment. As a result of the pandemic and the stepping down of out-patient activity the Cardiology Service now has a backlog and a much longer waiting list.

Current waits as at the end November 2023 are 704 patients waiting longer than 12 weeks. The picture nationally is very similar to what NHS Fife is experiencing.

NHS Fife continues to take actions to improve waiting times.”

Supplementary Question

I received a letter from a constituent who was put on the cardiology waiting list in October 2022 and was told there was a 29 week waiting list, after 32 weeks they were then told it was a 41 week wait and were then advised of a 64 week wait, what do I say to this lady now as we are approaching winter?

Answer (Spokesperson for Health & Social Care)

I am sorry to hear about the specifics of the Councillor’s constituent and I am happy to write to the Chief Executive of NHS Fife to ask her to look into this specific case.

In preparing for today’s answer, I also spoke to the British Heart Foundation who share concerns over rising cardiac waiting times across Scotland. While the pandemic undoubtedly had an impact on these services, there were signs of pressures on health services building already.

We know that health budgets are under incredible pressure and I know we are coming back to that issue later in the agenda. With 1 in 7 people on NHS waiting lists across Scotland, I hope NHS Fife can work with Scottish Government to find a solution which will help improve the situation and improve waiting times for cardiology and other services across the country.

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Question 2 from Councillor Al Clark

Given the recent storm damage, what can be done to support St Andrews Harbour following the destruction and the £1.5m bill to fix the harbour. What options of funding can Fife Council support with to get the repairs at least started and show commitment to repairing the historic Grade A listed site, that is also a tourist attraction as well as a working harbour providing employment?

Answer (Spokesperson for Finance, Economy & Strategic Planning)

Fife Council representatives met with the St Andrews Harbour Trust on Wednesday 15 November 2023 to discuss the damage incurred to the harbour following storm Babet. To help safeguard the collapsed slipway, a temporary support measure will be implemented as quickly as possible through funding from Fife Council Roads and Transportation Services budget. The Trust will also be supported by the Service in the design of a permanent repair and in helping to source funding for the permanent repair.

Question 3 from Councillor Jonny Tepp

What is the current IJB budget overspend and the projected year-end deficit? What steps are being taken to close this gap and will services or council budgets be impacted?

Answer (Spokesperson for Health & Social Care)

The current projected overspend for financial year 2023-24 (as at September 2023) is £1.468m.

The governance in relation to any overspends is managed through the Integration Scheme. The scheme stipulates that where there is an overspend then a recovery plan is required. Should there be a remaining overspend at the end of the financial year then this will either be met from:-

1. any IJB reserves; or
2. from both Fife Council and NHS Fife through the risk share agreement that is in place.

As there are only 6 months of actuals included in the projected outturn it is reasonable to assume that final outturn position is likely to change from the current reported position. As a result, the position will be closely monitored throughout the financial year and further corrective action taken as required.

Oversight of this process is through the IJB which has 16 voting members consisting of 8 elected members from Fife Council. Financial Monitoring updates are presented to each meeting of the IJB with the next meeting scheduled for early February.

Supplementary Question

Are there any indications that the deficit is actually being brought under control or do we anticipate this widening and how does it interplay with the wider NHS budget if at all or is it completely ringfenced?

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Answer (Spokesperson for Health & Social Care)

The funding for the IJB is provided by both Fife Council and NHS Fife and discussions are underway as normal as part of the budgetary procedures and discussions.

There are regular updates to the IJB regarding financial performance. We are still dealing with the after effects and implications of the pandemic and I was sad to see last year that the Scottish Government clawed back over £21m of funding from the IJB.

With Scottish Government budget being announcement on 19 December I expect there will be more clarity after that and I am happy to keep the councillor informed and discuss any specific concerns or explain the process in more detail.

Question 4 from Councillor David Alexander

How many void or empty properties does the housing service currently have by area committee?

Answer (Spokesperson for Housing & Building Services)

Currently there are 313 properties in change of tenancy, 209 subject to repairs and 104 in allocation with the area team. I don't have a snapshot for each area but that should be reported to members at ward meeting.

Supplementary Questions

What is being done to improve this?

Answer (Spokesperson for Housing & Building Services)

There is a sprint going on between Housing Services and Building Services to improve voids turnaround which have gone down from 58 days to 36 days and will continue to work on this. We had no turnover at all after Covid so very encouraging.

Question 5 from Councillor Nicola Patrick

Can the coalition leader advise why there is a backlog of some 150 disabled parking bays awaiting installation?

Answer Spokesperson for Finance, Transportation & Strategic Planning)

It is correct there was a backlog of requests and this was caused by a large volume of requests and a change/lack of staff in dealing with them however an officer within Roads and Transportation Services has been working full time to address the backlog. 100 have been dealt with and the other 50 will be cleared by end of January 2024. New applications are being dealt with by other officers to allow staff to tackle the backlog. Going forward dedicated officers have been identified to offer capacity to allow applications to be dealt with in a timely manner.

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Question 6 from Councillor Derek Glen

With reference to support for Low Carbon Heating Schemes and Local Community Climate Projects, is Fife Council planning to support further district energy distribution schemes such as the one from Lochhead Recycling Centre to the Linen Quarter in Dunfermline and the one supplying Fife House from the RWE plant; and if so are these centred on landfill waste, or do they also include other renewable sources such as solar and geothermal and if so when will we have a report to Full Council to consider the options available to us?

Answer (Spokesperson for Environment & Climate Change)

Fife Council views District Energy Schemes as an essential component in tackling the climate emergency. Fife Council have a statutory requirement under the Heat Network (Scotland) Act 2021 to identify potential opportunity areas for District Heating. Our Local Heat and Energy Efficiency Strategy (approved at Cabinet on 30 November) includes an initial assessment of potential areas.

While we support such schemes in principle, we believe that further work needs to be undertaken to assess the technical feasibility, the financial viability and the most appropriate delivery models for any expansion or new schemes.

How we intend to progress this will be outlined further in our revised Climate Strategy (for January Cabinet committee) and note the analysis above will be undertaken as part of the LHEES Delivery Plan which is being prepared in 2024 for reporting back to committee. The assessment work will include engagement sessions with members to keep them informed and input to the process.

We would highlight that we do not view Landfill gas as a long-term solution, particularly given the introduction of the ban on biodegradable municipal waste going to landfill in 2025. As such we will include other heat sources (for example, mine water, sewer and Waste Water Treatment Works, heat from rivers and the sea, waste heat from industry and business such as Energy from Waste) during the assessment process.

On the broader point of “Local Community Climate Projects”, we would note that we are currently supporting the Fife Communities Climate Action Network in undertaking feasibility studies for local community owned renewable energy generation. The Climate Change team in Planning would be happy to brief any member who is interested in this area.

In terms of Standing Order 9.3(7) the Provost advised that Questions 7 and 8 from Councillor Wilson would be taken together and one supplementary question allowed.

Questions 7 & 8 from Councillor Daniel Wilson

Can the Transportation spokesperson provide an update on the discussions with external partners in relation to a safe crossing at Double Dykes?

What records are being kept of meetings and discussions with Fife Council (officers and spokespersons) and external agencies including but not limited to Network Rail, Transport Scotland and Sustrans in relation to the closure and potential reopening of the crossing at Double Dykes.

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Answer (Spokesperson for Finance, Economy & Strategic Planning)

In terms of an update on discussions with external partners relating to a safe crossing at Doubledykes, we have continued to meet with Transport Scotland and Network Rail to look at solutions and find a positive way forward together. There are obviously impediments that we are trying to overcome.

Like Scottish Government we don't keep verbatim minutes on discussions from meetings we have but rest assured we continue to try to take this forward. We had Network Rail attending Glenrothes Area Committee last week.

Supplementary Question

Given that communication is the issue here I would like to invite you to Thornton or Coaltown community council meetings in January and give more detail to them.

Answer (Spokesperson for Finance, Economy & Strategic Planning)

Happy to meet the community councils but will be a very similar discussion. Until we have a solution that meets the aspirations of the community anything earlier is premature and I am not going to over promise and underdeliver and that is where we are as an area committee. Happy to discuss further.

Question 9 from Councillor Carol Lindsay

How has inflation impacted on the original costing for scrapping Bulky Uplifts and what impact will the recently issued SEPA Guidance about measures that will have to be taken when collecting and disposing of items of furniture that contain Persistent Organic Pollutants, have on service, the recycling rates and costs?"

Answer (Spokesperson for Environment & Climate Change)

There is no inflationary cost impact on the Free Bulky Uplift Service. The business case erred on the side of caution with vehicle hire and fuel costs which has provided enough contingency to cover fluctuations in the rate of inflation.

The Domestic Waste Service will be able to continue collecting and disposing of furniture that contains 'Persistent Organic Pollutants' (POPs) with minimal disruption. New risk assessments will be required for operatives who collect the items and there will be only one disposal site at Lower Melville Wood but this shouldn't impact normal service levels. There will be no impact on recycling rates as 'POPs' items were not recycled before and went to landfill. These materials will now be sent to an energy from waste plant for permanent destruction. There will be an increase in disposal costs but the Service really needs 12 months of data to establish what that figure will be.

105. CHANGE TO LIST OF COMMITTEE POWERS

The council considered a report by the Head of Legal and Democratic Services which proposed a minor amendment to the List of Committee Powers to remove the determination of national planning applications or major applications

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significantly contrary to the Development Plan from the functions reserved to Fife Council and to delegate this function to the Cabinet Committee.

Decision

Subject to an amendment proposed by Councillor Beare and seconded by Councillor Steele, the council agreed:-

- (1) that Committee Powers be amended as set out at section 3.1.7 to remove the determination of national planning applications or major applications significantly contrary to the Development Plan from the functions reserved to Fife Council and amend Committee Powers to include the following in Section 9.0 Fife Planning Committees:-
 - (i) an ad-hoc Planning Committee be established from time to time, as required, to consider the determination of national planning applications or major applications significantly contrary to the Development Plan only and will comprise 21 members* of the Council, who are members of the North East Fife Planning Committee, West and Central Planning Committee or the Planning Review Body, based on the political balance of the Council as a whole.

Consideration of a report for a relevant application will be chaired by the Convener of the North East Fife Planning Committee or the West and Central Planning Committee. Which Convener will chair consideration of an application will be determined by the Proper Officer (in consultation with the Executive Director (Enterprise and Environment) and the relevant Conveners). Normally, this will be the Committee Convener within which all or the majority of an application site is located.
- (2) that the above may be further considered in the ongoing review of Committee Powers and would not be subject to a motion to rescind when the Committee Powers document returns to Council for consideration and would be further reviewed by Council before the 2025 summer recess; and
- (3) to delegate authority for any consequential amendment to Fife Council's governance documentation required by the above to the Head of Legal and Democratic Services.

**A committee of 21 would on the current Group sizes comprise SNP 9, Labour 6, Liberal Democrats 4, Conservatives 2 , the Conveners of North East Planning Committee and West and Central Planning Committee will be allocated seats as part of their (political) Group allocations.*

106. FREEDOM OF THE CITY OF DUNFERMLINE

The council considered a report by the Executive Director, Finance and Corporate Services requesting members to ratify the decision of the City of Dunfermline Area Committee to award the peacocks of Dunfermline the Freedom of the City of Dunfermline.

Decision

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The council ratified the decision of the City of Dunfermline Area Committee to award the peacocks of Dunfermline the Freedom of the City of Dunfermline.

107. **APPOINTMENT TO EXTERNAL ORGANISATIONS - ST ANDREWS LINKS TRUST AND ST ANDREWS LINKS MANAGEMENT COMMITTEE**

The council considered a report by the Head of Legal and Democratic Services to appoint a non-elected member representative to both the St Andrews Links Trust Management Committee and the St Andrews Links Trust.

Decision

The council agreed to:-

- (1) reappoint Tom Gallacher, a nominee from the local golf clubs to the St Andrews Links Management Committee, for a second term, for the period 1 January 2024 to 31 December 2027; and
- (2) to reappoint Sandra Tuddenham, a nominee from the local golf clubs to the St Andrews Links Trust, for a second term, for the period 1 January 2024 to 31 December 2026.

The meeting adjourned at 11.30 am and reconvened at 11.45 am.

Councillor Lothian left the meeting during the recess.

108. **NOTICE OF MOTIONS**

The council considered a report by the Head of Legal and Democratic Services requiring the council to consider motions submitted in terms of Standing Order No. 10.

Motion 1

Councillor Calder, seconded by Councillor Tepp, moved as follows:-

NHS Fife Overspend

“Council notes the recently reported overspend of £10.9 million in NHS Fife and understands the concerns of residents of Fife about this service. Some of these worries include concerns of staff being overstretched and access to services.

Following on from these concerns, Council requests that the Council leader write to the Scottish Health Secretary to request that he provides information on what support the Scottish Government are providing to resolve this situation.”

Amendment 1

Councillor Alexander, seconded by Councillor Steele, moved as follows:-

Delete text as it appears on Page 43 with:

“Fife Council notes from NHS reports that Fife Health Board are in constant contact with the Scottish Government in terms of revenue and Capital funding.

2023 FC 115

Fife Council also notes that the Health Service in Scotland is the best in the UK, with more Doctors, and more Nurses, per head of population, and no days lost to industrial action, despite being under severe pressure due to increased demand and Scottish Government resources being reduced because of unfunded Tory-created inflation.

Fife Council abhors the undermining of the work of our health care professionals for petty political reasons and will support in every way it can our health and social care staff who are facing another Winter under extremely challenging circumstances.”

Amendment 2

Councillor Ellis, seconded by Councillor Leslie, moved as follows:-

At the end of the first paragraph - add in an additional sentence that says:

"Residents, specifically in South and West Fife, have felt the full brunt of changes to services, including the loss of an A&E with all its support services and the lack of a full maternity facility."

With the agreement of the Provost, the movers of both the motion and amendment 2 agreed to conjoin. The conjoined motion read as follows:-

NHS Fife Overspend

“Council notes the recently reported overspend of £10.9 million in NHS Fife and understands the concerns of residents of Fife about this service. Some of these worries include concerns of staff being overstretched and access to services.

Residents, specifically in South and West Fife, have felt the full brunt of changes to services, including the loss of an A&E with all its support services and the lack of a full maternity facility.

Following on from these concerns, Council requests that the Council leader write to the Scottish Health Secretary to request that he provides information on what support the Scottish Government are providing to resolve this situation.”

Roll Call

For the Conjoined Motion- 36 votes

Councillors Tom Adams, Mary Lockhart, Aude Boubaker-Calder, Patrick Browne, John Caffrey, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Al Clark, Eugene Clarke, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Graeme Downie, Gavin Ellis, Linda Erskine, Peter Gulline, Judy Hamilton, Gary Holt, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Julie MacDougall, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For Amendment 1 - 32 votes

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Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Julie Ford, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan-Radu, Andy Jackson, Louise Kennedy-Dalby, Carol Lindsay, David MacDiarmid, Lea McLelland, Lynn Mowatt, Sarah Neal, John O'Brien, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettrano, Craig Walker and Daniel Wilson.

Decision

The council agreed in terms of the conjoined motion.

Councillor O'Brien joined the meeting during consideration of the above motion.

Motion 2

Councillor MacDougall, seconded by Councillor Craik, moved as follows:-

“Council supports Prostate Cancer UK campaign “Boys Need Bins” highlighting the issue of incontinence waste among men with prostate cancer allowing them to safely and hygienically dispose of incontinence products easily and with dignity. Council will, where possible, encourage providers of public and workplace toilets in our area to make male sanitary bins available in their facilities.”

Decision

The council agreed the motion unanimously.

109. BUSINESS BROUGHT FORWARD BY THE PROVOST AS A MATTER OF URGENCY

It was noted that there was no business was brought forward under this item.