

THE FIFE COUNCIL - FIFE COUNCIL – BLENDED MEETING

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

12 December 2024

10.00 am – 4.30 pm

PRESENT: Councillors Jim Leishman (Convener), Tom Adams, David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Mary Bain-Lockhart, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Karen Beaton, Aude Boubaker-Calder, Patrick Browne, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Sean Dillon, Gavin Ellis, Linda Erskine, Derek Glen, Brian Goodall, Peter Gulline, Jean Hall Muir, Judy Hamilton, Alycia Hayes, Cara Hilton, Stefan Hoggan, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, James Leslie, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Julie MacDougall, 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 John Caffrey and David Graham.

142. DECLARATIONS OF INTEREST

Councillor Jan Wincott made a declaration of interest relating to Para. 147 – Question Time (Question 24 only) - as her husband was Chair of the Fife Environmental Partnership. The Monitoring Officer advised that the usual practice would be to leave the room, but that as Cllr Wincott would have no right to speak during the Question Time item she could consider choosing to remain present.

143. CIVIC BUSINESS BULLETIN

Decision

The council noted the Civic Business Bulletin.

144. MINUTE

The Provost, seconded by Councillor Dempsey, moved that the minute of the meeting of Fife Council of 19 September 2024 be approved.

Decision

The council approved the minute subject to minor points of accuracy.

145. MINUTES OF COMMITTEES AND SUB-COMMITTEES

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

- (1) West and Central Planning Committee of 25 September, 23 October and 20 November 2024.
- (2) North East Planning Committee of 11 September and 6 November 2024.
- (3) Fife Planning Review Body of 28 October 2024.
- (4) Regulation and Licensing Committee of 10 September and 5 November 2024.
- (5) Cabinet Committee of 12 September, 10 October and 7 November 2024.
- (6) Standards, Audit and Risk Committee of 30 September 2024.
- (7) Pensions Committee of 24 September and 30 September 2024.
- (8) Glenrothes Area Committee of 2 October 2024.
- (9) Levenmouth Area Committee of 2 October 2024.
- (10) City of Dunfermline Area Committee of 1 October 2024.
- (11) Kirkcaldy Area Committee of 22 October 2024.
- (12) North East Fife Area Committee of 23 October 2024.
- (13) Cowdenbeath Area Committee of 4 September and 30 October 2024.
- (14) South and West Fife Area Committee of 30 October 2024.
- (15) Education Scrutiny Committee of 17 September and 19 November 2024.
- (16) Finance, Economy and Corporate Services Scrutiny Committee of 21 November 2024.
- (17) People and Communities Scrutiny Committee of 26 September and 14 November 2024.
- (18) Environment, Transportation and Climate Change Scrutiny Committee of 12 November 2024.
- (19) Fife Health and Social Care Integration Joint Board of 26 July 2024.

Decision

The council noted the minutes.

146. LEADER'S REPORT

The council considered a report by the Leader of the Council on a number of strategic issues. The Leader responded to questions from members on the content of the report.

Decision

The council noted the report.

147. QUESTION TIME

In terms of Standing Order No 9.3, the following questions were submitted.

Question 1 from Councillor Dave Dempsey

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Why does the Council persist in not sending "undeliverable" responses to incoming emails with misspelled addresses, given that this results in members of the public incorrectly concluding that members and officers are ignoring them?

Answer (Spokesperson for Finance, Economy and Transportation)

Fife Council has historically blocked the generation of Non-Delivery Reports, also known as "bouncebacks" in response to mis-addressed emails. These were often exploited by hackers to generate large volumes of responses from Fife Council which, in turn, could lead to the council's legitimate emails being mis-labelled and blocked as spam by internet email service providers.

This opened up a very real risk that the Council would be "blacklisted" (an event which has happened previously and can take up to 48 hours to rectify) resulting in an inability to send emails from the Council to anyone external - with associated and significant service impacts. By blocking NDRs, the council was able to eliminate this risk, with the result that misspelled addresses from member of the public would not be responded to. On balance, the risk of complete email outage for up to 48 hours outweighed the risks of not responding to misaddressed emails, particularly given the fact that correspondents often use means such as web-links or email replies and are less likely to be typing the email addresses from scratch in many situations.

The council now has a number of controls in place, and has been at the forefront of email security since including being the first public sector organisation in the UK to adopt the [GOV.UK Securing email standards](#). Our email security is regularly and independently reviewed by the [Cyber Technical Advisory Group](#) who have assessed that we have the highest rating of "EPIC" for our email system, a level only reached by 40% of Scottish Local Authorities.

In July 2024 the council completed a set of improvements to our cyber security monitoring and response controls, including implementation of a managed Security Operations Centre providing 24/7 monitoring of Cyber incidents, which has greatly enhanced our capability to monitor, contain and mitigate cyber threats.

Taking these security measures into account we are reviewing our position of Non-Delivery Reports and will be making changes to our email platform through December in a controlled manner which will in turn enable members of the public to now receive undeliverable responses to misspelled addresses. We will review and monitor the impact of this carefully, but believe this will mean we can now return to safely delivering NDRs/bouncebacks for those limited occasions when someone mis-types an email address.

Question 2 from Councillor James Calder

What is the full process for putting together a Strategic Incident Diversion Route between Transportation Services and Bear Scotland for trunk roads, and how often is it then subsequently reviewed?

Answer (Spokesperson for Finance, Economy and Transportation)

Transport Scotland, through their trunk contractors BEAR and AMEY, identify and implement diversion routes for the trunk road in close liaison with Police Scotland, Traffic Scotland, emergency services and local authorities. The diversion routes

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selected are identified to minimise disruption, accommodate traffic levels, often involving HGVs and large vehicles.

The current diversion routes have been established for some time. In most cases potential diversion routes are limited, given the need to accommodate the high volumes of vehicles and connect to junctions on the trunk road network. If any local issues arise, Roads & Transportation Services raise these at the quarterly liaison meetings with the trunk road operators and partners.

Supplementary Question

Diversion route on Lapwing Drive, Dunfermline causing significant issues, would the council agree to review this.

Answer

Yes, I will discuss this with Roads and Transportation Services.

Question 3 from Councillor Jane Ann Liston

How much does FC pay per week for the care of a resident in:

- (a) a Council care home?
- (b) a private care home?
- (c) a third sector (not for profit) care home?

Answer (Spokesperson for Health and Social Care)

The weekly cost of a care home placement in a Fife Council operated care home is £1240.00 per week.

The weekly cost of a care home placement in an independent or voluntary sector care home is £957.57 per week for nursing care, and £825.94 per week for residential care.

These rates are the standard care rate under the National Care Home Contract to which all care homes in Fife have signed up to.

Supplementary Question

As a result of the differential levels of funding and the fees charged, how will Fife Council manage if the third sector funded homes reduce the number of council funded residents they will accept simply to stay solvent?

Answer

I will look into this and provide further information.

Question 4 from Councillor Patrick Browne

To ask the Labour administration what has been the impact of the Scottish Government's decision to "pause" funding from the Place Based Investment Programme on the £1.9 million that Fife was due to receive from the fund in 2024/25, in particular the impact on the Inverkeithing Heritage Regeneration project?

Answer (Spokesperson for Finance, Economy and Transportation)

In early April 2024 Cabinet approved the proposed plans for the investment of the Place Based Investment Fund Programme in 2024/25. This year's Place Based Investment Programme was paused by Scottish Government in Quarter 1. A case was made to Scottish Government officials that Councils could not down tools on projects underway such as the Inverkeithing Built Heritage Programme. The Council was subsequently successful in securing £0.9m for this year - £0.35m for investment in Inverkeithing. The Built Heritage Programme in Inverkeithing was costed in 2017/18 so it has been affected by inflationary pressures and additional costs. Over the lifetime of the programme, the Council has secured other funding from a range of partner organisations to help cover these costs including Place Based Investment funding. Examples of these include: an exterior lift at the Town House, an expanded community activity programme, and for public realm works around the Civic Centre. The main phase of public realm works are about to start on site. The final costs are estimated at c.£4.6m. The Place Based Investment funding is likely to be around 7.5% of the total costs.

Supplementary Question

Do you anticipate receiving any money back and do you have any confidence the Scottish Government can manage its budget?

Answer

Will wait to see if we get any money back, can't guarantee this. No I don't have confidence they can manage their budget.

Question 5 from Councillor Patrick Browne

To ask the Labour administration what assessment it has made of the Scottish Government's recent Budget and whether it believes local government in across Scotland and Fife Council has received a fair share of the additional £1.5 billion in the current financial year and £3.4 billion in 2025/26 coming to Scotland as a result of the recent Labour UK Government's Budget?

Answer (Leader of the Council)

We don't yet know what the implications from the Scottish Government are for the council but welcome the fact there is additional uncommitted money this year.

Recognise better discussion between Scottish Government and local government on the budget.

Question 6 from Councillor Kathleen Leslie

The hedgehog population of Britain has declined by between 30-75% in rural areas since 2000. This is as a result of multiple factors including a decline in available natural food sources, loss of habitat and increased vehicle collisions. Has the Council considered the use of road signage to alert drivers to areas with significant hedgehog populations within Fife?

Answer (Spokesperson for Finance, Economy and Transportation)

Only signs that are included in the Traffic Signs Regulations and General Directions (TSRGD) may be placed on the road network. Wildlife warning signs can only be used with approval from Transport Scotland, the national agency of the Scottish Government. The small mammal sign (shown as a hedgehog) is not intended to be used in Scotland.

Supplementary Question

Are the council doing any work to protect small mammals on its roads?

Answer

Not aware of anything but will follow up with Roads and Transportation Services.

Question 7 from Councillor Alex Campbell

What plans are there to build new social housing for rent in Kelty?

Answer (Spokesperson for Housing and Building Services)

As identified within the 2025 - 2030 SHIP, KHA are to deliver, subject to available subsidy funding, 6 social rent homes at Keltyhill Road, Kelty. This would be an August 2029 site start with completion February 2031. This is the only site identified within the SHIP to be delivered in Kelty. Discussion is ongoing with a housing developer for another site in Kelty but this has yet to materialise in any agreement.

Question 8 from Councillor Alex Campbell

What impact of cuts announced by the health and social care partnership will be on the provision of care packages in Fife?

Answer (Spokesperson for Health and Social Care)

The Health and Social Care Partnership have an approved Recovery plan which was approved by the Integration Joint Board, due to the significant overspend particularly within social work/care services, this needs to be addressed in the following areas:

1. Review of respite services – we will review the availability of respite services by a reduction in weeks or paid allowance to service users to ensure we can still maintain support but within a financial target.
2. We have been consulting on the eligibility criteria for social work/social care services this will ensure that we tighten the criteria for critical services, working with partners we will ensure that people receive the right level of care at the right time. We will ensure anyone who is at risk will be supported.
3. Within the recovery plan we agreed to reduce and pause some of the services within care at home and care home placements this has been very difficult to implement due to the level of need in the community and hospital

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discharges, but we continue to monitor this on a weekly basis in an attempt to reduce our significant overspend in this area, we recognise that we need to keep people safe and this is our priority.

Supplementary Question

Can the details of the consultation on eligibility criteria be provided?

Answer

Yes this will be arranged.

Question 9 from Councillor Alex Campbell

What actions are being taken to address behavioural challenges in Fife schools?

Answer

The Education Directorate closely monitors the behaviours being exhibited across our schools and discussions continue to take place to determine how we can best support all school staff and our pupils. Our focus is to work together with school communities, trade unions and families to promote positive behaviour and de-escalate situations. We give targeted support to schools where it's needed. Any form of violence towards staff and pupils is unacceptable and we are committed to safe working practices, training and support for our staff.

Directorate guidance has been developed by a working group comprised of experienced practitioners, representing the full range of children and young people, including those with additional support needs, and with the consultation and support of staff and unions across Fife. Guidance also considers the relevant, current Scottish Government policy and its role in shaping how we support our establishments to improve the ethos and culture, and relationships and behaviour, in their own settings.

The Directorate guidance outlines practical materials and tools which can be used by schools in developing their own Promoting Positive Behaviour Policies. The intention is that each school's policy: is developed as a school; supports both staff and learners to understand what it means to learn and work in a community built on respect; and is embedded in the life and culture of the school community. Our strategy group has focussed on an approach that supports consistency in practice across all Fife schools, whilst allowing for schools to tailor to their specific context. This policy recognises the importance of relational practice, nurturing and restorative approaches and a trauma informed response.

Across our schools a huge amount of work is underway to tackle violence and bullying and, working with partners including police, Fife NHS, and the Health and Social Care Partnership, we have put a number of different programmes, practices and actions in place. A workshop event to promote existing good practice across Fife is being planned for early next year.

We have continued our piloting of a model of having a social worker based in four of our secondary schools to work with young people where attendance at school is low. Our staff across our schools are also engaging in professional development around trauma informed practice and de-escalation intervention. In

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addition, we are making sure that there is a focus on out of school activities, via Active Schools teams and other partners, especially in the communities where there are high levels of crime for those under 16. The curriculum for Personal and Social Education has been updated, using the results of our recent health and wellbeing survey of pupils. It will focus on those issues that are causing concerns and bring more input from external organisations e.g. police and NHS on subjects such as knife crime, drugs, mental wellbeing, use of social media etc.

Importantly, we recognise that effective learning and teaching depend on a foundation of positive behaviour and good working relationships between learners and staff, and between young people themselves. Positive behaviour is dependent, in turn, on effective teaching and an appropriate curriculum. These areas will continue to be a focus throughout 2025 and beyond.

Our action and progress across this area is reported to the Education Scrutiny Committee.

Question 10 from Councillor Robin Lawson

How many properties in Fife are now paying 200% Council Tax, and how much additional money (over and above standard Council Tax) will this generate in the current financial year. Please also break down by Wards or Areas where these second home properties are located.

Answer (Spokesperson for Finance, Economy and Transportation)

Total Number of Properties in Fife subject to 100% additional Variation is 1,941 with total value raised £3.168 million.

This is split into the three areas as follows:

Central 180 properties with value of £0.215 million
East 1635 properties with value of £2.775 million
West 126 properties with value of £0.178 million

Supplementary Question

Lost 450 properties since these figures were reported to Cabinet Committee.

Answer

Clearly the process is working and people are putting houses back into use.

Question 11 from Councillor Robin Lawson

How many Enforcement Notices has Planning Department issued in the last 12 months, and what have the results of these Notices been?

Answer (Spokesperson for Finance, Economy and Transportation)

The Planning Authority has issued 6 enforcement notices in the period 2nd December 2023 to 2nd December 2024. The vast majority of potential breaches of planning and/or planning enforcement issues are resolved without

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recourse to formal action. Where planning breaches have occurred, these are usually addressed through retrospective planning applications so that unauthorised development can be formally assessed; in other cases unauthorised work may be removed or changed through negotiation.

Of the 6 notices issued in this period the following outcomes are:

- 1 notice was issued and appealed to the Department of Planning & Environmental Appeals (DPEA). The appeal was dismissed and the enforcement notice progressed- the compliance date for works to be done is the 7th of December 2024.
- 1 enforcement notice is currently at appeal and being considered by the DPEA.
- 1 enforcement notice was appealed to DPEA and was dismissed. The enforcement notice has subsequently been complied with in part with the remaining action being progressed by the landowner (another Council Service) through their own legal process.
- The remaining 3 were issued in November 2024 but do not take effect until towards the end of December 2024.

Reporting on planning performance is undertaken in financial years and was reported to the Finance, Economy and Corporate Services Scrutiny Committee earlier this year in August. In respect of planning enforcement in 2023/24, 517 planning enforcement cases were received, 223 breaches resolved (not De Minimis, Duplication, Established Use or No Breach), 8 enforcement notices served, 60 applications derived from enforcement investigation, and 509 cases closed. Some cases continue over reporting periods.

Supplementary Question

Does the administration take breaches in conservation areas seriously and will you do something about them?

Answer

The council does take these breaches seriously and apply all legislation. Suggest you raise with your local MSP to raise with Scottish Government.

Question 12 from Councillor Dave Dempsey

Which part of the Council enforces Section 89 of the Civic Government (Scotland) Act 1982 and when was it last used?

Answer (Spokesperson for Finance, Economy and Transportation)

Building Standards & Public Safety issue licences for raised structures under section 89 of the Civic Government (Scotland) Act 1982.

The process involves checking the proposals submitted by applicants and we also carry out some inspections, depending on the risk. We have received 48 applications this year so far, that's around the typical number for a year and there were 45 in 2023. The raised structures we licence generally include temporary seating (Open & Dunhill Golf) and/or temporary stages for events. There has never been any formal enforcement action that I am aware of, enforcement is done by discussing and agreeing suitable proposals before a licence is granted.

Question 13 from Councillor Dave Dempsey

Is Fife Council bound by agreements entered into by its predecessor Councils?

Answer (Leader of the Council)

The Fife Council, as the statutory successors to the former Fife Regional Council, Dunfermline District Council, Kirkcaldy District Council and North East Fife District Council respectively (and by extension, the former Fife County Council and Burgh Councils etc), are statutorily/legally bound by the terms of any agreements entered into by those predecessor authorities prior to 1st April 1996 which was the relevant date of the formal constitution of The Fife Council under the Local Government etc (Scotland) Act 1994 as amended ("the 1994 Act"). This is all in terms of sections 1, 2, 15 and Schedule 1 of the 1994 Act.

Question 14 from Councillor Brian Goodall

How many new-build Council Houses have been completed in the current financial year?

Answer (Spokesperson for Housing and Building Services)

During 2024/25 to date, Fife Council have completed 187 New Build Council homes.

Supplementary Question

Can you give assurance that there won't be a £30m underspend in the affordable housing budget?

Answer

There is no underspend, it was slippage in the programme.

The Provost advised that, in terms of SO 9.3(7), one response would be provided to questions 15 and 16 below.

Question 15 from Councillor Brian Goodall

What representations has the Spokesperson for Housing & Building Services and/or the Leader of the Council made to the UK Government regarding the impact of the increase to employer's national insurance contributions on Fife Council's Housing Revenue Account?

Question 16 from Councillor John Beare

What discussions have Council Spokespersons or Officers had with our Suppliers and those we have contracts with, including but not limited to ALEOs, care homes and partners in the third sector who provide services on our behalf, in relation to the additional employee and related costs they will be subjected to as a result of the announced increase in Employers' National Insurance contributions by the Westminster Government?

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Answer to Questions 15 and 16 (Leader of the Council)

Formal representations have been made through COSLA but have made representations at all levels. Have been advised by the Executive Director of Finance and Corporate Services that the impact on the HRA will not impact council tenants.

We have only had one formal piece of formal correspondence on this matter, and is from one of our bus operators. They have expressed concern around the financial implications and have expressed the desire to work closely with the council over the months ahead in an effort to minimise the impacts. The correspondence has been responded to and a meeting is planned for the new year. All other discussions have been informal, though concern is clear. In relation to the care sector, we understand that Scottish Care and the Coalition of Care and Support Providers in Scotland (CCPS) will be acting on behalf of their member organisations to represent the sector's interest and the impact for providers/organisations across Scotland.

Attended a meeting of the third sector strategy group where these issues were also discussed.

Question 17 from Councillor Brian Goodall

Is the current rule excluding Fife Council employees from selling homes to the Council under the Domestic Property Acquisition Policy under review, and if so when will this review be concluded and advised to Committee or Council?

Answer (Spokesperson for Housing and Building Services)

I have agreed with the Head of Housing to undertake a short review of the current Property Acquisitions Policy to specifically examine buying properties with sitting tenants to prevent homelessness, not purchasing properties from current Council employees and only seeking to purchase properties on the Open market. Two review meetings involving Housing and Legal Services have been diaried in January/Early February 2025 will produce recommendations for cabinet by February/March 2025.

Supplementary Question

Does the Spokesperson agree now is the time to loosen the policy and ensure these purchases are open and transparent and don't exclude council employees from selling back to the council.

Answer

Agreed.

Question 18 from Councillor Lesley Backhouse

Given that previous answers to questions at full Council meetings have demonstrated that it can be almost twice as cheap and four times as fast to deliver an additional Council House for rent via Domestic Property Acquisitions,

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why has the Administration set itself against delivering more affordable homes for rent in this way?

Answer (Spokesperson for Housing and Building Services)

The Council's Approach in acquiring properties is part of the overall policy on the Phase 4 Affordable Housing Programme (AHP) in Fife. The SHIP commits the Council to a minimum of 50 property acquisitions per year, dependent on adequate housing subsidy funding from the Scottish Government. The focus of the Phase 4 AHP is to maintain the supply of new housing. The financing and delivery targets for the final 3 years of the AHP will be presented to the Council meeting on 20th February 2025.

Question 19 from Councillor Lesley Backhouse

How much of the additional funding allocated to Fife this year by the Scottish Government for the acquisition of domestic properties for use as temporary accommodation for homeless housing applicants has already been drawn down?

Answer (Spokesperson for Housing and Building Services)

The entire £1.848m in additional property acquisitions funding awarded to Fife has been drawn down and committed to purchasing 37 properties. 24 have been purchased and a further 13 are legally committed to.

Supplementary Question

Does the Spokesperson think this is sufficient when we have over 1200 families who are homeless?

Answer

No I don't think the subsidy is sufficient.

Question 20 from Councillor Nicola Patrick

The zero waste Fife resources strategy and action plan 2018-2028 indicates a target to recycle 70% of all household waste by 2025 while the council currently advises domestic rates are at 44%. What is the administration doing to immediately address this gap?

Answer (Spokesperson for Environment and Climate Change)

To clarify, it should be noted that the 70% target by 2025 mentioned in the Strategy is a national target. The strategy sets a local target for 60% by 2028 as part of the Joint Fife Council administration's programme in 2017. Section 4.3.2. of the strategy states:

"60% recycling target - The joint Administration's programme outlines a 60% recycling target for household waste. This is in line with national policy of 60% by 2020. This Zero Waste Fife - Resources Strategy and Action Plan will consider the period until 2028 therefore whilst it is recognised **that a local target of 60% is provided**, the strategy will also need to **take cognisance of the 70% recycling target by 2025 set by the Scottish Government.**"

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The current national recycling figure is 43.5% (2023), and unlikely to meet the 70% in 2025, does demonstrate the challenge for all local authorities in increasing recycling rates to that level.

Fife Council is currently delivering, and investigating a number of opportunities, to increase recycling rates. This includes:

- Investment in Materials Recovery Facilities through our arms-length company Cireco, this can separate different comingled recycling streams into specific materials ready to be sent onto the recycling markets.
- Pilot projects for food waste collection for flatted/communal properties.
- We will be working in 2025 with local re-use organisations to support re-use and redistribution of items rather than landfilling as waste.

Supplementary Question

When can we expect a report on this including evidence to the relevant scrutiny committee?

Answer

I will check with officers but would expect a report to come to committee in early 2025.

Question 21 from Councillor Nicola Patrick

When will a committee of the council consider the pilot and roll out of communal food waste bins at our high and medium rise flats, following the pilot at three blocks of flats in Ravenscraig, Kirkcaldy in 2023 and the ongoing rollout of other blocks ?

Answer (Spokesperson for Environment and Climate Change)

The roll out of food waste bins following the initial trial at Ravenscraig is well under way. All high rise blocks now have this service across Fife and we will be starting to work across mid-rise blocks in the New year starting at the Highlands and Islands estate in Kirkcaldy.

Question 22 from Councillor Andy Jackson

How many residential blocks of flats in Fife have recycling bins, communal or otherwise?

Answer (Spokesperson for Environment and Climate Change)

We provide recycling to as many flatted properties as we can. Over the years, usually due to contamination, there are flatted areas where we have had to remove recycling.

When contamination gets too high then all waste ends up going to landfill so at that point we have to withdraw the service. In the short term if there are individual blocks of flats where the elected member for that area has concerns then I'd be

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happy for them to get in touch but I am also happy to commit to a wider review of recycling at flatted properties in the new year.

Supplementary Question

How many facilities have been removed due to contamination?

Answer

I will check with officers and advise.

Question 23 from Councillor Rod Cavanagh

What progress has been made since the Kirkcaldy Area Committee meeting of 7.2.23, when it agreed to: Decommission the Esplanade and Thistle Street multistorey car parks, demolish and clear the sites, a surface level car park developed on the footprint of Thistle Street site and the Esplanade site made available for re-development, alongside the site of the former swimming pool, and when will progress be reported to the Area Committee?

Answer (Spokesperson for Finance, Economy and Strategic Planning)

The Council has proactively explored the option of demolishing both the Esplanade and Thistle Street multi-storey car parks and has obtained an estimated cost for the demolition works. While officers have diligently sought funding for the demolition, no such funding has been identified at this stage. However, can advise that we are moving forward with the marketing of both car parks based on a Design and Development Framework prepared by the Planning Service. Marketing agents have been appointed, and the development opportunity is now being actively marketed for sale.

Supplementary Question

Phase 1 and 3 are complete with phase 2 on hold, people of Kirkcaldy have waited 9 years, how much more time is needed?

Answer

I would ask that as a local councillor, in your choices in your local capital plan, has this been addressed and I look forward to seeing this in your capital plan at the budget meeting in 2025,

Question 24 from Councillor Derek Glen

The latest edition of SEPA's Scottish Pollutant Release Inventory lists 69 different sites or businesses in Fife, how many of these were invited to the FifeCOP24 event? And now that it has been cancelled, what costs have been incurred, including officer time?

Answer (Leader of the Council)

FifeCOP24 has been postponed until 2025. Only officer time has been used to this point, and this is included as part of our existing support for the Fife

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Environmental Partnership. No other costs have been incurred. As the event is postponed, the preparatory work will support the future event.

The event is a Fife Environmental Partnership event, primarily aimed at public sector organisations and partners, and as such only those public sector organisations listed on the SEPA Pollutant Inventory were initially invited. Specifically, representatives from Fife Council, NHS Fife, University of St Andrews and Scottish Water were invited. However, the Fife Environmental Partnership will take the opportunity from the postponement to consider the invite list and wider participation in the event.

Supplementary Question

What specific measurable outcomes are expected to come from the rearranged event and how will these be achieved if local partners were not invited?

Answer

I will pass this on but as stated the partnership is reviewing the invite list.

Question 25 from Councillor Craig Walker

Since the Council meeting of September 19th, what representations has the Leader of the Council or its Spokespersons made to the Westminster Government or its Ministers or MPs in relation to the 'two child benefit cap', the loss of Winter Fuel Payments for the current Winter, or the energy price cap which increased by 10% in October and will again increase in January given he campaigned to reduce energy bills to householders?

Answer (Leader of the Council)

Representations made on behalf of the Labour Group to MPs etc in relation to these issues but respond on behalf of the council as the council voted against the amendment that said we should write on these issues.

Supplementary Question

What would you say to the people watching or listening about the lack of action here?

Answer

I agree it could have been handled better and hope that once the financial situation of the country has been stabilised we would hope to go forward on these issues. I am not privy to the detail of the UK government's budget but will continue to make representation on these issues.

The meeting adjourned at 12.05 pm and reconvened at 1.05 pm.

148. CONSEQUENTIAL CHANGES TO LIST OF COMMITTEE POWERS AND LIST OF OFFICER POWERS

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The council considered a report by the Head of Legal and Democratic Services which proposed a number of minor changes to the List of Committee Powers and List of Officer Powers.

Members were advised that following agreement at Cabinet Committee on 5 December 2024, members would be invited to agree slightly amended wording with regard to firework control zones to reflect the following:-

- List of Officer Powers - Delegated Officer will respond to the lead applicant to advise of outcome of request and provide details of their right to request a review of the decision.
- List of Committee Powers – Fife Planning Review Body - additional power to the Fife Planning Review Body that any such review of a request for a Firework Control Zone will be undertaken by a panel of not more than five and not less than three elected members (selected from members of the Fife Planning Review Body/Community Empowerment Act Committee) and will be advised by the Head of Legal and Democratic Services or their nominee.

Motion

Councillor Ross, seconded by Councillor Craik, moved the recommendations as detailed in the report and as advised by the Head of Legal and Democratic Services.

Amendment

Councillor Beare, seconded by Councillor Glen, moved as follows:-

8. Changes to list of Committee powers

Page 5 of 30 – Membership of Committees- Political Balance

2.1 Delete “If Council decide that membership will be allocated based on political balance, that calculation will be made as follows:-“

And replace it with:

“The default Council position will be that membership of Committees will be allocated on the basis of political balance (excluding any committee comprising all members of a geographic area) and that calculation will be made as follows:-“

Page 23 of 30 Appendix 1 – General Provisions – Committee Membership

To allow all 6 spokesperson and the Council Leader to be allocated seats on a politically balanced Cabinet Committee, the Committee make up would have to be 12 SNP, 7 Lab, 4 Liberal & 3 Conservative

- Table containing the Allocation of committee seats on the basis of political balance –

Delete “(made up of 6 spokespersons and 15 ordinary members) + Council Leader.”

Delete in ‘Total’ column “+ Council Leader”
Amend “22” and replace with “26”.

**Page 56 (25 of 30) Appendix 2 Membership and remits of Sub-Committees
Cabinet Committee and Sub-Committee (ii)**

Delete “9 members” and replace with “8 members”.

Roll Call

For the Motion – 37 votes

Councillors Tom Adams, Mary Bain-Lockhart, Karen Beaton, Aude Boubaker-Calder, Patrick Browne, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Al Clark, Eugene Clarke, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Gavin Ellis, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For the Amendment – 32 votes

David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Derek Glen, Brian Goodall, Jean Hall Muir, Alycia Hayes, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, 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.

Abstained – 1

Councillor Julie MacDougall.

The motion was accordingly carried.

Decision

The council agreed:-

- (1) that the List of Committee Powers and List of Officer Powers be amended as detailed in the report and the subsequent amendments advised by the Head of Legal and Democratic Services; and
- (2) that authority for any additional consequential amendments to Fife Council's governance documentation be delegated to the Head of Legal and Democratic Services.

Councillor Dillon left the meeting during consideration of the above item.

149. REVIEW OF POLLING STATIONS

The council considered a report by the Head of Legal and Democratic Services which advised members of the progress made in meeting the council's duty in terms of Section 18(c) of the Representation of the People Act 1983 as amended,

to undertake a statutory review of Fife Council's polling districts and polling places.

Decision

The council noted:-

- (1) the commencement of a public consultation on the proposed amendments to the current polling scheme; and
- (2) that a final report detailing all proposed amendments to the scheme would be submitted to the council for approval on 20 March 2025.

150. APPOINTMENTS 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 requesting the appointment of elected member representatives to the St Andrews Links Trust and St Andrews Link Management Committee and to agree a protocol for future appointments.

Motion

Councillor Beare, seconded by Councillor Ross, moved the recommendations as detailed in the report.

Amendment

Councillor Lawson, seconded by Councillor James Leslie, moved that recommendation 3 - approval of the protocol for member appointments - be deferred for further consideration.

Roll Call

For the Motion – 64 votes

Councillors Tom Adams, David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Mary Bain-Lockhart, Karen Beaton, Aude Boubaker-Calder, Patrick Browne, James Calder, Ken Caldwell, Alistair Cameron, Ian Cameron, Alex Campbell, Rod Cavanagh, Al Clark, Eugene Clarke, Altany Craik, Colin Davidson, Gavin Ellis, Linda Erskine, Derek Glen, Brian Goodall, Jean Hall Muir, Judy Hamilton, Alycia Hayes, Cara Hilton, Stefan Hoggan, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Jim Leishman, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Julie MacDougall, 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 and Jan Wincott.

For the Amendment – 6 votes

Councillor Fiona Corps, Dave Dempsey, Peter Gulline, Robin Lawson, James Leslie and Conner Young.

The motion was accordingly carried.

Decision

The council unanimously agreed to:-

- (1) reappoint Councillor Colin Davidson to the St Andrews Links Trust for a period of three years from 1 January 2025 to 31 December 2027; and
- (2) reappoint Councillor Lesley Backhouse to the St Andrews Links Management Committee for a period of four years from 1 January 2025 to 31 December 2028.

151. 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 MacDougall, seconded by Councillor Liewald, moved as follows:-

Intergenerational Fife

“Council notes that spending time with other generations helps us to strengthen and regenerate our communities by promoting inclusion and understanding which in turn, helps us to make our communities better and more vibrant places to live and work.

Council notes that we have intergenerational projects across Fife be it the: ‘Bite and a Blether’ at Waid Community Campus in Anstruther; the intergenerational care village in Methil, and various local Community Learning and Development Action Plans.

Council agrees that developing an intergenerational Policy, Strategy and Action Plan for Fife would be a significant benefit to Fife and its residents.

Council therefore seeks that an Intergenerational Policy, Strategy and Action Plan for Fife, compatible with the Plan for Fife 2017-2027, be developed that would include but not be limited to:

- Increasing knowledge and understanding of intergenerational approaches.
- Embedding intergenerational approaches in governance and policy making.
- Delivering support and encouraging involvement to benefit all of Fife’s generations, by working, learning, volunteering and living together.
- Developing more intergenerational places and spaces.

That the Policy, Strategy and Action Plan be published for approval before the Global Intergenerational Week which takes place from April 24–30, 2025.”

Amendment

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Councillor Kathleen Leslie, seconded by Councillor Erskine, moved as follows:-

Intergenerational Fife

“Council notes that spending time with other generations helps us to strengthen and regenerate our communities by promoting inclusion and understanding which in turn, helps us to make our communities better and more vibrant places to live and work.

Council notes that we have intergenerational projects across Fife including the ‘Bite and a Blether’ at Waid Community Campus in Anstruther; the intergenerational care village in Methil, and various local Community Learning and Development Action Plans.

Council agrees that developing an intergenerational Policy, Strategy and Action Plan for Fife would be a significant benefit to Fife and its residents.

Council notes that Generations Working Together has a Corporate Plan (2020 – 2025) and has a Development Officer in post along with many volunteers across Fife.

Council notes that the current Community Learning and Development Plan (2024 – 2027) now has a one-year Bridging Plan until September 2025 due to the National Review of CLD – Learning for All for Life

Council therefore seeks that an Intergenerational Policy, Strategy and Action Plan for Fife, compatible with the Plan for Fife 2017-2027, be developed that would include but not be limited to:

- Increasing knowledge and understanding of intergenerational approaches
- Embedding intergenerational approaches in governance and policy making
- Delivering support and encouraging involvement to benefit all of Fife’s generations, by working, learning, volunteering and living together
- Developing more intergenerational places and spaces
- Participating in wider engagement with key stakeholders

Council agrees that the development of an intergenerational policy is built into the CLD Plan and is reported to the People & Communities Scrutiny Committee.”

With the agreement of the Provost, the mover of the motion agreed to conjoin with the amendment. The conjoined motion was agreed as follows:-

Intergenerational Fife

“Council notes that spending time with other generations helps us to strengthen and regenerate our communities by promoting inclusion and understanding which in turn, helps us to make our communities better and more vibrant places to live and work.

Council notes that we have intergenerational projects across Fife including the ‘Bite and a Blether’ at Waid Community Campus in Anstruther; the intergenerational care village in Methil, and various local Community Learning and Development Action Plans.

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Council agrees that developing an intergenerational Policy, Strategy and Action Plan for Fife would be a significant benefit to Fife and its residents.

Council notes that Generations Working Together has a Corporate Plan (2020 – 2025) and has a Development Officer in post along with many volunteers across Fife.

Council notes that the current Community Learning and Development Plan (2024 – 2027) now has a one-year Bridging Plan until September 2025 due to the National Review of CLD – Learning for All for Life

Council therefore seeks that an Intergenerational Policy, Strategy and Action Plan for Fife, compatible with the Plan for Fife 2017-2027, be developed that would include but not be limited to:

- Increasing knowledge and understanding of intergenerational approaches
- Embedding intergenerational approaches in governance and policy making
- Delivering support and encouraging involvement to benefit all of Fife's generations, by working, learning, volunteering and living together
- Developing more intergenerational places and spaces
- Participating in wider engagement with key stakeholders

Council agrees that the development of an intergenerational policy is built into the CLD Plan and is reported to the People & Communities Scrutiny Committee.”

Decision

The council agreed the conjoined motion unanimously.

Motion 2

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

“Council recognises the importance of the distilling industry to Fife and Scotland.

Council notes that in 2023 the then Chancellor, Jeremy Hunt increased the duty on Scotch Whisky by 10.1%. The impact of this increase was a reduction in revenue for the treasury and a reduction in output.

Council also notes that Sir Keir Starmer announced to the industry that his governments trade strategy would “back Scotch Producers to the hilt”.

Council further notes that the Labour Chancellor announced, in the recent budget, that duty on alcohol would rise in line with the Retail Price Index from February 2025.

Council notes that Nuno Teles, Managing Director of spirits giant Diageo said “he was deeply disappointed by the outcome”. On the campaign trail Labour pledged to “back the scotch whisky industry to the hilt”. Instead the government has broken this promise and slammed even more duty on spirits. This betrayal will leave a bitter taste for drinkers and pubs, while jeopardising jobs and investment across Scotland.

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Council also recognises the huge importance of distilling and bottling to many parts of Fife including Guardbridge, Newburgh, Cupar, Kingsbarns, Charleston, Falkland, Cluny, Glenrothes, and Levenmouth and when the Managing Director of Diageo says the budget could impact jobs and investment it is wise to listen.

Council therefore insists that the Leader of the Council write to Sir Keir Starmer, and Rachel Reeves, highlighting the huge damage this element of the budget could do to Fife businesses, and Levenmouth specifically, and demand that the planned February increase in duty is reversed.”

Amendment 1

Councillor Corps, seconded by Councillor Holt, moved as follows:-

Change Final Paragraph to:

"Council therefore requests that the Leader of the Council writes to the Prime Minister and the Chancellor of the Exchequer to highlight the huge damage this element of the budget could do to businesses across Fife, including a significant impact in Levenmouth and North East Fife, and demand that the planned February increase in duty is reversed."

Amendment 2

Councillor Dempsey, seconded by Councillor Kathleen Leslie, moved as follows:-

Amend para 2 to start with:-

“After a decade of duty being frozen by the then Conservative Government which brought benefits to our whisky industry”

Further add at the end of the motion the following:-

“Council recognises that not only will this punishing rise in duty effect our distillers the addition of increased employers National insurance contributions and pressures being handed out to our farmers by this current Labour Government will also hurt the UK malt barley farmers.”

Amendment 3

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

“Council recognises the importance of the distilling industry to Fife, Scotland and the UK.

Council notes that the Labour Government announced in the recent budget that duty on Alcohol will rise in line with the RPI from February 2025.

When the new Labour Government won the General Election it was clear that the country’s finances were in a parlous state.

Fourteen years of poor economic choices by the Conservative Government created a very difficult situation and a requirement to raise revenues to restore public services.

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The hard choices made by the new Labour Government has meant around a £5bn increase in consequential to Scotland for this year and next. The choices to deliver this uplift are not easy and not without impact.

Policy choices sometimes have unintended consequences and while we are supportive of the investment in public services, through Barnett Consequentials, we ask the Leader of the Council to write to the Prime Minister and Chancellor on the matter of Alcohol Duty.”

With the agreement of the Provost, the mover of the motion agreed to accept Amendment 1 in full and Amendment 2 subject to minor amendments. The conjoined motion was agreed as follows:-

“Council recognises the importance of the distilling industry to Fife and Scotland.

Council notes that in 2023 the then Chancellor, Jeremy Hunt increased the duty on Scotch Whisky by 10.1%. The impact of this increase was a reduction in revenue for the treasury and a reduction in output.

Council also notes that Sir Keir Starmer announced to the industry that his governments trade strategy would “back Scotch Producers to the hilt”.

Council further notes that the Labour Chancellor announced, in the recent budget, that duty on alcohol would rise in line with the Retail Price Index from February 2025.

Council notes that Nuno Teles, Managing Director of spirits giant Diageo said “he was deeply disappointed by the outcome”. On the campaign trail Labour pledged to “back the scotch whisky industry to the hilt”. Instead the government has broken this promise and slammed even more duty on spirits. This betrayal will leave a bitter taste for drinkers and pubs, while jeopardising jobs and investment across Scotland.

Council also recognises the huge importance of distilling and bottling to many parts of Fife including Guardbridge, Newburgh, Cupar, Kingsbarns, Charleston, Falkland, Cluny, Glenrothes, and Levenmouth and when the Managing Director of Diageo says the budget could impact jobs and investment it is wise to listen.

Council recognises that not only will this punishing rise in duty effect our distillers the addition of increased employers National Insurance contributions and pressures being handed out to our farmers by this current Labour Government will also hurt the UK malt barley farmers.

Council therefore requests that the Leader of the Council writes to the Prime Minister and the Chancellor of the Exchequer to highlight the huge damage this element of the budget could do to businesses across Fife, including a significant impact in Levenmouth and North East Fife, and demand that the planned February increase in duty is reversed.”

Roll Call

For the Conjoined Motion – 47 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxil Barrera, John Beare, Aude Boubaker-Calder, James Calder, Ken Caldwell, Rod Cavanagh, Al Clark,

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Eugene Clarke, Fiona Corps, Dave Dempsey, Derek Glen, Brian Goodall, Peter Gulline, Jean Hall Muir, Stefan Hoggan, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, James Leslie, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Julie MacDougall, Lynn Mowatt, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Ross Vettrano, Craig Walker, Darren Watt and Daniel Wilson.

For Amendment 3 – 18 votes

Councillors Tom Adams, Mary Bain-Lockhart, Karen Beaton, Patrick Browne, Alistair Cameron, Ian Cameron, Alex Campbell, Altany Craik, Colin Davidson, Linda Erskine, Judy Hamilton, Cara Hilton, Jim Leishman, Derek Noble, Gordon Pryde, David Ross, Andrew Verrecchia and Jan Wincott.

Decision

Having received a majority of votes, the conjoined motion was accordingly carried.

Councillors Ellis, Hayes and Neal left the meeting during consideration of Motion 2.

Councillors Ellis and Neal rejoined the meeting prior to consideration of Motion 3.

Motion 3

Councillor Walker, seconded by Councillor Backhouse, moved as follows:-

National Insurance:

“Council notes the increased costs to the Council and its partners imposed by the Westminster Labour Government as a result of the announced increase in National Insurance for Employers from 13.8% to 15% from April 2025.

Council directs the Leader of the Council and Chief Executive to write to the Chancellor of the Exchequer and Prime Minister to request the Westminster Government fully reimburse the over £500m costs of employer National Insurance contributions to the public and third sectors in Scotland as a result of the UK Autumn Statement, and that this should include full funding for Fife Council and every Scottish local authority.

Council also recognises that if the Chancellor does not fully reimburse these costs that they will have a detrimental impact on the services the people of Scotland rely on, including here in Fife.”

Amendment 1

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

Change paragraph 2 to:

"Council requests the Leader of the Council writes to the Chancellor of the Exchequer and Prime Minister to request that the UK Government provides the necessary funding to the Scottish Government to cover the significant costs of the National Insurance Contribution increase to bodies providing public services

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in Scotland (including third sector, public sector, GP/Dentistry practices and Social Care Sector) and that this includes full funding for Fife Council and other local authorities. The Council also calls on the Scottish Government to ensure this funding is distributed fairly.”

Amendment 2

Councillor Ross, seconded by Councillor Noble, moved as follows:-

“Council notes:

the possible impacts on the Council and its partners of the increase in Employers National Insurance announced by the UK Government;

that it is likely to be January or February before it is clear the amount of funding that will come from the UK Government to offset this impact;

that the Scottish Government will receive around £5bn in additional consequential for this year and next and that under the devolution settlement it is for the Scottish Government to decide what funding is passed to local government in Scotland to offset the impact of the rise in Employers National Insurance.

Council notes and endorses the position of COSLA agreed unanimously by all 32 council leaders on 6th December as follows:

Leaders note that there is uncommitted revenue grant of £289.3m within the proposed settlement and whilst this is to be welcomed, we are concerned that this will be insufficient to meet the range of financial risks and pressures facing councils over the coming year, including pay, inflation, employers’ National Insurance increases and pressure on social care in particular.

It will be unacceptable for Scottish Councils to be made to meet the bill arising from the changes to national insurance. We will work constructively with both governments on this.

Council agrees that the Council Leader should write to both governments highlighting the possible impacts of the increase in Employers National Insurance on the Council and its partners and requesting that they reach agreement on how these increased costs will be met with no detriment to the Council.”

With the agreement of the Provost, the mover of the motion agreed to accept Amendment 1 subject to minor amendments. The conjoined motion was agreed as follows:-

National Insurance:

“Council notes the increased costs to the Council and its partners imposed by the Westminster Labour Government as a result of the announced increase in National Insurance for Employers from 13.8% to 15% from April 2025.

Council requests the 4 Group Leaders write to the Chancellor of the Exchequer and Prime Minister to request that the UK Government provides the necessary funding to the Scottish Government to cover the significant costs of the National Insurance Contribution increase to bodies providing public services in Scotland (including third sector, public sector, GP/Dentistry practices and Social Care

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Sector) and that this includes full funding for Fife Council and other local authorities. The Council also calls on the Scottish Government to ensure this funding is distributed fairly across the public and third sector.

Council also recognises that if the Chancellor does not fully reimburse these costs that they will have a detrimental impact on the services the people of Scotland rely on, including here in Fife.”

Roll Call

For the Conjoined Motion – 42 votes

Councillors David Alexander, Blair Allan, Naz Anis-Miah, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Aude Boubaker-Calder, James Calder, Ken Caldwell, Rod Cavanagh, Al Clark, Eugene Clarke, Fiona Corps, Derek Glen, Brian Goodall, Jean Hall Muir, Stefan Hoggan, Gary Holt, Andy Jackson, Margaret Kennedy, Louise Kennedy - Dalby, Allan Knox, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Julie MacDougall, Lynn Mowatt, Sarah Neal, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Ross Vettrano, Craig Walker and Daniel Wilson.

For Amendment 2 – 26 votes

Councillors Tom Adams, Mary Bain-Lockhart, Karen Beaton, Patrick Browne, Alistair Cameron, Ian Cameron, Alex Campbell, Altany Craik, Colin Davidson, Dave Dempsey, Gavin Ellis, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Derek Noble, Gordon Pryde, David Ross, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

Decision

Having received a majority of votes, the conjoined motion was accordingly carried.

The meeting adjourned at 3.30 pm and reconvened at 3.40 pm.

Motion 4

Councillor Lawson, seconded by Councillor Kathleen Leslie, moved as follows:-

“Fife Council notes the announcement by the Chancellor on 30th October that Agricultural Property Relief and Business Property Relief would, from 6th April 2026, only apply to the first £1 million of assets being passed to the next generation upon death of the owner.

Fife has a large number of farms producing high quality food for consumption across the UK. The food sector in Fife is a major employer, and farms are great contributors to preserving and enhancing the quality of our countryside. Only a small proportion of farms in Fife will have assets of less than £1 million given that farm assets include all land, buildings, equipment and livestock.

It has become clear from the large demonstrations which have taken place in London, Edinburgh, Dover and elsewhere in UK that the Chancellor and Treasury have failed to understand not only the public support for the farming community, but also the basic economics of farming, which requires a large amount of capital

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to produce a very modest amount of income. Family farmers regard themselves as temporary custodians of their farm before it is passed to the next generation, hopefully in a better state than before.

The changes proposed by the Chancellor which are due to take effect on 6th April 2026 leave insufficient time for elderly farmers to change their future planning under the 7 year rule. To do so they would have had to have gifted their farm before 6th April 2019. With the very real threat of insolvency some are suffering acute anxiety and contemplating desperate measures.

There is no precedent for such retroactive legislation in UK. While it may be proper to withdraw or modify APR and BPR relief on farms which may be bought in future by investors seeking to avoid inheritance tax, there should be no change to the inheritance tax regime affecting current owners, at least until 2032.

Fife Council, therefore, resolves to write to the Chancellor requesting that this change in APR and BPR be reconsidered and if not cancelled then its effect deferred until 2032 for any farm owner who acquired their farm before 1st November 2024."

Amendment 1

Councillor Holt, seconded by Councillor Corps, moved as follows:-

Add the following line to the end of the final paragraph:

"In addition, the letter should make the case for exempting working farms from these provisions."

Amendment 2

Councillor Craik, seconded by Councillor Ian Cameron, moved as follows:-

"Fife Council notes the announcement by the Chancellor on 30th October that Agricultural Property Relief and Business Property Relief would, from 6th April 2026, only apply to the first £1 million of assets being passed to the next generation upon death of the owner.

Fife has a large number of farms producing high quality food for consumption across the UK.

The food sector in Fife is a major employer, and farms are great contributors to preserving and enhancing the quality of our countryside.

Family farmers regard themselves as temporary custodians of their farm before it is passed to the next generation, hopefully in a better state than before.

The changes proposed by the Chancellor which are due to take effect on 6th April 2026

Changes to APR and BPR are small steps to redressing the fiscal mess left by the previous five conservative prime ministers.

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A tax system should be fair to everyone and only incentivise the behaviours that meet our aims of a fairer society. How this is to be achieved is a task for the new government.

The lead in to the new reliefs is fair and will impact many less people than is being suggested. The ability to pay the tax liability over a decade is not one that is extended to most of us.

If the public finances the new Labour Government inherited were healthier I am sure the Chancellor would have considered a longer lead in to implementation.

Fife Council, therefore, asks the Leader of the Council to write to the Chancellor requesting that the implementation of this change in APR and BPR be reconsidered to allow for tax planning among our farming community.”

Amendment 3

Councillor Kennedy-Dalby, seconded by Councillor Patrick, moved as follows:-

Delete the last paragraph and replace it with:

“Council notes that the tax system should support our farming community as custodians of our countryside and that arbitrary decisions in relation to taxation with no impact assessments or understanding of the cumulative effects on farmers are damaging to the industry and those dependant on it.

Council notes that the Chancellor of the Exchequer chose not to work with the devolved Governments before her Budget on 30 October 2024, nor to consult with farmers, crofters and other rural stakeholders about the Budget's effects on Scotland's rural economy, including breaking the vital link between funding for Scotland's farmers and its land mass, and the changes to agricultural property relief, which will affect succession planning in farms throughout Scotland.

Council is concerned at the apparent failure of the Westminster Government to fully assess the impacts of those budget changes on Scotland's rural economy or to publish any such assessments and calls on the Westminster Government to urgently do so.

Council, therefore, directs the Chief Executive to write to the Chancellor of the Exchequer requesting that this announced change in APR and BPR be rescinded and if not, then its effect deferred until 2032 for any farm owner who acquired their farm before 1st November 2024 and for the powers relating to APR and BPR be devolved to the Scottish Parliament.

With the agreement of the Provost, the mover of the motion agreed to accept Amendment 1 and the mover of Amendment 2 withdrew their amendment. The conjoined motion was agreed as follows:-

“Fife Council notes the announcement by the Chancellor on 30th October that Agricultural Property Relief and Business Property Relief would, from 6th April 2026, only apply to the first £1 million of assets being passed to the next generation upon death of the owner.

Fife has a large number of farms producing high quality food for consumption across the UK. The food sector in Fife is a major employer, and farms are great

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contributors to preserving and enhancing the quality of our countryside. Only a small proportion of farms in Fife will have assets of less than £1 million given that farm assets include all land, buildings, equipment and livestock.

It has become clear from the large demonstrations which have taken place in London, Edinburgh, Dover and elsewhere in UK that the Chancellor and Treasury have failed to understand not only the public support for the farming community, but also the basic economics of farming, which requires a large amount of capital to produce a very modest amount of income. Family farmers regard themselves as temporary custodians of their farm before it is passed to the next generation, hopefully in a better state than before. The changes proposed by the Chancellor which are due to take effect on 6th April 2026 leave insufficient time for elderly farmers to change their future planning under the 7 year rule. To do so they would have had to have gifted their farm before 6th April 2019. With the very real threat of insolvency some are suffering acute anxiety and contemplating desperate measures.

There is no precedent for such retroactive legislation in UK. While it may be proper to withdraw or modify APR and BPR relief on farms which may be bought in future by investors seeking to avoid inheritance tax, there should be no change to the inheritance tax regime affecting current owners, at least until 2032.

Fife Council, therefore, resolves to write to the Chancellor requesting that this change in APR and BPR be reconsidered and if not cancelled then its effect deferred until 2032 for any farm owner who acquired their farm before 1st November 2024. In addition, the letter should make the case for exempting working farms from these provisions.”

Roll Call

For the Conjoined Motion – 37 votes

Councillor Tom Adams, Mary Bain-Lockhart, Karen Beaton, Aude Boubaker-Calder, Patrick Brown, James Calder, Alistair Cameron, Ian Cameron, Alex Campbell, Al Clark, Eugene Clark, Fiona Corps, Altany Craik, Colin Davidson, Dave Dempsey, Gavin Ellis, Linda Erskine, Peter Gulline, Judy Hamilton, Cara Hilton, Gary Holt, Margaret Kennedy, Allan Knox, Robin Lawson, Jim Leishman, James Leslie, Kathleen Leslie, Jane Ann Liston, Donald Lothian, Derek Noble, Gordon Pryde, David Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Jan Wincott and Conner Young.

For Amendment 3 – 29 votes

Councillors David Alexander, Blair Allan, Lesley Backhouse, Alistair Bain, Lynn Ballantyne-Wardlaw, David Barratt, Auxi Barrera, John Beare, Ken Caldwell, Rod Cavanagh, Derek Glen, Brian Goodall, Jean Hall Muir, Stefan Hoggan, Andy Jackson, Louise Kennedy-Dalby, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Julie MacDougall, Sarah Neal, Nicola Patrick, Bailey-Lee Robb, Sam Steele, Alistair Suttie, Ann Verner, Ross Vettraino, Craig Walker and Daniel Wilson.

Decision

Having received a majority of votes, the conjoined motion was accordingly carried.

Councillors Mowatt and Anis-Miah left the meeting during consideration of Motion 4.

Motion 5

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

“Council notes proposed reductions by ScotRail to the opening hours of ticket offices of railway stations in Fife; these are Aberdour, Leuchars, Cowdenbeath and Cupar.

Council notes that there could be concerns amongst users of these stations in Fife's communities.

Council resolves to ask the Council Leader to write to the Scottish Transport Minister to request they intervene in order to protect this service.”

Decision

The council agreed the motion unanimously.

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

No business was brought forward under this item.