

THE FIFE COUNCIL - FIFE COUNCIL - GLENROTHES

2nd May, 2019

10.00 a.m. – 11.50 a.m.
and 12.45 p.m. – 4.50 p.m.

PRESENT: Councillors Julie Ford (Convener), David Alexander, Lesley Backhouse, Alistair Bain, David Barratt, John Beare, Tim Brett, James Calder, Ken Caldwell, Ian Cameron, Alex Campbell, Rod Cavanagh, Bobby Clelland, Dave Coleman, Bill Connor, Altany Craik, Colin Davidson, Dave Dempsey, John Docherty, Gavin Ellis, Linda Erskine, Ian Ferguson, David Graham, Fiona Grant, Mick Green, Gary Guichan, Garry Haldane, Jean Hall-Muir, Judy Hamilton, Zoe Hisbent, Linda Holt, Margaret Kennedy, Gordon Langlands, Helen Law, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Mino Manekshaw, Karen Marjoram, Tony Miklinski, Derek Noble, Dominic Nolan, John O'Brien, Tony Orton, Ross Paterson, Bill Porteous, Graham Ritchie, David Ross, David J Ross, Fay Sinclair, Sam Steele, Jonny Tepp, Brian Thomson, Ann Verner, Andrew Verrecchia, Ross Vettraino, Craig Walker, Darren Watt, Richard Watt and Jan Wincott.

APOLOGIES FOR ABSENCE: Councillors Alistair Cameron, Alan Craig, Neil Crooks, Andy Heer, Jim Leishman, Mary Lockhart and Ryan Smart.

The Depute Provost advised that in terms of Standing Order 3.9, she intended to bring forward Motion 6 from agenda item 8 – Notice of Motions to be considered after Declarations of Interest, to allow Councillor Walker to move his motion and participate in the debate.

116. DECLARATIONS OF INTEREST

Councillor Graham Ritchie, declared an interest in paragraph 123 below – Motion 8, as his family has an interest in an agricultural business.

Councillors Alistair Bain, David Barratt, Kathleen Leslie and Lesley Backhouse all declared a non-financial interest in paragraph 123 below - Motion 10, as they were all Council appointees to the Mossmorran and Braefoot Bay Independent Air Quality Review Group or Mossmorran and Braefoot Bay Community and Safety Committee, but considered that, after application of the objective test, their interest was not clear and substantial so they would remain and participate.

Councillor Linda Holt declared an interest in paragraph 123 below - Motion 10, as her husband is the Chair of the Mossmorran Action Group.

117. MOTION 6

Councillor Craig Walker, seconded by Councillor Rosemary Liewald, moved as follows:-

Organ/

Organ Donation

“Council welcomes the proposed Scottish Government Bill on moving towards a system of ‘opt out organ donation’ and welcomes the level of cross party and public support.

Council notes there is encouraging evidence that, as part of a package of measures, and opt out system can lead to increases in organ donation and transplantation.

In agreeing this motion, council hopes to contribute to a wider awareness of both deceased and living donation as a life-saving act, increasing donation rates and saving lives.”

Amendment

Councillor David J Ross, seconded by Councillor Kathleen Leslie, moved as follows:-

- Council recognises and appreciates the need for increased organ donation.
- Council also recognises the right of the individual to make an informed decision on an individual basis.
- Council therefore asks the Scottish government to take all possible measures to encourage people to sign-up on a voluntary basis for organ donation.

Vote

Amendment	-	9 votes
Motion	-	53 votes

Decision

The Council agreed in terms of the motion.

118. CIVIC BUSINESS

There was tabled at the meeting a Civic Business Bulletin, a copy of which is appended as Appendix 1 to the minute.

119. MINUTE OF FIFE COUNCIL OF 7TH MARCH, 2019

The Depute Provost, seconded by Councillor Brett, moved that the minute of the meeting of Fife Council of 7th March, 2019 be approved.

Decision

The minute was approved.

120. MINUTES OF COMMITTEES AND SUB-COMMITTEES

The minutes of the undernoted Committee and Sub-Committees, as contained in the volume of minute (available on FISH and FifeDirect), were submitted for accuracy.

- (1) Regulation and Licensing Committee of 12th February, 2019 and 12th March, 2019.
- (2) North East Planning Committee of 6th March, 2019 and 3rd April, 2019.
- (3) Central Area Planning Committee of 4th March, 2019 and 1st April, 2019.
- (4) West Planning Committee of 13th March, 2019 and 10th April, 2019.
- (5) Fife Planning Review Body of 25th February, 2019 and 9th April, 2019
- (6) Environment, Protective Services and Community Safety Committee of 4th April, 2019.
- (7) Education and Children's Services Committee of 19th March, 2019 (together with the minutes of the Education Appointment Committee of 11th February and 20th February, 2019).
- (8) Community and Housing Services Committee of 11th March, 2019 and 11th April, 2019.
- (9) Assets, Property and Facilities Committee of 21st March, 2019.
- (10) Policy and Coordination Committee of 28th March, 2019 (together with minutes of the Superannuation Fund and Pensions Sub-Committee of 11th February, 2019, Appeals Sub-Committee of 25th January, 2019 and Appointments Sub-Committee of 1st March, 2019).
- (11) Scrutiny Committee of 2nd April, 2019.
- (12) Standards and Audit Committee of 28th February, 2019.
- (13) Economy, Tourism, Strategic Planning and Transportation Committee of 14th March, 2019.
- (14) City of Dunfermline Area Committee of 26th March, 2019.
- (15) Glenrothes Area Committee of 6th March, 2019.
- (16) South and West Fife Area Committee of 27th February, 2019.
- (17) Kirkcaldy Area Committee of 26th February, 2019.
- (18) North East Fife Area Committee of 20th March, 2019.
- (19) Levenmouth Area Committee of 3rd April, 2019.
- (20) Cowdenbeath Area Committee of 20th March, 2019.
- (21) Health and Social Care Integration Joint Board of 20th February, 2019 and 28th March, 2019 (subject to approval by the Integration Joint Board at their meeting on 26th April, 2019).

Decision

The minutes were noted.

Councillor Ferguson left the meeting following consideration of the above item.

121. CO-LEADERS REPORT

The Council considered a report from the Co-Leaders on a number of strategic issues.

The/

The Co-Leaders provided updates on a number of issues in response to questions from members.

*Councillor Walker left the meeting during consideration of the above item.
Councillor Suttie joined the meeting during consideration of the above item.*

122. QUESTION TIME

In terms of Standing Order No. 1.7, the questions put by members to the meeting, written answers and supplementary questions, are contained in Appendix 2 to the minute.

The meeting adjourned at 11.50 a.m.

The meeting reconvened at 12.45 p.m.

PRESENT: Councillors Julie Ford (Convener), David Alexander, Lesley Backhouse, Alistair Bain, David Barratt, John Beare, Tim Brett, Ken Caldwell, Ian Cameron, Alex Campbell, Rod Cavanagh, Bobby Clelland, Dave Coleman, Bill Connor, Altany Craik, Colin Davidson, Dave Dempsey, John Docherty, Gavin Ellis, Linda Erskine, David Graham, Fiona Grant, Mick Green, Gary Guichan, Garry Haldane, Jean Hall-Muir, Judy Hamilton, Zoe Hisbent, Linda Holt, Gordon Langlands, Helen Law, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Jane Ann Liston, Donald Lothian, David MacDiarmid, Mino Manekshaw, Karen Marjoram, Tony Miklinski, Derek Noble, Dominic Nolan, John OBrien, Tony Orton, Ross Paterson, Bill Porteous, Graham Ritchie, David Ross, David J Ross, Fay Sinclair, Sam Steele, Alistair Suttie, Jonny Tepp, Ann Verner, Andrew Verrecchia, Ross Vettraino, Darren Watt, Richard Watt and Jan Wincott.

123. NOTICE OF MOTIONS

The Committee considered a report by the Head of Legal and Democratic Services which requested the Council consider the motions submitted in terms of Standing Order 8.1.

Motion 1

Councillor Tony Miklinski, seconded by Councillor David J Ross, moved as follows:-

“This Council recognises the Fife Integration Joint Board (IJB) £7M in year budget gap that will need to be closed by finding further savings measures. This Council acknowledges that further cuts, on top of those already approved, will likely be extremely damaging to Health and Social Care services for the most vulnerable members of the public.

This/

2019 FC 156

This Council further recognises that the Fife IJB was underfunded by some £11M at inception and that this shortfall has carried forward since 2016.

The Council believes that:

- the Scottish Government is responsible for this shortfall
- inflicting cuts on the most vulnerable people in Fife, in order to balance the budget gap caused by the shortfall, is unacceptable
- the/
- the Scottish Government's highest priority, within those powers devolved, should be the wellbeing of Scottish Citizens.

Accordingly, this Council will write to the Cabinet Secretary for Health and Sport to request that the Fife IJB's budget is increased by £7M in year, and on a recurring basis."

Amendment

Councillor David Graham, seconded by Councillor Rosemary Liewald, moved as follows:-

"Council notes the significant funding pressures on Fife's Health and Social Care Partnership and its Integration Joint Board.

Fife Council notes the decision of the Integrated Joint Board to balance it's budget over a 3 year period.

Fife Council notes that there is a £6.55 million gap to be funded in year 3. This represents 1.2% of the base budget of £530 million. However, it is acknowledged that the cumulative impact of budget reductions will be extremely damaging to health and social care services. Council also notes the historic underfunding of the Health and Social Care Partnership but that this was addressed from the Council side through additional funding in previous years.

Council further notes that the Council is working constructively with NHS Fife and the Health and Social Care Partnership to address these financial challenges and to reshape services to better meet the needs of individuals and communities across Fife.

Council endorses the action of the Co-Leaders in writing to Jeanne Freeman MSP, Cabinet Secretary for Health and Sport seeking a meeting to discuss how the Scottish Government might support the Council, NHS Fife and the Health and Social Care Partnership to address these challenges."

Vote

Amendment	-	39 votes
Motion	-	19 votes

Decision/

Decision

The Council agreed in terms of the amendment.

Councillor Cavanagh left the meeting following consideration of the above item.

Motion 2

Councillor Kathleen Leslie, seconded by Councillor Linda Holt, moved as follows:-

“Council notes:

- Children born in January or February can be deferred automatically at parental request and will not require assessment. These children will be entitled to a further year of free nursery education.
- The Give Them Time campaign survey found that whilst 80% of parents were aware of the right to defer for children born in January and February only 19% were aware of the right to defer for those born between September and December.

Council believes that:

- Children born from September to December are also entitled to be deferred for a year at parental request and should also receive a funded nursery place for this extra year. This should not require any additional assessment.
- An additional funded year should be able to be taken at either a Council nursery or a Partner Provider.

Council therefore instructs officers to prepare a report for consideration by the Education & Children’s Services Committee on the adoption of that policy.

Council additionally:

Asks officers to ensure that information on the right to defer is clearly available both on Fife Direct and in nursery settings (both Council and Partner Providers).”

Amendment

Councillor Fay Sinclair, seconded by Councillor Linda Erskine, moved as follows:-

“All children whose 5th birthday falls after the first day of the new term may be deferred from entry to Primary 1, at parental request, until the following August, as outlined in Fife Council’s School Admissions Policy.

Council notes the work of Give Them Time’s campaign for a transparent, consistent and child-centred approach to be taken by all Scottish local authorities when considering funding requests for an extra year of nursery for a child who has a legal right to be deferred.

Council/

2019 FC 158

Council therefore endorses Fife's policy of providing an additional year of funded nursery for children born mid-August to December on a discretionary basis, where it is assessed as being in the best interests of the child, in addition to the automatic funded places for those children born in January or February.

Decisions on discretionary funded nursery places for deferred entry requests are made by Education Managers based on all information provided, including from parents, assessment by the headteacher and staff of the nursery and, where appropriate, the link educational psychologist and other services such as SALT. The decision to defer should not be taken lightly as it is irreversible and can have implications throughout the child's school life, including the pupil leaving school at 16 without having had the opportunity to be presented for any formal qualifications.

Council instructs the Education and Children's Services to ensure that this information is easily accessible to parents and carers so that an informed decision can be taken on any deferred entry to P1."

Vote

Amendment	-	39 votes
Motion	-	18 votes

Decision

The Council agreed in terms of the amendment.

Motion 3

Councillor Jane Ann Liston, seconded by Councillor Tim Brett, moved as follows:-

"Recognising the growing concerns over climate change, Fife Council instructs officers to prepare a report on the introduction of an environmental impact assessment process for all policy changes and for this report to be considered by the Policy and Co-ordination Committee in due course."

Decision

The Council agreed the motion unanimously.

Motion 4

Councillor Dave Dempsey, seconded by Councillor Richard Watt, moved as follows:-

"Council asks the Co-Leaders to include within their report to the next Council meeting an update of progress towards their Programme of Administration published in 2017 including a note of which objectives have been achieved, details of the evidence for that achievement and estimates for the completion dates for those achievements that remain uncompleted."

Amendment/

Amendment

Councillor David Ross, seconded by Councillor David Alexander, moved as follows:-

“Council notes that it has been past practice for the Council Leader to produce an annual statement for the Autumn Council meeting and that the Co-Leaders intend to continue this practice, including appropriate reference to the Programme of Administration.”

Vote

Amendment	-	39 votes
Motion	-	18 votes

Decision

The Council agreed in terms of the amendment.

Councillor Leslie left the meeting during consideration of the above item and was not present for the vote.

Motion 5

Councillor Dave Dempsey, seconded by Councillor Dave Coleman, moved as follows:-

“Council

- Notes with deep regret the recent decisions by Scottish Government Reporters to grant appeals against the Council’s refusal of planning permission for sites in Crossford and Aberdour.
- Notes that SESplan2 has been with the Scottish Minister for some time.
- Asks the Minister to look closely at these applications and, if possible, call them in for reconsideration.
- Asks the Minister to conclude the examination of SESplan2 as quickly as possible.”

Amendment

Councillor John Beare, seconded by Councillor Altany Craik, moved as follows:-

“Council notes the recent decisions by the Scottish Government Reporters to grant appeals against the Council’s refusal of planning permission for sites in Crossford and Aberdour, and that it would be possible for the Minister to call them in.

Council further notes that SESPlan2 has been with the Scottish Minister for some, asks the Co-Leaders to write to the Minister requesting that the Minister conclude the examination of SESPlan2 as quickly as possible.”

Vote/

Vote

Amendment	-	39 votes
Motion	-	14 votes

Councillor Leslie rejoined the meeting during consideration of the above item.

The Depute Provost granted a 5 minute recess to allow members to consider circulated amendments. The meeting reconvened at 2.50 p.m.

Motion 6

This item was brought forward to be considered at the start of the meeting at the discretion of the Depute Provost.

Motion 7

Councillor Linda Holt, seconded by Councillor Dave Dempsey, moved as follows:-

“In the interests of transparency, accountability and good governance, Council asks that the Guidance recently issued by the Head of Legal and Democratic Services concerning the competency of motions be:

(1) referred to the Governance Working Group which would enable the members to discuss these in more detail; and

(2) incorporated into draft Standing Orders in due course.”

Amendment

Councillor David Ross, seconded by Councillor David Alexander, moved as follows:-

“Council notes that it is for the Proper Officer – usually the Head of Legal and Democratic Services – to make a decision on the competency of a motion submitted in advance of a meeting and, if a motion or amendment is submitted during a meeting, the Convener will determine competence based on advice from legal adviser or committee officer as required. It is not a matter for discussion by members.

Council asks the Head of Legal and Democratic Services to consider adding her guidance as an appendix to the Council’s Standing Orders.”

Vote

Amendment	-	43 votes
Motion	-	14 votes

Decision/

Decision

The Council agreed in terms of the amendment.

Councillor Ritchie left the meeting having declared an interest in the following item.

Motion 8

Councillor Bill Porteous, seconded by Councillor Tim Brett, moved as follows:-

“Council supports the National Farmers Union Scotland & the NFU of England and Wales in calling for the immediate Quadrupling of the proposed Non - EU Migrant Agricultural Workers Scheme so that Farmers in Fife and elsewhere can sustain their businesses.”

Amendment 1

Councillor Gary Guichan, seconded by Councillor David Ross, moved as follows:-

Add

“Council believes that it is important that the employment rights, conditions and pay rates of migrant workers are properly protected.

Council notes that up to 14,000 non EU migrants were employed on a temporary basis during harvest in 2016 and the current UK Government proposals would prevent farming needs being met and jeopardise the Fife and Scottish agricultural industry.

Council condemns the UK Government’s White Paper on immigration based on arbitrary and unmanageable thresholds that would damage the Fife and Scottish economies and setting a salary threshold of £30k that does not take account of Scotland’s farming or other employment needs.”

Amendment 2

Councillor Dave Dempsey, seconded by Councillor David J Ross, moved as follows:-

“Council believes that it is important that the employment rights, conditions and pay rates of migrant workers are properly protected.

Council notes that the Non-EU Migrant Agricultural Workers Scheme is proposed and considers that time should be allowed for its evaluation.”

With the consent of the Depute Provost, the movers of the Motion and Amendment 1 agreed to conjoin.

Vote/

Vote

Amendment 2 - 9 votes
Conjoined Motion - 45 votes

Decision

The Council agreed in terms of the conjoined motion.

Councillor Ritchie rejoined the meeting.

Councillor Coleman left the meeting prior to consideration of the following item.

Motion 9

Councillor Fiona Grant, seconded by Councillor David Graham, moved as follows:-

“Increasing numbers of Fifers and their families are living with dementia. To show leadership in promoting increased public understanding of the condition, Fife Council agrees that every Councillor will complete Dementia Friendly training.

Fife Council congratulates Leslie Community Council on becoming the first fully Dementia Friendly training community council and encourages other community groups and organisations to take up the free online training.”

Decision

The Council agreed the motion unanimously.

Councillor Linda Holt left the meeting having declared an interest in the following item.

Motion 10

Councillor Darren Watt, seconded by Councillor Mick Green, moved as follows:-

“Council will press the Scottish Government to commission an independent expert study of the environmental, social and health impacts on the surrounding communities of the operations of Shell’s Fife NGL Plant and ExxonMobil’s Fife Ethylene Plant at Mossmorran.”

Amendment 1

Councillor David Ross, seconded by Councillor Linda Erskine, moved as follows:-

“Council notes the series of meetings convened by Lesley Laird MP bringing together Shell, ExxonMobil, SEPA, HSE, the Council, elected and community representatives which have been positive in improving communications between these groups and encouraging further action by the companies and by SEPA.

Council/

2019 FC 163

Council believes however that the most recent flaring incident, one of the most severe experienced at the plant, shows that the frequency and severity of flaring incidents is unacceptable to local communities in the surrounding area.

Council therefore agrees to:

1. Request the Scottish Government to commission an independent expert study of the environmental, social and health impacts on the surrounding communities of the operations of Shell's NGL Plant and ExxonMobil's Fife Ethylene Plant at Mossmorran.
2. Engage again directly with SEPA and the companies to discuss the action needed to prevent and minimize incidents of flaring at the plant.
3. Press SEPA to take strong enforcement action based on previous 'Final Warning Letters', the Best Available Techniques (BAT) assessment issued this week, and its formal regulatory investigation into the most recent flaring incident.
4. Seek appropriate and substantial compensation from the companies to individuals and communities affected by flaring incidents.
5. Seek discussions with the Scottish and UK Governments, the companies and trade unions regarding the long term future of the plant and a possible strategy for its decommissioning."

Amendment 2

Councillor Ross Vettraino, seconded by Councillor David Barratt, moved as follows:-

"Council shares the concerns, which have been expressed by the local and wider communities, about emissions from the Shell NGL Plant and ExxonMobil's Fife Ethylene Plant at Mossmorran.

Council agrees that there is a need to commission an independent expert study of the environmental, social and health impacts on the surrounding communities of the operations of site, but believes the council is best placed to drive this forward, working with SEPA, NHS Fife and the Mossmorran and Braefoot Bay Independent Air Quality Review Group.

Council also welcomes that the Mossmorran and Braefoot Bay Independent Air Quality Review Group has expressed a wish for its scope to be extended to cover the monitoring of light, sound and vibration in addition to air quality and that the operators of the plant would continue to meet the costs of this in line with their responsibilities under the original planning consent.

Council/

Council considers that in commissioning the additional study, the council can better control the extent and pace of the initiative and agrees, as a first step, that SEPA, NHS Fife and the management at Mossmorran and Braefoot Bay be invited to meet with the Environment, Protective Services and Community Safety Committee at its next meeting.”

With the consent of the Depute Provost, the movers of the Motion and Amendment 1 agreed to conjoin.

Roll Call

On the motion of Councillor Richard Watt, seconded by Councillor Dave Dempsey, it was agreed, by the required majority of members, that the vote be taken by calling the roll.

Members voted as follows:-

For the Conjoined Motion – 32 votes

Councillors Tim Brett, Ian Cameron, Alex Campbell, Bobby Clelland, Altany Craik, Colin Davidson, Dave Dempsey, Gavin Ellis, Linda Erskine, David Graham, Mick Green, Gary Guichan, Garry Haldane, Judy Hamilton, Gordon Langlands, Helen Law, Jane Ann Liston, Donald Lothian, Mino Manekshaw, Tony Miklinski, Derek Noble, Dominic Nolan, Tony Orton, Ross Paterson, Graham Ritchie, David Ross, David J Ross, Jonny Tepp, Andrew Verrecchia, Darren Watt, Richard Watt and Jan Wincott.

For Amendment 2 – 23 votes

Councillors David Alexander, Lesley Backhouse, Alistair Bain, David Barratt, John Beare, Ken Caldwell, Bill Connor, John Docherty, Julie Ford, Fiona Grant, Jean Hall Muir, Zoe Hisbent, Rosemary Liewald, Carol Lindsay, David MacDiarmid, Karen Marjoram, John O’Brien, Bill Porteous, Fay Sinclair, Sam Steele, Alistair Suttie, Ann Verner and Ross Vettrano.

Decision

The Council agreed in terms of the conjoined motion.

*Councillor Leslie left the meeting during consideration of the above item.
Councillor Holt rejoined the meeting.*

Motion 11

Councillor Altany Craik, seconded by Councillor John Beare, moved as follows:-

“The Planning Bill is currently making its way through the committee system at Holyrood and will be consulted upon shortly. Over the years a number of appeals by developers to the Reporter have been successful. Those in the local community who will have to live with the impact of this decision have no similar right of appeal.

Council/

Council believes that the planning system is unbalanced in the application of the right to appeal decisions. The Joint Administration Agreement states that we will lobby for a Community Right of Appeal and asks the Co-Leaders to write directly to the Minister stating our support for a rebalancing of the rights of appeal bringing communities to the heart of the decisions that they will have to live with.”

Decision

The Council agreed the motion unanimously.

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

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

CIVIC BUSINESS BULLETIN

MAY 2019

CIPFA Team of the Year Award

Fife Council Finance Operations Team have been awarded the CIPFA Team Of the Year Award which recognises the achievements of a team in delivering excellence and clear benefits in their own organisation, one or more other organisations in Scotland, or to the public finance profession as a whole, through working together efficiently and effectively.

Since inception, the Finance Operations Team have introduced innovative ways of working, automated processes, maximised technologies and removed duplication. The award recognises the efforts from all staff within the team.

Scottish Sensory and Equality Awards 2019

Fife's Sensory Impairment Sub Group, Chaired last year by John Mills in Housing, were nominated for an award at the Scottish Sensory and Equality Awards 2019, held on 15 March at the Glasgow Hilton.

The award ceremony theme was Communication for All and the specific award our group was nominated for was sponsored by ScotRail and was for Outstanding approach to promoting partnership working across all services for people with a sensory loss in a specific local area (organisation/community group).

Social Worker of the Year

Fife Council Social Worker Morag Ranson won social worker of the year at a recent Scottish Association of Social Work award ceremony.

Gold Award for Tenant Participation

FIFE Council's work and engagement with council tenants has won the organisation a Gold Award.

The accolade from the Tenant Participation Advisory Service recognises the council's strong partnership with tenants and the work they do together to improve local communities and influence decision-making.

Death of Former North East Fife District Councillor

John Dott was a former North East Fife District Councillor from approximately 1990 until local government reorganisation in 1993 when he became a community councillor.

Fife Pupil Youngest NASCAR Driver

Ben Creanor is in S4 at Dunfermline High School and on the 13th April aged only 16 years and 29 days became the youngest ever NASCAR (National Association of Stock Car Auto Racing) driver, and first Scot, when he started his first races in the Euro NASCAR series in front of 20,000 fans in Valencia, Spain. He finished 11th (out of 28) in his first race and would have finished 8th in his second if he had not had a brake failure at 120mph which meant he had to retire.

The cars Ben races in are 450 horse power vehicles capable of speeds in excess of 150mph and this year, in between sitting his National 5 exams, he will race in 8 countries across Europe against drivers that include former F1 stars, touring car and Le Mans sports car drivers as well as experienced NASCAR drivers from the USA.



MEETING OF FIFE COUNCIL

THURSDAY, 2ND MAY, 2019 AGENDA ITEM NO. 7 - QUESTION TIME

QUESTION 1 FROM COUNCILLOR DAVE DEMPSEY

Will the £95,000 cap on 'golden goodbyes' announced on April 10th by the UK Government apply in Scotland?

Answer

The UK Government issued consultation on proposed draft regulations on exit payments in the public sector on 10th April 2019. The Government has previously enacted framework powers in the 2015 Small Business, Enterprise and Employment Act to allow for a cap of £95k on exit payments in the public sector however secondary legislation is required to implement this.

The regulations **do not** cover payments made by a relevant Scottish Authority.

The Scottish Government has previously consulted on the proposed reforms to public sector exit payments and no further guidance has been issued to date.

Supplementary

£467,000 was the largest package in Fife. Do you approve or justify this?

Answer

I don't justify or have an opinion on this as each situation is different. Appropriate payments will be paid depending on pension contributions and a rigorous process is undertaken to ensure that the payback can be achieved.

QUESTION 2 FROM COUNCILLOR TIM BRETT

The recent Audit Scotland report on Challenges and Performance 2019 for Local Government in Scotland highlighted that an increasing proportion of the workforce is nearing retirement. What action is the Council taking to address this and ensure succession planning takes place?

Answer

Each Service is required to produce a Service Workforce Action Plan (SWAP). These are produced over a rolling 3-year period and are reviewed annually. They are both in line with, and linked to, Service Change Plans (SCP). Within the SCP Services analyse the workforce make-up of their Service in its current and forecasted future state. This includes the number, age profile and skills gaps of their workforce. Within the SWAP they set out an action plan of how they will transition from current to future workforce needs. This should show how services will meet any forecasted succession gaps.

A Corporate Workforce Action Plan (CWAP) is also produced to address cross-organisational or significant specific workforce needs of the organisation. Were a significant succession issue to be identified this would also be recorded and monitored through the CWAP.

In mitigation of potential Brexit impacts we continue to

- work to identify non-UK EU employees and engage them with ongoing positive communications,
- work with Services to address role occupancy, and
- engage with partner organisations.

Supplementary

Do the reports referred to go to committee and can members have sight of them?

Answer

Yes

QUESTION 3 FROM COUNCILLOR DAVE DEMPSEY

Why has it proved impossible to date to identify funding to restore and operate a public toilet at the Forth Bridge, Fife's only World Heritage Site, and what needs to be done to rectify this?

Answer

The Forth Bridges Tourism Strategy 2019-2029 was launched on 24th April 2019 and sets out an ambition for a clear, regional delivery plan across three strategic outcomes :

- Creating a visitor destination;
- Offering a warm welcome to all; and
- Marketing the destination

A starting point for realising the tourism benefits of the three bridges as an asset was UNESCO's inscription of the Forth Bridge on to the World Heritage list on 5th July, 2015. The Forth Bridges Tourism Strategy contains a range of suggested actions to enable the delivery of the above strategic outcomes. This includes ensuring visitor facilities such as public toilets and digital visitor information are available particularly in North Queensferry.

The North Queensferry Automatic public Convenience toilets made a loss of approximately £10k per year In 2017/18, elected members agreed to close this facility as a part of budget savings.

Whilst neither the construction nor ongoing revenue requirements for a toilet facility would fit the current funding criteria for Fife Environmental Trust funds, officers responsible for maintaining toilets will continue to examine opportunities for funding investment in toilet facilities as appropriate, particularly to support the visitor economy in North Queensferry and assist in mitigating the visitor impacts for the settlement.

Within the second strand of the Forth Bridges Tourism Strategy, *Offering a Warm Welcome to All*, communities forming part of the wider Forth Bridges area are encouraged to welcome the opportunities arising from World Heritage tourism. Officers assess that local attractions have toilet facilities which can be readily accessed by visitors, including hotels and attractions. However, officers will review the need for further facilities based on tourist demands.

QUESTION 4 FROM COUNCILLOR LINDA HOLT

What is the latest outlook for an application by Fife Council to the £1.6 billion Stronger Town's Fund announced by the UK Government in March?

Answer

On 4th March 2019, the UK Government announced the Stronger Towns Fund.

This is reported to be an additional sum of £1.6 billion pounds to support UK towns. £1 billion has been allocated to areas throughout England on a needs basis and £600 million will be made available through a bidding process to communities across the UK.

The £1 billion allocation within the Stronger Towns Fund is designed to target funding towards towns with economies that are performing relatively less well to the England average, whose residents are living on lower incomes, and where larger proportions of the population have low skill attainment. Allocations are set out in Table A, below, based on a formula which considers a combination of productivity, income, skills, deprivation metrics and proportion of the population living in towns.

Region	Allocation (£m)
North West	281
North East	105
Yorkshire and The Humber	197
West Midlands	212
East Midlands	110
South West	33
South East	37
East of England	25

Table A: Allocation of the UK Stronger Towns Funds to English Regions

The UK Government has noted that towns in the rest of the United Kingdom are intended to also benefit from the Fund, building on City Region and Regional Growth Deals initiatives.

At this time, no details have been published on the application process for the competitive element of the Stronger Towns Fund or links to the City Region Deals agreed in Scotland. It is noted that competitive bids must demonstrate utilisation of funding to promote long-term growth. The UK Government will then determine specific initiatives to be linked to the funding.

NB: The Stronger Towns Fund is a separate fund with a wider focus than the Future High Streets Fund (£675m) which operates in England only. This fund opened in December 2018 and closed for applications in March 2019.

Supplementary

What are the timescales for this and is there capacity in Economic Development to support this?

Answer

No timescales as yet and yes there is capacity in Economic Development to support.

QUESTION 5 FROM COUNCILLOR KATHLEEN LESLIE

Can the Administration state if the Attainment Gap is being closed in Fife?

Answer

Yes

Supplementary

In relation to recent data published by Fife Council, can you explain how the attainment gap is closing as these figures do not support this?

Answer

Cannot take one year of figures as a measurement of closing attainment gap. There is a sustained approach being taken and progress is being made to close literacy and numeracy attainment gaps.

QUESTION 6 FROM COUNCILLOR MARGARET KENNEDY

In February this year the Scottish Government announced additional funding for a mental health worker to be provided in every secondary school in Scotland. Have additional funds been received so that these plans can be implemented?

Answer

Funding from the Scottish Government for School Counselling Services for Scotland is £ 12m for the 2019-20 financial year. This increases to £ 16m from 2020-21, when it will be baselined into Councils' budgets.

The basis of distribution to individual local authorities is still to be discussed and agreed, and is being taken forward by the Settlement Distribution Group of COSLA.

QUESTION 7 FROM COUNCILLOR MARGARET KENNEDY

Savings of over £450,000 were agreed as part of the 2018/19 budget to come from over 30 third sector organisations commissioned through the Children's and Families Service. Why has it taken so long to deliver these savings and how are these organisations expected to be able to deliver services when they have only been assured of six months funding in the current year?

Answer

Following confirmation of the budget in 2018/19 discussions regarding how this was to be taken forward were held with 3rd sector groups. These discussions resulted in an interim saving of 1% on groups recurring over £100k being agreed, to allow further work to be done. This work is continuing and the grants for 19/20 were phased to allow these to be adjusted to take account of the interim outcome of this work in August 2019. The key aim from this process is to maximise efficient delivery of support by third sector organisation reducing overlap, duplication and organisational costs. Further reports on the process of this will be given to E&CS committee later this year.

Supplementary

What reassurance can be given that vulnerable people will not be impacted upon by waiting until August 2019?

Answer

Discussions are ongoing with organisations but there will be a reduction in monies allocated. Confident a robust plan will come forward in August.

QUESTION 8 FROM COUNCILLOR TIM BRETT

Council welcomes and notes the significant decline in adult smoking prevalence in Fife since 2015 from 22% to 17.7% in 2017. A decrease of 4.3%. What steps are the Council taking to reduce the prevalence of smoking in under 16's where the Fife figures are above the Scottish average.

Answer

Context (* as at 2013)

3%* of 13 year olds smoke in Fife higher than the national average (3% v 2%)

12%* of 15 year olds smoke in Fife higher than the national average (12% v 9%)

Tobacco Prevention – As outlined in the local Strategy '**A Tobacco-Free Fife**', Fife looks to create an environment where individuals, particularly children and young people, choose not to smoke. Engagement on the issue of tobacco will encourage children and young people to consider how smoking sits alongside other risky behaviours and is linked to broader health and wellbeing improvement programmes in the Curriculum for Excellence.

Fife situation

Fife has endorsed the ASH Scotland Charter for a Tobacco-free Generation to promote action to reduce smoking to 5% by 2034 by protecting children and young people from tobacco smoke where possible.

The Charter has six key principles that encourage and enable discussion within organisations to examine how their own policy and practice can best contribute to the tobacco-free goal:

1. **every baby should be born free from the harmful effects of tobacco;**
2. **children have a particular need for a smoke-free environment;**
3. **all children should play, learn and socialise in places that are free from tobacco;**
4. **every child has the right to effective education that equips them to make informed positive choices on tobacco and health;**
5. **all young people should be protected from commercial interests which profit from recruiting new smokers;**
6. any young person who smokes should be offered accessible support to help them to become tobacco-free.

Fife Children's Services Plan contains a target to reduce the prevalence of smoking at maternity booking to improve Early Years outcomes and the Children in Fife group which oversee the plan has agreed to endorse the Charter.

NHS Fife and Fife Health & Social Care Partnership are already undertaking activity relating to the 6 principles, such as:

- Smoke Factor and Smokefree Class, prevention and education programmes in primary and secondary schools
- Smokefree Homes programme, encourages the public to make a voluntary pledge to not smoke in their homes, thus protecting individuals, in particular babies and young children from the effects of second hand smoke
- Air Check Test (ACT) programme, uses air quality machines to show the level of smoking related particulate matter that stays within the home for up to 5 hours
- Quit Your Way – Pregnancy service offers dedicated midwife support to pregnant smokers and their partners to quit.
- Implementation of a Smoke Free care placements policy for Fife Council's Social Work Service and Looked After Children and Young People
- Trading standards workshops look to raise awareness of the sale of illicit tobacco to minors

QUESTION 9 FROM COUNCILLOR KATHLEEN LESLIE

Can the Administration outline what it is doing to ensure that food served in all Council buildings (including schools) is sustainably sourced?

Answer

The Council has a number of food contract frameworks where suppliers are asked to provide evidence of sustainability. For example in the fresh meat framework, we also asked for sustainably sourced products such as PGI or Red Tractor and over the last 4 years of the previous framework spend on these products had risen by approximately 90%.

For some products we removed the option of purchasing some non-sustainably sourced items in order to drive changes in the market and secure better pricing.

Finally, on the groceries and provisions framework we included a number of ethically sourced products on the core list such as teabags, coffee, sugar, chocolate and carton juices.

Supplementary

Palm Oil – what is Fife Council doing to stop using products that contain this?

Answer

Will arrange for a report to be brought to Assets Committee to discuss this issue.

QUESTION 10 FROM COUNCILLOR JANE ANN LISTON

How many bus shelters are waiting to be repaired across Fife and what is the target time for repairs to be undertaken?

Answer

There are currently 21 bus shelters needing repairs. Some of these repairs have been delayed through lack of availability of the term contractor employed by the Service to carry out these works. In order to improve response times, the Service is in the process bringing bus shelter repairs in-house.

The majority of repairs are to glazing panels and if the repair is straightforward, it would be reasonable to expect completion within 4 - 6 weeks. However, many of the repairs are as a result of vandalism where frames are also damaged or parts are missing. In these cases the length of time for repair will be dependent on the availability of parts or the requirement to fabricate new parts.

Supplementary

Are the delays resulting in any reduction in advertising revenue stream?

Answer

Unknown but will check and let you know.

QUESTION 11 FROM COUNCILLOR JONNY TEPP

Coventry City Council has entered a partnership with the UK Government offering drivers up to £3,000 to give up their cars. Has Fife Council discussed any similar scheme with the Scottish Government?

Answer

It is not something that is currently being considered in Fife. We can look into the Coventry scheme and find out more.

Supplementary

Have we considered targets to reduce car use in Fife?

Answer

This will be considered nationally.

QUESTION 12 FROM COUNCILLOR BILL PORTEOUS

How much rubbish is collected from roadsides in Fife in the last year? How many fines for littering have been issued over the same period?

Answer

I am unable to say how much rubbish is collected from roadsides, because, in the interests of operational efficiency, that waste is mixed with the contents of litter bins and waste from other instances of illegal dumping.

That said, the A92, between the Halbeath and New Inn roundabouts, was cleansed in January this year when 460 bags of litter together with 20 large items such as car bumpers and tyres and approximately 100 smaller items were removed.

In the last financial 187 fixed penalty notices were issued, 55 of which were for littering and 132 for illegal dumping.

Supplementary Question

What can be done to prevent roadside littering?

Answer

Every single piece of litter and every illegally dumped item that we see has been deliberately put there by a member of the community, who is irresponsible and uncaring. It is all down to the attitude of the individual and, because attitudes are a consequence of every experience that we have had, up to and including this minute, trying to change the attitude of an individual is a really difficult task. Legislative penalties will not effect a solution and I'm sorry to have to say that I have no idea how to prevent roadside littering. It does occur to me, however, if we as a society placed a stronger emphasis on such issues in our schools, that we may succeed in significantly reducing such environmental vandalism.

QUESTION 13 FROM COUNCILLOR JONNY TEPP

We understand that Fife Council has a policy of providing permanent repair to reported potholes at the first time of asking but there are a number of exemptions to this policy:-

1. When dealing with a very large volume of potholes, quality has to be sacrificed in order to respond sufficiently quickly in the interests of public safety.
2. When the quality of repair is not a primary factor in the repairs expected longevity.

3. When the location would make it unsafe to stop for the time required to carry out a high quality repair without having to significantly add to the temporary traffic management requirements.

How many potholes were repaired first time on a permanent basis and how many were repaired under the exemptions policy last year?

Answer

We filled a total of 23,654 potholes during financial year 2018/2019. 8,354 of these repairs were high quality permanent patches. The remaining 15,300 repairs were to a lower specification. The Service remains compliant with Council Policy (Environment and Development Committee 20 January 2005) subject to the practical exceptions already stated.

The Service is currently designing a pilot study, which is intended to be carried out during Qtrs. 3 & 4 of this financial year to examine method changes intended to both i) increase the proportion of higher quality permanent pothole repairs that can be carried out and ii) reduce response times.

Supplementary

Would you say the current policy is successful?

Answer

Confident the policy is working effectively.

QUESTION 14 FROM COUNCILLOR DONALD LOTHIAN (Co-Leaders)

How much EU funding has come to Fife in the last three years? What projects have benefited from this funding? Can they be listed? Do we know if funding will continue after Brexit?

Answer **Suggest the lengthy response is circulated separately.**

Introduction

EU Funding in the period 2014 – 20 is primarily distributed through a small number of Strategic Interventions, managed by Lead Partners and is not restricted to financial years. The figures presented are therefore provided over multiple timeframes as relevant to the project.

The headline figures are that **just under £5m has been drawn into Fife since 2015** through the European Structural and Investment Funds. A similar amount is likely to be drawn down between now and 2022.

In addition just under **€1m (£82,000)** has been awarded to transnational projects in which Fife Council are a key partner.

After Brexit, the UK Government has confirmed that replacement funding will be made available through the Shared Prosperity Fund – but to date little is known about the scale of, or priorities within, that funding stream. Fife Council has been and will continue to take part in consultation exercises to feed in the development of the Shared Prosperity Fund.

European Regional Development Fund

Fife Council has secured funding under the Competitiveness, Innovation and Jobs – Business Competitiveness Strategic Intervention. This supports Fife wide provision of business support activities primarily adding to the services provided by Business Gateway such as training, consultancy and grants to small businesses. **£492,588.73** in ERDF grant has been approved for the financial years 2016 to 2019. An extension to this programme has recently been awarded £1,314,675.63 for the period 2019 to 2023.

European Social Fund Funding

Fife Council has secured funding under the Strategic Intervention promoting sustainable and quality employment and supporting labour market mobility – specifically for the Fife Employability Pathway.

The Fife Employability Pathway has been awarded **£3,866,500** in ESF grant for the financial years 2015 to 2019. There are currently 8 organisations delivering activity on this programme, providing support for unemployed adults with multiple barriers to employment, including those with health and disability challenges. The Pathway is targeted with supporting 10,000 eligible clients between 1 April 2015 and 31 December 2018

An extension to this programme is currently being negotiated with the Scottish Government for a further **£4.3 million** in grant over the period 2019 to 2022.

Fife Employability Pathway - A further ESF strategic intervention for Fife to Tackle Poverty and Social Inclusion has been allocated up to **£334,536** in ESF grant for financial years 2017 to 2019, with activities starting in March 2017. This is a small service providing a dedicated, holistic approach to supporting disadvantaged families.

Inter-territorial Programmes

Fife Council also benefits from funding from 2 of the transnational programmes as follows:

INTERREG – Fife is currently taking part in 3 projects: **CLIPPER** (supporting SMEs in the maritime sector); **UNEET** (tackling unemployment of young people); **RIGHT** (designing and testing tailored educational and training programmes and initiatives in a fast changing skills environment). These projects are worth around of **€740,000** to Fife.

ERASMUS - Fife also benefits from funding for an ERASMUS project focussed on developing a skills, apprenticeship and employment pathway for the heritage building sector to address a recognised global shortage in Traditional Building Skills – value **€204,680**.

It is hoped that UK organisations will continue to be able to take part in transnational programmes after Brexit on a project by project basis so there may not be any reduction on this area. This will depend on the deal that is reached between the EU and UK.

QUESTION 15 FROM COUNCILLOR LINDA HOLT

What is the total value of contracts/grants/service level agreements being made by Fife Council to the third sector (community groups, charities, trusts etc) in the financial year 2019/20? What are the totals for the previous five financial years?

Answer

Recurring Grants

	15/16	16/17	17/18	18/19	19/20
Area Services	375,479	0	0	0	0
Children & Families & Criminal Justice Services	3,429,175	0	0	0	0
Education	1,050,970	0	0	0	0
Education and Children's Services	0	4,126,186	3,957,484	3,929,340	2,072,205
Housing Services	6,941,638	6,912,924	6,665,138	6,805,614	6,757,485
Community & Neighbourhoods	2,431,350	3,311,257	3,602,025	3,499,343	3,820,043
Transportation	185,549	183,693	183,693	185,523	190,354
Economy, Planning & Employability	262,367	261,581	246,930	808,751	700,632
Social Work - Adults and Older People	4,123,442	0	0	0	0
Health & Social Care		5,978,582	7,165,693	7,401,308	7,600,000
	18,799,970	20,774,223	21,820,963	22,629,879	21,140,719

Non-Recurring Grants

Information to be circulated separately as not readily available.

Supplementary

When will we see measures to compare services and value for money?

Answer

There are strict monitoring and evaluation frameworks in place and link officers monitor this.

QUESTION 16 FROM COUNCILLOR RICHARD WATT

Given the religious and touristic importance of St Andrews, and the recent Islamist attacks on Sri Lankan targets, what is being done by Fife Council to ensure the safety of worshippers and tourists?

Answer

Whereas the Council constantly works with its Partners relative to any issue of Public Safety, the Council's contribution in relation to terrorisms has to fit with and be guided by that of the lead authority, which is Police Scotland.

In support of that position, Fife Council staff are encouraged to complete two e-learning modules, which are designed to raise awareness of counter-terrorism.

One of these, PREVENT, explains how to help safeguard vulnerable people from being radicalised either to support terrorism or to become terrorists themselves.

The other, ACT, is designed to raise awareness of the threat of Terrorism, provides guidance in relation to different scenarios, including those related to a bomb threat or a terror attack, and provides advice on how to improve security of the workplace and how to respond to and report suspicious behaviour.

For its part, Police Scotland, following any event, which involves a significant hate crime or terrorist incident, circulates regular Briefings via the UK Protect bulletin, which provide updates on the event. The distribution includes: the Council; the Scottish Fire and Rescue Service; NHS Fife; the Scottish Ambulance Service; British Transport Police and the Scottish Government.

In particular, Police Scotland engages with iconic and religious sites and routinely implements targeted patrols and has identified a single point of contact within each Division which engages with religious establishments thereby ensuring the communication of appropriate safety and guidance messages.

Finally, on a daily basis, all relevant Intelligence, including that which is obtained by the Fife Centre for Equalities, which monitors community tensions, is reviewed, assessed and shared as appropriate and thereafter, where necessary, Policing Plans are developed.

QUESTION 17 FROM COUNCILLOR DAVE DEMPSEY

What are the differences between a Coalition and a Power Sharing Administration?

Answer

Key differences are that Fife Council has a Joint Administration and equal status with an agreed programme but still retain our own entities. We don't have a leader we have 2 Co-Leaders.

Supplementary

Only difference is that Fife Council has Co-Leaders instead of a Leader?

Answer

Yes