

**Brigade Headquarters**  
Bothwell Road  
Hamilton ML3 0EA

Firemaster  
J Jameson AIFireE FIMgt



# Strathclyde Fire Brigade

Tel (01698) 284200

Fax (01698) 286021

Our ref MT/MM

Your ref

If phoning or  
calling ask for DO Traquair  
Ext 2265

Date 31 May 1995

Mr Andrew Cowe  
Chief Executive  
North Lanarkshire Council  
Civic Centre  
Motherwell ML1 1TW

Dear Mr Cowe

### **STRATHCLYDE FIRE BOARD COMMENTS ON DRAFT ADMINISTRATION SCHEME**

I have enclosed, for the information of Shadow Councillors, the following documents:-

1. Report by Chief Executive's Department on the Strathclyde Fire Board Draft Administration Scheme.
2. My comments on the Chief Executive's Report highlighting some concerns in relation to the apportionment of expenditure between the new councils.

Whilst it will be for the councils to decide on the method of apportionment of expenditure, I am concerned that using a level of service provision method will prove to be administratively difficult and costly in staffing terms. As provision of fire service resources is based on national standards of fire cover and not directly related to population or authority boundaries, any attempt to breakdown in detail costs in unitary authority terms would be extremely inaccurate.

3. My comments on the Draft Administration Scheme as sent to the Scottish Office and Chief Executive, Strathclyde Regional Council.

After consideration of the attached documents, I would be happy to make a member of the Brigade Core Group available to discuss these, or any other further points, in more detail.

Yours sincerely

  
**FIREMASTER**



**Strathclyde Regional Council**  
Chief Executive's Department  
Strathclyde House, 20 India Street, Glasgow G2 4PF

Chief Executive: Neil McIntosh CBE

Switchboard: 0141-204 2900 Tel Direct Line 0141-227 3826

Telex: 77428 Fax: 0141-227 2870

Our Ref: P/1/17(a) (Mr Stone)

Your Ref:

Date: 24 May, 1995



**Strathclyde**  
**SCOTLAND**



John Jameson Esq  
Firemaster  
Bothwell Road  
HAMILTON  
ML3 0EA

Dear Mr Jameson

**POLICE AND FIRE JOINT BOARDS -  
CONSULTATION BY SECRETARY OF STATE**

I attach for your information a copy of a report being circulated to the new Councils commenting on the Secretary of State's proposals for forming Joint Boards and related issues.

I would draw your attention in particular to paragraphs 3.8 which comments on cost allocations. The paragraph notes that the Regional Council has been asked to provide notional 1995/96 budget splits and recommends to the new Councils that they may wish to request you to supply information on cost breakdown before making any comment to the Secretary of State.

If you have any comments on the report I would be grateful for your early advice.

Yours sincerely

Timothy Stone  
Senior Executive Officer  
(Protective & Basic Services)

TS/CS

Enc

LCETS077

**POLICE AND FIRE JOINT BOARDS**  
**CONSULTATION BY SECRETARY OF STATE**

**Report by the Chief Executive, Strathclyde Regional Council**

**Executive Summary**

1. This report outlines key aspects of the Secretary of State's proposed arrangements for establishing Police and Fire Joint Boards for the Strathclyde area and highlights issues on which councils may wish to suggest changes to the Secretary of State.
2. The report highlights that :-
  - a) A response is sought by 30th June on the proposals.
  - b) The Secretary of State has a preference for consensus amongst the twelve Councils for any changes.
  - c) The Boards will be separate legal bodies in their own right, controlling large budgets.
  - d) The twelve Councils will only exercise influence through their representatives on the Boards and will collectively have to meet the Boards expenditure.
3. The main issues raised are:-
  - a) The need to establish the Boards as soon as possible after 30 June.
  - b) The need to decide between medium sized (c 30) and large (c 50) Boards and reach a consensus on numbers if change is proposed .
  - c) Urban areas, particularly Glasgow, incur a much higher share of costs (and services) than their population proportions and therefore allocation on a services-based basis maybe the most practical allocation method for meeting the Boards costs.
  - d) The desirability of setting 31st December as a deadline for Boards to submit their annual estimates.
4. Other issues raised are the desirability of obtaining consistency in the provisions of the two schemes concerning removal of Chairs, Clerks and Treasurers; the quorum of one third considered reasonable; and technical alterations on superannuation and interim treasurer functions.

**23 May 1995**

**Contact Officer:- Timothy Stone, Chief Executive's Department 0141 227 3625**

**POLICE AND FIRE JOINT BOARDS**  
**CONSULTATION BY SECRETARY OF STATE**

Report by the Chief Executive, Strathclyde Regional Council

**Purpose of Report** To outline key aspects of the Secretary of State's proposed Police and Fire Joint Board arrangements and to highlight specific issues on which the constituent Councils may wish to suggest changes to the Secretary of State.

**1.0     BACKGROUND**

- 1.1     Sections 34 and 36 of the Local Government etc. (Scotland) Act 1994 provide for the Police and Fire functions of the Unitary Authorities in the Strathclyde area to be undertaken by joint Boards operating under an Amalgamation Scheme (Police) and an Administration Scheme (Fire) made by Orders of the Secretary of State.
- 1.2     The Secretary of State is required to consult with the constituent authorities prior to making the Orders and to this end has issued draft schemes on which he has requested comment by 30 June 1995.
- 1.3     The draft schemes are based very closely on existing long established schemes for the Highlands and Islands and the Lothian and Borders areas.
- 1.4     The Secretary of State has indicated that he hopes that any proposed changes will be agreed by the twelve constituent authorities prior to submission to him and that he will consider carefully proposed changes especially if they are so agreed.

**2.0     IMPACT OF SCHEMES**

- 2.1     The schemes establish Joint Boards, made up of members from the twelve Councils, which are single function separate Local Authorities in their own right.
- 2.2     The Boards as separate legal entities will run their own affairs, employ staff, hold property, enter in contracts and determine their own budgets. In 1995/96 these budgets total over £80m for Fire and over £330m for Police.
- 2.3     The Unitary Authorities will be responsible for paying to the Boards requisitions to cover the Board expenditures. These payments will be part of the expenditure of Unitary Councils taken into account by the Secretary of State in setting expenditure (rate-cap) limits for each Council. The Boards will not, however, themselves be subject to capping.
- 2.4     The Unitary Authorities will exert influence over the Boards only through the actions of their representatives on the Boards. These representatives will be appointed for the life of each Council (i.e. normally three years).
- 2.5     The establishment of the Boards in this largely independent manner is quite deliberate.

### 3.0 SPECIFIC ISSUES ARISING

3.1 The issues raised below focus on matters that particularly affect the Constituent Authorities interests. So far as the Boards' own activities go the schemes are enabling and leave it to the Boards to determine the detail.

3.2 The Fire and Police schemes are very similar and are commented on together. The relevant sections in the two schemes are noted in the headings. Comments are only made on sections where it is considered issues arise.

### 3.3 CITATION AND COMMENCEMENT (Section 1 of both schemes)

Clause 1(2) provides for the schemes to come into force on a date in 1995 to allow the Boards to do any functions necessary for full operation on 1 April 1996. This will include appointing advisers and setting Budgets.

It is recommended that the Secretary of State be urged to establish the Boards as soon as possible after 30 June.

### 3.4 MEMBERSHIP OF JOINT BOARD (Fire section 3, Police Section 4)

Two alternative Board sizes are proposed:-

30 members made up from 2 for each Council except N and S Lanarkshire (3 each) and Glasgow (6).

52 members made up from 3 for each Council except N and S Lanarkshire (8 each) and Glasgow (12).

The table below compares population proportions with the shares of representation under the 30 and 52 member Boards.

COUNCIL	POPULATION	30 BOARD	52 BOARD
	%	%	%
Argyll and Bute	4.0	6.7	5.7
Dumbarton & Clydebank	4.3	6.7	5.7
City of Glasgow	27.3	20.0	23.1
East Dumbartonshire	4.8	6.7	5.7
Inverclyde	3.9	6.7	5.7
North Lanarkshire	14.3	10.0	11.5
South Lanarkshire	13.4	10.0	11.5
Renfrewshire	7.7	6.7	5.7
East Renfrewshire	3.8	6.7	5.7
East Ayrshire	5.4	6.7	5.7
North Ayrshire	6.1	6.7	5.7
South Ayrshire	5.0	6.7	5.7

Four points are worth noting:-

- i) It is quite clear that both Police and Fire expenditure is heavily weighted to urban areas and most particularly to Glasgow which accounts for a far greater share of costs than its population share.
- ii) The schemes allow for substitute Members with full voting rights to be appointed thus making it easier to make sure the Council is always represented.
- iii) Whilst not a major issue, a Board of around 30 would require slightly less administrative support and be easier to accommodate for meetings than a Board of around 50.

- iv) The two options put up by the Secretary of State are just that - options. If consensus is reached on a different model he will consider it.

It is recommended that members take a view on Board size and seek consensus with the other Constituent Authorities.

3.5 CHAIRMAN AND VICE CHAIRMAN (Fire section 6, Police Section 7)

The fire scheme at section 6(2) allows for the Chair and Vice Chair appointments to be terminated by the Board during the session. The Police scheme has no such provision.

It is suggested that uniformity between the schemes would be desirable.

3.6 OFFICERS OF THE BOARD (Fire section 7, Police sections)

- a) Termination The Fire scheme at Section 7(2) allows for the termination of the appointment of the Clerk and Treasurer "at any time" notwithstanding the terms of appointment. The Police scheme has no such provision.

It is suggested that uniformity between the two schemes would be desirable.

- b) Interim Clerk and Treasurer Both schemes propose that the Strathclyde Chief Executive be the interim Clerk and Treasurer until the Boards make these appointments. However the treasurer should be professionally qualified.

It is recommended that the proposal be amended to read:-

"..... the Chief Executive and the Director of Finance of Strathclyde Regional Council for the time being...."

3.7 QUORUM (Fire section 8(5), Police section 9(5))

The proposed quorum for both Boards is one third of the membership. This is the quorum for all the existing Scottish Joint Boards. Although higher than the statutory minimum (one quarter), given the provision for voting substitutes, it is not considered this would cause any difficulties.

3.8 FINANCIAL ARRANGEMENTS - APPORTIONMENT OF EXPENDITURE  
(Fire section 11(2), Police section 12(1))

The police scheme proposes that net expenditure should be apportioned among the constituent Councils "to the extent of the provision of service". The fire scheme proposes this method and three others - population proportion, Band D houses and "such other appropriate means as the authorities agree".

Five comments can be made:-

- i) It was noted at para 3.4 above that cost allocations, which reflect provision of service, are heavily skewed particularly towards Glasgow;
- ii) The Secretary of State has requested Strathclyde Regional Council to provide notional 1995/96 budget splits on a unitary basis (based so far as possible on actual expenditure allocations) and these will be used for capping comparisons in 1996/97.

*Public Affairs*

- iii) This suggests that this information will also be used to established indicative Grant Aided Expenditure (GAE) allocations for the new Councils for Police and Fire expenditure.
- iv) All the established Scottish Joint Boards have moved on to the extent-of-provision-of-service formula
- v) Although the Fire scheme allows for four options, the mechanism by which the twelve constituent Authorities are to achieve agreement about which one to use on each occasion is unclear.

The above would suggest that despite the undoubted difficulties in disaggregating cost the 'extent of provision of service' formula may be the most practical option for both Boards.

It is recommended that prior to finalising views on this matter Members may wish to request the Chief Constable and Firemaster to supply information on their cost breakdowns by Council area and ask the Strathclyde Director of Finance to comment on the overall position, including central service department recharges.

### **3.9 FINANCIAL ARRANGEMENTS - DATE OF ESTIMATES** (Fire section 11(3), Police section 12(Z))

No date by which the Boards should submit their annual estimates to the Constituent authorities is specified in the schemes. Given that the appropriate share of this estimate must be built into the constituent Authority budgets, early notice is desirable.

It is suggested that the words "such date as may be agreed in each year" at the end of the sections be replaced by "31st December each year".

### **3.10 FINANCIAL ARRANGEMENTS - SUPERANNUATION SCHEME** (Fire section 11(7), Police section 12(B))

The police scheme does not make provision for superannuation of any Board employees appointed before 1st April 1996 (e.g the Clerk and Treasurer). The fire scheme does.

It is recommended that similiar provisions to those in the fire scheme be added to the police scheme.

The appropriate scheme for all Strathclyde Police and Fire Civilians and Board employees after 1st April 1996 would be the successor to the current Strathclyde superannuation scheme.

NEIL McINTOSH  
Chief Executive

TS  
Chief Executives Department  
Strathclyde Regional Council  
23 May 1995

Contact Officer:- Timothy Stone, Chief Executives Department  
Telephone:- 0141 227 3625

## **Comments On Chief Executive Report To Councils**

### **Police And Fire Joint Boards**

#### **Consultation By Secretary Of State**

##### **Section 3.8 Financial Arrangements**

It has been confirmed by Scottish Office that the option relating to number of band D house numbers is incorrect and should read band D equivalents.

##### **Section 3.8 (iv)**

It is correct that both existing Scottish Fire Boards are financed on a provision of service basis. This has led to overprovision of resources in certain areas to address a perceived imbalance of financial liability between 2 constituent authorities. It should be borne in mind that Strathclyde Fire Brigade covers not 2 but 12 authorities and that provision of service is based on Home Office Standards of Fire Cover and therefore speed of response. It is certainly the case that all of the Councils will receive part of their fire cover from fire stations located in adjoining Council areas, therefore to attempt to detail costs on that basis would be impossible and create a huge bureaucracy. It is an understatement of the Chief Executive's report to suggest only undoubted difficulties.

The Scottish Office have clearly identified this problem in the covering letter attached to the Draft Administration Scheme stating "However, where fire brigade divisional boundaries cannot reasonably be aligned with new council boundaries and particular elements of service are common to the whole or major parts of the combined area, it is evident that apportionment on a service provision basis will be difficult, if not impossible. **This will apply with particular force in the combined area of your Councils, where one divisional command may span all or part of several different council areas**".



If level of service apportionment is to be established a considerable administrative exercise would require to be carried out unless a detailed formula can be agreed upon by all authorities.

In any case, it is probable that the Councils will require to be informed in detail where their proportion of the budget is spent and to require reassurance that their contribution is directly related to the level of service being provided. Due to the mobility of Brigade resources and the ability of the Brigade to concentrate appliances, equipment and personnel at the point of greatest need, regardless of Council boundaries, the estimates of actual cost of level of service would at best be inaccurate and speculative and in most cases totally unrepresentative of the actual service provided to the Councils area. The level of cost of actual service provided would change annually due to the unpredictability of number and type of incidents attended in any given area.

#### **Section 3.8(V)**

The exercise recommended has already been carried out by Mr Halpin and the Director of Finance made aware of the problems created by this exercise.

#### **General Comment**

The direction in which the Chief Executive's report points could cause difficulties to the Fire Board's financial operation and ultimately create a major difficulty between the Board and the Councils in terms of apportionment of budget if accepted without further examination of the other options available in the Draft Administration Scheme. It would also create an administrative burden for which additional staff would be required to run the statistical analysis system necessary to provide level of service information.

# Local Government, Etc. (Scotland) Act 1994

## The Mid South Western Combined Fire Services Administration Scheme Draft Order - 21st April 1995

### Comments of Strathclyde Fire Brigade

#### 1. Section 1(2)(a)(ii) - Citation and Commencement

Clarification is required in respect of the degree to which the Administration Scheme is implemented prior to 1 April 1996, in particular, will the Board have the power to requisition funding from the reorganisation grants allocated to constituent shadow authorities. If the Board is not so empowered then some funding mechanism must be provided in order that it may undertake its functions during the shadow year.

Finance Circular 15/1995 issued by the Scottish Office outlines the allocation of funds for the transition period for the shadow authorities but makes no mention of joint board transition period funding.

#### 2. Section 3(1) - Establishment of Joint Board

Section 3 introduces an option for the Board to comprise 51 members. This option would produce an unnecessarily large Board whilst having little effect on the ratio of representation between constituent authorities i.e..

On the basis of:- City of Glasgow : North & South Lanarkshire : others

30 members gives a ratio of 6 : 3 : 2

51 members gives 12 : 6 : 3 which equates to 6 : 3 : 1.5

A larger board presents financial implications in terms of increased expenses, additional administration costs in providing staff to service the board, and costs of providing suitable accommodation for the Board and its secretariat.

Difficulties may arise in relation to procurement of a suitable property for a Fire Board of this size, e.g.. location, office accommodation, meeting rooms, parking, etc.

#### 3. Section 7(1)(4) - Officers of the Board

It should be emphasised that the "functions of the Board" comprise only the secretarial and administrative support necessary to service appointed members of the Board, i.e.. the traditional functions of a fire authority. Matters concerned with the functions of a fire brigade, such as operations, promotions (below Assistant Firemaster rank), discipline and development should remain the responsibility of the Firemaster.

**4. Section 8(1)(2) - Meetings**

*Given that the first meeting of the Board take place within 28 days of the Administration Scheme's implementation on October 2nd 1995 (based on previous comment from the Scottish Office), it will be a priority that the Board establish permanent facilities for meetings and secretarial services.*

**5. Section 11(2)(b) - Financial Arrangements**

Apportionment of Board expenditure on the basis of population [usually resident] in a constituent authority area does not cater for or reflect increases in demand on the Brigade brought about by the influx of tourists to holiday resorts such as Oban or Largs, nor does this system take into account the increased demand imposed on the Brigade from industrial and commercial centres where the population during working hours is greatly increased by commuters from other constituent authority areas.

It is recognised by the Scottish Office that apportionment of Board expenditure by service provision is difficult if not impossible and the Scottish Office concerns are contained in the covering letter sent with the Draft Administration Scheme, "*it is evident that apportionment on a service provision basis will be difficult, if not impossible. This will apply with particular force in the combined area of your councils, where one divisional command may span all or part of several different council areas.*" (Letter dated 21 April 1995 Page last para.)

**6. Section 11(2)(c)**

The previous correspondence from the Scottish Office made reference to apportionment of expenditure in proportion to the number of Band D equivalent properties within respective areas. The draft Scheme indicates apportionment in proportion to the number of dwellings listed in valuation Band D.

This new option does not reflect the constituent authorities' "ability to pay" whereas Band D equivalence, when used for the allocation of Revenue Support Grant, takes account of all property within the constituent authorities' areas.

**7. Section 11(3) and 11(4)**

Section 11(3) requires that the Board submit estimates for both Capital and Revenue accounts to the constituent authorities. However, Section 11(4) makes no reference to the defraying of the proportion of the expenditure on Capital accounts.

Is it the intention that Capital accounts be funded directly by Central Government or by constituent authorities' ?

**8. Section 11(5)**

As the Draft Scheme does not provide for funding during the first fifteen days of April 1996 it will be necessary for the Fire Board to arrange loans, overdraft facilities or alternative funding to cover costs during this period.

**9. Section 11(6)**

Clarification will be required regarding the mechanism for repayment of Revenue budget surpluses to the constituent authorities. Similarly, regarding the requisition of additional payments to cover budget shortfalls. Considering that the Board's Revenue estimate must be submitted prior to the end of the relevant financial year authorities will not be able to incorporate such additional payments into their individual budgetary estimates.

**10. Other Points for Consideration**

**a) Appointments**

Previous Scottish Office correspondence stated the Draft Scheme would reflect the current practice that appointment of Deputy and Assistant Firemasters is subject to approval by the Fire Board unless contrary advice was received. As appointments are not mentioned in the Draft Scheme will reference be made in the final Scheme following the consultation process.

**b) Contingency Funding / Reserves**

The financial arrangements specified within the Draft Administration Scheme appears to make no provision for holding a contingency fund to deal with unexpected budgetary demand. Such demands may arise from:

Natural disasters such as the major flooding of December 1994 which involved the Brigade in innumerable pumping and rescue operations over a 48 hour period.

Introduction of new legislation, for example, the Management of Health and Safety at Work Regulations of 1992 which resulted in increased work for the Brigade in respect of risk assessments, training, etc.

Major fires involving large areas of remotely situated forestry which may span several days requiring the mobilisation of resources over long distances.

As contingency funding is not incorporated into the existing system such unforeseen expenditure regularly results in budgetary shortfalls that necessitate additional funding from the Regional Council.

The Draft Scheme makes provision for the transfer of budget surpluses and shortfalls to or from the Fire Board at the end of each financial year. A contingency budget could be incorporated into the revenue estimate and the balance repaid by the foregoing mechanism. Alternatively, it may be possible for Councils to agree that the Board should carry over any budget surpluses to form a reserve.