

REPORT TO: SPECIAL POLICY AND RESOURCES COMMITTEE – 20 JANUARY 2003
REPORT ON: TAYSIDE FIRE BOARD AND TAYSIDE JOINT POLICE BOARD
REPORT BY: DIRECTOR OF SUPPORT SERVICES
REPORT NO.: 77 – 2003

1. PURPOSE OF REPORT

1.1 This Report makes proposals regarding changes to the Constitution of Tayside Fire Board and Tayside Joint Police Board so that representation on the Boards and liability for expenditure on the Fire Brigade and the Police Force is more exactly aligned.

2. RECOMMENDATIONS

2.1 It is recommended that the Committee agree the Dundee Members of the Tayside Fire Board and Tayside Joint Police Board ask the Fire Board and the Joint Police Board at their next meetings on 27 January to agree to send the letters attached as Appendix 1 and Appendix 2 to Jim Wallace MSP.

2.2 If the Boards are not agreeable to the letters being sent it is further recommended that the Committee agree that the letters should be sent by the Chief Executive.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications directly arising out of the recommendations in this Report.

4. LOCAL AGENDA 21 IMPLICATIONS

4.1 There are no Local Agenda 21 implications arising out of this Report.

5. EQUAL OPPORTUNITIES IMPLICATIONS

5.1 There are no equal opportunities implications arising out of this Report

6. MAIN TEXT

6.1 Tayside Fire Board consists of eighteen Members, 5 from Angus Council, 7 from Dundee City Council and 6 from Perth and Kinross Council. However Angus Council only pay 19% of the expenses of Tayside Fire Brigade, Perth and Kinross Council pay 29% and Dundee City Council pay 52%. Despite the fact that they are only liable for 48% of the expenses of the Brigade, Angus and Perth and Kinross therefore have the majority of votes on the Board and can force Dundee Councillors and Dundee citizens to accept increased spending on the Brigade despite the fact that Dundee is liable for the majority of that expenditure.

6.2 Concern has been expressed by Elected Members about this situation and alternatives which address this “democratic deficit” have therefore been considered.

- 6.3 The most appropriate change would be to decrease the number of members of the Board by one to seventeen and have the representation as Dundee 9 (53% of the members), Perth and Kinross 5 (29% of the members) and Angus 3 (18% of the members), meaning that representation on the Board and liability for expenditure were almost exactly aligned.
- 6.4 If a change was made to the constitution of the Tayside Fire Board it would also be necessary to make an appropriate change to the constitution of the Tayside Police Joint Board. At present the representation on the Police Joint Board is Angus 5, Perth and Kinross 6 and Dundee City 7 while Angus pay 24.4% of the cost of the Police Force, Perth and Kinross pay 30.2% and Dundee City pay 45.4%. The representation there having regard to liability for expenditure in relation to the Police Force would be Dundee 8, Perth and Kinross 5 and Angus 4.
- 6.5 The Scottish Executive would be the appropriate body to take this matter forward and it is therefore recommended that the Policy and Resources Committee agree that the Dundee members of the Tayside Fire Board and Tayside Joint Police Board ask the Fire Board and the Joint Police Board at their next meetings on 27 January to agree to the sending of the enclosed letters to Jim Wallace MSP, the Minister responsible for such matters.
- 6.6 If the Boards were not agreeable to the letters being sent it is further recommended that the Policy and Resources Committee agree that the letters should be sent by the Chief Executive.

7. **CONSULTATION**

- 7.1 The Chief Executive and the Director of Finance have been consulted in the preparation of this Report.

..... Patricia McIlquham Date 13 January 2003

Director of Support Services

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

Appendix No. 1

Draft Letter to Jim Wallace, Deputy First Minister

Our Ref
Your Ref
Date

Dear Deputy First Minister

Tayside Fire Board

The Tayside Fire Board was set up by the Mid Eastern Combined Fire Services Area Administration Scheme Order 1995 (SI 1995/2637).

In terms of Paragraph 3 of the Order the Board consists of 18 members, five being appointed by Angus Council, seven being appointed by Dundee City Council and six being appointed by Perth and Kinross Council.

However, in terms of Paragraph 11 of the Order Angus Council pay 19% of the expenses of Tayside Fire Brigade, Perth and Kinross Council pay 29% and Dundee City Council pays 52%.

From this it will be seen that, despite the fact that they are only liable for 48% of the expenses of the Brigade, Angus and Perth and Kinross hold the majority of votes on the Board with 11 of the 18 members. This has led to what has been termed a "democratic deficit" because Councillors from Angus and Perth and Kinross can force Dundee Councillors and therefore Dundee citizens to accept increased spending on the Brigade despite the fact that they are only liable for a minority of that expenditure.

Dundee Councillors have therefore expressed the view that representation on the Board ought to be more equitable and more democratic and hope that you would support this.

One possibility might be to decrease the number of members by one to 17 and have the representation as Dundee 9 (53% of the members), Perth and Kinross 5 (29% of the members) and Angus 3 (18% of the members). That would certainly mean that representation on the Board and liability for expenditure were almost exactly aligned.

Would the Scottish Executive agree that this is an appropriate way of resolving the issue and take the necessary action to amend the 1995 Order in suitable terms?

I look forward to hearing from you.

Yours sincerely

Appendix No. 2

Draft Letter to Jim Wallace, Deputy First Minister

Our Ref
Your Ref
Date

Dear Deputy First Minister

Tayside Joint Police Board

The Tayside Police Joint Board was set up by the Tayside Combined Police Area Amalgamation Scheme Order 1995 (SI 1995/2643).

In terms of Paragraph 4 of the Order the Board consists of 18 members, five being appointed by Angus Council, seven being appointed by Dundee City Council and six being appointed by Perth and Kinross Council.

However, in terms of Paragraph 12 of the Order Angus Council pay 24% of the expenses of Tayside Police, Perth and Kinross Council pay 30% and Dundee City Council pay 45%.

On that basis Angus and Perth and Kinross are over-represented on the Joint Board having regard to their liability for expenditure while Dundee are under-represented.

Dundee Councillors have therefore expressed the view that representation on the Board ought to be more equitable and more democratic and hope that you would support this.

One possibility might be to decrease the number of members by one to seventeen and have the representation as Dundee eight (44% of the members), Perth and Kinross five (28% of the members) and Angus four (22% of the members). That would certainly mean that representation on the Board and liability for expenditure were almost exactly aligned.

Would the Scottish Executive agree that this is an appropriate way of resolving the issue and take the necessary action to amend the 1995 Order in suitable terms?

I look forward to hearing from you.

Yours sincerely