



The Scottish Parliament  
Pàrlamaid na h-Alba

**PUBLIC AUDIT AND POST-LEGISLATIVE SCRUTINY COMMITTEE**

**AGENDA**

**17th Meeting, 2018 (Session 5)**

**Thursday 14 June 2018**

The Committee will meet at 10.00 am in the Adam Smith Room (CR5).

1. **Declaration of interests:** David Stewart will be invited to declare any relevant interests.
2. **Decision on taking business in private:** The Committee will decide whether to take items 5 and 6 in private.
3. **Scottish Fire and Rescue Service - An update:** The Committee will take evidence on the Auditor General for Scotland's report entitled "Scottish Fire and Rescue Service - An update" from—

Caroline Gardner, Auditor General for Scotland;

Mark Roberts, Senior Manager, and Kathrine Sibbald, Audit Manager,  
Audit Scotland.

4. **Petition PE1676:** The Committee will consider Petition PE1676 by Tony Rosser on The Land Registration Act etc.(Scotland Act) 2012.
5. **Scottish Fire and Rescue Service - An update:** The Committee will consider the evidence heard at agenda item 3 and take further evidence from—

Caroline Gardner, Auditor General for Scotland;

Mark Roberts, Senior Manager, and Kathrine Sibbald, Audit Manager,  
Audit Scotland.

6. **Annual report:** The Committee will consider a draft annual report for the parliamentary year from 12 May 2017 to 11 May 2018.

**PAPLS/S5/18/17/A**

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The papers for this meeting are as follows—

**Agenda 3**

Note by the Clerk

PAPLS/S5/18/17/1

PRIVATE PAPER

PAPLS/S5/18/17/2  
(P)

**Agenda item 4**

Note by the Clerk

PAPLS/S5/18/17/3

**Agenda item 6**

PRIVATE PAPER

PAPLS/S5/18/17/4  
(P)

**Public Audit and Post-legislative Scrutiny Committee**  
**17th Meeting, 2018 (Session 5), Thursday 14 June 2018**  
**Scottish Fire and Rescue Service – an update 2018**

**Introduction**

1. At its meeting today, the Committee will take evidence from the Auditor General for Scotland on her report [\*“Scottish Fire and Rescue Service – an update 2018”\*](#).
2. The Auditor General has prepared a briefing on the key messages from the report, which is attached in the Annexe.

**Clerks to the Committee**  
**June 2018**

**REPORT BY THE AUDITOR GENERAL FOR SCOTLAND**  
**THE SCOTTISH FIRE AND RESCUE SERVICE – AN UPDATE 2018**

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1. On the 31 May 2018, Audit Scotland published The Scottish Fire and Rescue Service – An update. The report provides an update on progress the Scottish Fire and Rescue Service (SFRS) has made with reform since we published our report about the SFRS in May 2015.
2. The report refers to three phases of reform:
  - Merger – the process of forming the single body, including establishing governance and management arrangements.
  - Integration – the process of integrating the different ways of working of the former services into common national arrangements. This includes restructuring to make the best use of the combined inherited resources, such as support staff, properties, facilities and equipment. It also involves developing and implementing strategies, policies and procedures for the single national service.
  - Transformation – the process of redefining and redesigning what services it provides and how it provides them to better reflect the current and future needs and risks of the country.
3. The 2015 report considered the initial phase of reform, the merger of the eight former services and the Scottish Fire Service College to form the SFRS in 2013. The report found that the merger of the eight fire and rescue services was managed effectively. The 2015 report is available on the Audit Scotland website <http://www.audit-scotland.gov.uk/report/the-scottish-fire-and-rescue-service>. The 2018 report focuses on progress with integration and transformation.
4. The 2018 report concludes that the SFRS has continued to progress the integration of the former services. With the terms and conditions for uniformed staff agreed in April 2018, the SFRS is now well placed to complete integration.
5. The SFRS has an ambitious vision for transformation that involves significant changes to make it a more flexible and modern service. Progress with developing and implementing the plans for transformation has been steady but slow. The pace of progress has been affected by a number of contributing factors:

- The SFRS has taken a cautious approach with the aim of securing and maintaining political, staff, trades unions' and public backing for its vision.
  - The need for sufficient funding to begin the implementation of change.
  - Limited capacity and continuity for leading transformation projects; experienced officers' skills and time are in high demand, and changes in the leadership of projects are common through changes in role, promotions and retirement.
6. The SFRS is now in a position to increase the pace of its work on transformation but needs to ensure through comprehensive and up-to-date workforce planning that it has the right skills and capacity in place to deliver its transformation programme effectively. Within its workforce planning, the SFRS also needs to set out how it plans to eliminate its gender pay gap.
  7. The SFRS also needs to agree as soon as possible, revised terms and conditions for its uniform staff that reflect the planned changes to their roles. The report notes that this is challenging as the main whole-time firefighters union, the FBU, negotiates at a UK level and the priorities and issues are different across the UK.
  8. The SFRS has strong financial management and has developed a good approach to long-term financial planning. However, it has inherited a backlog of £389 million needed to maintain and invest in its property, vehicles and equipment. This backlog is insurmountable without transforming its current model for delivering services and additional investment. It needs to agree a long-term strategy for asset management and a medium-term asset management plan by December 2018, that reflect the aims of transformation.
  9. The board continues to work well, with real strengths in the quality of discussion and scrutiny and challenge of management. However, the Scottish Government's 2016 Scottish Fire and Rescue Framework requires the SFRS to report progress on outcomes for communities. The SFRS has been very slow to develop a performance management framework and IT systems to inform this. It needs to ensure systems are effectively implemented by October 2018, so that the board, strategic management and local management can access good quality information to effectively drive progress towards its priorities and those set out in the Scottish Fire and Rescue Framework. The board also needs to ensure it receives Equality Impact Assessments with papers to inform its decisions.
  10. Work at a local level with partners and communities continues to be well received, but the impact of community safety and prevention work needs to be evaluated. It now

needs to progress its plans to develop and implement a framework for monitoring, evaluating and reporting the impact of community safety activity.

11. The SFRS recognises the need to work more effectively in partnership with its national partners, particularly Police Scotland and the Scottish Ambulance Service. With its partners and the support of the Scottish Government, the SFRS needs to establish and begin implementing plans to progress the Reform Collaboration Group's strategy and vision for partnership working.

**Public Audit and Post-legislative Scrutiny Committee**

**17th Meeting, 2018 (Session 5), Thursday 14 June 2018**

**Petition PE1676: Land Registration etc. (Scotland) Act 2012**

**Background**

1. Petition [PE1676](#) from Tony Rosser was lodged on 20 November 2017. It calls on the Scottish Parliament to urge the Scottish Government to review the Land Registration etc. (Scotland) Act 2012, particularly with regard to:
  - i) the cadastral map; and
  - ii) the provision of supporting materials such as death certificates.
2. The petition stems from difficulties the petitioner faced in seeking reinstatement of the correct boundary on title deeds. The background information provided as part of the petition can be found in the Annexe.

**Public Petitions Committee Consideration**

3. At its meeting on [1 February 2018](#) the Public Petitions Committee agreed to write to the Scottish Government and Registers of Scotland. The Scottish Government's response of [6 March 2018](#) confirms it has no plans to review the cadastral map and that the provision of supporting materials such as death certificates is an operational matter for the Keeper of the Registers. The Registers of Scotland response of [15 February 2018](#) states it does 'not consider that it is necessary to ask solicitors to provide copies of death certificates'. The Petitioner's reply, of [15 March 2018](#), to these letters raises concerns over the responses received.
4. On [10 May 2018](#) the Public Petitions Committee agreed to refer the petition to the Public Audit and Post-legislative Scrutiny Committee under Rule 15.6.2 of Standing Orders.

**Public Audit and Post-legislative Scrutiny Committee consideration**

5. The Land Registration etc. (Scotland) Act 2012 is one of the Acts the Committee has shortlisted to form the basis of its post-legislative scrutiny work programme. The Public Petitions Committee has referred the petition to this Committee on that basis. The Committee has agreed to hear further from the stakeholders who suggested the Act before agreeing its approach to post-legislative scrutiny.

**For decision**

6. The Committee is invited to consider whether it wishes to include the issues raised in the petition when agreeing its approach to post-legislative scrutiny of the Land Registration etc. (Scotland) Act 2012.

**Clerks to the Committee  
June 2018**

**PE1676: Background information**

I have submitted this petition after experiencing difficulties in seeking reinstatement of correct boundary on title deeds. My experience has led me to believe that there are two major flaws in the Land Registration etc. (Scotland) Act 2012.

Section 11 of the Act covers provision of detail to be set out on the cadastral map, in relation to unit boundaries and otherwise depicting registered rights in such a manner as the Registers of Scotland Keeper considers appropriate. The cadastral map must be based on the base map being the Ordnance map, as chosen by RoS. To avoid any inaccuracies or questions about the validity of updated Ordnance Survey maps received by the RoS, I would like it to be mandatory for the RoS to check their validity against the current cadastral map. Where maps are in dispute the RoS should arrange a re-survey (to be conducted by OS or RoS) of the property physical boundaries, and proprietors should have the opportunity to question/approve the revised cadastral plan/title deed plan. I should note that OS do not delineate boundaries on their maps, a solid line denotes a man-made feature greater than 0.3m high (eg. fences walls and hedges), and a dotted line for a feature less than 0.3m (eg. a kerb). From information provided by the Scottish Government, I became aware that there are hundreds of maptiles updated each week. This could cover a lot of property owners, and I consider that the Act needs to be reviewed to ensure that other property owners do not experience similar difficulties to those that I faced.

Additionally, where RoS receive a request to revise a title deed plan to indicate the demise of a proprietor this should in my opinion be supported by a death certificate, original or certified copy. As inaccurate information was provided by my solicitor to RoS it led to my Title Deed error, which meant that I had to seek legal assistance for RoS to correct this. Provision of a death certificate negates the possibility of error by a proprietor or solicitor and, in extreme cases, could prevent fraud. My understanding is that the submission of supporting material such as death certificates was commonplace under previous legislation that supported land registration, and the removal of that requirement from the current legislation has created a major flaw in the process.

It is essential that all information on revising title deeds is accurate and that there are suitable and robust checking mechanisms in place.