

CUNNINGHAME DISTRICT COUNCIL

AGENDA ITEM 17(b)

REPORT for the consideration
of the Finance and General
Purposes Committee on 9th
September, 1980.

Role of CDC Officers in relation to Home Defence etc.

1. The Council on 26th August asked me to report (a) what contingency plans exist to enable the Chief Officers and emergency services to be in effective control of CDC in the event of a nuclear attack; (b) the position of the elected members in the event of such an attack; (c) how many Home Defence stations exist within Cunninghame District and where they are situated; and (d) how many members of CDC staff have taken part in the Home Defence courses.
2. I annex hereto a copy of the Civil Defence (Planning) (Scotland) Regulations 1975. It will be seen that Regulation 4 provides that it shall be the function of the Regional Council to do certain things and Regulation (5)(2) provides that it shall be the function of the District Council (i) at the request of SRC to provide them with information and (ii) at the request of the Secretary of State to assist SRC. Regulation 6 requires CDC to comply with any directions given to them by the Secretary of State.
3. I also annex hereto a copy of SHHD Circular ES (SCOT) 3/1975 dated 13th August, 1975 which contains current guidance on home defence planning assumptions. It will be seen that Annex A is marked Restricted. I have asked the SHHD on the implications of this. I am advised that there is no objection to the Circular being available to Councillors but it should be treated as Confidential and not made available to others or discussed in public. I am also advised that the Circular and Annexes are now in some respects out of date and that it is possible that following the recent Statement by Mr. Whitelaw in the House of Commons ~~it is possible that~~ a new Circular with updated guidance will be issued in due course.
4. With regard to the four questions put to me:-
 - (a) and (b) It will be seen that Paragraph 7/11 of the Circular envisage that in an emergency legislation would provide for the vesting of all SRC's powers in a small Emergency Committee of about three elected members and they would work in the manner indicated with a Regional Controller (to be appointed by the Zone Commissioner but likely perhaps to be the SRC Chief Executive). Similarly Paragraphs 16/17 envisage that all CDC's powers would be vested in a small Emergency Committee of about three elected members working with a District Controller (to be appointed by the Regional Controller but likely perhaps to be the CDC Chief Executive).

(c) /

(c) There are no Home Defence Control Centres in Cunninghame.

(d) The only CDC Officer who has attended a Home Defence Course is the Director of Administration who attended a Standard Home Defence Course (Scotland) from 27th March to 1st April, 1977.

By coincidence the SHHD have recently informed me that I am perhaps the only Scottish District Chief Executive who has never been on a Home Defence Course for Local Authority Chief Executives and they have asked me to attend one this autumn. I require a decision of the Council on whether they wish me to attend. The Course as I understand it would be concerned with the duties which would fall on me in the event of an emergency and my being designated the District Controller to work with the CDC Emergency Committee.

5. Quite apart from Home Defence the Chief Executive of SRC is charged with making, and keeping up to date, reserve plans for dealing with civil emergencies e.g. floods, fires, explosions, oil spills, etc. He asks for, and receives, assistance from me and other CDC Officers in relation to these matters e.g. with regard to communications, evacuation arrangements, emergency accommodation, keeping reserves of equipment and materials, availability of manpower for emergency tasks, etc.

JAMES M. MILLER,

Chief Executive.

Cunninghame House,
Irvine, 3rd September, 1980.

CIVIL DEFENCE

The Civil Defence (Planning) (Scotland) Regulations 1975

Laid before Parliament in draft

Made - - - - - 14th May 1975

Coming into Operation 16th May 1975

In exercise of the powers conferred on me by sections 2 and 8 of the Civil Defence Act 1948(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

- 1.—(1) These Regulations may be cited as the Civil Defence (Planning) (Scotland) Regulations 1975 and shall come into operation on 16th May 1975.
- (2) These Regulations shall apply to Scotland only.
- 2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament and as if the Regulations revoked by these Regulations were Acts of Parliament repealed by an Act of Parliament.
- (2) In these Regulations the words “region”, “islands area” and “district” shall have the same meaning as in the Local Government (Scotland) Act 1973(c).

3. The Regulations specified in the Schedule to these Regulations are hereby revoked.

4. It shall be the function of every regional council and islands area council for the purposes of civil defence—

- (a) to make plans for—
 - (i) collecting intelligence on the results of hostile attack and distributing such intelligence;
 - (ii) controlling and co-ordinating action necessary as a result of hostile attack;
 - (iii) instructing and advising the public on the effects of hostile attack and on protective measures to be taken against such effects;
 - (iv) providing and maintaining a service in their area for the billeting or temporary accommodation therein, and, so far as may be necessary, the maintenance of persons, who, owing to hostile attack, are made homeless;

(a) 1948 c. 5 (12, 13 & 14 Geo. 6). (b) 1889 c. 63.
 (c) 1973 c. 65.

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 - (iv) providing and maintaining a service in their area for the billeting or temporary accommodation therein, and, so far as may be necessary, the maintenance of persons, who, owing to hostile attack, are made homeless;

(a) 1948 c. 5 (12, 13 & 14 Geo. 6). (b) 1889 c. 63.
 (c) 1973 c. 65.

- (v) providing and maintaining a service in their area for the prevention of disease, or of the spread of disease, in circumstances arising out of hostile attack, including the provision of facilities for emergency sanitation and the removal and disposal of refuse of any kind;
- (vi) providing facilities for the disposal of human remains in the event of a hostile attack;
- (vii) providing and maintaining emergency feeding services including equipment;
- (viii) providing and maintaining a service in their area for the urgent repair, replacement, or demolition and clearance, as the case may be, of any property, including land, dwellinghouses, or premises providing goods or services, or any highway or street within the meaning of the Burgh Police (Scotland) Act 1892(a) and the Roads (Scotland) Act 1970(b) in circumstances arising out of hostile attack;
- (ix) providing and maintaining any other services essential to the life of the community in the event of a hostile attack;
- (x) training an appropriate number of members of their own staff, and of the staff of district councils (in the case of regions) whose services are made available for the purpose by the council concerned, for the purpose of carrying out the plans made under the foregoing provisions of this Regulation; and
- (b) at the request of the Secretary of State—
- (i) to take such preparatory steps as may be necessary to ensure that such plans as aforesaid can be carried out;
- (ii) to carry out such plans as aforesaid.
- 5.—(1) When making plans under Regulation 4(d) above a regional council shall consult with the council of any district which may be affected by such plans.
- (2) It shall be the function of the council of any such district for the purposes of civil defence—
- (a) at the request of the regional council to furnish such information on such matters as may be specified in the request; and
- (b) at the request of the Secretary of State, to assist the regional council in
- (i) the making of plans under Regulation 4(a) above; and
- (ii) the taking of preparatory steps to ensure that such plans can be carried out; and
- (iii) the carrying out of such plans.
6. As respects the exercise of any of their functions under these regulations a region, islands area or district shall comply with any directions given to them by the Secretary of State.

SCHEDULE

Regulations Revoked

The Civil Defence (Burial) (Scotland) Regulations 1949	S.I. 1949/2139 (1949 I, p. 650).
The Civil Defence (Evacuation and Care of the Homeless) (Scotland) Regulations 1949	S.I. 1949/2140 (1949 I, p. 656).
The Civil Defence (Demolition and Repair Services) (Scotland) Regulations 1950	S.I. 1950/1298 (1950 I, p. 348).
The Civil Defence (Emergency Feeding) Regulations 1951	S.I. 1951/1223 (1951 I, p. 258).
The Civil Defence (Training in Nursing) (Scotland) Regulations 1963	S.I. 1963/963 (1963 II, p. 1607).
The Civil Defence (Public Protection) (Scotland) Regulations 1967.	S.I. 1967/1180 (1967 II, p. 3464).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, made under the Civil Defence Act 1948, revoke and replace the Regulations set out in the Schedule to these Regulations. The function of making certain plans for civil defence purposes is conferred on the new regional and islands area councils established under the Local Government (Scotland) Act 1973.

These Regulations provide that, at the request of the Secretary of State, a regional council and islands area council should take preparatory steps to ensure that the plans can be carried out and carry out the plans. When making the plans a regional council is required to consult with the council of a district, which may be affected by such plans. It is the function of the councils of districts which may be so affected to furnish certain information at the request of the regional council and, at the request of the Secretary of State, to assist the regional council in the exercise of their functions.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

STATUTORY INSTRUMENTS

1975 No. 848 (S. 148)

CIVIL DEFENCE

The Civil Defence (General) (Scotland) Amendment
Regulations 1975

Laid before Parliament in draft

Made	- - -	14th May, 1975
Coming into Operation		16th May, 1975

In exercise of the powers conferred on me by sections 2 and 8 of the Civil Defence Act 1948(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

- 1.—(1) These Regulations may be cited as the Civil Defence (General) (Scotland) Amendment Regulations 1975 and shall come into operation on 16th May, 1975.
- (2) These Regulations shall apply to Scotland only.

2. Regulations 1, 2, 3, 4 and 7 and in regulation 9(1) the definitions of the expressions “joint police committee”, “fire area joint committee”, “joint water board” and “constituent authority” (appearing twice) of the Civil Defence (General) (Scotland) Regulations 1949(b) are hereby revoked.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
14th May 1975.

(a) 1948 c. 5 (12, 13 & 14 Geo. 6).

(b) S.I. 1949/1416 (1949 I, p. 642).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Civil Defence (General) (Scotland) Regulations 1949 to take account of changes made by the Local Government (Scotland) Act 1973 (c. 65). Regulation 2 of these Regulations revokes Regulations 1, 2, 3, 4, 7 and part of 9(1) of the 1949 Regulations. Regulations 1, 2, 3 and 4 relate to the power to delegate civil defence functions. Regulation 7 imposes restrictions on the discretion conferred on local authorities. Regulation 9(1) contains several definitions which are now superfluous.

Printed in England by Bemrose & Sons Ltd., and published by Her Majesty's Stationery Office

75/8056 I.42 K20 5/75

6p net

ISBN 0 11 050848 3