

Public Document Pack

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22 January 2019

Environment, Communities and Fire Select Committee

A meeting of the committee will be held at **10.30 am** on **Wednesday, 30 January 2019** at **County Hall, Chichester**.

Tony Kershaw
Director of Law and Assurance

Item nos: 1-9 on the agenda will be available to view live via the Internet at this address:

<http://www.westsussex.public-i.tv/core/portal/home>

Agenda

Part I

1. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it.

If in doubt please contact Democratic Services before the meeting.

2. **Minutes of the last meeting of the Committee**

The Committee is asked to note that the minutes of the meeting held on 14 January 2019 are in preparation and will be submitted to the next meeting for approval.

3. **Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances, including cases where the Committee needs to be informed of budgetary or performance issues affecting matters within its terms of reference, which have emerged since the publication of the agenda.

4. **Part II Matters**

Members are asked to indicate at this stage if they wish the meeting to consider bringing into Part I any items on the Part II agenda.

5. **Future Fire Service Mobilising Arrangements for West Sussex** (Pages 5 - 16)

Report by Executive Director Communities and Public Protection and Director of Public Protection.

The report advises of a review of possible arrangements for the future provision of a control centre for calls and mobilisation and recommends that an agreement should be made with Surrey Fire and Rescue Service to deliver a joint mobilisation system and control centre.

The Committee is asked to consider the recommendations in light of the suggested focus for scrutiny in the covering report.

6. **Requests for Call-in**

There have been no requests for call-in to the Select Committee and within its constitutional remit since the date of the last meeting. The Director of Law and Assurance will report any requests since the publication of the agenda papers.

7. **Forward Plan of Key Decisions** (Pages 17 - 18)

Extract from the Forward Plan dated 18 January 2019.

An extract from any Forward Plan published between the date of despatch of the agenda and the date of the meeting will be tabled at the meeting. Only relevant items added on 18 January 2019 are included as the previous meetings of the Committee considered other items.

The Committee is asked to consider whether it wishes to enquire into any of the forthcoming decisions within its portfolio.

8. **Possible Items for Future Scrutiny**

Members to mention any items which they believe to be of relevance to the business of the Select Committee, and suitable for scrutiny, e.g. raised with them by constituents arising from central government initiatives etc.

If any member puts forward such an item, the Committee's role at this meeting is just to assess, briefly, whether to refer the matter to its Business Planning Group (BPG) to consider in detail.

9. **Date of Next Meeting**

The next meeting of the Committee will be held on Wednesday, 13 March 2019 at 10.30 am at County Hall, Chichester. Probable agenda items include:

- Highways and Transport Improvement Schemes
- Updated Guidance on Parking in New Developments
- Community Hubs
- Fire and Rescue Service People Culture Strategy

Any member wishing to place an item on the agenda for the meeting must notify the Director of Law and Assurance by 1 March 2019.

Part II

10. **Exclusion of Press and Public**

The Committee is asked to consider in respect of the following item whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Part I of Schedule 12A of the Local Government Act 1972, as indicted below, and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

Exempt: paragraph 3, Financial or business affairs of any person (including the authority)

11. **Future Fire Service Mobilising Arrangements for West Sussex** (Pages 19 - 62)

Appendix to Decision Report by Executive Director Communities and Public Protection and Director of Public Protection.

West Sussex Fire and Rescue Service - Fire Control Room Business Case and Options Appraisal.

(This document is a Part II due to the financial, technical and commercially confidential elements. There is Information provided in the evaluation process in relation to the various external organisations including both public sector and commercial, whose possible contributions to solutions were assessed against the criteria of a Part II).

To all members of the Environment, Communities and Fire Select Committee

Webcasting

Please note: this meeting may be filmed for live or subsequent broadcast via the County Council's website on the internet - at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council.

Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

Environment, Communities and Fire Select Committee	
30 January 2019	Part I
Future Fire Service Mobilising Arrangements	
Report by Director of Law and Assurance	

The focus for scrutiny is:

- The strategic aims underlying the proposal
- The forecast outcomes and benefits
- The rationale for selecting the preferred option, and for discarding the other options.

1. Background

- 1.1 The attached draft decision report sets out a decision the Cabinet Member for Safer, Stronger Communities proposes to take in January 2019, in respect of the future mobilisation arrangements for West Sussex Fire and Rescue Service.
- 1.2 An additional meeting of the Committee was scheduled to facilitate scrutiny of the proposal within the project timescales.

2. Proposal

- 2.1 The Committee is invited to scrutinise the proposed decision, and to agree recommendations for the Cabinet Member's consideration.

3. Resources

- 3.1 The preparation of this covering report has been accommodated within the Democratic Services budget.

4. Issues for consideration by the Select Committee

Given its strategic remit, the Committee is invited to focus on the following areas:

- The strategic aims underlying the proposal
- The forecast outcomes and benefits
- The rationale for selecting the preferred option, and for discarding the other options.

5. Consultation

5.1 No consultation has been undertaken in respect of this covering report.

6. Risk Management Implications

6.1 Effective scrutiny is intended to improve the quality of decision-making.

7. Other Options Considered

7.1 Not applicable to this covering report

8. Equality Duty

8.1 Not applicable to this covering report

9. Social Value

9.1 Not applicable to this covering report

10. Crime and Disorder Implications

10.1 Not applicable to this covering report

11. Human Rights Implications

11.1 Not applicable to this covering report

Tony Kershaw

Director Law and Assurance

Contact: Ninesh Edwards 0330 222 2542

Appendices

A: Draft Decision Report

B: Part II Appendix to Decision Report

Background Papers: None.

Cabinet Member for Safer Stronger Communities	Ref No:
January 2019	Key Decision: YES
Future Fire Service Mobilising Arrangements	Part I
Report by Executive Director Communities and Public Protection and Director of Public Protection	Electoral Divisions: all

Summary

The County Council acting as the West Sussex Fire and Rescue Authority (WSFRS) must meet its statutory duty with regard to receiving calls and mobilising to an emergency incident. This service is currently provided through a joint arrangement with East Sussex Fire and Rescue Service under a service delegation Agreement made under section 16 Fire and Rescue Services Act 2004.

The Leader on behalf of the Cabinet Member for Safer, Stronger Communities took a decision (ref: SSC4 18.19) to serve notice of termination on the current Section 16 Agreement. The notice was issued in August 2018 and the termination is effective from February 2020.

This is a time critical project with a short delivery window to ensure the statutory duties of the Fire Authority are met. Over the past eight months officers have been evaluating suitable mobilising options for West Sussex Fire and Rescue Service.

These evaluations considered around 20 different options with five being considered as options worthy of further appraisal. These five options were investigated taking into account collaboration opportunities for Fire and Rescue, Technological and Financial aspects of delivering this service to provide a balance of excellent service to our residents, safety of our firefighters and value for money.

There are significant additional collaboration opportunities identified within the proposal through entering into a new Section 16 Agreement with Surrey Fire & Rescue Service. This sets the foundations for wider future collaboration opportunities across other services.

West Sussex Plan: Policy Impact and Context

This proposal will support the West Sussex Plan 2017-22 in the following areas:

- A strong, safe and sustainable place – in managing services to address:
 - Calls to critical fires where the first fire engine met our emergency response standard
 - People killed and seriously injured in road accidents
 - Safe and well visits carried out for those at highest risk
- A Council which works for the community - Value for Money
 - Residents see that the Council provides good value for money

Financial Summary

This proposal demonstrates a significant savings opportunity for West Sussex Fire and Rescue Service in delivering a cost effective Fire Control Room solution and wider IT strategy.

There is an £934k investment requirement in 2019/20 to deliver the project and complete the transfer to the new mobilising system. This will make ready the internal IT systems and processes to deliver a resilient and compliant IT infrastructure.

The Business Case and Options Appraisal (Attached as a Part II appendix) demonstrates the financial breakdown and the savings opportunity of c.£855k year on year.

Recommendations

- (1) To authorise the Director of Operations to engage with Surrey Fire and Rescue Service to formalise a partnership through a new Section 16 Agreement aimed to deliver a joint mobilisation system and control centre to take effect no later than 17 February 2020.
- (2) To authorise the Director of Operations to explore wider Fire and Rescue IT collaboration opportunities to realise efficiencies and improve effectiveness for both services as set out in Section 4 of this report.

Proposal

1. Background and Context

- 1.1 The Fire and Rescue Services Act 2004 places a duty on the Fire Authority to provide a means of receiving calls for help and mobilisation of resources to emergencies.
- 1.2 In 2012 the County Council (WSFRS) and East Sussex Fire and Rescue Service (ESFRS) entered into an agreement for ESFRS to provide this service for WSFRS under a Section 16 Fire and Rescue Services Act 2004

Agreement. This Agreement included staff transfer, building share, technology deployed and planned transfer to a new mobilising system.

- 1.3 Since 2012 the new mobilisation system was developed and tested with ESFRS moving over to the live system in early 2018. WSFRS required more detailed assessment and assurance to be able to make an informed decision as to whether to transfer from their current mobilisation system to the new system. In order to gain assurance on the functionality of the new system the County Council conducted a thorough assessment of the broader service delivery of Sussex Control Centre (SCC).
- 1.4 The outcomes of the assessment led to a Cabinet Member decision to serve the Notice of Termination under the Section 16 Agreement between ESFRS and WSFRS. The notice period of 18 months is now in progress, providing a maximum end date of 17 February 2020. This is the latest possible date that WSFRS will need to be moved out of the SCC and into a new mobilisation system and control arrangement.
- 1.5 In addition, WSFRS has a number of high priority IT requirements that align themselves with the technology trajectory defined as part of the Fire Control Room project. The proposal will address current IT challenges as well as those contained in the awaited report from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

2. Proposal Details

Approach

- 2.1 A comprehensive Options Appraisal has been undertaken during 2018 and included assessment of the Fire and Rescue operational and technological requirements plus financial and resource assessment to deliver a wider Fire and Rescue IT Strategy. This has informed the business case which identifies the current proposal as the preferred option (See Part II appendix)
- 2.2 The Service Delivery Options Appraisal was conducted through a tiered approach to assess the operational effectiveness of shared borders and financial efficiencies. The options criteria evaluated four main areas which are more fully explained in the business case.
 - Technology (operating platform and wider technology and collaboration)
 - Timelines and Fit (maturity, alignment and readiness for integration)
 - Process (ready to deliver and defined route to transition)
 - Value for money and efficiency (cost, cost avoidance and future savings)
- 2.3 In addition, the evaluation of options considered a hierarchy of service delivery need as follows:
 - A (must have)
 - A fire control mobilisation system
 - An in delivery roadmap for switch over to the mandatory Emergency Services Network, milestone achievement for compliance and readiness

B (should have)

- Methods to manage FRS crewing resources
- Mobile fire engine risk management systems
- Shared network (bearer) gateways and infrastructure

C (could have)

- Prevention and Protection risk data management
- Home office data gathering systems
- Data collection and visualisation systems

D (additional benefits)

- Other partnership opportunities to realise efficiencies and effectiveness
These will include opportunities for collaboration in relation to some of the needs set out in A-C above and those identified as part of the evaluation of the proposal are describe in section 4 below.

2.4 From the number of options evaluated six were considered for further evaluation and these are detailed in the Business Case and Options Appraisal. Options included:

- To maintain the current arrangement with ESFRS
- A new arrangement with ESFRS and a new system migration
- Arrangement for joint provision with current Surrey FRS system
- Arrangement to join or operate within another FRS operation
- To undertake a full open procurement for a provider
- To re-establish an in-house service

These six options were assessed using the above evaluation criteria and hierarchy of needs. Technical IT, finance, legal as well as FRS service expertise were all deployed to undertake relevant assessment of the pros and cons of the options and to identify in addition any opportunities they would provide for extended benefits such as collaboration in other service, technical, IT solutions or other service or financial benefits.

2.5 The full Options Appraisal and Business Case provides the detail of this process of evaluation. In summary the first two options (with ESFRS) showed technical and financial disadvantages and fewer collaborative opportunities in addition to difficulties in achieving the optimum solution in a timely way. Cost of the technology, time to deliver and limited collaboration opportunities also ruled out the option to create an in-house solution. The other joint initiative with an existing FRS operation presented timing problems and a less favourable IT and technology transition than the option considered for joint operation with Surrey FRS and it was this last option that scored highest when all of the evaluation criteria were applied – in addition to those for value for money and future collaborative opportunities.

3. Proposal Detail (Mobilising System) The preferred option

3.1 Surrey Fire and Rescue Service (SFRS) have been chosen as a new partner to deliver the function (Option C1) from six options contained within the options appraisal Appendix A (Part II). Surrey Fire and Rescue Service (SFRS) operate a tried and tested market leading mobilising system which is fully deployed and has been in operation for three years. Surrey Fire & Rescue Service has demonstrated a proactive approach to the Emergency

Services Network (ESN) illustrated through a developed roadmap with milestone achievements already realised making their mobilising system ESN ready.

- 3.2 Control Centre staff are supported with additional data to assist the mobilising and decision making. This is in the form of a system that overlays real time asset availability, risk profiling and predictive risk mapping. SFRS also utilise availability of Highways England trunk road monitoring and traffic flow. This means that the control room can make evidenced based decisions on mobilising. Live camera feeds to the Control Room are supplied both from Highways England and the Sussex & Surrey Police drone (when deployed).
- 3.3 SFRS has demonstrated their ability to effectively scale their infrastructure to receive & process a greater volume of 999 calls, by previously managing the Isle of Wight Fire Control duties. SFRS has evidenced a defined and repeatable process to bring a further FRS onto their platform.

4 Proposal Detail (Wider Collaboration Opportunities)

- 4.1 Wider collaboration opportunities (beyond use of a single mobilising system) have been identified. These include the potential to realise additional future efficiencies and reinvestment opportunities through use of a single shift and human resource management system solution.
- 4.2 A shared fire risk reporting and recording system has the potential to quickly improve the recording of risk data to keep firefighters safe in their operational duties.
- 4.3 To support the fire risk reporting system we would improve the way firefighter safety risk data is delivered within the fire engines by providing up to date mobile device terminals in cab to align with Surrey's technology & ways of working. This will deliver both operational effectiveness and efficiencies year on year through reduced costs in maintenance and collaborative procurement contracts.
- 4.4 A co-developed, operational reporting system will bring together complimentary skills from both services. This will provide the Home Office with timely statistical data in the required format as well as transform the way both services display and utilise data to deliver service improvements.
- 4.5 In partnership with SFRS we will be able to identify opportunities to achieve significant benefits throughout the essential statutory areas listed above in group A through to the more desirable areas of assessment from groups B, C, and D.

5. Project Governance

- 5.1 The Fire Control Room Project will require a Project Manager for the new solution as well as the exit from the existing Sussex Control Centre (SCC). Significant County IT resource, WSFRS IT lead, WSFRS subject matter advisers are also required to deliver the work streams.

- 5.2 The project IT leads will engage with SFRS to formalise a new partnership through working with the legal, finance and procurement teams to deliver a joint Fire Control Room. The IT Leads will engage with SFRS to formalise wider IT partnership opportunities to deliver the West Sussex Fire and Rescue Service (WSFRS) IT Strategy to realise further efficiencies. The Project Lead will arrange for negotiations and agreed governance to complete the exit from the Section 16 Agreement with ESFRS and the arrangements supporting it.
- 5.3 The Fire Control Room Project Manager and WSFRS IT Lead will establish joint governance arrangement between SFRS and WSFRS. The WSFRS IT Lead and Project Manager will establish an internal WSFRS Strategic and Operational Board to govern delivery of the project.
- 5.4 The WSFRS IT Lead and WSCC IT Lead will develop the following work streams to report into the operational board
- Finance
 - Media
 - Procurement
 - Legal
 - Technical
 - Ways of working

6 Factors taken into account - Consultation

- 6.1 Due to the commercially sensitive nature of the Business Case and Options Appraisal there has been no external consultation to this point other than to gather evidence and research to generate the comprehensive Options Appraisal.
- 6.2 **Members** – The Leader and the Cabinet Member for Safer, Stronger Communities have been fully briefed on the work in developing this project proposal. The proposal will be taken to the Environment, Communities and Fire Select Committee in January 2019 prior to any decision being finalised.
- 6.3 **External** – WSFRS and WSCC IT have conducted research both virtually and in visiting mobilisation providers across the country with the detail contained within the Business Case and Options Appraisal.
- 6.4 **Public** – With the exception of a forward plan entry, no public engagement has been accessed or is required with regard to this proposal at this stage as it will not affect adversely the service to the public.
- 6.5 **Internal** – The following teams have had significant input into developing these recommendations.
- IT leads
 - Finance
 - Legal
 - Procurement
 - Media/Communications team

- 6.6 Union Representative Body engagement has been undertaken to discuss and provide information on the 18 month notice being served to ESFRS in line with the Section 16 Agreement. The representative bodies will be engaged at the Joint Consultation Committee (JCC) in January 2019 before public release of the proposal documentation.

7 Financial (Revenue and Capital) Resource Implications

- 7.1 The current budget includes all costs related to the provision of the service, including costs paid to East Sussex Fire and Rescue Service and those paid directly by the County Council.

	2019/20 £	2020/21 £	2021/22 £
Revenue Budget	1,767,965	1,767,965	1,767,965
Cost of Proposal	2,701,619	912,805	912,805
Shortfall/Saving	-933,654	855,160	855,160

- 7.2 Costs in 2019/20 reflect a move to the proposed service in December 2019, whilst the existing agreement with ESFRS will run until February 2020 and also include £815,000 of costs required to transition from the current system, including data transfer and project management, and the necessary upgrade of hardware and software licences associated with the new system.
- 7.3 The costs of transition in 2019/20 will be funded from the IT Investment Reserve with the intention that the reserve will be repaid from the first year's saving. Whilst the dual running costs between December 2019 and February 2020 will be managed within the Directorate resources.
- 7.4 During the period of exit from the current arrangements there will be costs associated with the decommissioning and disposal of the current IT but there will also be opportunities to reuse hardware in the secondary Control Centre in Chichester. ESFRS are expected to continue to use the building at Haywards Heath and it is expected that this will yield a rental income to the County Council. The current assumption is that any costs associated with the decommissioning of the IT system would be met from the on-going rental income.

8. Legal Implications

- 8.1 Part 2 of the Fire and Rescue Services Act 2004 sets out the key functions of the Fire Service which include: extinguishing fires in their area and protecting life and property in the event of fires in their area, rescuing and protecting people in the event of a road traffic collision and rescuing and protecting people in the event of other emergencies.
- 8.2 The current Section 16 Agreement between West Sussex County Council and East Sussex Fire and Rescue Service expires on 17 February 2020. Notice of termination is currently running in accordance with the agreement's terms.

Joint project work is underway to plan and manage the transition away from the joint working arrangements and technology

- 8.3 Section 16 of the 2004 Act allows Fire & Rescue authorities to delegate their functions to another Fire and Rescue Authority. Further the Local Government Act 1972 allows the Council to delegate the delivery of a function to another Local Authority. This will be the form of agreement proposed and the length of the agreement will be finalised once the financial, technical and other service collaboration requirements are considered in more detail.
- 8.4 Collaboration with another Council or Fire Authority or delegation of a function is not a public services contract and therefore the proposed arrangement is not subject to the Public Contracts Regulations 2015 ("PCR 2015").
- 8.5 The transfer of the delegation of the function and Control Room service will need to be managed carefully and consider IT implications (e.g. IT licences), data migration and GDPR in relation to transfer of any personal data.
- 8.6 The current emergency Control Room operates from Haywards Heath Fire Station, a West Sussex County Council owned premises. Upon termination of the current agreement, if the Council wish to allow East Sussex Fire and Rescue to remain on the Council premises, a lease will be required between the parties.
- 8.7 Transfer of Undertakings (Protection of Employment) (TUPE) implications for staff deployed as part of the current service provided by ESFRS will be addressed and managed as part of the project plan. In addition there could be TUPE or redundancy implications in respect of officers employed by ESFRS and those will be managed in accordance with the Section 16 Agreement with ESFRS. In relation to the services to be included in the proposed solution there may be TUPE or redundancy implications for WSFRS employees who currently carry out any element of the service that may be transferred to alternative providers and/or Surrey Fire & Rescue as part of the final proposal.

9. Risk Assessment Implications and Mitigations

- 9.1 A fully comprehensive risk assessment has been undertaken and is contained within the Business Case and Options appraisal (Part II Appendix). It identifies particular risks associated with Statutory Duties, Health and Safety, Financial and Business continuity in relation to the need to ensure a service continues to be available when the current arrangement ends in February 2020 and considered against the plans for the timely implementation of the proposal.

10. Other Options Considered

- 10.1 The Business Case and Options Appraisal assessed six options to determine this conclusion and provides evidenced based decision making.

11. Equality and Human Rights Assessment

- 11.1 The Equality and Human Rights Assessment in line with the Council's public sector equality duty has identified that there are no specific equality and human rights issues identified. This will be revisited as part of the TUPE and HR impact assessment as the project plan is developed.

12. Social Value and Sustainability Assessment

- 12.1 The Business Risk and Opportunities risk assessment has identified no adverse economic, social or environmental issues. It is suggested that the collaborative elements of the proposal will bring some benefits which accord with the Council's Sustainability Policy and its Social Value Policy. These will be confirmed as the proposal is finalised and its implementation achieved.

13. Crime and Disorder Reduction Assessment

- 13.1 The Business Risk and Opportunities risk assessment has identified no adverse impact to Crime and Disorder.

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Appendices

West Sussex Fire and Rescue Service - Fire Control Room Business Case and Options Appraisal.

(This document is a Part II due to the financial, technical and commercially confidential elements. There is Information provided in the evaluation process in relation to the various external organisations including both public sector and commercial, whose possible contributions to solutions were assessed against the criteria of a Part II).

Background papers - none

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Environment, Communities and Fire Select Committee

30 January 2019

Extract from Forward Plan of Key Decisions published on 18 January 2019 – New item added since the last meeting of the Committee

European Agricultural Fund for Rural Development funding bid for the Downs Link	
<p>The European Agricultural Fund for Rural Development (EAFRD) finances the European Union's contribution to rural development programmes. West Sussex County Council submitted an expression of interest in 2018 which was received favorably and approval is now being sought to submit a formal bid and to deliver various works along the Downs Link.</p> <p>The work delivered, if the bid is successful, will enable surfacing improvements along five sections of the Downs Link as well as improved signage and interpretation.</p> <p>The Cabinet Member will be asked to approve</p> <ol style="list-style-type: none"> 1. The submission of the bid to EAFRD 2. The use of existing s106 and Highways Maintenance Block funding in 2019/20 to match fund the bid 3. The delegation of authority to the Director of Highways and Transport to a) enter into the necessary legal agreements with the funding body if the bid is successful and b) commence the procurement process and award associated contracts to deliver the work. 	
Decision By	Mr Elkins - Cabinet Member for Highways and Infrastructure
West Sussex Plan priority	A Prosperous Place
Date added to Forward Plan	18 January 2019
Decision Month	February 2019
Consultation/ Representations	<p>Local members Internal departments: Finance, Legal Services</p> <p>Representations concerning this proposed decision can be made to the Cabinet Member for Highways and Infrastructure, via the officer contact, by the beginning of the month in which the decision is due to be taken.</p>
Background Documents (via website)	None
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