



# **Agenda for the Meeting of the Audit and Governance Committee**

**Tuesday, 3rd November, 2020**

**At**

**6.30 pm**

The Royal Berkshire Fire Authority's Audit and Governance Committee is being held online in accordance with the Local Authorities and Police and Crime Panels (Coronavirus\_ (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) regulations 2020.

The Authority supports the principles of openness and transparency. To enable members of the press and public to see or hear the meeting, this meeting will be livestreamed:

<https://www.youtube.com/user/RoyalBerkshireFRS>

For further information regarding this meeting, please contact:

Committee Team

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Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading, Berkshire RG31 7SD



**MEETING:** Audit and Governance Committee Meeting  
**DATE AND TIME:** Tuesday, 3rd November, 2020 at 6.30 pm  
**REMOTE MEETING** <https://www.youtube.com/user/RoyalBerkshireFRS>

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## S U M M O N S

You are hereby summoned to attend the meeting of the Royal Berkshire Fire Authority's Audit and Governance Committee at the time, date and venue indicated above, when it is proposed to deal with the business set out in the enclosed Agenda.

A handwritten signature in black ink, appearing to read 'Graham Britten'.

**GRAHAM BRITTEN**  
Monitoring Officer

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**To: Members of the Audit and Governance Committee:**

Councillor Christine Bateson	Councillor Tony Linden
Councillor Jane Stanford-Beale	Councillor Harjinder Minhas
Councillor Dennis Benneyworth	Councillor Garth Simpson
Councillor Christine Hulme	Councillor Simon Werner
Councillor Tina McKenzie-Boyle	

**Copy to: Senior Leadership Team (SLT), Royal Berkshire Fire and Rescue Service**



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## **AGENDA**

- (a) Urgent Late Item - NFCC Letter to Emergency Services Mobile Communications Programme (ESMCP) re Full Business Case\_(Pages 5 - 16)

Purpose:

That the report and NFCC letter to the ESMCP dated 20 October 2020 be noted.

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**ROYAL BERKSHIRE FIRE AUTHORITY**

<b>COMMITTEE</b>	<b>AUDIT AND GOVERNANCE COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>3 NOVEMBER 2020</b>
<b>SUBJECT</b>	<b>URGENT ITEM NFCC LETTER TO EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME (ESMCP) RE FULL BUSINESS CASE</b>
<b>LEAD OFFICER</b>	<b>STEVE FOYE, DEPUTY CHIEF FIRE OFFICER</b>
<b>LEAD MEMBER</b>	<b>N/A</b>
<b>EXEMPT INFORMATION</b>	<b>NONE</b>
<b>ACTION</b>	<b>FOR NOTE</b>

**1. EXECUTIVE SUMMARY**

- 1.1 This report is brought as an urgent item by virtue of section 100B (4) (b) of Local Government Act 1972. The urgent item is seeking the Audit and Governance Committee to receive and note a letter (Dated 20 October 2020), sent from the National Fire Chief Council (NFCC) Strategic Lead for Operational Communications (CFO Daryl Keen) to the Senior Responsible Owner (SRO) (Stephen Webb) for the Home Office Emergency Services Mobile Communications Programme (ESMCP). This letter pertains to the current review by the National Programme of the Draft Full Business Case (FBC) for the Emergency Services Programme.
- 1.2 A brief explanation of the FBC review process, options within the Draft FBC and the key points from NFCC letter is provided through the report. The report also reminds Members of the prudent actions already taken by the Committee and Fire Authority in writing to and meeting with programme representatives to register their concerns.
- 1.3 The NFCC letter of the 20 October 2020 provides a clear outline of the Fire and Rescue Sectors collective concerns. Given the number of years that the programme still has to run and that the Draft FBC is likely to be subject to further review by Ministers, additional comment by the Committee or Fire Authority is considered unnecessary at this time.

## Agenda Item 7a

- 1.4 Officers will continue to provide periodic updates to the Audit and Governance Committee regarding any decisions by Ministers in relation to the Draft FBC and on-going progress and development of the Emergency Services Mobile Communications Programme.

### 2. **RECOMMENDATION**

That the Audit and Governance Committee:

- 2.1 **NOTE** this report and the NFCC letter to the ESMCP dated 20 October 2020 (see appendix A).

### 3. **REPORT**

- 3.1 This report is brought as an urgent item so the Audit and Governance committee can receive and note a letter (found in appendix A), from CFO Daryl Keen who is the NFCC Strategic Lead for Operational Communications, to the SRO for the Home Office ESMCP, Stephen Webb.
- 3.2 This letter provides feedback on the latest draft of the ESMCP FBC - version No. 0.08d dated 18/09/20. The Draft FBC is currently going through a process of review and approval within the Home Office and is expected to go to Ministers in February 2021. Whilst recent information indicates a new delay in programme delivery of the Prime product, currently, there is no indication that this will impact the timeline for review of the Draft FBC.
- 3.3 Sign off for the FBC for English Fire and Rescue is undertaken by the Home Office as the funding sponsor body for the programme and overseeing Government Department for the sector. NFCC assists with key inputs into these decisions by providing assurance of the FBC in terms of its Technical viability, Operational viability and overall deliverability. Approval of the FBC is a matter for Ministers from across Government Departments.
- 3.4 As currently presented, the Draft FBC presents four options for the future of ESMCP, known as options 1,2, 3a and 3b. To assist the Committee, The Draft FBC puts less emphasis on options 1 and 2, with both leading to the on-going maintenance of the current Airwave provision and limiting the technological change achieved through the Emergency Services Network (ESN) that the ESMCP is intended to deliver. Equally the on-going cost of Airwave is considered to be prohibitive when compared to future on-going cost of the ESN.
- 3.5 In simple terms, if an ESN option (3a or 3b) is supported, there is an overall economic benefit of achieving the earliest possible transition from Airwave to ESN as ESN should be cheaper than Airwave in its totality of cost. In addition, maintaining both systems concurrently creates additional cost, so, if ESN is

the preferred option, the programme want to complete transition to ESN and shut down Airwave in the shortest safest timeframe possible.

- 3.6 Option 3b indicates incremental delivery of ESN leading to an expected Airwave shut down date between June 2023 and February 2024 whilst Option 3a indicates incremental delivery of the ESN with an Airwave shut down date between November 2024 and June 2025. Given the recently announced delay in the development of the Prime product, option 3a may be a more realistic option at this time.
- 3.7 NFCC supports ESN as providing the best strategic fit for the future of emergency services communications. However, without the detailed plans, assumptions and other information that sit behind either option 3a and 3b, the NFCC is not able offer a firm view or any assurance around either option.
- 3.8 At the start of the FBC revision process, in the summer of 2020, the NFCC believed that the delivery of plans (either 3a or 3b) were already under considerable pressure in terms of meeting relevant milestones with; an over optimism on delivery within the programme; zero contingency in plans and; limited assurance of ESN being successfully and safely delivered within current cost and time.
- 3.9 These issues and others, such as sector expectations regarding ESN resilience and coverage, are addressed through the NFCC letter, with the matters articulated drawn from input and concerns raised from across the Fire and Rescue sector and drawn together by the NFCC Team. By example, DCFO Foye currently chairs the South Central ESMCP Board (comprised of representatives from across the three Thames Valley FRS's) and regularly attends the National Fire Customer Group, which is chaired by CFO Keen and is just one route where input is offered and concerns raised for consideration.
- 3.10 The NFCC letter provides a clear narrative to the Home Office Programme that NFCC does not yet feel sufficiently informed to assure the FBC on grounds of technical and operational viability, nor its overall deliverability.
- 3.11 NFCC have been clear that Fire Authorities will want high levels of assurance on the financial elements, in particular the non-core and in full life costs that would fall to these Fire Authorities. Of growing concern is that ESN will cost Fire and Rescue Authorities more at a local level than they currently pay for Airwave capabilities. Essentially, whilst the total cost for the ESN may be cheaper than Airwave, elements of cost distributed to user organisations remain unknown thus creating uncertainty for Services and Fire Authorities. This is clearly articulated in the letter to the programme.
- 3.12 A revised draft of the FBC has been indicated and, whilst it remains to be seen, it may address some of the matters raised by user organisations thus far. Officers will consider the NFCC response to the Draft FBC and at the South Central ESMCP Board of the 04 November 2020. Any feedback from

## Agenda Item 7a

officers will be provided through the Fire Customer Group on the 03 December 2020 though RBFRS officers are content to support the matters raised in the NFCC letter of 20 October 2020.

- 3.13 The NFCC do highlight in their letter that a number of Fire Authorities have expressed their desire to provide feedback into the programme. The NFCC team are working with the Local Government Association to identify how the LGA can provide this single voice into the programme. Audit and Governance Committee and the Fire Authority have shown prudence and foresight by previously registering their concerns with the National Programme.
- 3.14 A letter of 24 September 2018 was sent from the Chairman of the Fire Authority and the Chairman of Audit and Governance to the Home Office Permanent Secretary, recording the concerns of the Fire Authority. Following a reply from the Permanent Secretary, representatives from the Programme were invited to meet with Fire Authority Members. This meeting took place on the 04 July 2019 and Members were able to directly ask questions and register their concerns through this meeting.
- 3.15 Further to this, following an update report to the Thames Valley Fire Control Service (TVFCS) Joint Committee, a joint letter, dated 22 October 2019 and signed by Members from all three Fire and Rescue Authorities that make up the TVFCS Joint Committee was sent to the Permanent Secretary for the Home Office, to register their joint concerns. A response was received from the Permanent Secretary to the Home Office on the 12 November 2019.
- 3.16 Given, the measured feedback the Fire Authority has previously reflected to the National Programme, the ongoing and the clear concerns of the sector being fully articulated in NFCC's letter in appendix A and the current work of the NFCC team to engage the LGA to provide a single voice for Fire Authorities, the Audit and Governance Committee can be assured that their concerns are known and continue to be articulated to the Programme. With the number of years that the programme still has to run, the Draft FBC will likely be subject to further review by Ministers, as assumptions are addressed and confidence levels improve. Consequently, further comment from the Fire Authority is considered unnecessary at this time.
- 3.17 Officers will continue to regularly update the Audit and Governance Committee and Fire Authority in regard to on-going progress and development of the Emergency Services Mobile Communications Programme including any decisions pertaining to the Draft FBC.

## **4. CONTRIBUTION TO STRATEGIC COMMITMENTS**

- 4.1 Commitment 2 – We will ensure a swift and appropriate response when called to emergencies.



4.2 Commitment 5 – We will ensure that Royal Berkshire Fire and Rescue Service provides good value for money.

4.3 Commitment 6 – We will work with Central Government and key stakeholders in the interests of the people of Royal Berkshire.

**5. FINANCIAL IMPLICATIONS**

5.1 None.

**6. LEGAL IMPLICATIONS**

6.1 None.

**7. EQUALITY AND DIVERSITY IMPLICATIONS**

7.1 None

**8. RISK IMPLICATIONS**

8.1 A risk is recorded on the RBFRS Corporate Risk Register concerning ESMCP to take account of implications for RBFRS and TVFCS. These risks and their associated treatments are monitored and updated by identified officers and reviewed regularly through by Senior Leadership Team.

**9. CONSISTENCY WITH DUTY TO COLLABORATE**

9.1 We work in partnership with FRS colleagues across the Thames Valley through South Central ESMCP board and maintain ongoing relationships with emergency services in our own region and across the wider South East and South West ESMCP regions.

**10. PRINCIPAL CONSULTATION**

10.1 The Monitoring Officer and Senior Leadership Team has been consulted.

**11. BACKGROUND PAPERS**

11.1 None

**12. APPENDICES**

12.1 None.

## Agenda Item 7a

### 13. **CONTACT DETAILS**

- 13.1 Steve Foye  
Deputy Chief Fire Officer  
07887 830 208



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**Stephen Webb**, ESMCP SRO

By email

20<sup>th</sup> October 2020

Dear Stephen,

**Feed back on the latest draft of the Emergency Services Mobile Communications Programme Full Business Case (FBC)**

Thank you very much for the opportunity to provide feedback on the latest draft of the Emergency Services Mobile Communications Programme (ESMCP) Full Business Case (FBC), Version No. 0.08d dated 18/09/20.

Please accept my apologies that the National Fire Chiefs Council (NFCC) weren't able to meet the deadline of 16<sup>th</sup> October for a return, however with Senior Users only having sight of the output of the Motorola Prime re-planning on Friday 16 October, and associated communications not yet issued, time has been needed to assess this new information and its implications for the FBC.

In considering feeding back, it is recognised that providing an FBC for a complex technical endeavour such as ESMCP will always be a challenge, especially with so many moving pieces and a wide number of stakeholders and user communities, often with competing demands.

We are aware that a further revision to the FBC will be undertaken and an updated draft presented as part of the pack for the Major Projects Review Group (MPRG) towards the end of October. Therefore, please note that these comments are in respect to version 0.08d, dated 18<sup>th</sup> September 2020, and not any subsequent iteration.

The view of the National Fire Chiefs Council (NFCC) reflects that the ESMCP FBC has 3 main purposes:

- To provide an objective overview, analysis and detail that informs debate and decision making on the future viability and direction of the Programme
- To provide detailed financial information and assumptions that will form part of any bids into the impending and future Spending Review (SR) processes
- To provide detail of costs, including assumptions, such that these can be incorporated into User Organisations (Fire Authority) medium- and longer-term financial planning.

## Agenda Item 7a

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The NFCC recognises that previously sign off for the FBC for English Fire and Rescue has been undertaken by our overseeing Government Department, Home Office as funding sponsor body (FSB), we expect this to continue. NFCC assists with key inputs into these decisions by providing assurance of the FBC in terms of its:

- Technical viability
- Operational viability
- Overall deliverability

However Fire and Rescue Services and their overseeing Fire Authorities will want high levels of assurance on the financial elements, in particular the non-core costs which will directly affect them. A significant part of the need for this assurance is a growing concern that ESN will cost Fire and Rescue Authorities more at local level than they currently pay for Firelink (Airwave).

As currently presented the Draft FBC presents 4 options for the future of ESMCP

- Option 1: Stop ESN and continue with Airwave indefinitely (Do Minimum)
- Option 2: stopping ESN, extending Airwave and starting a new Programme to replace it from April 2022.
- Option 3a: incremental delivery of ESN, with a risk based, expected Airwave Shut Down date of June 2025. The base case of Airwave shut down for this option is November 2024.
- Option 3b: incremental delivery of ESN, with a risk based expected Airwave Shut Down date of February 2024. The base case of Airwave shut down for this option is June 2023 - this being the *Programme* preferred option.

Given the limited information within the draft FBC options 1 and 2 appear to offer little long-term benefit to the FRS user community. Technologically, options 3a and 3b appear to be in step with the NFCC's view that ESN offers the best strategic fit for the future of emergency services communications in providing mission critical voice and mobile broadband communications through a 4G / LTE capability. It further supports and complements other forthcoming technologies in the emergency services communications arena, such as the next generation of the 999 / 112 system.

However without the detailed plans, assumptions and other information that sit behind options 3a and 3b, the NFCC is not able to offer a firm view or any assurance around either option. At the start of the FBC revision process in the summer of 2020, the NFCC believed that the technical delivery components of plan 3a were already under considerable pressure in terms of meeting relevant milestones. In the main these concerns have centred around historic issues with supplier performance, in particular Motorola, combined with limited commercial leverage to address these issues. Consequently, we believe there was, and remains, over optimism with the base case dates, even factoring in the proposed contingency at P50 and P90 these do not provide sufficient assurance that ESN could be successfully and safely delivered within the cost and time envelope.

Users have very recently been made aware that the Prime replanning exercise undertaken by the Programme and suppliers has identified that Prime gate 5 has been further delayed by almost 6 months. Based upon the very limited evidence currently available the NFCC believes that this will add a further 6 months to the base case for option 3a but we do not have the factual evidence from the Programme to confirm or refute this. This further emphasises the importance of urgent work to develop a realistic and evidenced plan, including a realistic contingency, to underpin option 3a such that the NFCC can be assured it is deliverable within predicted timeframes. It is recognised that the

assurance, approval and governance processes for the FBC are already in train, and whilst the NFCC recognises the need for this to continue, the details now emerging from the Prime replanning cannot be ignored.

The NFCC has committed to work with Programme to assist in the viability assessment of option 3b, however concerns around the technical delivery of ESN highlighted for option 3a are equally applicable. Economically, option 3b appears attractive and, in tandem with the Programme, providing it is safe to do so, the NFCC would wish to see all Emergency Services transitioned onto ESN at the earliest possible moment for the greater benefit of all. However, the challenges to attain this accelerated transition will be considerable and the risks associated must be fully considered as part of any viability assessment exercise, including the risk that accelerating the transition may cost more in the long run. However, the need for transition to be safe and not to impose additional operational risk on user organisations and frontline staff must be a high priority.

Throughout the FBC option 3b is referred to as the preferred option. Whilst theoretically there are obvious benefits to it there has not, in the NFCC's view, been the conclusive joint work to assess its feasibility and so at this stage we feel it is premature to term it as the preferred option.

The economic case references areas of uncertainty and risk including the future operating model (FOM). The NFCC remains somewhat unsighted as to the proposals for any FOM, but we have clear ideas of what we require, and we consider that the success of ESN in life is heavily dependent upon the FOM. This lack of clarity impinges into areas within the finance case including, the cost of the FOM, its remit, how the funding for it will be recouped and flow, how any ESN core charges will be funded etc. From an NFCC perspective this is considered a priority area to be addressed.

The resilience of ESN is also a key concern of the NFCC, especially given that the high levels of resilience afforded by the current Airwave network were mostly as a result of investment through the Firelink contract. There is a clear expectation from Fire and Rescue Services that ESN will be sufficiently secure and resilient to meet foreseeable needs and circumstances. The different technologies underpinning Airwave and ESN lead to different opportunities and approaches, and it is recognised and that providing resilience won't necessarily take the same form for both systems. The NFCC understands the conundrum facing Government regarding the affordability of ESN resilience, and that investment to attain the highest levels of resilience may on balance be considered cost prohibitive. However, Fire and Rescue Services require suitable levels of resilience to enable them to discharge their statutory duties under the most demanding of circumstances, including, but not limited to widespread and sustained power outages. These situations will undoubtedly elicit a high level of expectation on the Emergency Services from the public and accordingly invoke the full spectrum of responses outlined in arrangements by Local Resilience Fora. Ultimately, the NFCC recognises that this is a decision for Government, however in making the determination Government must consider how much of the intrinsic risk it absorbs itself, and how much it will attempt to see transferred to user Organisations. In considering where the residual risk may lie, Fire Authorities and Fire and Rescue Services will wish to see this laid out in definitive terms – in summary it will be the expectation of Chief Fire Officers that ESN is at least as resilient as Airwave and some of the current proposals will not meet that requirement.

Loosely linked to resilience is the matter of Critical Operational Locations (COLs), these are of some concern to Fire and Rescue Services. The NFCC firmly believes that ESN coverage at least as good as Airwave is a necessity for FRS to consider transitioning onto ESN. FRS do not currently utilise menu coverage to provide any coverage uplift for Airwave, as contracted Airwave core coverage is adequate for our needs. Consequently, the NFCC has a clear view that 'coverage is core' and to be delivered purely through core funding. This is not how it is portrayed within the FBC where aspects

## Agenda Item 7a

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Appendix A  
are considered as non-core. We support the work currently ongoing around COLs to more precisely identify the scale of the issue along with potential remedies, and therefore recognise that the figures relating to COLs within the FBC only represent Programme estimates at this stage. It is however essential that this work provide a more accurate assessment of COLs to better inform the FBC going forward. Given the difference of opinion regarding the funding of COLs, we would welcome further dialogue.

Within the commercial case, the proposal to extend the Motorola contract surfaces concerns from the Fire and Rescue Stakeholders. In particular, it appears to reward Motorola when their performance to date, in view of FRS, has far from met expectations. These concerns are compounded by their position of being the current incumbent supplier for Airwave, a situation that is leading to cynicism over commercial motives given the profitability of Airwave. In the NFCC's view the extensions appear to weaken the Authority's contractual leverage over Motorola rather than strengthening it, and in doing so disincentivising punctual delivery of ESN.

The commercial case also outlines options for the future strategy and delivery models for ESN. All of these will require analysis and consideration once further information is provided. The NFCC would wish to assist the Programme by being part of this exercise, perhaps as an integral component of work on the Future Operating Model.

Previously the NFCC has advised that it has found significant disparities in some of the non-core costs within the finance case following a zero-based exercise by the Fire and Rescue Service. Whilst some work has now commenced to examine this, it has not progressed significantly for it to be reflected in a revised finance case. Some of these concerns appear to align with the views of other user communities. It must also be noted that the baseline for each of the user communities in comparing 'like for like' is different, however in many areas they have been considered identical and many assumptions appear to be founded upon incorrect that is not applicable to the Fire and Rescue Service.

It is not clear how some of the in-life costs, e.g. core costs will be recouped, and where any apportionment may lie. Within the FBC it references an annual core cost of circa £6M for English Fire and Rescue Services, but without apparent inclusion in broader non-core costs. It will be essential for the FBC to progress through Fire governance for this absolute clarity to be provided. There has been commitment from ESMCP Finance to provide a suitable tool such that costs can be modelled and predicted at local level both for medium term financial planning, and also to assess the financial implications in more granular detail of ESN for Fire Authorities. The previously expressed concern for FRSs and their overseeing Fire Authorities, is that in life ESN will cost more at local level than the Firelink [Airwave] system. The provision of this tool may go some way to provide necessary assurance for the sector, and consequently will need to be a precursor for any progress of the FBC through FRS / NFCC governance.

The management case alludes to effective and collaborative arrangements between the Programme and users such that they build trust and confidence in delivering ESN, and in the main this is recognised as being the case. Unfortunately, the report following the recent PAR review has not been shared with users in either a full or redacted format, users have been briefed on just 3 recommendations at headline level. Given the implications for assurance of the FBC, the NFCC believe that this should be provided to Senior Users in its unredacted form such that any relevant findings and recommendations feed through NFCC governance as the FBC is being considered.

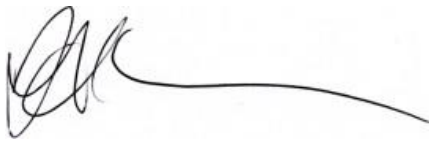
A number of Fire Authorities have expressed their desire to provide feedback on the FBC, and discussions are ongoing with the Local Government Association on a collective view. We understand that a revised draft of the FBC is expected for 23<sup>rd</sup> October ahead of MPRG it is

imperative that this is provided to NFCC representatives and shared with internal stakeholders without delay such that it can be provided to maximise the consultation window and provide the greatest opportunity to fit within Fire Authority governance cycles.

Given the information contained within the letter, the NFCC does not yet feel sufficiently informed to be in a position to assure the FBC on grounds of technical and operational viability, nor its overall deliverability. We hoped that a future draft of the FBC and its supporting documentation will be able to provide the information necessary to attain suitable levels of assurance.

As previously stated, the NFCC firmly believes that ESMCP is the right strategic direction for Emergency Services communications and will continue to work with the Programme to ensure it is delivered for the greatest benefit for all.

Yours sincerely,



Darryl Keen

Chief Fire Officer, Hertfordshire

NFCC Strategic Lead for Operational Communications

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Copies to: Roy Wilsher, Chair of NFCC

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