

CABINET AGENDA ITEM 77B

OVERVIEW AND SCRUTINY COMMISSION

Agenda Item 34

Brighton & Hove City Council

Subject:	Consultation on proposed merger of West and East Sussex Fire and Rescue Services		
Date of Meeting:	13th September 2011		
Report of:	Strategic Director Communities		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 West Sussex Fire and Rescue and East Sussex Fire and Rescue Services are seeking views on proposals to work more closely and potentially merge.
- 1.2 The consultation period closes on October 6th 2011 and member views are sought on the proposals by this date.

2. RECOMMENDATIONS:

- 2.1 That Members consider the issues associated with the proposed changes to ways of working across West and East Sussex Fire and Rescue Services.
- 2.2 That Members refer any comments that may be agreed on the proposed merger of Fire and Rescue Services to the Cabinet meeting scheduled for 22 September 2011.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove's Fire and Rescue Service has been provided as part of an integrated service with the rest of East Sussex – East Sussex Fire & Rescue Service (ESFRS) since April 1997.
- 3.2 Over the last few months ESFRS and the West Sussex Fire and Rescue Service (WSFRS) have been exploring a number of options for closer working and have reached a stage where they are consulting on three specific options.

- 3.3 The consultation process for determining views on these options closes on October 6 2011. If a recommendation for merger were forthcoming this would then be taken forward to the Department for Communities and Local Government by December 2011. The earliest date for implementation, if agreed, would be 01 April 2013.
- 3.4 The three main options now being consulted upon more widely are:
- Option 1: Base position: Continued joint working in specific areas between the two services - Status Quo
- Option 2a: Enhanced **Collaboration** between the two Services but under existing governance arrangements for West Sussex County Council (WSCC) and East Sussex Fire Authority (ESFA)
- Option 3: **Merger** (Combination) into a new Fire Authority covering (West Sussex, East Sussex and the City of Brighton & Hove with a new merged Service underpinning it).
- 3.5 Members are being provided with a number of documents with regard to the consultation namely:
- West Sussex & East Sussex Fire & Rescue Services – Business Case for increased collaboration and possible merger
 - Public Consultation Document
 - Frequently asked questions
 - East Sussex Structure Chart
- 3.6 There appear to be four main areas for Members within Brighton & Hove City Council to focus upon.
- The business case
 - Governance issues
 - Operational issues
 - The consultation process

The Business Case

- 3.7 It is important to note that Fire & Rescue Services, in common with most public services, face very significant financial pressures now and into the future. The estimated savings required from the services are approximately 25%, and the current shortfalls operating separately reach approximately £3.8m per annum.
- 3.8 On this basis, a merger of the two services makes the most business sense as it offers the opportunity to merge governance, management and operations and achieve economies of scale that come from, for example, integrating disparate IT systems into a more efficient whole and taking a wider view of asset management. In taking such steps, there is the potential to protect front line services to communities. Continuing to work as now whilst driving out efficiencies, and collaborating more closely, offer some opportunities for savings and rationalisation, but insufficient when assessed against the size and scale of reductions required.

3.9 One other point to note is that assets and any debts would be transferred to the new Authority.

3.10 Governance Issues

3.11 The proposals for merging the two services set out options for new governance arrangements. In effect, all options are based on two fundamental principles:

- Number of electors in each areas
- A belief that any Member, irrespective of party or “locality”, will work to deliver an effective service across the whole of Sussex.

3.12 The ratio suggested according to electors would work as follows, although actual calculations wouldn't be undertaken until around mid 2012:

West Sussex	3 / 6
East Sussex	2 / 6
BHCC	1 / 6

Therefore in terms of impact on BHCC representation:

	BHCC	East Sussex	West Sussex
12 Members	2	4	6
18 Members	3	6	9
24 Members	4	8	12

3.13 Twelve is considered the very lowest figure possible for a combined Fire and Rescue Service with a population of approximately 1.5million. More than 24 becomes a very large Board. The maximum number of Members is 25.

3.14 Members may wish to carefully consider governance arrangements within the context of striving for effective front line services, delivering sufficient savings and desirable levels of local democratic control for Brighton and Hove. East Sussex Fire Authority currently has 18 Members, of which 6 are from Brighton and Hove and the remaining 12 from East Sussex County Council.

3.15 Operational Issues

3.16 If a merger proceeds, irrespective of whatever governance arrangements are put in place, there is a need to ensure that the specific operational requirements that a city like Brighton & Hove needs continue to be delivered effectively by any new body. The demands of Brighton & Hove are unlike most of those across the rest of East Sussex and most different to those of west Sussex, with only a handful of other places similar in terms of density, high rises and operational challenges. Clearly, colleagues in the ESFRS have many years experience of dealing with these issues, and supporting

them in ensuring these “differences” are registered within a wider Authority will be crucial.

- 3.17 In terms of officer working in this important area, at the moment BHCC provides the Monitoring Officer role, with East Sussex County Council providing the Treasurer and 151 roles. Clearly, there is an opportunity to re-assess these roles if a merger proceeds. As with member representation, ensuring an equitable spread of accountabilities across officers is something to note and be aware of.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 The consultation process has been managed by the Fire and Rescue Services and has included consultation with Members, officers and specific communities throughout Sussex.
- 4.2 A 12 formal week public consultation with staff, partners, stakeholder and members of the public commenced on the 14 July, running through to the 6 October.
- 4.3 A number of public meetings have been scheduled during the consultation:

August

- 13 – Stand at Pride
- 20/21 – Stand on Hove Lawns
- 27 – Newhaven Station Open Day
- 27 – Pevensey Station Open Day
- 28 – Burwash Station Open Day
- 29 – Heathfield Station Open Day

September

- 01 – Eastbourne Public Meeting
- 06 – Brighton Public Meeting
- 10 – Crowborough Station Open Day
- 12 – Stakeholder Forum for partners, businesses & voluntary sector in Uckfield
- 12 – Community Engagement Focus Group -in Uckfield - The attendees are selected by an Independent research company and facilitated by that company.
- 13 – Stakeholder Forum for partners, businesses and voluntary sector in Hove
- 13 – Community Engagement Focus Group – Hove
- 14 – Stakeholder Forum for partners, businesses & voluntary sector in Eastbourne
- 14 – Community Engagement Focus Group – Hastings
- 17 – Mayfield Station Open Day
- 17 – Bexhill Station Open Day

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications to the Council arising from the recommendations of this report. The business case attached to the report goes into some detail with regard to financial issues from page 53 onwards.

Legal Implications:

- 5.2 The legal framework for merger is in section 2 of the Fire and Rescue Services Act 2004. It provides that the Secretary of State may by order make a scheme constituting a fire and rescue authority for the combined area of two or more existing fire and rescue authorities. A scheme under this section may be made only if it appears to the Secretary of State that, in the interests of–

(a) economy, efficiency and effectiveness, or

(b) public safety,

there should be a single fire and rescue authority for the combined area.

A scheme may be made by the Secretary of State to give effect to a draft scheme submitted to him by the existing authorities in question, or on his own initiative.

An order under [section 2](#) may make provision about certain specified matters including, the composition of the combined authority; the financing of the combined authority; the transfer of staff, property, rights and liabilities to or from the combined authority and the payment of compensation in respect of loss suffered by any person in consequence of the constitution of the combined authority.

Lawyer Consulted:

Liz Woodley

Date: 01/09/2011

Equalities Implications:

- 5.3 Any closer working/merger will need to ensure that equality and diversity are promoted. The attached business case outlines that equalities are part of the strategic vision of both authorities currently and would be addressed as part of the strategic direction of a merged organisation.

Sustainability Implications:

- 5.4 Merger options will need to consider any sustainability implications. The strategic vision of both organisations currently seeks to address sustainability issues.

Crime & Disorder Implications:

- 5.5 Fire and Rescue services have an important role to play in the wider community safety agenda. Members will want to be assured that any agreed way forward will not reduce the ability of the fire and rescue service to engage with this agenda.

Risk and Opportunity Management Implications:

- 5.6 The attached business case contains risk assessments from page 81 onwards.

Public Health Implications:

- 5.7 Members will want to be satisfied that the business case provided for the various options being considered mean that the level of fire and rescue service delivered is acceptable.

Corporate / Citywide Implications:

- 5.8 The attached documents seek to address the implications for the city.

SUPPORTING DOCUMENTATION

Appendices:

- 1 Business Case for the Merger (not circulated with Cabinet papers, can be viewed online with the OSC papers)
- 2 Public Consultation Document
- 3 FAQs

Documents in Members' Rooms

None

Background Documents

None