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# NOTICE OF MEETING

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## **CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY**

**WEDNESDAY, 24 JANUARY 2018 AT 5PM**

### **THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL**

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: [jane.didino@portsmouthcc.gov.uk](mailto:jane.didino@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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## **CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY**

Councillor Robert New (Conservative)

### **Group Spokespersons**

Councillor Dave Ashmore, Liberal Democrat

Councillor Stephen Morgan MP, Labour

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(NB This agenda should be retained for future reference with the minutes of this meeting).

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**Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.**

## **AGENDA**

- 1 Apologies for Absence**
- 2 Declaration of Members' Interests**
- 3 Creation of a shared Emergency Preparedness, Resilience and Response Service for Portsmouth City Council and Southampton City Council (Pages 3 - 16)**

### Purpose.

This report concerns the city council's partnership with Southampton City Council with regard to emergency planning functions.

**Recommendation**

**It is recommended that the Cabinet Member for Environment & Community Safety approve the creation of a shared Emergency Preparedness, Resilience and Response service for Portsmouth City Council and Southampton City Council and a joint EPRR Board to oversee its operation, as outlined at paragraph 9 of the report.**

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# Agenda Item 3

**Agenda item:**

**Title of meeting:** Cabinet Member for Environment & Community Safety's Decision meeting.

**Date of meeting:** 24<sup>th</sup> January 2018

**Subject:** Creation of a shared Emergency Preparedness, Resilience and Response Service for Portsmouth City Council and Southampton City Council

**Report by:** Civil Contingencies Manager

**Wards affected:** All wards

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

- 1.1 This report concerns the city council's partnership with Southampton City Council with regard to emergency planning functions.

## 2. Recommendations

- 2.1 To approve the creation of a shared Emergency Preparedness, Resilience and Response (EPRR) service for Portsmouth City Council and Southampton City Council and a joint EPRR Board to oversee its operation, as outlined at paragraph 9.

## 3. Background

- 3.1 Portsmouth City Council's Civil Contingencies Unit and Southampton City Council's Emergency Planning team are required to ensure the authorities' compliance with the Civil Contingencies Act 2004 and related legislation<sup>1</sup>. Their work can be summarised as developing and maintaining arrangements to ensure that the City Councils and their wider communities can prepare for, respond to and recover from emergencies effectively. For ease of reference within this report these activities are referred to as Emergency Preparedness, Resilience and Response (EPRR).

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<sup>1</sup> The [Civil Contingencies Act 2004 \(Contingency Planning\) Regulations 2005](#), [Control of Major Accident Hazards Regulations \(COMAH\) 2015](#), [Pipelines Safety Regulations 1996](#), [Radiation \(Emergency Preparedness and Public Information\) Regulations \(REPPPIR\) 2001](#).

- 3.2 Portsmouth City Council (PCC) and Southampton City Council (SCC) agreed to adopt shared management arrangements for each authority's EPRR Service and the alignment of their relevant budgets under a Deed of Delegation executed on 9 December 2016.
- 3.3 SCC Service Lead Ian Collins has undertaken the shared management role following the retirement of PCC's previous Civil Contingencies Manager; PCC pays SCC an annual fee relating to 50% of this shared manager's employment costs.
- 3.4 In developing these arrangements both authorities expressed an aspiration to develop shared service arrangements and pooled budgets for EPRR, though this was judged not to be achievable by the December 2016 deadline required following the PCC manager's retirement.
- 3.5 PCC and SCC have since benefited from the creation of a more efficient joint programme of EPRR work, making better use of the skills and experience across both teams to support the objectives of both Councils.
- 3.6 In July 2017 this partnership work was further strengthened by the establishment of a Joint Emergency Planning Duty Officer system, where the first point of contact and coordination for both Councils' emergency responses has been undertaken by a pool of officers from both PCC and SCC EPRR teams. This has proven effective in the responses to the 21 incidents that have taken place since its establishment; this has involved PCC officers managing the initial response activities of SCC and vice-versa in some incidents.

#### **4. Proposal: Creating a Shared Service and Pooled Budget**

- 4.1 'Shared Services' refer to two or more authorities providing a given service to their electorates on a joint basis. They do not need to be geographical neighbours. The immediate rationale for local authorities which have decided to share their service provision with other local authorities is often financial. They may also seek service improvements and improved internal effectiveness. A further rationale may be to tap into greater levels of expertise.<sup>2</sup>
- 4.2 A pooled budget is an arrangement where two or more partners make financial contributions to a single fund to achieve specified and mutually agreed aims. It is a single budget, managed by a single host with a formal partnership or joint funding agreement that sets out aims, accountabilities and responsibilities.<sup>3</sup>
- 4.3 It is proposed that a shared EPRR service with pooled budget, hosted by SCC, is established to benefit both Councils, improving internal effectiveness, resilience and ability to pursue commercial opportunities. EPRR resources in both Councils would thus be managed as a coherent whole instead of as distinct entities.

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<sup>2</sup> House of Commons Library, '[Local government: alternative models of service delivery](#)', May 2016

<sup>3</sup> DCLG, '[Guidance to local areas in England on pooling and aligning budgets](#)', March 2010

- 4.4 Though SCC would be the host authority, the shared service would be a 50/50 partnership with PCC. Governance would be adapted by expanding the remit of the current SCC Emergency Planning and Business Continuity Board to include appropriate PCC representation. This Board would oversee the direction of the partnership, its budget, and ensure that the interests of both partners are served.

## **5. Reasons for recommendations**

- 5.1 Closer working in EPRR between PCC and SCC since December 2016 has been successful and resulted in demonstrable service improvements as well as cost savings.
- 5.2 The workload of the PCC and SCC teams is steadily increasing as more income streams are sought, incidents occur and national and local expectations increase. Without consolidation and restructure there is a risk that the excellent work of the teams (which has been recognised at a national level) deteriorates and PCC and SCC's ability to effectively respond to emergencies is adversely affected.
- 5.3 Though generally positive, the current arrangement has some significant limitations. It necessitates the management of two distinct teams and budgets using two sets of completely distinct systems. This is inefficient, opaque and has inherent risks. A particular frustration involves the securing of new income streams. For example: we are approached to provide business continuity consultancy support to a local organisation based in one city. To accommodate this within a busy business-as-usual work programme, the work would be undertaken by a combination of PCC and SCC employees. However, only one Council will bill the customer for the work undertaken, and this income will then require splitting between the PCC and SCC budgets at the discretion of the (SCC-employed) Service Lead. This is not ideal: an open-book budget able to be scrutinised easily by both organisations will ensure probity in this area as well as simplify and reduce the time taken in administration.
- 5.4 Though the proposed structure has an increased cost, this should be viewed in the context of increased resilience, and the increased income generation opportunities a stronger shared team, with a scalable structure, affords.
- 5.5 Creation of the shared service is an opportunity for PCC and SCC to forge a new model for EPRR, building on our positive experiences to date with a focus on securing our preparedness for emergencies in our communities for the long term.

## 6. Structure Changes

- 6.1 The shared service will involve the deletion of existing posts (Figure 1, below) and the creation of new posts as shown in Figure 2 (below). This has been designed to include increased supervisory capacity (in the Senior EPRR Officers) to support the Service Lead, and an increase in the expectations and responsibilities on the EPRR Officers. This structure represents a small, flexible and resilient service able to undertake its increasing workload and adapt to changing circumstances.

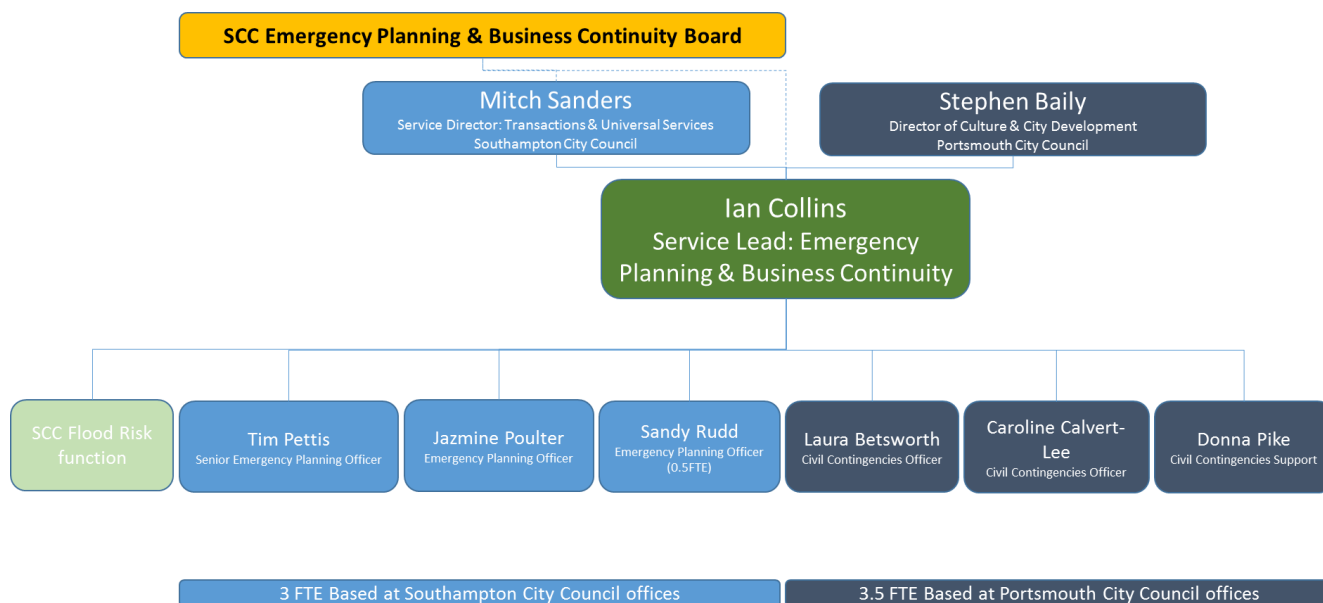


Figure 1. Current structure

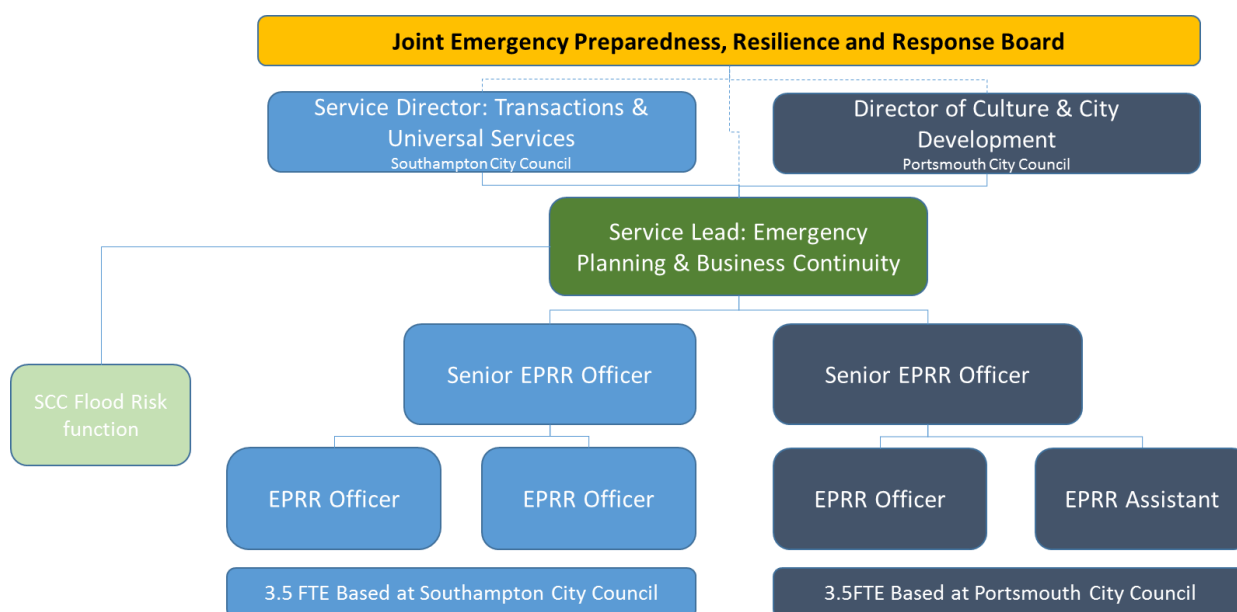


Figure 2. Proposed structure

## **7. Financial Implications**

- 7.1 The creation of the shared service will involve the pooling of existing PCC and SCC EPRR budgets. This pooled budget will be under the control of the Service Lead, overseen by the joint EPRR Board.
- 7.2 In the early stages of the shared service some flexibility will be required as both Councils work to understand the EPRR budgets to be pooled, with disaggregation of out-of-scope budgets (i.e. SCC Flood Risk Management budgets) taking place and the joint EPRR budget agreed. This work should be approached with the philosophy that PCC and SCC will be equal contributors to and beneficiaries of the work of the shared EPRR service.
- 7.3 Protocols will be established accordingly, accommodating the sharing of any surplus from income and emergency expenditure liabilities (which could be shared or attributable to one or other Council, dependent on incident).
- 7.4 The proposed staff structure will cost more than the current arrangements due to the 0.5 FTE increase in establishment and changes to grades. This difference is £48,400 when calculated using maximum SCP figures or £27,500 when using current/likely SCP figures before cost of employment. With cost of employment the respective figures are £62,100 & £35,300. It is anticipated that this pressure will be met by increased income generation.

## 8. Equality impact assessment (EIA)

- 8.1 A full equality impact assessment is not required as the recommendations will not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. A preliminary Equality Impact Assessment is included at Appendix A.

## 9. Next steps

- 9.1 The implementation plan for taking forward this proposal is as follows:

| Action   | Lead                          | Support                         | Timescale         |
|--|-------------------------------|---------------------------------|-------------------|
| HR consultation and implementation <ul style="list-style-type: none"> <li>- Voluntary solutions</li> <li>- Recruitment</li> <li>- Compulsory redundancies</li> </ul> | Ian Collins                   | PCC and SCC HR                  | From January 2018 |
| Pooled budget implementation   | SCC finance                   | PCC finance, Ian Collins        | 1 April 2018      |
| Legal agreement sign-off   | Mitch Sanders / Stephen Baily | PCC and SCC legal / Ian Collins | 1 April 2018      |
| Target shared service go-live  | Mitch Sanders / Stephen Baily | Ian Collins                     | 1 April 2018      |

## 10. Legal comments

- 10.1 A partnering agreement will be required dealing with, among other things:
- 10.1.1 A s101 delegation to a shared officer
  - 10.1.2 The s113 sharing of staff/resources
  - 10.1.3 Decision making in relation to the strategic direction and performance oversight of the arrangements
  - 10.1.4 Exit and termination provisions (including breakage costs sharing, and transfer of staff/resources to ensure that each party may meet their statutory obligations during an exit period)
  - 10.1.5 Surplus and risk sharing arrangements.



- 10.2 Specific guidance and advice will be required on the implications of the TUPE Regulations in this scenario, and any proposal for, and sequencing of, a redesign of the delivery structure.

**11. Director of Finance comments**

- 11.1 The recommendation in in this report proposes a shared EPPR service with a pooled budget hosted by SCC.
- 11.2 The current 2017/18 PCC revenue budget for this service is £156,300. Any additional non-inflationary net cost above the approved PCC revenue budget provision arising from this proposal will be subject to a further report to members.

Signed by:

Stephen Baily  
**Director of Culture and City Support**

**Appendices:**

Equality Impact Assessment

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

| <b>Title of document</b> | <b>Location</b> |
|--------------------------|-----------------|
|                          |                 |
|                          |                 |

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....

Signed by:

**Cabinet Member for Environment and Community Safety**



# Equality Impact Assessment

Preliminary assessment form v5 / 2013

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Director of City development & culture

**Function e.g. HR,  
IS, carers:**

Emergency Planning

**Title of policy, service, function, project or strategy (new or old) :**

Creation of a shared Emergency Preparedness, Resilience and Response Service for Portsmouth City Council and Southampton City Council

**Type of policy, service, function, project or strategy:**

- ☐ Existing
- ☒ New / proposed
- ☐ Changed

**Q1 - What is the aim of your policy, service, function, project or strategy?**

Portsmouth City Council’s Civil Contingencies Unit and Southampton City Council’s Emergency Planning team are required to ensure the authorities’ compliance with the Civil Contingencies Act (2004) and related legislation. Their work can be summarised as developing and maintaining arrangements to ensure that the City Councils and wider communities can prepare for, respond to and recover from emergencies effectively.

Reorganising these teams into a single shared service will not adversely affect the service delivered to each council, but will allow the team greater resilience and flexibility in undertaking this work and pursuing new income generation opportunities.

**Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?**

No changes to service levels are being proposed and so no group should experience a detrimental effect (other than the direct impact on the 7 officers within the PCC and SCC teams)

Potential positives from the reorganisation include:

Service improvements and efficiencies resulting from creation of common systems and procedures.

Greater team resilience resulting from larger pool of staff.

Simplified governance and financial management arrangements.

Ability for team to pursue income generation opportunities more effectively.

**Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?**

| Group                   | Negative                 | Positive / no impact                | Unclear                  |
|-------------------------|--------------------------|-------------------------------------|--------------------------|
| Age                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Disability              | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Race                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gender                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Transgender             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sexual orientation      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Religion or belief      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Pregnancy and maternity | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Other excluded groups   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the answer is "negative" or "unclear" consider doing a full EIA

**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?**

| Group                  | Yes                      | No                       | Unclear                             |
|------------------------|--------------------------|--------------------------|-------------------------------------|
| Age                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Disability             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Race                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Gender                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Transgender            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sexual orientation     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Religion or belief     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Pregnancy or maternity | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other excluded groups  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If the answer is "no" or "unclear" consider doing a full EIA

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

| Group              | Yes                      | No                       | Unclear                             |
|--------------------|--------------------------|--------------------------|-------------------------------------|
| Age                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Disability         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Race               | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Gender             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Transgender        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sexual orientation | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

|                         |                          |                          |                                     |
|-------------------------|--------------------------|--------------------------|-------------------------------------|
| Religion or belief      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Pregnancy and maternity | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other excluded groups   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If the answer is "no" or "unclear" consider doing a full EIA

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐ yes ☒ No

**Q7 - How have you come to this decision?**

No changes to service levels are being proposed and so no detrimental effects should be observed outside of the team. Within the team, this reorganisation should increase efficiency.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help  
Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

**Q8 - Who was involved in the EIA?**

Director, team manager and team members

**This EIA has been approved by:** Stephen Baily

**Contact number:** 023 9283 4399

**Date:** 18/12/18

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

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