

## EAST SUSSEX FIRE AND RESCUE SERVICE

**Meeting** Scrutiny & Audit Panel

**Date** 12 November 2020

**Title of Report** ESFRS Preparedness for the end of the EU Transition Period

**By** Assistant Chief Fire Officer

**Lead Officer** Mark Andrews, Assistant Chief Fire Officer

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**Background Papers** None

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### Implications

<b>CORPORATE RISK</b>	<b>X</b>	<b>LEGAL</b>	
<b>ENVIRONMENTAL</b>		<b>POLICY</b>	
<b>EQUALITY IMPACT</b>		<b>POLITICAL</b>	<b>X</b>
<b>FINANCIAL</b>	<b>X</b>	<b>OTHER (please specify)</b>	
<b>HEALTH &amp; SAFETY</b>		<b>CORE BRIEF</b>	
<b>HUMAN RESOURCES</b>			

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**PURPOSE OF REPORT** To provide The Fire Authority a briefing on East Sussex Fire & Rescue Service (ESFRS) preparedness in advance of the UK transitioning from the European Union (EU) without a negotiated trade, travel, security or health deals.

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**EXECUTIVE SUMMARY** On 31 January 2020 the United Kingdom left the European Union. There then followed a transition period until the end of 2020 while the UK and EU negotiate additional arrangements with the current rules on trade, travel and business for the UK and EU continuing to apply during the transition period.

On 31 December 2020, at the end of the transition period provided for in the withdrawal agreement, the UK will fully recover its economic and political independence. The UK will no longer be a part of the EU Single Market or the EU Customs Union.

Throughout this period officers have been working with colleagues from the Sussex Resilience Forum (SRF) and the National Fire Chiefs Council (NFCC) to assess the threat and harm to East Sussex and ensure that ESFRS business continuity plans and preparations are suitable, robust, well communicated and well-rehearsed.

The impact of Covid-19 and the time of year also places a greater emphasis on planning for the impact of EU Transition.

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**Recommendations**

The Panel is asked to consider and assess the East Sussex Fire & Rescue Service preparedness and response arrangements to the impacts of the UK exiting transition with no EU trade deal.

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**1. Introduction**

- 1.1 The UK left the EU at midnight on 31 January 2020. A transition period is now in place until 31 December 2020 during which time all existing EU rules and laws will continue to apply to the UK. Virtually nothing will change for communities, businesses or for the public and similarly virtually nothing has changed for the fire service. The transition period is designed to give the country more time to prepare and adapt for the new agreements that the EU and the UK intend to make after 31 December 2020.
- 1.2 On 17 October 2019 the UK and the EU reached an agreement on the conditions for the UK's departure from the EU (Brexit), and on a transition period until 31 December 2020. Within this agreement was the option for an extension but the UK Government has made it clear that there will be no extension to the transition period meaning that on the 31 December 2020 the UK will recover its economic and political independence.
- 1.3 Throughout the initial Brexit negotiations the Home Office established an overall resilience and contingency plan named *Op Yellowhammer* which had the effect at local resilience and organisational level of preparing plans and mitigations for the impacts of EU Exit without a deal. Many of these plans are now being reviewed and reasonable worst case scenario planning assumptions being revisited in preparation for the 31 December 2020.
- 1.4 Throughout the EU Exit planning process the SRF has maintained regular contact with MHCLG to receive updates and revised threat and risk assessment reports. The NFCC also continue to maintain dialogue through the Home Office and have

written to every FRS to ensure that local risk and business continuity plans have been reviewed.

## **2. Reasonable Worst Case Scenarios (RWCS)**

2.1 As the country prepares for the 31 December when the transition period ends there is growing concern for the impact of the new arrangements that will be in place on the 01 January 2021. Significant planning and preparation continues across the SRF and within ESFRS. The threat assessment for EU transition has resulted in an additional risk to be recorded on the ESFRS Corporate Risk Register. Whilst Government continue to state that they are confident in terms of planning it is clear that a 'no deal' scenario for trade, access, security and medicine will have implications on the South East in terms of potential travel, supply chain and public anxiety all of which may place a pressure on staffing for the Service.

2.2 The Government have recently released the RWCS planning assumptions for both EU Exit and a second wave of Covid-19 for consideration at ESFRS and SRF level. A RWCS is not what is actually expected to occur and there are a significant number of variables that could impact on reality. The RWCS assumptions are similar to those that we planned for during 2018 and 2019 but the impact of Covid-19 however potentially places a greater emphasis on planning for the impact of EU Transition and specifically covers the following areas:

### **2.2.1 Border Flows for Freight travelling to Europe**

The Government estimate that a number of businesses are struggling to get ready for the amended border processes which will come into place on 31 December 2020. Although the UK is introducing controls at borders in three separate stages, EU countries will have different processes from day one. The expectation is that a significant amount of freight will arrive at crossings without the required new paperwork. There is likely to be a particular impact on the South East and the short straights in particular but, there may also be some impact across major ports in other areas. The potential for severe traffic congestion on operational response and other activities in and around these impacted areas needs consideration.

### **2.2.2 Energy**

There could be fuel distribution issues in Kent, London and the South East linked to freight disruption. Customer behaviour could potentially impact on supply in some other areas of the UK. It is unlikely that there will be an overall shortage of fuel but there could be short-term supply issues. Fuel prices could increase which would impact on low income families and other vulnerable groups.

The RWCS predicts that one or more UK refineries could close. The UK refinery sector is fragile from a commercial perspective during normal operations and will be vulnerable during EU Transition. Strike action of 1-2 weeks at the site of any

refinery that is due to close could give rise to fuel shortages in the surrounding area which is directly supplied from the refinery.

### **2.2.3 Food Supplies**

There could be disruption to the global and UK food supply. Supply of some agri-food products will be impacted, and food prices could increase which will impact on vulnerable groups more than others. This could be particularly impactful in the run up to Christmas where demand is high and there are additional considerations in relation to logistics and storage. If food supplies to vulnerable people in remote areas are impacted there could be a role for the FRS in supplying food to these people. The impact is more likely to be as a result of Covid-19, but the compound impact is worthy of consideration.

### **2.2.4 PPE**

There could be an increase in cost and reduced availability of PPE following EU Transition. Whilst stock levels are healthy in the sector and are monitored closely by the NFCC any increased need for PPE brought on through a Covid-19 second peak needs consideration.

### **2.2.5 Data Stored in EU Data Warehouses**

As was the case last year there is still potentially a risk if the FRS rely on personal data that is stored and/or processed in EU/ EEA Member States and/or countries other than the UK. There could be cost implications of moving the data or operational issues of accessing personal data that is stored outside of the UK.

### **2.2.6 Increased Incidents of Civil Disturbances**

At present the police have no expectation that significant levels of civil disorder are likely in any EU Transition scenario, nor would any evidence to the contrary typically appear until much closer to an actual event. There has been a significant increase in public demonstrations over the last 18 months or so relating to movements such as Extinction Rebellion (XR), Black Lives Matter and even EU Exit. The RWCS is that demonstrations could take place across the UK which potentially giving rise to public disorder and community tension.

### **2.2.7 Industrial Action/Unrest**

The economic situation in the country is particularly difficult at the moment and this could be compounded due to EU transition. This brings with it an increased risk of industrial action/unrest. The industrial relations climate in the sector could become challenging over the next few months and this could bring with it an increased risk of industrial action.

### **2.2.8 Supply Chain and Procurement Risks**

The risks for the sector are divided into immediate and longer-term issues. In 2019 a no-deal Brexit had the potential to impact on supplies in areas such as: breathing

apparatus set parts and supplies; foam stocks in the event of a major incident; specialist vehicle parts; fire appliance tyres, windscreens, and chassis. The risks related to adequacy of stocks where suppliers used a just-in-time approach and increased costs having a detrimental impact on FRS budgets. In 2019 the NFCC sought assurance from the Fire Industries Association (FIA) relating to the robustness of the business continuity plans in terms of supply. Overall, the suppliers were confident of the plans they had in place and did not see a significant supply risk. In 2019 FRSs were advised to consider reviewing their approach to removing vehicles from their fleet to potentially increase the number of reserve appliances held for a period of time after the EU Exit date. It would be prudent to consider this position again ahead of the EU Transition date. It is likely that FRSs will experience price increases on goods that are supplied from the EU, however, quantifying these increases is challenging with the information currently available. In 2019 vehicle chassis for fire appliances were to be subject to a 20% increase due to tariffs and legally this cost can be passed to the FRS even if an existing order has been placed prior to the transition date (31 December 2020).

2.3 Overall the immediate risk of the impact of a No Deal Transition remains moderate (The current risk (R12) is recorded as I=2 L=4 Total= 8). However with less than two months until transition ends the pace of change is accelerating and it is important that the Service continues to monitor developments and assess implications of any changes on our resources and services.

2.4 Throughout EU Exit officers have assessed risk and business impact through an EU Exit Gold Group which provides oversight to the planning assumptions and risk assessment and ensures that ESFRS are well prepared for any disruption caused by a disorderly EU Exit. The Gold Group has identified a number of issues that required further work to mitigate any potential risk to the Service in the lead up or following EU Exit, these included:

- Supplies of Goods and services – officers have reviewed all essential/critical supply chain goods to ensure the maintenance of service delivery specifically around maintenance of fleet vehicles and have confirmed we have a minimum of 6 months' supply.
- Fuel – officers awaiting confirmation on supply services; minimum stock levels and frequency of checks increased. We have updated our local plans to ensure stocks are maintained as high as possible in bunkered facilities.
- Business and community safety – these teams are reviewing plans to support communities likely to be affected such as Newhaven Port/waste and recycling sites to ensure fire safety standards are maintained.
- ICT and data – checks to ensure resilient systems and information security and checks on flows of data.

- Operational response – local teams considering traffic congestion and reviewing tactical plans for ports and travel hubs. Crew’s also reviewing civil disturbance and business continuity plans for stations.
- Resources – there is a dedicated team established to support the SRF which includes an officer from ESFRS to support the SRF.

Overall officers are maintaining close communication with our key suppliers ensuring they are adequately assessing and mitigating supply chain risks. We are also moving away from a ‘*just in time*’ approach and are instead continually bolstering the stock levels of critical commodities, to reduce the impact of supply delays and ensure resilience. East Sussex Fire Authority (ESFA) has registered & has received an **Economic Operator and Identification Number (EORI)**, with which to make customs declarations under the Transitional Simplified Procedures (TSP) process, in the event of a no-deal scenario.

2.5 Additionally the NFCC have written to FRSs to direct pre-planning activity to cover the following areas:

- FRSs should review their Business Continuity Plan (BCP) for fuel and take measures to ensure adequate supplies of diesel, petrol and any heating oil used are available prior to EU Transition on 31 December 2020.
- FRSs should review their policies and procedures relating to civil disturbances.
- FRSs should seek assurance that multi-agency plans linked to H57 are being reviewed at LRF level.
- Given the lack of capital funding and the uncertainty over levels of future funding levels going forward, each FRS should consider their longer-term financial exposure to price increases for goods and services from the EU.

### 3. **Communications**

3.1 A communications cell has been established to support the SRF as part of the Sussex Warning and Informing Group (SWIG). This team is working on a communication plan to provide essential timely information to the public based on the updates provided by Government and local issues as they emerge such as traffic congestion. This team will coordinate messages and media in one place throughout the EU exit process to support individual agencies to ensure a consistent message.

3.2 There is also a need for the SRF network to address how public concerns and enquiries are collated and shared between partners. Recent national media attention around Covid-19 and wider winter pressures has highlighted the role Local Resilience Forums will be expected to play in briefing Government on public reaction to community issues.

- 3.3 To further assist with effective flow of information with MHCLG a Local Authority Executive Regional Role has been established across the 9 regions (England). Each Chief Executive will use existing contacts and networks to reach into all councils in their region to support timely two-way flows of information between central and local government on relevant practical medium and longer term issues relating to EU Exit in a way that supports the LRF work.
- 3.4 Internally our communications team (who also support SWIG) have developed a communications plan which will include Service Brief and email updates as necessary.

#### **4. Resilience Arrangements**

- 4.1 In the light of Covid 19 and in discussion with MHCLG the SRF has established a Strategic Coordinating Group (SCG) to cover the broader risks of winter pressures. The SCG is therefore covering 3 distinct workstreams of :
- Winter preparedness (weather event)
  - Covid 19
  - EU Transition (D20)

The SCG meet on a weekly basis to review local and national planning assumptions; update the threat and risk assessment and share key information between category 1 and 2 partners. The SCG receives specific updates from the EU Transition workstream on any matters arising from MHCLG, neighbouring Forums and partners.

#### **5. Conclusion**

- 5.1 There remains uncertainty over the end of the EU transition phase and the final trade deals that are being negotiated. Preparedness has been escalated by MHCLG to ensure that Local Resilience Forums are focussed on the impact of concurrent major events of Covid 19 and Winter Pressures.
- 5.2 Significant work has taken place within ESFRS and the SRF to ensure plans are in place for operational preparedness and public reassurance over the next 3 months and beyond. National and local planning assumptions have been fully evaluated and resources put in place to support a strategic coordinating group to manage any impact or incident that may occur as a result of traffic congestion or public disorder.
- 5.3 Internally officers have established a Gold Group to review business continuity and operational plans to ensure ESFRS is as well prepared as possible to support

resilience and business continuity for East Sussex over the coming weeks of uncertainty.