

## Update on the Emergency Services Mobile Communications Programme (ESMCP)

### Purpose of Report

For information.

**Is this report confidential? No**

### Summary

This report provides an update to committee members on the progress of the Emergency Services Mobile Communications Programme (ESMCP). In particular, it highlights some of the reports that have recently been published, along with areas of progress.

Choose an item.

### Recommendation(s)

**That the Committee note the content of the report**

### Contact details

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## ESMCP update

### Background

1. The Emergency Service Mobile Communications Programme (ESMCP) will provide the next generation of mission critical communications for the emergency services in Great Britain. This will in part replace the current Firelink [Airwave] provision, as well as providing secure and resilient mobile broadband capability with near universal coverage across the country. ESMCP is a cross Government Programme led by the Home Office since 2011, but also involving the Department for Health and Social Care, Scottish Government and Welsh Government.
2. ESN will take readily available standard commercial mobile telephony and augment it to provide the levels of coverage, availability and functionality required for emergency services use, where it will inevitably be regularly deployed in the most testing of circumstances. The enhancements include:
  - Additional coverage for the areas where commercial coverage does not exist to provide near universal coverage across Great Britain
  - Priority and pre-emption to ensure that emergency service users can always access the network, even when normal consumers may not.
  - Higher levels of security and resilience, especially given the current cyber security landscape, the type of information being passed through ESN, the impact of climate change on the nation and demands upon the emergency services, and the expectations of the public
  - Devices that work for the emergency services including being more rugged than most phones, the provision of a push to talk (PTT) or transmit button and appropriate battery life
  - A communications application [App] that delivers the full suite of functionality required by the emergency services and staff
  - An air to ground (A2G) capability enabling responders on the ground to interact seamlessly with air assets via ESN, even if FRSs don't have such assets themselves
3. The commercial approach to delivering ESN was to divide into smaller contractual lots, rather than having a single prime supplier. In 2015, Motorola were selected to deliver Lot 2 (User Services), comprising data centres, support services and a push to talk (PTT) application or 'App'. Lot 3 (Mobile Services) was awarded to EE to provide the core mobile network. Other contracts have been awarded for items such as devices, Control Room upgrade development and specialist services, that will all come together to form ESN.

4. The Fire and Rescue Service's ESMCP governance is mainly focussed through the NFCC's ESMCP Fire Customer Group (FCG) chaired by the NFCC's lead for Operational Communications, Deputy Chief Fire Officer Ben Norman from Greater Manchester. The LGA was represented on FCG by former Cllr Eric Carter from Shropshire and Wrekin FRA, taking one of two LGA places on FCG, along with support from Lucy Ellender.
5. Previous updates to the Fire Services Management Committee (FSMC) were on 21<sup>st</sup> May 2021 and 9<sup>th</sup> December 2022.

## Update

### Public Reports and Programme Scrutiny

6. Since the previous update to the committee, the Programme [ESMCP] has undergone a number of reviews and elements of scrutiny. Some of these have been as part of the internal governance of the Programme within Government. Others have been more visible with the publication of a report by the National Audit Office (NAO) and more recently two oral evidence sessions with the Public Accounts Committee (PAC). The final report from the Competition and Markets Authority (CMA) into Airwave was also published recently and has a bearing on the Programme.
7. The NAO report published on 8<sup>th</sup> March, identified Progress to date, along with identifying a number of risks in the of commercial, technological, user take up and Programme management arenas. The report includes Home Office forecasts that, between April 2015 and March 2023, the programme will have spent £2.0 billion on ESN and £2.9 billion running and maintaining Airwave. From this the NAO made six clear recommendations on areas to be addressed going forward.
8. As part of the NAO's research work a questionnaire was circulated amongst the emergency services, with 36 English FRSs responding. This provided a triangulated set of data expressing degrees of optimism that ESN will be delivered and meet our expectations, and also confidence in the leadership of the Programme.
9. The report from the PAC has not yet been published, but the two oral evidence sessions probed many areas of the Programme along with associated concerns and risks. The first session on 27<sup>th</sup> March was attended by Home Office Officials, whilst the second on 26<sup>th</sup> April primarily had emergency services representation, with Deputy Chief Fire Officer Ben Norman, the NFCC Strategic Lead for Operational Communications representing the NFCC.

10. The final report from the CMA published on 13<sup>th</sup> April in many senses doesn't differ significantly to those contained within their earlier provisional findings and previously reported to the committee. The key findings are:
- The Home Office and the emergency services in Great Britain are 'locked in' to a monopoly provider, Airwave Solutions, and will be in that position until at least 2026, likely until 2029 and possibly longer
  - Airwave Solutions and its owner, Motorola, now have considerable market power. The Home Office is in a particularly weak bargaining position. Airwave Solutions / Motorola can set and maintain a price substantially above the level would be expect in a well-functioning market.
  - Through Airwave, Motorola generated supernormal [excess] profits leading to emergency services paying almost £200m per year more than they should have since 2020.
  - Motorola's incentives to deliver its ESN Lot 2 obligations effectively and efficiently were dulled by the substantial profits it makes from the continued operation of the Airwave Network. Motorola had the ability to act on such incentives by virtue of its central role in the delivery of ESN.
11. Amongst the measures that the CMA will implement includes a price control or cost cap to limit the price that Motorola can charge to a level that would apply in a well-functioning, competitive market. The detail of this is not yet known, nor how it will play through and representatives from the NFCC and Home Office are working through this detail and complexity. As previously advised, given some of the potential outcomes, FRAs may be best placed not to anticipate any Airwave savings within this financial year.

#### Programme Developments

12. In December 22, Motorola and the Home Office mutually agreed that the Motorola ESN contract, known as Lot 2 or User Services, would terminate early at Motorola's suggestion. This meant that Motorola no longer provides any form of live service for ESN and the Programme need to appoint a new supplier. A years' worth of termination services have been agreed with Motorola which will see testing taking place, deriving as much value as possible from the investment made.
13. With uncertainty over Motorola's long-term interest in ESN, the Programme had already undertaken some scoping and early market engagement to ascertain landscape and supplier appetite, with a number of potential alternatives emerging. Consequently, the Programme is now at an advanced stage in

preparations to reprocore this lot and should be formally launching it within the next few weeks.

14. Key within the reprocorement will be the use of open standards that weren't available at the outset of ESN to allow greater use of an emerging ecosystem of technology, especially as other developed nations similarly look towards the technologies of ESN for their communications needs. It also provides some safeguards against suppliers developing the technology for ESN in a proprietary way and thereby 'locking' in the Government and emergency services in.
15. With the current Lot 3 (EE) contract expiring at the end of 2024, the NAO report publicly highlighted the Programme's ambition to directly award a new contract to EE. Work is progressing well, especially to ensure value for the public purse going forward.
16. Once a new supplier is appointed there will be greater certainty over how and when ESN will be delivered and available for testing ahead of deployment into live service. Both the Programme and users are clear that future plans need to be grounded and realistic to avoid challenges that have previously beset the Programme and impacted upon FRSs. These plans, along with detail from contractual aspects, will be key to the production of a new business case for ESN.
17. Progress is being made in a number of areas. Within coverage, EE have built over 650 new mast sites required under their contract, and there remains just 24 km of contracted road coverage for them left to deliver. Within the Programme's own Extended Area Services (EAS) project, 29 masts sites have gone live, representing 10% of that total, bringing coverage to areas where the network operators do not envisage providing it themselves. Some of this EAS coverage will also be incorporated into the Shared Rural Network (SRN), a wider Government endeavour to bring broadband mobile telephony to harder to reach and previously commercially unviable areas.
18. As a joint endeavour with the other emergency services, FRSs have been assessing the ESN coverage available as part of an exercise known as coverage assurance. This has provided a rich field of data on the availability of coverage, and also the opportunity to report areas where coverage may be insufficient, highlighting them as areas of concern (AOC). A further component has been to assure coverage at locations where it is imperative coverage is provided, known as critical operational locations (COL).

### FRS Elements

19. With the withdrawal of Motorola from ESN, the small number of FRSs using ESN Connect (data capability) in live service have implemented alternative provision at short notice. A small number remain using ESN's secure internet connection from their Control Rooms and are currently working with suppliers and evaluating options.
20. With a significant slowdown or hiatus in ESN activity for FRSs, a multi stakeholder working group, including Home Office representation, proposed that local (FRS) ESN resources should be stood down temporarily until such time that ESN is sufficiently advanced to warrant the resource being available. This was subsequently endorsed at Chiefs Council and enacted from the end of March. Most of the staff involved have been redeployed within FRSs to other work and Programmes. It is hoped that they will be available and have the desire to be engaged with ESN in the future, thereby helping to mitigate against a distinct risk of loss of ESN knowledge and experience.
21. In preparation for the reprocurement, subject matter experts (SME) from FRSs have undertaken a thorough review of our base requirements for ESN along with emergency services and Programme colleagues. These were formally endorsed at FCG in March and recognised that whilst some had changed with the evolution of technology, the majority were largely unchanged, emphasising that the original requirements and direction of the Programme to meet the future needs of FRSs remains valid.
22. As already identified, there has been significant involvement by FRSs in assuring the coverage available for ESN, which has built a rich picture, indicating that available coverage may be better than predicted.

#### Airwave

23. Current FRS wide area communications is provided the Airwave system. It has inherent resilience, and over the years it has generally performed well with high levels of confidence from frontline staff, and this continues to be the case. More recently, significant planning and preparation was undertaken for the Coronation where the Airwave system performed extremely well.
24. The Firelink contract is a managed service meaning that maintenance and replacement of devices either through obsolescence or normal wear and tear is the responsibility of Airwave, and not a direct cost to Fire and Rescue Authorities (FRAs). There is currently a yearlong Airwave led Programme to replace all handheld devices, the first such since the Firelink contract was let in 2006.
25. Most FRS Control Systems require an upgrade to enable them to interface with new Airwave technology, called Dispatch Communications Server (DCS),

replacing outdated and obsolete equipment. FRSs are working hard to ensure that the upgrades and associated work is complete by the Airwave set deadline of the end of this year.

26. Inevitably the Firelink contract and the Airwave service will need to be extended beyond 2026. At this stage, it cannot be predicted for how long, or whether there will be a further need to replace other obsolete equipment and if any associated costs will fall to FRAs. The NFCC is working with the Programme to seek the necessary assurances on contract extension and continued viability of the Airwave system.

### Funding

27. At the very outset of the ESMCP journey English FRSs, through Fire Customer Group, agreed a set of funding principles with Government Department, the then DCLG, to ensure that Fire Authorities would not be disadvantaged in the transition from Airwave to the new ESN technology. In particular:
- Equipment will be upgraded or replaced on a like for like basis
  - There will be no second costs for dual running where ESN and Airwave will need to run in parallel for a period of time
  - Funding will be provided for additional resources and staffing to enable ESN transition where required
28. Within the last year, all English FRSs have taken part in an ESN finance deep dive also involving treasurers / S. 151 Officers and Home Office Fire Finance leads. These identified an overall improvement in recording and reporting to the Home Office on Sec. 31 grant funded ESN spend, along with highlighting some notable practice.

### Implications for Wales

29. There is direct representation into ESMCP through the Welsh Senior User for ESMCP working on behalf of the Welsh Joint Emergency Services Group (JESG), and who works closely with counterpart Senior Users from all user communities. Notable differences in approach from the respective Government Departments, particularly around funding, are highlighted in the paper, and any specific queries should be directed to the Welsh Senior User accordingly.

### Financial Implications

30. Given some of the potential outcomes for implementation of the CMA's remedies, FRAs may be best placed not to anticipate any Airwave savings within this financial year.

31. As outlined in this paper, ESN resources in FRSs have largely been stood down and English FRAs should not be drawing down funding for resourcing.

### Equalities implications

32. ESN will be subject to its own equality impact assessment that will identify any equalities implications with this future provision. There are no implications arising directly from this update.

### Next steps

33. The FSMC may wish to consider its representation on Fire Customer Group for the two places available to the LGA.
34. With NFCC representatives continuing to work closely with the Programme and Programme Leadership through mature and effective relationships, the FSMC may wish to be provided with an update at an appropriate point in the future.