

# **JOINT RESILIENCE COMMITTEE**

**FRIDAY 22<sup>ND</sup> MARCH 2013**

## **JOINT REPORT of the Lead Heads of Service for Resilience for Neath Port Talbot CBC and the City and County of Swansea.**

### **ITEM 1. WAO Report - Civil Emergencies in Wales**

#### **1.1 Purpose**

This briefing note has been prepared for the Joint Resilience Committee as a discussion paper on the Wales Audit Office (WAO) report entitled '*Civil Emergencies in Wales*' which was published on 6<sup>th</sup> December 2012.

#### **1.2 Background**

The purpose of the WAO audit report was to 'examine whether the Civil Contingencies Act 2004 (CCA 2004) has led to effective arrangements for emergency planning and resilience of communities that provide sufficient protection to the public in Wales.'

The scope of the study was limited to Part 1 of the CCA 2004 which focuses on establishing a statutory framework of roles and responsibilities for local responders, building resilience to prepare communities and local arrangements for civil protection.

#### **1.3 Report recommendations**

The eight recommendations in the report have been summarised below:

**R1** We recommend that the Welsh Government works with the Cabinet Office to agree how to strengthen strategic oversight of the delivery of civil contingencies legislation in Wales. This should encompass:

- assessing the delivery of resilience planning under the Civil Contingencies Act 2004, with the objective of bringing improved efficiency, consistency and quality;
- the monitoring of national competence standards for emergency planning officers;
- reassuring the public of Wales on the effective preparation for, management of and recovery from, civil contingencies; and

- continuing to: improve access to information for responders; promote the sharing and use of good practice and the specialist skills required to deliver civil contingencies legislation; and organise and coordinate training, exercises and research.

**R2** We recommend that all Category One responders take ownership and responsibility for their performance in accordance with the requirements of the Cabinet Office's statutory guidance *Emergency Preparedness*.

In meeting these requirements, we expect all Category One responders to be able to demonstrate, including through self-assessment, scrutiny and external review, that their arrangements for civil contingencies are efficient, make the best use of resources and demonstrate full compliance with the Civil Contingencies Act 2004.

**R3** We recommend that Category One responders establish a review cycle for all emergency plans to ensure that they are more consistent, robustly tested against the Cabinet Office's guidance and are fit for purpose. In particular, emergency plans should be:

- routinely evaluated against the Cabinet Office's expectation set;
- underpinned by relevant training, including for the recovery phase and the longer-term
- impacts of major incidents; and
- subject to scrutiny and to external review, in accordance with the Cabinet Office's guidance.

**R4** We recommend that Category One responders, through their local resilience forums, ensure that their community risk registers clearly identify the full range of consequences that arise from each of the risks identified. In particular, community risk registers should:

- be based upon guidance and good practice;
- be easy to understand; and
- provide straightforward advice about the steps the public can take for their protection.

**R5** We recommend that Category One responders apply the more formal funding guidance produced by the Wales Resilience Partnership Team and the Joint Emergency Services Group to ensure the adequate resourcing of local resilience forums.

**R6** We recommend that Category One responders consider the likelihood and potential consequence of risks faced in their area when prioritising the use of resources for emergency planning.

**R7** We recommend that Category One responders, through the Wales Resilience Partnership Team, ensure sufficient representation from, and

communication with, all organisations with a substantive role in resilience or in emergency response.

**R8** We recommend that the organisations developing resilience and managing emergencies should formally recognise the potential contribution of the voluntary sector, and that the voluntary sector should become an integrated part of the emergency plans produced by Category One responders.

## **1.4 Summary**

In summary, despite ten positive case studies being highlighted within the WAO Report, including three relating to the NPT/Swansea JRU, the report concludes that there are opportunities for increased efficiency in local delivery.

## **1.5 Conclusions**

Despite the generalisations made within the Welsh Audit Office report it is believed that with the progress currently being made generally within the South Wales Local Resilience Forum and more specifically within both of the constituent local authorities is such that we are in a good and improving position to meet the challenges and recommendations set out within the WAO report.

## **1.6 Recommendations**

It is **RECOMMENDED** that Members comment upon their perspective of the extent to which Swansea and Neath Port Talbot are becoming more resilient as local authority areas.

**Graham Jones, Head of Human Resources**

**Jeremy Stephens, Head of Performance & Strategic Projects**

### **Contact Details:**

<b>Graham Jones</b>	01639 763315	<a href="mailto:g.jones@npt.gov.uk">g.jones@npt.gov.uk</a>
<b>Jeremy Stephens</b>	01792 636849	<a href="mailto:jeremy.stephens@swansea.gov.uk">jeremy.stephens@swansea.gov.uk</a>
<b>Shaun Burgess</b>	01639 763955	<a href="mailto:s.a.burgess@npt.gov.uk">s.a.burgess@npt.gov.uk</a>

**WAO – EMERGENCIES IN WALES REPORT – 6<sup>th</sup> December 2012**

## **ITEM - 2. Creation of South Wales Local Authority Resilience Team Briefing Paper**

### **1. Purpose**

This briefing note has been prepared for the Joint Resilience Committee as a discussion paper on work undertaken by the South Wales Local Authority Resilience Team during 2012/2013.

### **2. Successes in 2012/2013.**

- As a team, scoping of collective skills and knowledge has led to a successful mapping and identification of strengths and gaps across the skill-set of the South Wales LA Resilience Team.
- This is the first scoping of its kind in the Local Government Emergency Planning community in South Wales. It has focused on the distinct responsibilities and duties that are discharged by a Local Authority in relation to Civil Contingencies.
- Delivery of a central information point which is being rolled out across the South Wales area with a view to it being an accessible live repository for planning and response information – a further example of a unique project delivered successfully.
- The mapping of our Community Risk Registers has led to the establishment of relevant workgroups, based on the applicable skills, which will begin delivering as a single team in 2013/14.
- This focused work ensures that the South Wales LA Resilience Team, at an operational level, and the South Wales Local Authority Resilience Board, at a strategic level, are well placed to lead Wales in Local Government Civil Contingencies and to ensure that the unique opportunities and challenges that South Wales provides can be a beacon for our Civil Contingencies colleagues across Wales to learn from and share in our experiences.
- Unified our approach by each LA agreeing Mutual Aid support to each other if such an event was to be experienced.
- Operating under one brand and recognisable presence – this will be further rolled out across 2013/14 as distinct outputs of cohesive work is produced by our working groups.



- 2012/13 also saw the development of a working space – each month – for the single team to share knowledge, have space to work in their groups and continue to deliver outputs as defined in the South Wales LA Resilience Team Improvement and Business Plan.

### **3. Recommendation**

It is **RECOMMENDED** that JRC Members note the work completed by the South Wales Resilience for the period 2012/2013.

## **ITEM 3 - Seveso III Directive Briefing Paper**

### **1. Purpose**

To brief the JRC Committee on the Seveso III EU directive that will come into force in June 2015.

### **2. Background**

Major accidents in chemical industry have occurred world-wide. In Europe, the Seveso accident in 1976 prompted the adoption of EU legislation aimed at the prevention and control of such accidents. The resulting 'Seveso' directive now applies to around 10,000 industrial establishments where dangerous substances are used or stored in large quantities, mainly in the chemicals, petrochemicals, storage, and metal refining sectors.

The Seveso Directive obliges EU Member States to ensure that operators have a policy in place to prevent major accidents. Operators handling dangerous substances above certain thresholds must regularly inform the public likely to be affected by an accident, providing safety reports, a safety management system and an internal emergency plan. In UK, this is done via the Control of Major Accident Hazards (COMAH) 1999 Regulations. There is a tiered approach to the level of controls: the larger the quantities of dangerous substances present within an establishment, the stricter the rules ('upper-tier' establishments have bigger quantities than 'lower-tier' establishments and are therefore subject to tighter control).

#### **Seveso Directives I, II and III**

- I. Seveso I was introduced in 1982. The Directive aimed to improve the safety and planning arrangements around the storage of dangerous substances. The directive was later updated to take into account the severe accidents at the Union Carbide factory at Bhopal, India in 1984, where a leak of methyl isocyanate caused more than 2500 deaths, and at the Sandoz warehouse in Basel, Switzerland in 1986, where fire-fighting water contaminated with mercury, organophosphate pesticides and other chemicals caused massive pollution of the Rhine and the death of half a million fish.
- II. Seveso II: On 9 December 1996, Seveso II Directive was adopted and replaced the original Seveso Directive. Seveso II included a revision and extension of the scope; the introduction of new requirements relating to safety management systems; emergency planning and land-use planning; and a reinforcement of the provisions on inspections to be carried out by Member States.
- III. In the light of industrial accidents (Toulouse, Baia Mare and Enschede) and studies on carcinogens and substances dangerous for the environment, the Seveso II Directive was extended to cover risks arising from storage and processing activities in mining; from pyrotechnic and explosive substances;

and from the storage of ammonium nitrate and ammonium nitrate based fertilizers.

### 3. Seveso III Directive

Seveso III: Further adaptation of the provisions on major accidents occurred on 4 July 2012 with publication of a replacement directive - 2012/18/EU. The main changes in this, so-called, Seveso III Directive were:

- I. **Technical updates to take account of changes in EU chemicals classification.** In 2008, the Council and the European Parliament adopted a Regulation on the Classification, Labelling and Packaging (CLP) of substances and mixtures, adapting the EU system to the new UN international chemicals classification (Globally Harmonised System - GHS). In turn, this triggered the need to adapt the Seveso Directive, since its scope is based on the former chemicals classification which will be repealed by the CLP Regulation by June 2015.
- II. Better access for citizens to information about risks resulting from activities of nearby companies, and about how to behave in the event of an accident.
- III. More effective rules on participation, by the public concerned, in land-use planning projects related to Seveso plants.
- IV. Access to justice for citizens who have not been granted appropriate access to information or participation.
- V. Stricter standards for inspections of establishments to ensure more effective enforcement of safety rules.

The Seveso III [Directive 2012/18/EU](#) was adopted on 4th July 2012 and entered into force on 13th August 2012. Member States have to transpose and implement the Directive by 1st June 2015, which is also the date when the new chemicals classification legislation becomes fully applicable in Europe.

#### **Case Study**

Emergency Planning colleagues in East Riding, Yorkshire, currently have 31 Top Tier COMAH Sites in their area. They employ a team of 4 staff to solely work on COMAH and they average one tabletop / live exercise per month. Taking into account the new Seveso III EU directive, in particular the reclassification of certain chemical substances, they anticipate the number of COMAH sites in their area is likely to increase significantly. Although exact figures from the Competent Authority (Health and Safety Executive / Environment Agency) are not available at this stage, in some areas of the UK, the number of top and lower tier COMAH sites is expected to double.

**Source** – Lisa Clark, Senior Emergency Planning Officer (COMAH), East Riding of Yorkshire Council.



#### 4. **Conclusions**

The new directive to reclassify chemical substances as part of Seveso III as outlined in section 3.1, will result in an increased number of local businesses falling within the COMAH Regulations. Businesses that store quantities of chemical substances onsite, such as cleaning companies, could now find themselves falling within COMAH regulations. This will have an impact in the amount of work carried out by the JRU to fulfil its duties under the COMAH regulations. Depending on the level on reclassification, this will increase the level of COMAH activities required to write and review off-site plans, train and exercise. This is in addition to the COMAH sites that already exist within our area.

#### 5. **Recommendations**

It is, therefore, **RECOMMENDED** that JRC Members note the change in EU Legislation and the potential impact this may have within the context of building resilient communities in Swansea and Neath Port Talbot.

#### ITEM 4. 2013/2014 – Proposed Headline Work Programme – Jt. Resilience Unit

<b>Project</b>	<b>Lead Officer/s</b>	<b>Timescale</b>	<b>Notes:</b>
Vale, Clydach (COMAH)	Ben Cromie	October 2013	Facilitation of COMAH exercise
CCoS emergency response plans	Katie Evans	July 2013	Exercise response plans
NPTCBC emergency response plans	Katie Evans	July 2013	Exercise response plan
NPTCBC Major emergency response plans	Andrea Jones	August 2013	Review major emergency response plans
CCoS Major emergency response plans	Andrea Jones	August 2013	Review existing major emergency response plans
City Evacuation Plan	Katie Evans	September 2013	Exercise, to test city evacuation plans with multi agency partners
Influenza pandemic – strategy document	Neil Thomas	May 2013	Review and develop guidance and policy
Business Continuity Management	Neil Thomas/ Andrea Jones	June 2013	Review existing plans
CCoS Corporate business continuity plan	Ben Cromie/ Andrea Jones	May 2013	Review existing plans
NPTCBC Corporate business continuity plan	Ben Cromie/ Andrea Jones	May 2013	Review existing plans
Business Continuity promotion to local businesses	Andrea Jones	October 2013	Raise awareness of business continuity to local businesses and organisations
Business Continuity promotion to local Schools	Andrea Jones	October 2013	Raise awareness of business continuity to local schools
Local Authority flood response plans (NPT/CCOS)	Ben Cromie	September 2013	Exercise with multi agency partners
Risk assessment methodology	South Wales Team	March 2014	Develop single risk assessment methodology for use across South Wales
Training and exercising	South Wales Team	March 2014	Develop single set of training and exercising formats for use across South Wales
Recovery	South Wales Team	March 2014	Introduce a single approach across South Wales
Business Continuity	South Wales Team	March 2014	Introduce a single approach across South Wales
Flooding	South Wales Team	March 2014	Introduce a single approach across South Wales
Fatalities	South Wales Team	March 2014	Introduce a single approach across South Wales
Temporary mortuary	South Wales Team	March 2014	Introduce a single approach across South Wales
Warning and informing	South Wales Team	March 2014	Introduce a single approach across South Wales