

EMERGENCY PLANNING JOINT COMMITTEE

AGENDA

Tuesday 12 July 2022

At 10.00 am

At the Emergency Planning Annex,
Stockton Police Station, Bishop Street,
Stockton-On-Tees, Cleveland, TS18 1SY

Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523019 by midday on Monday 11 July and name and address details will be taken.

You should not attend the meeting if you are displaying any COVID-19 symptoms (such as a high temperature, new and persistent cough, or a loss of/change in sense of taste or smell), even if these symptoms are mild. If you, or anyone you live with, have one or more of these symptoms you should follow the [NHS guidance on testing](#).

MEMBERS: EMERGENCY PLANNING JOINT COMMITTEE:-

Hartlepool Borough Council: Councillor Tom Cassidy

Middlesbrough Borough Council: Councillor Eric Palano

Redcar and Cleveland Borough Council: Councillor Cliff Foggo

Stockton Borough Council: Councillor Mike Smith

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
 - 3.1 To receive the minutes of the meeting held on 2 March, 2022.



4. ITEMS FOR DISCUSSION/INFORMATION

- 4.1 Financial Management Update Report – *Director of Resources and Development and Chief Emergency Planning Officer*
- 4.2 LRF Pilot Funding Update – *Chief Emergency Planning Officer*
- 4.3 Activity Report – *Chief Emergency Planning Officer*
- 4.4 Industrial Emergency Planning Report 2022 – *Chief Emergency Planning Officer*
- 4.5 Incident Report (19th February – 24th June 2022) – *Chief Emergency Planning Officer*

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

6. DATE AND TIME OF FORTHCOMING MEETINGS

Tuesday 20 September, 2022 at 10.00 am
Tuesday 22 November, 2022 at 10.00 am
Tuesday 14 March, 2023 at 10.00 am

All meetings will be held at the Emergency Planning Annex, Stockton Police Station, Bishop Street, Stockton-On-Tees.



EMERGENCY PLANNING JOINT COMMITTEE
MINUTES AND DECISION RECORD
2 MARCH 2022

The meeting commenced at 10.00 am at the Emergency Planning Annex,
Stockton Police Station, Bishop Street, Stockton-On-Tees, TS18 1SY

Present:

Councillor: Councillor Mike Smith (Stockton Borough Council) (In the Chair)

Councillors: Councillor Eric Palano (Middlesbrough Borough Council)
Councillor Julie Craig (Redcar and Cleveland Borough Council)

Also present: Councillor Darren Price as substitute for Councillor Cameron Stokell
(Hartlepool Borough Council)

Officers: Stuart Marshall, Chief Emergency Planning Officer
Jon Hepworth, Group Accountant (Regeneration and Neighbourhoods)
David Cosgrove, Democratic Services Team

18. Apologies for Absence

Councillor Cameron Stokell (Hartlepool Borough Council)

19. Declarations of interest by Members

None.

20. Minutes of the meeting held on 1 December 2021

Received.

21. Financial Management Update Report (*Director of Resources and Development and Chief Emergency Planning Officer*)

Purpose of report

To provide details of the forecast outturn as at 31st January, 2022 for current financial year ending 31st March, 2022 and to propose the budget for 2022/23.

Issue(s) for consideration by the Committee

The Group Accountant reported that the latest forecast outturn of the 2021/22 budget showed a favourable variance of £8,000. The latest position for the Local Resilience Forum (LRF) budget was also reported. The budget includes the LRF Pilot Funding grant of £208,000, which is a Section 31 non ring fenced grant awarded by the 'Government Department for Levelling Up Housing and Communities'. The forecast reflected the expectation that £100,000 of the grant would be spent in the next financial year and was, therefore, transferred into an earmarked reserve at year end.

In relation to the 2022/23 budget, the Group Accountant reported that the budget for the Emergency Planning Unit was self-financing and mainly determined by the level of contributions approved by the Local Authority partners and income from fees and recharges. For the 2022/23 the Local Authority contributions would be £315,000, which was an increase of £5,000 compared to the previous year, in line with amounts proposed by this Committee on 21st June 2017 covering the period 2018/19 to 2023/23. The Income budget has increased to reflect an increase in staff costs chargeable to the LRF budget.

The budget for employee costs had been increased to include 3 new posts (2 temporary), costing £92,000 which would be funded from LRF government grant funding which was being continued for the next 3 years. There has also been a reduction to staffing costs of £41,000 to reflect the increased amount management chargeable to the LRF budget. Staffing costs have also been inflated to allow for an assumed pay award.

Proposed Main Emergency Planning Budget 2022/23:

2021/22 Budget £'000		2022/23 Budget £'000
324	Direct Costs - Employees	383
107	Direct Costs – Other	109
(431)	Income	(492)
0	Surplus/Deficit	0

The proposed LRF Budget included another year of government grant funding, estimated to be £208,000 based on the current years 'Pilot' funding, which had now been confirmed for the next 3 years. Although the actual allocation for the year was not yet known, a minimum of £160,000 had been guaranteed to each recipient body. In the event that the actual allocation was less than the £208,000 estimate, the non-staffing budget could be reduced accordingly, most likely by reducing the number of outreach projects.

Table 4: Proposed LRF Budget 2022/23

2021/22 Budget £'000		2022/23 Budget £'000
76	Direct Costs - Employees	168
177	Direct Costs – Other	184
-45	Income	-44
-208	Government Grant	-208
0	Release of Reserve*	-100
0	Surplus/Deficit	0

*Unspent Pilot Grant carried forward from 2021/22

The Chief Emergency Planning Officer indicated that there were some significant national issues to be addressed in the resilience structures across the UK. There was an expectation that there would be forthcoming new guidance, particularly for Local Resilience Forums and also new legislation.

It was anticipated that a new funding agreement may be required as the current five-year local authority funding agreement had come to an end.

Decision

1. That the financial forecast reports for 2021/22 be noted.
2. That the proposed 2022/23 budgets for the Emergency Planning Unit and the Local Resilience Forum be approved.

22. Activity Report (*Chief Emergency Planning Officer*)

Purpose of report

To assist members of the EPJC in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer updated the Committee on the activity within the Unit and the significant areas of work that had been completed over the last quarter. Staff continued to work effectively despite the challenges of Covid and ongoing requirement for social distancing impacting on a number of work areas. Previous contingencies were also still in place to ensure that officers could attend command centres in person should it be required. The report also set out details of the work undertaken by the team in support of the Local Resilience Forum.

In debate Members discussed the continuing issues around cyber security and the work the Emergency Planning Team was involved in across the north east region. The continued monitoring around this threat was a key priority and the experience from the Redcar and Cleveland Borough Council attack was being shared across local authorities.

Members also discussed the power outages that had been experienced with the recent storms and in particular storm Arwen. Members expressed their concerns around the situation experienced with care homes and those vulnerable people that used life support equipment at home. The Chief Emergency Planning Officer reported that in many isolated country communities, there was a greater level of preparedness for power cuts as they experienced them more often. The significant issues came around power cuts to whole towns and villages that might not be so prepared. There was ongoing work with Northumbria University on the potential of identifying 'community hubs' that could be supplied with generators in future emergency situations to support surrounding communities, particularly the vulnerable.

The Chief Emergency Planning Officer also highlighted that the recent power outages had highlighted the need for further work between power companies and local authorities in relation to identifying the most vulnerable households as while both maintained such lists, greater information sharing may be required for the future. There was also some discussion around the potential for greater involvement from local businesses in providing assistance and aid during such incidents in the future. The Chief Emergency Planning Officer reported that this was one of the aspects of community resilience that the LRFs were looking at and some case studies were being examined. A report could be provided to a future meeting to update the Committee.

Decision

That the report be noted.

23. Incident Report (13th November – 18th February 2022) *(Chief Emergency Planning Officer)*

Purpose of report

To inform members of the EPJC of the incidents reported and responded to by the Cleveland Emergency Planning Unit (CEPU). The report covers the period between the 13th November – 18th February 2022.

Issue(s) for consideration by the Committee

The Chief Emergency Planning Officer submitted details of the incidents that Emergency Planning Unit staff had been involved in over recent months.

Decision

That the report be noted.

24. Any Other Items which the Chairman Considers are Urgent

None.

The meeting concluded at 11.05 am.

H MARTIN

CHIEF SOLICITOR

PUBLICATION DATE: 17 MARCH 2022

EMERGENCY PLANNING JOINT COMMITTEE

12th July, 2022



Report of: Director of Resources and Development and Chief
Emergency Planning Officer

Subject: FINANCIAL MANAGEMENT UPDATE REPORT

1. PURPOSE OF REPORT

1.1 To provide details of the outturn for the financial year ending 31st March, 2022.

2. FORECAST OUTTURN

2.1 The outturn was a favourable variance of £4,000 as shown in the following table which was in line with forecast of £8,000 given at the previous meeting on the 2nd March, 2022.

Table 1 – Main Emergency Planning Budget - Outturn as at 31st March, 2022

	Budget	Actual	Outturn Variance Adverse/ (Favourable)
	£'000	£'000	£'000
Main Emergency Planning Budget			
Direct Costs - Employees	324	316	(8)
Direct Costs - Other	107	107	0
Income	(431)	(427)	4
Net Position Before Use of Reserves	0	(4)	(8)
Transfer To/(From) Reserves	0	8	8
Net Position After Use of Reserves	0	0	0

2.2 The main reasons for the overall favourable variance are savings in pension scheme contributions as a result of employees opting out.

2.3 The outturn position for the Local Resilience Forum (LRF) budget is shown in the following table:

Table 2 – 2021/22 LRF Outturn as at 31st March, 2022

	Budget £'000	Actual £'000	Outturn Variance Adverse/ (Favourable) £'000
Direct Costs - Employees	76	66	(10)
Direct Costs – Other	177	6	(171)
Income	(45)	(42)	3
Adjustment re 2020/21	0	(43)	(43)
Pilot Grant	(208)	(208)	0
Net Position Before Use of Reserves	208	(221)	(221)
Carry forward grant funding to 2022/23	0	221	221
Net Position After Use of Reserves	0	0	0

2.4 The outturn shows a favourable variance of £221,000 which consist of an underspend on the Pilot grant £178,000 in addition to an accounting adjustment of £43,000 as a result of the Members approval of the recommendation by LRF Strategic Board not to pay out the rebate to the LRF member authorities. These resources have being carried forward to 2022/23 and will be utilised across a range of LRF projects including the increase in staffing, increase capability and capacity, pilot / research projects and focus on community resilience.

3. RECOMMENDATIONS

4.1 To note the latest financial outturn for 2021/22.

5. BACKGROUND PAPERS

5.1 None.

6. CONTACT OFFICER

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EMERGENCY PLANNING JOINT COMMITTEE

12th July, 2022



Report of: Chief Emergency Planning Officer

Subject: LRF Pilot Funding Update

1. TYPE OF DECISION/APPLICABLE CATEGORY

For information, awareness and assurance.

2. PURPOSE OF REPORT

2.1 To assist members of the Emergency Planning Joint Committee (EPJC) in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

2.3 To provide members with an overview of the pilot funding activities identified by the LRF and being progressed by the emergency planning unit / Local Resilience Forum.

3. BACKGROUND

3.1 Initial funding (£202,342 in 2022/23 with annual funding to be confirmed until 24/25) has been made available to Local Resilience Forums from Central Government with a view to increasing capability and capacity, this follows recognition of the role of LRFs which have evolved significantly from the original concept brought in in 2004. We anticipate that the funding will result in a significant increase in the expectation on LRFs and that this will be supported by increased regional working and sharing of developing practice across all LRFs.

3.2 Criteria for use of the money has been provided:

- Strengthen LRF coordination and secretariat capability.
- Actively drive partnership activity: identifying and learning lessons from major incidents and exercises.
- Actively drive partnership activity: secretariat and multi-agency training and exercising.
- Actively drive partnership activity: engaging local communities on national, local and community resilience.
- Actively drive partnership activity: other priority area, as identified by the LRF.

- Strengthened systems for managing and using data, intelligence and information flows within the partnership.
- Develop, shape and implement new initiatives that advance national priorities, including DLUHC's programme for strengthening the roles and responsibilities of LRFs, the National Resilience Strategy and CCA review.

3.3 A number of projects to meet the above desired outcomes have been developed and agreed by the LRF strategic board. A key element has been the increased capacity within the Emergency Planning Unit who provide the secretariat and drive the work programme of the LRF. Following the release of the National Resilience Strategy (Summer 2022) the LRF will plan out the likely utilisation of future years funding.

4. PROPOSALS

4.1 The following provides a basic summary of the outcomes and the activities being undertaken. The additional staff within the unit will provide additional capacity in terms of project management and delivery.

4.2 Actual expenditure is likely to vary across projects as procurement and tendering is undertaken / price changes due to inflation.

Type of cost	Total Cost
Recruitment – note that these posts also free up more experienced officers to manage the delivery of a number of projects. <ul style="list-style-type: none"> • LRF Support Officer, • Emergency Planning Officer Industry, • Emergency Planning Officer Community Resilience • Oncosts at 25% 	£94,340
Training <ul style="list-style-type: none"> • Courses will be finalised by the LRF Training and Exercising Group along with expected proportion funded from LRF / contribution from members. • Consideration of multi-agency training platform 	£28,000
Community Resilience <ul style="list-style-type: none"> • Subscription to National Consortium for Whole Society Resilience • Community Resilience Grants (£10,000) • Accessible - Community Risk Register information 	£19,000
Role of LRFs in prevention scoping work <ul style="list-style-type: none"> • Initial project to determine if / where the LRF can add value in the prevention phase 	£20,000
Communications <ul style="list-style-type: none"> • Increased accessible partner wifi at key locations • LRF Activation system annual subscription • Review of resilient telecommunications – potential purchase of additional satellite communications 	£9,000
Peer review trial <ul style="list-style-type: none"> • Aim to develop an effective model of independent review / facilitation that will work for the unique LRF structures 	£7,000
Whole of Society Resilience Project <ul style="list-style-type: none"> • Engagement with partners and communities to identify key actions / activities of benefit 	£25,000
TOTAL	£202,340

5. RISK IMPLICATIONS

- 5.1 Failure to effectively meet utilise the funding / demonstrate value for money will be at detriment to future / ongoing funding.
- 5.2 Effective delivery will be reliant on a number of factors not least the engagement of multi-agency partners and wider community. These are being managed through the recognition that not all projects will be delivered, new projects may be identified and that some may need to adapt.

6. FINANCIAL CONSIDERATIONS

- 6.1 Ongoing reporting is required for the time being policy from national is that the additional grant should not compromise existing contributions from the LRF membership, this provides some contingency in the event that the funding is not continued.

7. LEGAL CONSIDERATIONS

- 7.1 The key legislation is the Civil Contingencies Act 2004 which identifies the local authorities as a Category 1 responder, section 10 of the CCA 2004 identifies failure by a person or body identified within the legislation may bring proceedings in the High Court.

8. CHILD AND FAMILY POVERTY

- 8.1 There are no child and family poverty implications relating to this report.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

- 9.1 There are no equality and diversity considerations relating to this report.

10. STAFF CONSIDERATIONS

- 10.1 There are no staff considerations relating to this report.

11. ASSET MANAGEMENT CONSIDERATIONS

- 11.1 There are no asset management considerations relating to this report.

12. RECOMMENDATIONS

- 12.1 It is recommended that members of the EPJC note the pilot funding and proposed / ongoing activities and receive further reports on the utilisation of the funding at future meetings.

13. REASONS FOR RECOMMENDATIONS

- 13.1 To ensure that members of the EPJC can effectively obtain assurance on the work of the LRF and effective utilisation of the funding.

14. BACKGROUND PAPERS

No Background papers.

15. CONTACT OFFICER

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EMERGENCY PLANNING JOINT COMMITTEE

12th July 2022



Report of: Chief Emergency Planning Officer

Subject: Activity Report

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1. For consideration and approval by the Emergency Planning Joint Committee (EPJC).

2. PURPOSE OF REPORT

2.1 To assist members of the EPJC in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

3 BACKGROUND

3.1 As reported and presented at the meeting in March the CEPU undertakes an annual action plan identifying key areas of work to be undertaken in 2022-23 by CEPU.

3.2 A number of actions relate directly to the statutory functions placed upon the authorities by the relevant legislation (including the Civil Contingencies Act 2004, Control of Major Accident Hazard Regulations 2015, Radiation Emergency Preparedness Public Information Regulations 2019 and Pipeline Safety Regulations 1996).

3.3 Where non-statutory duties are included they are based upon guidance such as that associated with the Civil Contingencies Act 2004 and the good practice contained in the SOLACE guidance on emergencies¹ revised and re-issued 2018, whilst non-statutory they are critical to resilience.

3.4 A summary of progress made against the Unit's new action plan is outlined below and a summary for consideration by members in appendix 1 (to follow). Work is progressing despite the ongoing support to the Covid response, with a number of key areas (7) of work now complete. 11 areas of

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759744/181116 LA preparedness guide for ex v6.10_004 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759744/181116_LA_preparedness_guide_for_ex_v6.10_004_.pdf)

work are ongoing with 115 yet to commence. A number of actions are time limited e.g. quarterly assurance that all plans are up to date or training and exercising due to commence in the autumn.

Table 1: Progress against CEPU action plan in period

Row Labels	Complete	Ongoing	Yet to start	Grand Total
CEPU Internal Functions	1	2	7	10
Community Resilience including the voluntary sector			3	3
Event Support		1	3	4
Financial Control			3	3
Industrial Emergency Planning	2	1	16	19
ITC / Cyber planning		1		1
Local authority resilience	1	1	31	33
Plans and procedures		2	5	7
Risk Assessment			4	4
Support, review and development of the LRF	1		12	13
Training and exercising	2	3	22	27
Warn and inform			9	9
Grand Total	7	11	115	133

- 3.5 Significant areas of work completed in period include:
- 1) Delivery of exercise Hydra a Level 2 REPPiR Exercise
 - 2) Support for a range of public events
 - 3) Test of the newly implemented activation system
- 3.6 Staff continue to work effectively under the corporate pilot of hybrid working with 2-3 days in the office.
- 3.7 As previously reported staffing is being increased through the use of the LRF grant from national to increase capability and capacity of the LRF. This has seen 3 additional roles created in the unit and changes in the roles of a number of experienced staff. This will bring total EPU / LRF Secretariat staffing up to 12 officers working across the four authorities, industry and communities.
- 3.8 The new roles are due to start July – August and cover the following thematic areas, in addition they will add capacity to the unit in times of response, each new officer will have a mentor in the unit and induction across a range of disciplines and skill sets:
- Emergency Planning Officer Industry
 - Emergency Planning Officer Community Resilience
 - LRF Support Officer
- 3.9 The LRF is actively engaged with the National Consortium for Societal Resilience, a platform for the 38 LRFs to engage with key stakeholders, benefit from economies of scale and case studies both nationally and locally.

3.10 As previously reported the Local Resilience Forum (LRF) received the proposed annual action plan for 2022 – 23 at its meeting in May and this was adopted, an outline is provided below by thematic area. The action plan is being delivered by the 18 multi-agency working groups.

Table 2: Progress against the LRF action plan 2022 - 23

Thematic Area	Ongoing	Yet to Start	Complete	Redundant	Grand Total
Assurance	4	36	2		42
Awareness and Engagement	7	11	1		19
Capability	4	6			10
Governance	5	2			7
Information sharing	1	3		1	5
Learning from incidents and exercises	5	8			13
MAIP	1	3			4
National Power Outage	1	3			4
Risk assessment	1	3	1		5
Training and competence	8	20	4		32
Update protocols / plans	4	11	2		17
Grand Total	41	106	10	1	158

3.11 Key elements and activities delivered so far included:

- Updated protocols following learning identified in Storm Arwen
- Incorporation of generic cyber risks impacting single and multiple agencies
- Support for a regional approach to training needs analysis and exercise bids
- Testing provision of information between emergency services and other LRF agencies and private operators.
- Multi-agency notification
- Provision of legal training, Strategic Coordination Centre familiarisation and Science and Technical Advice Cell (STAC) to key decision makers

3.12 In addition a number activities not captured in the action plan are being undertaken by the LRF including regional work on the pilot funding focussed on prevention, peer review, shared situational awareness, prevention and capability analysis.

3.13 Further work is anticipated as a result of the publication of the National Resilience Strategy due for release shortly and a workshop is being arranged for members in light of the strategy and other key policy from national.

4. PROPOSALS

4.1 That the Chief Emergency Planning Officer continues to provide quarterly updates and additional information as requested by EPJC members.

5. RISK IMPLICATIONS

- 5.1 Failure to understand the role and remit of the role of the Unit may result in the focus being elsewhere resulting in a lack of preparedness or resilience within the authorities.
- 5.2 There are a significant number of unknowns outside the control of CEPU / local partners that may impact on delivery (e.g. the ability to undertake face to face training, further waves of Covid, new variants, etc.).

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no financial considerations relating to this report.

7. LEGAL CONSIDERATIONS

- 7.1 The key legislation is the Civil Contingencies Act 2004 which identifies the local authorities as a Category 1 responder, section 10 of the CCA 2004 identifies failure by a person or body identified within the legislation may bring proceedings in the High Court.
- 7.2 Further enforcement may take place in the event of failure to meet the duties identified under industrial legislation including the Control of Major Accident Hazard Regulations (2015), Pipeline Safety Regulations 1996 and Radiation Emergency Preparedness Public Information Regulations 2019.

8. CHILD AND FAMILY POVERTY

- 8.1 There are no child and family poverty implications relating to this report.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

- 9.1 There are no equality and diversity considerations relating to this report.

10. STAFF CONSIDERATIONS

- 10.1 There are no staff considerations relating to this report.

11. ASSET MANAGEMENT CONSIDERATIONS

- 11.1 There are no asset management considerations relating to this report.

12. RECOMMENDATIONS

- 12.1 That members seek involvement and clarification on the CEPU Action Plan where appropriate.
- 12.2 That the CEPO continues to develop the CEPU Annual Action Plan and the EPJC standard report to provide assurance to EPJC members that the key

considerations continue to be met and that members are updated at the quarterly EPJC meetings reference any amendments / additional actions.

13. REASONS FOR RECOMMENDATIONS

- 13.1 To ensure that members of the EPJC can effectively obtain assurance that the duties and expectations on the local authorities can be met in the event of an incident.

14. BACKGROUND PAPERS

None presented.

15. CONTACT OFFICER

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EMERGENCY PLANNING JOINT COMMITTEE

12th July, 2022



Report of: Chief Emergency Planning Officer

Subject: Industrial Emergency Planning Report 2022

1. TYPE OF DECISION/APPLICABLE CATEGORY

For information and assurance.

2. PURPOSE OF REPORT

2.1 To assist members of the Emergency Planning Joint Committee (EPJC) in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

2.2 To inform members of the work undertaken by CEPU in connection with the statutory requirements relating to industrial emergency planning.

3. BACKGROUND

3.1 The Control of Major Accident Hazard Regulations 2015 (COMAH), Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPPIR) and the Pipeline Safety Regulations 1996 place duties upon the Local Authority to produce and maintain emergency response plans for COMAH and REPPPIR establishments and Major Accident Hazard Pipelines falling within their area. Additionally the COMAH and REPPPIR Regulations also require an emergency exercise be carried out on a three yearly basis to test the plan.

3.2 COMAH legislation is aimed at the prevention of major accidents involving dangerous substances and to limit the consequences to people and the environment where accidents do occur, examples include Toulouse, Flixborough and Buncefield.

3.3 Currently within the Cleveland area there are a total of 26 upper tier COMAH sites accounting for approximately 10% of the UK total. Across Cleveland there are numerous areas containing both businesses and residential properties which fall within COMAH Public Information Zones, these are predominantly in areas around Billingham and Wilton chemical complexes. Due to the nature of the Cleveland area there are also numerous occasions where one COMAH sits within the Public Information Zone of another, in

these cases operators have been assigned into “domino groups” to allow them to better understand potential impacts and improve response.

- 3.4 The HSE host a webpage that the provides public information on the COMAH sites – enabling a search by postcode and operator name.
<https://notifications.hse.gov.uk/COMAH2015/Search.aspx>
- 3.5 In addition to the above COMAH establishments there are also 72 major accident hazard pipelines. This is approximately a minimum of 325km of Pipeline to which the major accident hazard section of the Pipeline Safety Regulations (1996) apply. This is spread across the four Local Authority areas, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton on Tees.
- 3.6 REPPIR legislation is aimed at the prevention of an off-site nuclear emergency occurring and to limit the consequences to people and the environment the utilisation of the best countermeasures as a result of it, examples include Chernobyl and Fukushima.

4. KEY ACTIONS AND DUTIES

- 4.1 COMAH External Emergency Response Plans Reviewed within Legal Timescales - A total of 2 COMAH external plans (covering 4 separate sites) have been updated this financial period (including the North Tees Complex). All COMAH external emergency plans are currently up to date.
- 4.2 Cleveland Major Accident Hazard Pipeline Plan to be Written / Reviewed within Legal Timescales - The Cleveland Major Accident Hazard Pipeline Plan underwent a full review and was finalised in April 2020. Since then Competent Authority have notified of a number of additional pipelines which are now subject to the major accident hazard section of the regulations. All but one of these pipelines have been added with the final pipeline currently undergoing review. This will not impact the timescales for the next full review which is due to take place April 2023.
- 4.3 Conduct / Participate in multi-agency exercises under COMAH / Pipelines
- Under COMAH Regulation 14 (COMAH) a duty is placed on the local authority to test the external plan and take reasonable steps to arrange for the emergency services to participate in the test to such extent as is necessary.
 - All costs for exercises are recovered under regulation 29 which states the local authority may charge a fee for performing its duties under regulations 13 or 14. The fee shall not exceed the sum of costs reasonably incurred including costs for arranging for emergency service participation.
 - All multi-agency COMAH exercises within the Cleveland area are overseen by the Training and Exercising Group.
 - During the 2021 - 2022 financial period a total of 8 multi-agency COMAH exercises have been carried out and all external COMAH plans within

- Cleveland have now been tested within required timescales. The (non-statutory) MAH Pipeline exercise was cancelled due to COVID
- Within the current financial 2022 – 2023 period 1 live COMAH exercise has been carried out. Another 8 COMAH exercises are scheduled throughout the financial period until March 2023.
 - To date all COMAH exercises have been carried out within legal timescales.
- 4.4 Annual Meeting with Competent Authority Regarding COMAH
- The annual meeting with the Competent Authority in relation to COMAH for the 2021 – 2022 financial period took place on 04th February 2022 at Cleveland Emergency Planning Unit. The meeting highlighted the desire from the competent authority to return to live exercising and confirmation received that statutory duties had been met.
 - The meeting for the current financial period is not currently scheduled but is expected to take place between January and March 2023.
- 4.5 Conduct 6 monthly review of the COMAH Overview and Pipeline Summary documents
- COMAH supporting documentation was reviewed at the end of the last financial period (March 2022). Both the COMAH Overview and Pipelines Summary documents are scheduled for review in September 2022 and March 2023.
- 4.6 Conduct a Review of Pipeline Plan Structure
- Reviews of the COMAH and Pipeline plan structures are carried out annually. For the 2021 – 2022 financial period this took place in December. The review for this financial period is expected to take place in December 2022.
- 4.7 Attendance and Engagement at Local Community Liaison Council (LCLC), Emergency Planning Consultative Committee (EPCC) and Safety Health & Environment Managers meetings
- EDF Hartlepool holds two meetings a year of the Local Community Liaison Council where members of the public can come and hear what the station has been up to and ask any questions they may need.
 - The station also holds two meetings a year of the Emergency Planning Consultative Committee where the Cat 1 and 2 responders can discuss changes to the on and off site plans, national guidance, station exercises and have direct liaison with the regulators ONR and EA.
 - Cleveland EPU continues to maintain a seat on the LCLC and EPCC in relation to Hartlepool Power Station.
 - Cleveland EPU continues to maintain a seat on the Safety Health and Environment (SHE) Managers Meeting which is held every quarter.
- 4.8 Continue to Undertake Statutory and Good Practice Emergency Management with Industry and Wider Partners Including the COMAH Exercises and Plan reviews
- Cleveland Emergency Planning Unit continue to chair the Northern COMAH Forum meetings which are held on a 6 monthly basis for sharing of good practice and emerging issues amongst external duty holders and

the Competent Authority. This meeting covers both the North East and North West regions.

- Additionally Cleveland EPU continue to attend both the COMAH good practice workshops and the REPPiR Local Authority Nuclear working Group (LANWG) meetings on a 6 monthly basis. These meetings are designed to share best practice and emerging risks for both COMAH and REPPiR.

4.9 Actions from exercises are being recorded / monitored by the Training and Exercising Group.

- The COMAH external testing matrix has been updated to enable key issues to be identified across a number of sites – enabling a better visibility and understanding of common issues. This is being piloted in 2022-23 and will be reviewed at year end.
- Following a request from emergency services partners a quarterly meeting has been established with the Local Authority as Duty Holders.
- JESIP JOL (Joint Organisational Learning) is also regularly monitored for and learning or good practice which is identified on a national level. Local actions identified as having significance for other areas are also shared via this system.

4.10 Meet Legal Duties ref REPPiR Plan

- The REPPiR Plan was updated in November 2020 as part of the regular review process. The Detailed Emergency Planning Zone (DEPZ) has now been confirmed as a minimum of 2km.
- All properties within this radius have been informed and received the relevant amount of stable iodine tablets. Information regarding this can be found at the following website:
https://www.hartlepool.gov.uk/info/20044/emergency_planning/1017/emergency_planning_-_nuclear/1

4.11 Participation in REPPiR exercises

- A level 2 REPPiR exercise was carried out live on 18th May 2022. This involved live response at the EDF Energy Hartlepool establishment as well as tactical and strategic level involvement from external agencies based at Cleveland Police HQ. The debrief report is currently being produced.
- In addition to the level 2 exercise there are a number of shift level exercises taking place throughout the financial period.

4.12 Review of Warning and Informing around COMAH Sites, including Incorporation of National Emergency Alert system

- During the 2022 – 2023 financial period there is intention to review the warning and inform process in relation to COMAH establishments.
- The current process involves the use of blue / red alerts as part of the Cleveland Communications Strategy Electronic Alert Protocol when an activity / incident onsite leads to issues either potential or actual in the area surrounding the establishment.
- While the above system continues to serve its purpose the national Cell Broadcast System (Emergency Alerts) has the potential to be quicker to

use, able to reach more people and can be more finely targeted on areas affected.

- 4.13 Confirm / Review List of High Fire Risk Waste Sites and ensure appropriate Planning and Monitoring In Place
- Following notification from the Environment Agency of the potential risks posed within the Cleveland area from High Fire Risk Waste Sites the intention is to work with other LRF agencies to confirm a list of these establishments and agree appropriate planning and monitoring is in place for each.

5. PROPOSALS

- 5.1 Members familiarise themselves with the requirement of industrial emergency planning and raise any queries with regards to the impact on their respective areas.

6. RISK IMPLICATIONS

- 6.1 Failure to respond appropriately may result in impacts on the social, economic and environmental welfare of the community.
- 6.2 Failure to comply with legislation will result in action being taken against the authorities by the Competent Authority (Health and Safety Executive, Environment Agency or Office for Nuclear Regulation).

7. FINANCIAL CONSIDERATIONS

- 7.1 There are no financial considerations relating to this report.

8. LEGAL CONSIDERATIONS

- 8.1 In addition a number of actions relate to the Control of Major Accident Hazard Regulations 2015, Radiation Emergency Preparedness Public Information Regulations 2019 and Pipeline Safety Regulations 1996. All of the above place statutory duties upon the local authority, failure to provide to an adequate level resulting in possible enforcement.

9. CHILD AND FAMILY POVERTY

- 9.1 There are no child and family poverty implications relating to this report.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 There are no equality and diversity considerations relating to this report.

11. STAFF CONSIDERATIONS

- 11.1 There are no staff considerations relating to this report.

12. ASSET MANAGEMENT CONSIDERATIONS

12.1 There are no asset management considerations relating to this report.

13. RECOMMENDATIONS

13.1 It is recommended that members of the EPJC note the areas of work undertaken and seek further clarification as appropriate from the Chief Emergency Planning Officer.

14. REASONS FOR RECOMMENDATIONS

14.1 To ensure that members of the EPJC can effectively obtain assurance that the duties and expectations on the local authorities can be met in the event of an industrial incident.

15. BACKGROUND PAPERS

No Background papers.

16. CONTACT OFFICER

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EMERGENCY PLANNING JOINT COMMITTEE

12th July, 2022



Report of: Chief Emergency Planning Officer

Subject: INCIDENT REPORT
(19th February – 24th June 2022)

1. TYPE OF DECISION/APPLICABLE CATEGORY

For information and assurance.

2. PURPOSE OF REPORT

2.1 To assist members of the Emergency Planning Joint Committee (EPJC) in overseeing the performance and effectiveness of the Emergency Planning Unit and its value to the four unitary authorities.

2.2 To inform members of the EPJC of the incidents reported and responded to by the Cleveland Emergency Planning Unit (CEPU). The report covers the period between the 19th February – 24th June 2022.

3. BACKGROUND

3.1 CEPU provides both a 24 hour point of contact for partners requesting assistance, and for the provision of tactical advice to the four local authorities.

3.2 There are a number of mechanisms in place to ensure that CEPU are made aware of incidents both in and out of normal office hours these include protocols with the emergency services and early warning systems with industry and agencies for example warnings from the Met Office, Environment Agency and communications chains with local industry.

3.3 An outline of incidents that staff have been involved in or notified of are contained in appendix 1.

3.4 A number of these incidents have been followed up with multi-agency debriefs the learning from which is shared with agencies and where appropriate actioned via the Local Resilience Forum / agencies internal procedures. On occasion lessons are shared nationally on the Joint Organisational Learning tool.

4. PROPOSALS

- 4.1 Members familiarise themselves with the range of incidents that have occurred with a view to seeking additional detail if required.

5. RISK IMPLICATIONS

- 5.1 Failure to respond appropriately may result in impacts on the social, economic and environmental welfare of the community.
- 5.2 It is worthy of note that the ongoing response to Covid, and the associated risks of transmission, complicate a number existing protocols (e.g. evacuation and temporary accommodation), but that measures have been taken to amend guidance and plans to accommodate these risks.

6. FINANCIAL CONSIDERATIONS

- 6.1 There are no financial considerations relating to this report.

7. LEGAL CONSIDERATIONS

- 7.1 The key legislation is the Civil Contingencies Act 2004 which identifies the local authorities as a Category 1 responder, section 10 of the CCA 2004 identifies failure by a person or body identified within the legislation may bring proceedings in the High Court.
- 7.2 In addition a number of actions relate to the Control of Major Accident Hazard Regulations 2015, Radiation Emergency Preparedness Public Information Regulations 2019 and Pipeline Safety Regulations 1996. All of the above place statutory duties upon the local authority, failure to provide to an adequate level resulting in possible enforcement.

8. CHILD AND FAMILY POVERTY

- 8.1 There are no child and family poverty implications relating to this report.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

- 9.1 There are no equality and diversity considerations relating to this report.

10. STAFF CONSIDERATIONS

- 10.1 There are no staff considerations relating to this report.

11. ASSET MANAGEMENT CONSIDERATIONS

- 11.1 There are no asset management considerations relating to this report.

12. RECOMMENDATIONS

- 12.1 It is recommended that members of the EPJC note the areas of work undertaken and seek further clarification as appropriate from the Chief Emergency Planning Officer.

13. REASONS FOR RECOMMENDATIONS

- 13.1 To ensure that members of the EPJC can effectively obtain assurance that the duties and expectations on the local authorities can be met in the event of an incident.

14. BACKGROUND PAPERS

No Background papers.

15. CONTACT OFFICER

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Appendix 1 Incidents of note 19th February 2022 – 24th June 2022

Date	Borough	Exact Location	Type of Incident	Additional Information
05/04/2022	Stockton-On-Tees	Eaglescliffe care home	Fire	Structural assessment
12/04/2022	Hartlepool	Hartlepool Fish Quay	Maritime	Polrep received from HM Coastguard relating to light oil spill at Hartlepool Fish Quay. Booms and absorbent pads deployed by ships crew / PD Ports. No further actions required
12/04/2022	Redcar & Cleveland	Teesport MGT Power Station	Unsafe Structure	Report of potential weakening of fire impacted silo additional monitoring in place by services and site operator.
28/04/2022	Redcar & Cleveland	South Bank Road	Fire	Large Fire in derelict building
29/04/2022	Middlesbrough	Park Road North Victoria care home	Fire	Fire in care home
02/05/2022	Stockton-On-Tees	Yarm Road	Unsafe Structure	Security of property compromised assistance requested
20/05/2022	Middlesbrough	Abingdon Road	Suspected UXO / IED	Suspicious package – resulting in prolonged evacuation.
19/06/2022	Hartlepool	Mitchel Street	Explosion / Fire	Road closures