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**TYNE AND WEAR FIRE AND RESCUE AUTHORITY  
EMERGENCY PLANNING UNIT**

***Committee Report***

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**Meeting : CIVIL CONTINGENCIES COMMITTEE : 6 JULY 2009**

**Subject : SEVESO DIRECTIVE SURVEY**

***Report of the Chief Emergency Planning Officer***

**1 INTRODUCTION**

- 1.1 The purpose of this report is to make Members aware of a European wide survey of the Seveso II Directive (96/82/EC) on the control of major accident hazards, in which the Emergency Planning Unit has recently participated. Members may recall that the Seveso II Directive is implemented in the United Kingdom by the COMAH – Control of Major Accident Hazards Regulations 1999.
- 1.2 The request to participate in the survey came via the Major Hazards Policy Group (MHPG) of the Health and Safety Executive (HSE) - located in Bootle, Merseyside. The HSE and the Environment Agency jointly comprise the Competent Authority which oversees the COMAH Regulations in the United Kingdom.

**2 BACKGROUND**

- 2.1 The Seveso II Directive lays down a number of requirements for the relevant authorities in carrying out duties in relation to industrial sites where certain dangerous substances are present above specified thresholds.
- 2.2 One of the requirements is for an Off-Site Plan to be developed for each top-tier site, for incidents which have effects that spread beyond the site itself. In the UK these sites are identified and informed to the organisation that is responsible for the plan production by the Competent Authority. In Tyne and Wear this duty falls upon the Fire and Rescue Authority, which is discharged by the Emergency Planning Unit. In Northumberland the responsibility falls upon the County Council Emergency Planning / Resilience Team.

**3 THE SURVEY**

- 3.1 The introduction to the survey states that to monitor the implementation of the Seveso II Directive, and its amendments, the European Commission establishes a report every 3 years based on the information provided by

the Member States. This information does not enable a qualitative analysis of the effectiveness of the directive and of its impact. Therefore, to complement the regular triennial reports, which are essentially quantitative, the Commission has launched the study to assess the effectiveness of the directive and to help identify any improvements that could be incorporated in a new version.

3.2 The study is a web-based questionnaire with a number of follow-up interviews. Its main purpose is to provide the Commission with information about the practical implementation of the main requirements of the directive on local, regional and national public authorities.

3.3 In particular, there are specific requirements in relation to:

- general implementation arrangements
- land use planning;
- inspection systems;
- safety report assessment;
- external (offsite) emergency plans;
- providing information to the public; and
- accident reporting.

3.4 The overall objective of the study is to provide the European Commission with key findings and lessons learned from the practical implementation of the main requirements imposed on public bodies, focussing on the specific requirements above, together with possible improvements if appropriate.

## 4 **RESPONSE TO THE SURVEY**

4.1 The survey was aimed at a wide range of public bodies. The covering letter stated that the company undertaking the survey on behalf of the Commission would like to receive information from all the different authorities involved in implementation of the Directive (be they central, regional or local, etc; or responsible for matters relating to the environment, civil protection, land-use planning, etc).

4.2 Although the survey was completed separately for Tyne and Wear and Northumberland, the respective EPU's have a long history of working closely together on resilience issues, and the officers from the two EPUs collaborated in compiling the return. This enabled the two similar responses, reflecting the collaborative approach taken in COMAH Off-site Planning arrangements which are extant in the Northumbria LRF area.

4.3 The aspects that were relevant to the EPUs were;

- general implementation arrangements

- external (offsite) emergency plans;
- providing information to the public.

There were also Introductory and Closing questions to be addressed.

- 4.4 The questionnaire was forwarded by the EPU to the five Councils of Tyne and Wear to provide the opportunity for appropriate Council officers to respond to the questions on the Land Use Planning aspects.
- 4.5 The Competent Authority would be the appropriate body to consider the questions in relation to Inspections, Safety Reports, and Accident Reporting, and should also respond to the Commission.

## **5 FOLLOW UP INTERVIEW**

- 5.1 Since completing the survey, TWEPU has since been contacted by ERM Consultants who are conducting the survey to advise that our feedback had been 'hugely valuable' to them and the study. They have asked whether we would be willing to participate in a follow-up interview to discuss our responses and some of the findings that are emerging from the study in more detail.
- 5.2 The aim of the interview is to provide the preliminary survey results and provide an opportunity to expand on any of the areas that the results highlight. The interview will be approximately of 1-2 hour duration, over the telephone. Responses will be kept confidential, and when reporting the results, they will be aggregated into relevant groups so that no individual can be identified.
- 5.3 TWEPU is delighted to be of further assistance and has of course agreed to participate in the follow up interview. The interviews are scheduled to take place between the 6<sup>th</sup> and 17<sup>th</sup> of July 2009.

## **6 CONCLUSION**

- 6.1 Members are asked:
- i) to note the EPU's valuable contribution to the survey and the subsequent request to participate in a follow up interview;
  - ii) to receive a further report on the survey results when they become available

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## **BACKGROUND PAPERS**

- Control of Major Accident Hazards Regulations 1999
- Seveso – Web Based Questionnaire 2009

*Copies of these documents are available in the Emergency Planning Unit.*