

## CIVIL CONTINGENCIES BILL

### BRIEFING NOTE FOR UKOPA

#### **Introduction**

The Bill was initiated following the fuel crisis during the Autumn and Winter of 2000 and was given further impetus as a result of September the 11<sup>th</sup>. The Bill has been developed, through a number a consultative process, beginning with the Emergency Planning Review in 2001. Since then, the Government has engaged with a number of organisations involved with emergency planning. Public consultation closed on 11 September 2003, and the Bill was published on 7<sup>th</sup> January 2004. A second reading is scheduled for the 19<sup>th</sup> January 2004. Regulations will also be published in 2005 to support the Bill. Copies of the Proposed Bill and Draft Regulations can be obtained from [www.ukresilience.info/ccbill](http://www.ukresilience.info/ccbill).

#### **Key Objectives of the Bill**

- To provide a legislative framework that updates previous legislation such as the Emergency Powers Act and the 1948 Civil Defence Act
- To create a new framework that is part of the Government's wider resilience agenda
- To deliver a single statutory and regulatory framework for civil protection in the UK which will provide a lasting, flexible and sustainable basis for enhancing UK resilience

#### **Main elements of the Bill**

The Legislation will give organisations that form the core of the local response a clear and consistent set of expectations and responsibilities in relation to civil protection.

The Bill also provides for the setting out of the relationship between core responders, Category 1 responders, typically local authorities, emergency services health authorities and key co-operating bodies, Category 2 responders, those which are less likely to be involved in the planning but will heavily be involved in incidents that affect their sector in both the private and public sectors, e.g. utilities, airport authorities, transport bodies.

It is the intention of the Bill to ensure consistency of activity across the local response capability, delivering improvements in performance and communication. The new framework will provide the basis for robust performance management and ensure

operational effectiveness and financial efficiency that reduces the previous reliance on permissive powers

Category 1 responders will be given a broad range of civil protection duties, with Category 2 responders being required in regulations to co-operate with multi-agency planning and share information.

Multi-agency working – The Bill should establish a new framework to reinforce partnership working and inter-agency co-operation at a local level.

Funding for Category 1 Local Authorities will be transferred from specific grant (Civil Defence Grant) to a Revenue Support Grant.

The government is establishing a new regional tier, Resilience Forums, which will draw together activity already organised on a regional basis and so provide a strong bridge between centre and local areas. The above activity is not addressed in the Bill but is included in the draft Regulations. The Bill itself provides for the role of Regional Nominated Co-ordinator and allowing for special legislative measures to be used on a regional basis.

The Regional Resilience Forums (RRFs) would not have a role in response but will be looking at capability planning in close co-operation with local responder organisations. Resilience Forum areas will be based on police areas (as defined in the Police Act 1996) or for London London Boroughs. The draft Regulations currently require Resilience Forums to meet at least once every 6 months.

## **London**

London is considered to face a unique challenge within the overall resilience agenda. The Bill proposals provide flexibility to meet London's requirements and complement existing arrangements, while at the same time ensuring consistency and co-operation.

## **Implications for UKOPA members**

The Bill is not intended to duplicate or override Emergency Planning requirements under existing Safety Regulations, i.e. COMAH and PSR, the draft regulations identify that the duties do not apply to major accidents as defined under these regulations.

UKOPA members that also supply gas under the Gas Act, e.g. Transco are also defined as Category 2 responders and the relevant duties under the act would apply including providing relevant information for Category 1 responders to be able to draw up emergency plans.

The suggested Resilience Groups and corresponding Resilience Areas may also provide an area basis under which pipeline emergency plan testing can be carried out thereby mitigating some of the potential impact of the proposed amendments to the Pipeline Safety Regulations. It is suggested that this should be explored at the CAPEPLG sub group meeting that Peter Sargent has been actioned to arrange to discuss proposed emergency planning arrangements within the amendments to PSR. This sub group meeting will include UKOPA, Emergency Services and Local Authority representation.