

DECISION-MAKER:	COMMUNITY SAFETY MANAGER
SUBJECT:	REVIEW OF AMENDMENTS AND APPROVAL OF REVISED SOTONSAFE PLAN VERSION 6
DATE OF DECISION:	20 DECEMBER 2012
REPORT OF:	EMERGENCY PLANNING AND BUSINESS CONTINUITY MANAGER
STATEMENT OF CONFIDENTIALITY	
None.	

BRIEF SUMMARY

In order to comply with the Radiation Emergency Preparedness & Public Information Regulations 2001, (REPPPIR) Southampton City Council (SCC) as 'Off-Site' statutory authority is required to produce and approve an off-site emergency plan ('the Plan') to deal with any accident that may reasonably foreseeably occur when a nuclear powered submarine is berthed within the port of Southampton.

There is a duty to review, revise and where necessary reissue the plan within a three year cycle. This is in addition to the duty to update the Plan on an ongoing basis to reflect changes in practical detail and arrangements throughout the life of the Plan. This process has been initiated and informed primarily by revised safety planning requirements, exercising of the plan and organizational/structural changes within the response statutory agencies comprising the SotonSafe Emergency Planning Group (SEPG) since approval of Version 5 of the Plan on the 17th December 2009.

Amendments are shown at Appendix 1 of this report. Draft Version 6 of the SotonSafe Plan will be made available to the decision maker prior to the decision meeting.

RECOMMENDATIONS:

- (i) To approve logistical, organizational and grammatical amendments to the Plan, as set out within Appendix 1 of this report.
- (ii) To authorise the Emergency Planning and Business Continuity Manager to make such typographical and textual amendments to the draft Plan as may be required to give effect to this decision prior to publication.
- (iii) To approve Version 6 of the Plan for publication.

REASONS FOR REPORT RECOMMENDATIONS

1. Having fully considered this matter in consultation with statutory partners and public interface the Emergency Planning Manager (EPM) considers that no major changes have occurred since the last revision of the Plan and that the amendments, which are primarily organisational and technical in nature, meet the requirement of all related legislation.
2. It is anticipated that the revised Plan will, subject to approval, be published either in late December or early in January 2013. No submarine visits to the Port will take place during the intervening period.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. (i) Do nothing, retain current arrangements.
This would potentially breach our legal and moral obligation to review and revise in a timely manner and to reflect organisational and technical changes that have occurred since the last review of the Plan.
- (ii) Approve further, more major infrastructural changes to the Plan.
Testing and review of the plan, including review by the relevant statutory regulator, has demonstrated that the plan is considered fit for purpose without further major changes being required. In addition, no major or significant changes have occurred to the Port, City or Operators Plan requirements within the review period that would render changes to the Plan necessary in order to accommodate a change in circumstances relevant to the off-site safety plan.

DETAIL (Including consultation carried out)

CONSULTATION

4. Consultation upon this proposal was issued to statutory agencies on the 15th September 2012. This included Police, Fire & Rescue Service, Ambulance Service Trust, Associated British Ports, Health Agencies, New Forest District Council, Health & Safety Executive Office of Nuclear Regulation (ONR) and the Environment Agency. Their responses, where appropriate, have further informed the amendment process.
5. Further information has been made available on the Emergency Planning area of the Southampton City Council Website, and the proposed decision included within the Council's Forward Plan of decisions published on the 3rd October 2012, including details of how to comment on the proposal. In addition public notices were placed within Peartree and Sholing Local Housing Office, Woolston Library, Ocean Village Marina, National Oceanography Centre, Hythe Mariner and Hythe and Dibden Community Centre.
6. An ongoing dialogue, albeit less frequent, continues with the Solent Coalition Against Nuclear Ships (SCANS) who were notified of this proposed decision by email letter on 12th October to their Chairman and have been invited to comment as appropriate. The letter was also copied to SCC Cabinet Members, and Ward Members for Bargate, Woolston and Hythe, being the wards most likely to be directly affected by the emergency planning precautions contained in the Plan.
7. The closing date for consultation was the 9th November 2012. No comments relative to this decision have been forthcoming.

DETAILS

8. SCC has assumed responsibility for the SotonSafe 'Off-Site' Plan since 2002, with the introduction of REPIIR legislation. Any decision in relation to the need to maintain a nuclear powered submarine berthing facility within the port rests with the MOD. The designated operational Berth 38 is located adjacent to the former QE2 passenger terminal at Dock Head within the

Eastern Docks.

9. Legislation requires 'that the local authority prepare a written off-site emergency plan, which comprises a number of component elements, for any premises (includes a vessel) within the operators emergency plan', SotNusafe.
10. The HSE ONR scrutinise the extent of the emergency planning and public information zone and determine the area which this should cover for the purposes of the Regulations. In the case of the Southampton port berth that is 1.5km radius. The off-site emergency plan is required to take account of measures taken by the operator to prevent radiation emergencies and measures taken to limit their consequences if they should occur. The degree of planning is required to be proportionate to the probability of an accident occurring and local geography amongst other relevant matters.
11. Responsibility for this work rests with the City Council Emergency Planning and Business Continuity Manager (EPM) who reports through normal internal channels and to the interagency SEPG chaired by the City Council Community Safety Manager. Ongoing assessment, planning, exercising, evaluation and informing of the public within the planning zones is subject to a 3 year REPPIR review cycle monitored by the MOD Regulator and ONR Superintending Inspector.
12. In September 2006, upon approval of Version 4 of the plan, SCC Cabinet granted delegated power for review and future amendment of the plan to the Community Safety Manager. That authority remains in place.
13. Chief Staff Officer Engineering at Navy Command is responsible for the compilation of the vessel operators SotNusafe Plan. The Plans complement each other and with other documents form a suite of information to ensure an effective response in the highly unlikely event of a reactor emergency arising whilst such a vessel in berthed in port.
14. It should be noted that all amendments do not in themselves impact directly upon the community. More detailed information relating to the amendments is included at Appendix 1.
15. The Southampton Plans were exercised on an interagency, multi site basis on the 19th January 2012, the outcomes of which have been utilised to further inform related plan development and organisational response. The exercise was observed by ONR officers and credited as a satisfactory demonstration of the Plans. Associated outcomes are shown at Appendix 2.
16. Between 1977 and 2012, 18 such visits to the Port have taken place, normally of 5 days duration, during the course of which no incidents have arisen concerning the vessels nuclear plant. Each visit is now preceded by an interagency pre-visit check of meeting and associated briefing.
17. The tragic events aboard submarine HMS Astute whilst berthed in Southampton on Friday 8th April 2011 was subject to review by the SEPG. All duties under REPPIR have been confirmed as complete by the RN Regulator and ONR Superintending Inspector. The report is attached at Appendix 3.

RESOURCE IMPLICATIONS

Capital/Revenue

18. None.

Property/Other

19. Any costs relative to this proposal will be recovered from the Navy.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

20. The Radiation Emergency Preparedness and Public Information Regulations 2001 ('REPPIR') and associated guidance on the Regulations.

Other Legal Implications:

21. In reviewing the Plan the Council is required to act reasonably, have regard to all relevant equalities legislation, the provisions of section 17 of the Crime & Disorder Act 1998 and the impact of the Proposals on communities and individuals in accordance with the Human Rights Act 1998. The Council is satisfied that the adoption of the Plan and the provisions within it are necessary and proportionate to address a pressing social need (the maintenance of public safety) and therefore interference with any of the qualified rights provided under the Act are justified in order to ensure the protection of the wider Southampton community and to preserve public safety in the unlikely event of a nuclear incident involving a submarine berthed in the port of Southampton.

POLICY FRAMEWORK IMPLICATIONS

22. (i) SCC Community Strategy - None, public safety is not compromised by this proposal which is based upon detailed risk assessment, professionally informed and evaluated

23. (ii) SCC Community Safety Strategy - None, as at (i) above

23. (iii) SCC Health & Wellbeing Strategy – None, as (i) above

AUTHOR:	Name:	Graham Wyeth	Tel:	023 8083 2089
	E-mail:	graham.wyeth@southampton.gov.uk		

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Part of Bargate, Woolston & Weston, Hythe Village Centre
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SUPPORTING DOCUMENTATION

Appendices

1.	Schedule of amendments – SotonSafe Version 5.1
2.	Exercise ‘Foxwater 12’ – Outcomes
3.	Submarine HMS Astute Incident Report

Documents In Members’ Rooms

1.	N/A
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

SotonSafe (Z Berth) Off-Site Reactor Emergency Plan – Draft Version 6

<http://www.southampton.gov.uk/s-environment/emergency-planning/emergencyplans/sotonplan.aspx>

Equality Impact Assessment and Other Background documents available for inspection at: SCC Emergency Planning & Business Continuity Unit, City Depot Southampton

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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