
NORTH AYRSHIRE COUNCIL

18 January 2020

Cabinet

Title: Delegation of Functions under the Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPIR)

Purpose: To make governance arrangements for new emergency planning duties imposed under the Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPIR)

Recommendation: Cabinet agrees to amend the Scheme of Delegation to Officers to delegate public information duties under REPIR 2019 to the Head of Democratic Services and remaining operational functions to South Ayrshire Council as lead authority for the Ayrshire Civil Contingencies Team.

1. Executive Summary

- 1.1 The Radiation (Emergency Preparedness and Public Information) Regulations 2019 came into effect on 22 May 2019 and imposes new duties on the Council.
- 1.2 The only facilities in North Ayrshire currently affected are Hunterston A and B. Many of the duties are operational in nature, including revision of the Hunterston B Nuclear Power Station Off Site plan which will require to be revised to adhere to the regulations by 21 May 2020. This report deals with the delegation of such functions. Any functions which involve the determination of policy, such as the determination of the boundaries of the Detailed Emergency Planning Zone (DEPZ) would, in terms of the Council's existing Schemes of Administration and Delegation to Officers, be for Cabinet.
- 1.3 A separate report deals with the determination of the boundaries of the DEPZ.

2. Background

- 2.1 The new REPIR legislation is part of the UK's commitment to continuously improve preparedness in line with international best practice. It applies to all nuclear sites across the UK and is not specific to Hunterston A or B. The revised regulations place the following new duties onto local authorities:
- 2.2 Detailed Emergency Planning Zone

2.2.1 The duty to determine the size and shape of the DEPZ around Hunterston now lies with the local authority (it was previously with the Office for Nuclear Regulation (ONR) as regulator).

2.2.2 In terms of REPPiR, the operator is responsible for assessing the hazards from the site and prepares a Consequences Report. The content of this is detailed in the regulations. In determining the DEPZ the Council must do so 'on the basis of' this Consequences Report. To quote the REPPiR Code of Practice:- "The DEPZ must be based on the minimum geographical extent proposed by the operator in their Consequences report and should:

- (a) Be of sufficient extent to enable an adequate response to a range of emergencies; and
- (b) Reflect the benefits and detriments of protective action by considering an appropriate balance between:
 - i. Dose averted, and
 - ii. The impact of implementing protective actions in a radiation emergency across too wide an area.

In defining the boundary of a detailed emergency planning zone, geographic features should be used for ease of implementing the local authority's off-site emergency plan. Physical features, such as roads, rivers, railways or footpaths should be considered as well as political or postcode boundaries, particularly where these features and concepts correspond with other local authority emergency planning arrangements."

2.2.3 Determination of the DEPZ is the subject of a separate report.

2.3. Outline Planning Zone (OPZ)

2.3.1 Each nuclear site requires an Outline Planning Zone (OPZ). The extent of this is set in the regulations, being 30km in relation to Hunterston B (currently 20km) and 1km relating to Hunterston A. The latter reflects the non-operational and decommissioned nature of Hunterston A. The purposes of the OPZ are, to quote the Code of Practice as follows: -

"The presence of an outline planning zone should assist the local authority in planning for extremely unlikely but more severe events. The central aim of the outline planning zone is to support the decision making of emergency responders in the event that detailed or generic arrangements are not sufficient. Outline planning is about identifying what protective actions may be needed at a strategic level, where those capabilities could be obtained from and the anticipated time frame over which they will become available rather than having them in place ready to mobilise without delay".

2.3.2 In the case of Hunterston B this zone now includes the local authorities of East Ayrshire, South Ayrshire, Argyll and Bute, Renfrewshire, East Renfrewshire and Inverclyde. The current plan already includes information relating to our immediate neighbouring councils (East Ayrshire, South Ayrshire and Argyll and Bute). This will be extended to include other council areas out to 30km. These councils will provide the following information to support planning for the OPZ:

- Town populations
- Schools
- Healthcare facilities
- Care / Elderly homes
- Camping and Caravan sites
- Public footpaths, parks golf courses, large parks and stadia
- COMAH sites
- Reservoir and Treatment works
- Railway stations, ports and harbours

2.4. The local authority now has a duty to provide prior warning and information to the public living within the both the DEPZ and the OPZ. The extent of this duty is detailed in the Code of Practice as follows: -

“Prior information should be supplied in an appropriate manner and in an accessible format to members of the public who are in the detailed emergency planning zone, without their having to request it, so far as reasonably practicable.

Prior information should be available in an appropriate manner and in an accessible format to members of the public in the outline planning zone. If members of the public request such information they should be directed to it or provided with access to a hard copy if requested.”

2.5 Prior Information to the Public

2.5.1 Previously, EDF provided prior information to the residents within the DEPZ in the form of a calendar and the residents are also given the opportunity to register with EDF to be contacted by telephone in the case of an offsite emergency (although this is not compulsory). Under REPIR 19 this responsibility now falls to the local authority and would be undertaken by the Council's Communications team.

2.5.2 With regards to the OPZ, the Council's Communications Team will work closely with colleagues in the other council areas to ensure the same messaging and public information is provided on their respective websites directing them to North Ayrshire Council's website for further information on how being inside the OPZ may affect them and how to access a copy of the public Hunterston Offsite Contingency plan.

2.6 With the exception of the communication duties detailed in 2.6.2 above, all of the remaining functions would be undertaken by the Ayrshire Civil Contingencies Team (ACCT). This is a pan-Ayrshire local authority shared service, the lead authority for which is South Ayrshire Council. ACCT currently work with EDF on preparing the Hunterston Off-Site Plan and are heavily involved in both emergency planning and exercising for Hunterston

3. Proposals

3.1 It is proposed that public information duties under REPIR are delegated to the Head of Democratic Services and the remaining operational duties under REPIR are delegated to South Ayrshire Council as lead authority for ACCT.

4. Implications/Socio-economic Duty

Financial

4.1 There are no financial implications as this work is chargeable to EDF under REPPIR.

Human Resources

4.2 Any additional resource which is required by ACCT would be rechargeable to EDF.

Legal

4.3 A primary purpose of this report is to address the new legal duties imposed under REPPIR.

Equality/Socio-economic

4.4 There are no significant equalities or socio-economic implications of this report.

4.4.1 Children and Young People:

There are no significant implications of this report. Effective emergency planning arrangements support responders to deal with an emergency, and address the impact of an emergency on the population as a whole, children and young persons included.

Environmental and Sustainability

4.5 This report advises about new emergency planning duties in relation to Hunterston A and B, and the governance around these. Effective emergency planning arrangements support responders to deal with the environmental and other impacts of an emergency.

Key Priorities

4.6 Implementation of REPPIR will support the Council Plan theme of:

- Helping all of our people to stay safe, healthy, and active

Community Wealth Building

4.7 None

5. Consultation

- 5.1 There has been consultation with local Category 1 and 2 emergency planning partners, the Communications Manager, South Ayrshire Council and ACCT

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For further information please contact **Andrew Fraser, Head of Democratic Services**, on **01294 324125**.

Background Papers

- 1- REPPIR
- 2- Reppir Code of Practice