

Dover District Council

Major Emergency Plan



The latest version of this document may be found on Resilience Direct and the Council's emergency planning page on the website.

All organisations should ensure that if printed copies of this document are being used, the latest version is obtained from one of these sources.

Version 7. May 2024



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|-------------------|--|----------------|
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Foreword



Disasters can occur anywhere at any time. Their location, scale and severity will be unpredictable.

In many instances a disaster will involve a multi-agency response involving numerous statutory, commercial and voluntary agencies.

Legislation requires the Council to assess risks and plan a response to major emergencies occurring in its area and where it performs a function.

This emergency plan forms part of the overall major emergency response planning of the Council.

Potentially, every member of staff will have a role during a major emergency and could be asked to undertake various tasks as part of the response. Some members of staff will have a specific role for which they will receive training.

Whatever your position with the Council you are encouraged to read this plan as part of your induction so that if you are required to participate in the response you will understand the process.

Nadeem Aziz

This document has been produced on the authority of Corporate Management Team.

Date of approval: 7 May 2024

Signed:


Chief Executive

Distribution List

| Role | Organisation | Number of Copies |
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| Heads of Service | Dover District Council | 9 |
| Emergency Centre | Dover District Council | 1 |

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1. Introduction

Local authorities have clear legal obligations and duty of care to provide effective, robust and demonstrable emergency arrangements to mobilise resources to deal with a broad range of emergencies. From time-to-time emergencies occur which require special measures to be taken. Such events are defined under the Civil Contingencies Act 2004 as:

“Any event occurring (with or without warning) causing or threatening to cause death or injury, damage to property or the environment or disruption to the community which, because of the scale of its effects, cannot be dealt with by emergency responders as part of their day-to-day activities.”

This document has been prepared to comply with the Civil Contingencies Act 2004. A guide to the Civil Contingencies Act can be found on the GOV.UK website.

1.1 Aims and Objectives

The aim of the DDC Major Emergency Plan is to provide procedures and guidance that facilitate an appropriate and proportionate response by Dover District Council to meet the needs of any emergency thereby contributing to alleviation of distress and disruption caused by such incidents and enable the authority to continue to provide normal services as far as is possible. The plan's objectives are;

- Define local government responsibilities in an emergency in accordance with the Civil Contingencies Act 2004 as Category 1 responders;
- Outline Dover District Council's (DDC) and Kent County Council's (KCC) emergency response capabilities and the services they may bring to bear, on a singular basis or jointly;
- Describe how the emergency response and recovery processes will be activated;
- Describe the alerting arrangements for key staff, mobilising services or activating mutual aid;
- Outline the management and communication structure in emergencies;
- Describe the set up and management process of DDC's emergency arrangements;
- Provide a co-ordinating document for individual functional plans and specific incident plans.

1.2 The Civil Contingencies Act 2004 and associated legislation

Under the Civil Contingencies Act 2004 and associated regulations, all county and district authorities are classified as Category 1 responders, and as such have a responsibility to:

- assess the risk of an emergency occurring
- plan for and to respond to a broad range of emergencies
- be resilient as an organisation, putting into place suitable business continuity measures
- share information with other responders
- warn and inform the public before, during and after an emergency
- co-operate with other responders
- promote business continuity and good practice to local businesses and the voluntary sector.

This plan is intended to meet the requirements outlined by this legislation with respect to detailing the emergency response as well as detailing the response measures required under the Control of Major Accident Hazards 2015 (COMAH), Pipeline Safety Regulations 1996 and the Radiation Emergency Preparedness Public Information Regulations (REPPiR 2019).

1.3 Staff Health and Safety

Existing standards and requirements for health and safety at work will apply to major emergency responses by the Council. However, due to urgency and the rapidly changing nature of major emergencies, it is likely that more reliance will be placed on a dynamic risk assessment. Awareness of hazards and their potential to cause harm will need to be addressed by all levels of response.

It is important that managers and staff recognise their limits in recognising potential hazards and seek competent advice before proceeding with an activity, if necessary. All emergency response training will include measures to manage risks.

1.4 Staff Welfare

Staff engaged in major emergency response can find the experience emotionally challenging. Exposure to traumatic sights or close contact with people who have just experienced or witnessed a traumatic event can be distressing.

Crisis management involving long working hours combined with intense activity that demands quick decision making is potentially stressful. Careful selection of staff for such roles can help to minimise any risk. Management awareness of those staff with personal links to individuals directly involved in the disaster or direct links to similar events in the past should also form part of the criteria for responding personnel selection.

Managing shift lengths and rotation of staff, structured breaks with adequate refreshments and opportunities to engage in informal discussion with colleagues away from the “front line” can also help to minimise potentially damaging stress.

Staff should be made aware of the Council's counselling service and how to access it, and also aware of training and exercising events so that they are better prepared to cope in an emergency.

1.5 Interlinking Documentation

This plan is designed to act as a foundation to Dover District Council's response and will ensure that it interlinks with the following documents, cross-referencing to relevant documents and plans will be made as necessary:

- **Dover District Council Plans:** This provides a summary of function plans that detail how specific emergency response activities will be undertaken by the Council.
- **Kent County Council Plans:** A list of emergency plans produced and maintained by Kent County Council that may have a bearing on Dover District Council's response to specific situations.
- **Multi-Agency Emergency Response Plans:** A list and summary of those currently published. They may be relevant to Dover District Council's response during specific major emergencies.
- **Other Local, Regional & National Documents:** A list and summary of those currently published. They may be relevant to Dover District Council's response during specific major emergencies.

2. Alerting, Determination and Activation

2.1 Alerting Procedure

Notification that a major emergency has occurred may be received from a variety of sources. The information could come from “official” sources such as Kent Police, Kent County Council Emergencies and Resilience Unit or Kent Resilience Team. It is equally possible for the first notification to come from local or national media, a member of staff or a member the public. (See:Figure 1)

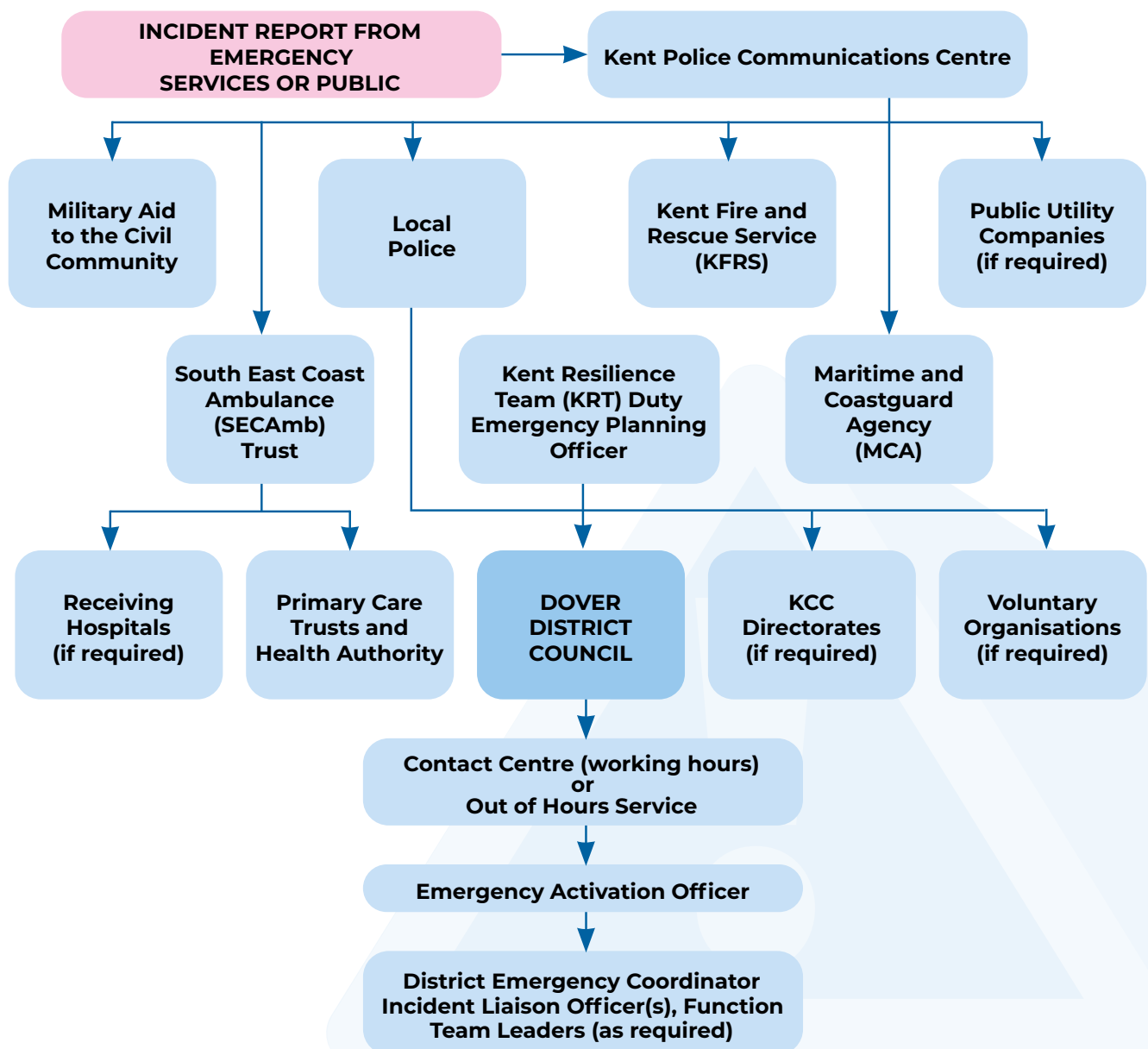
During normal working hours, notification of a potential major emergency will be directed to either the Emergency Planning Officer or the Activation Officer.

Outside normal office hours all telephone calls to the DDC Contact Centre are redirected to the Out of Hours (OOH) service.

On receipt of information indicating the potential need for a major emergency response from the Council, the Contact Centre/OOH service will immediately contact the Council's on call Emergency Activation Officer.

To provide additional resilience, other category 1 responders in Kent have been provided with the personal contact details of the Council's Emergency Activation Officers.

Figure 1: Formal Alerting Arrangements for a Major Emergency



2.2 Determination of an Emergency for Dover District Council

On receiving an alert of a potential major emergency, the Emergency Activation Officer will need to assess the information received. If the information has come from an informal source, confirmation should be sought from the Police.

The Emergency Activation Officer must be satisfied they have sufficient information for an accurate assessment of the potential impact on the Council and the proportionate initial level of response.

Actions the Activation Officer may take include:

- monitor the situation
- deploy an Incident Liaison Officer to report on the situation
- put appropriate staff on stand-by
- activate specific Function Teams
- activate a full major emergency response

See figure 2. Determination Chart

2.3 Activation

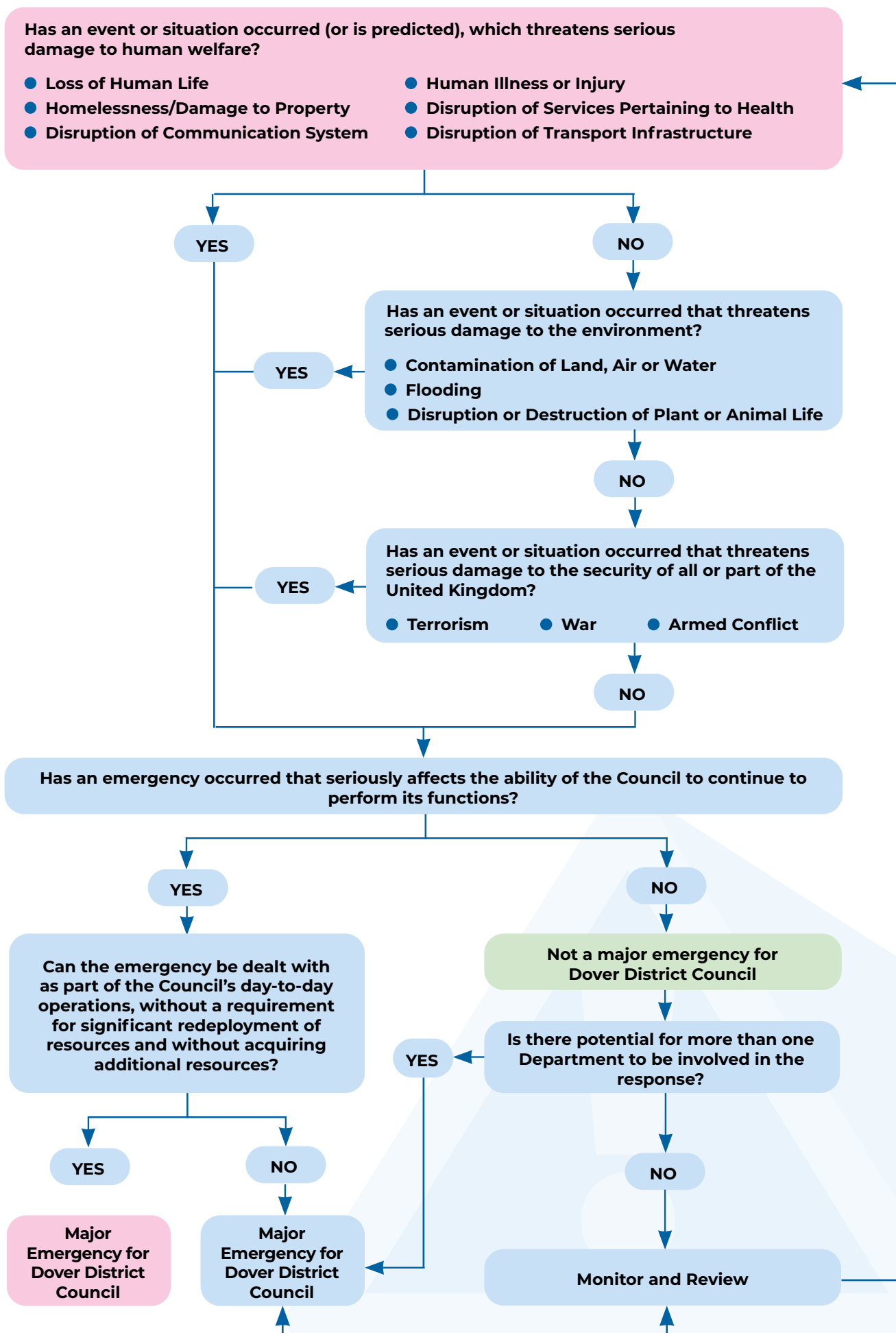
The Dover District Council Major Emergency Plan will be activated when formal or informal information indicates that an emergency has occurred or is likely to occur within the administrative area of the Council and which has the potential to exceed the capacity to be dealt with effectively using normal day to day response arrangements.

The Emergency Activation Officer should consult the Emergency Activation Officer's Handbook for full details of further activation advice and procedures.

The activation arrangements for the full plan include setting up and running the District Emergency Centre (DEC),



Figure 2: Major emergency determination chart



3. Emergency Management Structure

During the initial impact or response (saving/preserving of life, damage limitation, preservation of possible scene of crime) phase of a major emergency the Police will co-ordinate the multi-agency response. The Council may be requested by the Police to provide assistance to the emergency services in the performance of their statutory functions.

3.1 Emergency Planning Management Team (EPMT)

The EPMT is responsible to Corporate Management Team (CMT) for managing the Council's major emergency response. It will assess and determine priorities, identify and allocate resources, monitor the effectiveness of the response and support those providing the Council's response. Briefings will take place on a regular basis, as determined by the District Emergency Co-ordinator, who will set the agenda and chair EPMT briefings. A Note Taker will make a record of all EPMT briefings.

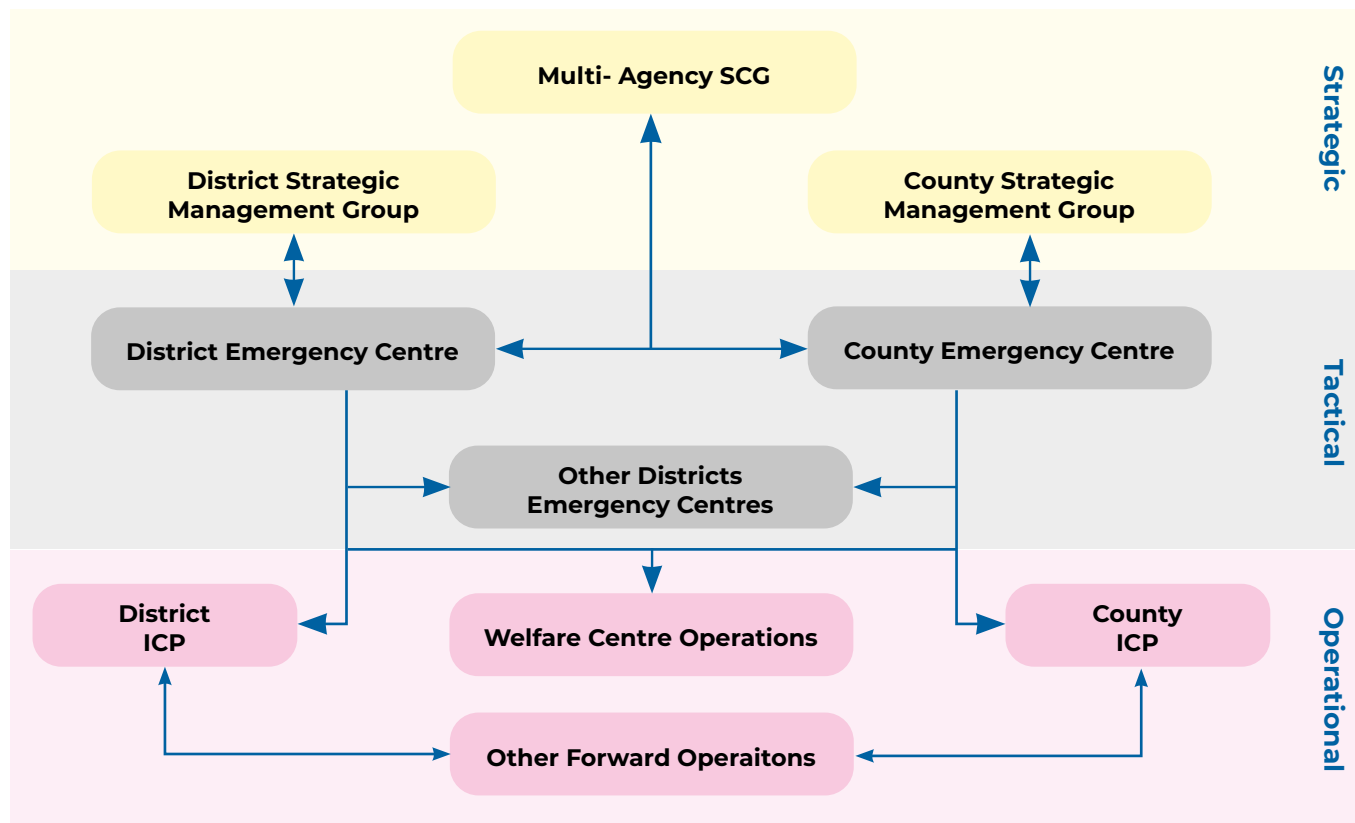
Standing membership of EPMT will include:

- Strategic – Gold:**
 - District Emergency Co-ordinator (Chair) – CMT/Head of Service
 - District Emergency Co-ordinator's Assistant – Head of Service
- Tactical – Silver:**
 - Function Co-ordinator(s) (eg service specifics areas) – Head of Service/Manager
- Operational – Bronze:**
 - Activation Officer
 - Information Manager
 - Media Manager
 - Contact Centre Team Leader
 - Emergency Planning Officer
 - Note Taker

In addition, EPMT will consider calling together the Business Continuity Team:

- CMT
- Emergency Planning Team
- Emergency Planning Officer/Activation Officer
- Head of Leadership Support
- EPMT may also call on service specialists, dependent upon the nature of the emergency and Liaison Officers from other responding agencies

Figure 3: Multi Agency Communication Links Flow Chart



Notes:

1. This diagram reflects the comprehensive multi agency communication links that may be required for a major emergency. It illustrates the interaction between local authorities and a multi-agency Strategic Co-ordination Group (SCG).
2. The structure may be partially set up depending on the size and scale of the event. It will also depend upon the size, scale and nature of local authority input.
3. When an emergency is entirely within one district council area, that council will co-ordinate the local authority response. If the emergency affects more than one district council area, or if the emergency is too big for the district council to manage, then the lead district council may ask KCC to undertake the co-ordinating role.

3.2 Corporate Management Team (CMT)

Corporate Management Team will maintain a strategic overview of all DDC operations during a major emergency affecting its functions. This will include:

- The effectiveness of the Council's response to a disaster
- The impact of a disaster on the day-to-day functions of the Council
- The effectiveness of the DDC Recovery Working Group, if activated
- The effectiveness of the Business Continuity Team, if activated
- The capacity of the Council to continue to provide its services and whether there is a need to redirect resources or seek additional resources to meet the level of demand
- Continuous assessment of priorities across all Council operations

CMT will provide strategic direction to all Council operational units affected by a disaster. They will also liaise with Elected Members regarding their support and guidance and community leadership role during a disaster affecting the Dover district. CMT will co-ordinate the media response and the involvement of appropriate Elected Members.

4. Dover District Council Plans (these support the Major Emergency Plan)

A copy of all Dover District Council function plans can be found:

- **Hard-copy:** In the emergency planning cupboard next to the emergency centre
- **Electronic copy:** Will be kept on the Dover District Council repository of plans on the Cabinet Office Resilience Direct site (RD), which can be accessed by authorised officers. To register for a new account go to www.resilience.gov.uk, click "Register for an account" and follow instructions. Upon completion the application will be approved by the Dover account holders who can be contacted at emergency.planning@doover.gov.uk.

| Title | Owner | Summary |
|---|----------------------------------|--|
| Emergency Centre Operations | Emergency Planning | <ul style="list-style-type: none"> • Details the arrangements for the operation of the District Emergency Centre. • Describes communications capabilities and resilience |
| Temporary Shelter and Homelessness Plan | Homelessness Team Leader | <ul style="list-style-type: none"> • Details of the Council's arrangements and administration for the provision of Welfare Centres and temporary accommodation in Dover District |
| Welfare Centre Directory | Emergency Planning | <ul style="list-style-type: none"> • A list and details of available welfare centres across the Council area |
| Media and Public Warning and Informing Plan | Media Team Leader | <ul style="list-style-type: none"> • Describes the special arrangements for all media operations and the provision of public information during a major emergency. • Details multi agency media handling protocols. |
| Finance, Insurance and Legal Emergency Plan | Emergency Planning | <ul style="list-style-type: none"> • Describes the special financial arrangements for major emergencies. |
| Oil and Shoreline Pollution Plan | Property Services | <ul style="list-style-type: none"> • Describes the special financial arrangements for major emergencies. • Provides information on the provision of insurance and legal support to Council officers engaged in the major emergency response. |
| Local Multi-Agency Flood Plan | Emergency Planning | <ul style="list-style-type: none"> • Describes the arrangements for implementing DDC's agreed responsibilities in the event of serious flooding within Dover district. Complements the multi-agency local area flood plan. |
| Fuel Shortage Plan | Commercial Services | <ul style="list-style-type: none"> • Maintaining supplies of fuel to essential infrastructure in the event of disruption or threatened disruptions to supplies. |
| Environmental Health Plan | Environmental Health Team Leader | <ul style="list-style-type: none"> • Details the arrangements for the involvement of DDC Environmental Health officers during a major emergency. |

| Title | Owner | Summary |
|---|---|---|
| Recovery Guidance | Emergency Planning | <ul style="list-style-type: none"> Details the arrangements for the setting up of a DDC Recovery Working Group and provides information on the multi-agency arrangements for recovery. |
| Human Resources Guidance (there is no document) | CMT | <ul style="list-style-type: none"> Decisions will be made at the time of the emergency depending on the circumstances. |
| Building Control Plan | Building Control Team Leader | <ul style="list-style-type: none"> Contains the arrangements for the provision and management of Building Control specialists in response to a major emergency (includes dangerous structures) |
| DDC Business Continuity Plan | Emergency Planning | <ul style="list-style-type: none"> Details critical services, staff and ICT requirements, links to all departments individual BCPs. Details the arrangements for setting up of a Disaster Recovery Group in the event of a major emergency affecting the Council's operations and its ability to perform its functions. |
| Activation Officer Handbook | Emergency Planning | <ul style="list-style-type: none"> The operational handbook for Activation Officers. |
| Incident Liaison Officer Handbook | Emergency Planning | <ul style="list-style-type: none"> The operational handbook for Incident Liaison Officers. |
| Resilient Communications Plan | Emergency Planning (KCC – waiting for update) | <ul style="list-style-type: none"> Describes the range of equipment that underpins resilient communications between all levels of the Council's response. It also details integration with the broader multi-agency communication capability, as well as providing details on all communication protocols, including language disciplines and equipment usage procedures. |
| DDC Emergency Contacts Directory | Emergency Planning | <ul style="list-style-type: none"> Useful internal and external telephone contacts for use by DDC staff. |
| Dover District Council Out of Hours & Emergency Manual for Centra | Regulatory Services Emergency Planning (for alerting only) | <ul style="list-style-type: none"> Provides information on the arrangements for the provision of an OOH service within DDC. This includes the arrangements for major emergency alerts. |
| Contact Centre Emergency Response Plan | Civica | <ul style="list-style-type: none"> Details the role of the Contact Centre in an emergency response, notably, separating incoming emergency calls from normal business calls and directing emergency calls to the appropriate place. |
| Community Plans | Town and Parish Plans | <ul style="list-style-type: none"> Some Towns and Parishes have adopted their own Community Plan in the event of an emergency- those shared with DDC can be obtained from the Emergency Planning Team |

5. Kent County Council Documents

Copies of Kent County Council documents may be obtained from the KCC Emergency Planning Group or through Resilience Direct.

| Title | Summary |
|--|--|
| County of Kent Coastal/ Riparian Oil Pollution Operational Response Scheme | <ul style="list-style-type: none">• This operational response scheme describes the overall responsibilities and arrangements for dealing with an oil pollution incident affecting Kent's coastline. |
| Welfare Centre Guidelines | <ul style="list-style-type: none">• This document, produced by the Kent Resilience Team, provides guidance on the organisation and operation of a Welfare Centre. |
| KCC Highways Transportation and Waste Plan | <ul style="list-style-type: none">• Deals with the majority of the roads in Kent, while the Highways Agency manages motorways and trunk roads.• The provision of specialist services:<ul style="list-style-type: none">- tree surgeons- drainage- body part removal from carriageways- lighting and street furniture- structural engineering specialists- abandoned vehicle recovery |
| Environment, Planning and Enforcement | <ul style="list-style-type: none">• Provide advice and support for floods, pollution and wide area weather related incidents |
| Social Care, Health and Wellbeing Emergency Plan | <ul style="list-style-type: none">• Provides a range of social care and public health services, together with advice and deliverables that may be discharged on a stand-alone basis, or may contribute to a broader county-wide emergency response. The Director of Public Health has specific duties in relation to public health emergencies, in partnership with Public Health England. |
| Education and Young People's Services Emergency Plan | <ul style="list-style-type: none">• Education, Learning and Skills (ELS) have emergency arrangements that cover supporting a school during an emergency and, for major emergencies |

6. Multi-Agency Emergency Response Plans

This section details the range of multi-agency response plans that underpin a range of capabilities that may be needed in a major emergency response.

6.1 Evacuation, Shelter and Immediate Care

A major emergency may require the evacuation and immediate shelter of those who have been displaced by the event. Additionally, there may also be a need to support the Police in helping survivors from a major incident who are not casualties but do require immediate help and assistance in the aftermath of such an event. These facilities may include Survivor Reception Centres, or more commonly, Rest Centres.

| Title | Summary |
|------------------|---|
| District Council | <ul style="list-style-type: none">• The provision of suitable buildings as possible venues for rest centres• The provision of officer support to the Rest Centre operation, in particular:<ul style="list-style-type: none">- supporting Rest Centre operations- providing liaison with District Emergency Centres and other emergency centres during emergencies- homelessness advice and assistance- providing access to benefits advice. |
| County Council | <ul style="list-style-type: none">• Providing staff to support a Rest Centre, Survivor Reception Centre, Friends and Families Reception Centre or Humanitarian Assistance Centre• Providing liaison with the County Emergency Centre and other external emergency centres during an emergency• Identifying and supporting vulnerable people, liaising with other organisations as necessary• Feeding evacuees and survivors. |

The main documents associated with this deliverable are as follows:

- Relevant district and county plans referenced within this document;
- Kent Rest Centre Guidelines;
- Kent Rest Centre Directory;
- KRF Evacuation and Shelter Plan;
- KRF Humanitarian Assistance Centre Plan (see Section 9);
- KRF Vulnerable Persons Plan.

Depending on the author, these documents will be produced and maintained by a lead agency and will be held by Emergency Planning staff. All documents are either held in the DDC Emergency Centre or on RD.

6.2 Identifying Vulnerable People

During an emergency it may become necessary to identify people who may be vulnerable within the affected area of the emergency. Many will be known to existing service providers, although others are more difficult to identify, such as those who live in the community as individuals, visitors to the area or the homeless. Additionally, there may be some people who are not usually considered vulnerable but may become vulnerable in an emergency situation. The KRF "Identifying vulnerable people in an emergency" plan includes organisations who can provide relevant information on those classed as vulnerable.

| Organisation | Responsibility |
|------------------|--|
| District Council | <ul style="list-style-type: none"> • District councils may provide assistance in the identification of vulnerable people through data and records the council holds. |
| County Council | <ul style="list-style-type: none"> • The County Council may provide assistance in the identification of vulnerable people through data and records the Council holds. Additionally, the full range of social care services may be utilised should the need arise. |

The main documents associated with this deliverable are as follows:

- KRF “Identifying Vulnerable People in an Emergency” plan;
- Cabinet Office guidance for emergency planners and responders “Identifying people who are vulnerable in a crisis”. Identifying people who are vulnerable in a crisis: guidance for emergency planners and responders - GOV.UK (www.gov.uk)

6.3 Severe Weather and Flooding

Weather related natural disasters are a key threat to life, environment and property. Severe weather includes heat wave, drought, gales, heavy snow and ice, flooding and heavy rain (surface water, river and tidal), thunderstorms, lightning and fog. Climate change is likely to affect the frequency and severity of severe weather events. The impact of each of these natural events on Dover District Council and the community will depend upon the nature and severity of the event.

| Organisation | Responsibility |
|------------------|--|
| District Council | <ul style="list-style-type: none"> • As required, providing relevant support and deployment of district council resources as detailed in this document. • Flood warning and gate closure notification dissemination (in accordance with the County of Kent Act 1981 Section 30) and where appropriate, ensuring tidal flood gates and sluices are closed in accordance with closure notifications. • Warning and informing the public in conjunction with the Environment Agency. • Establishing local authority liaison forward controls as necessary. • Advice on clearance of blocked water courses. <p>Note: District councils are not responsible for issuing of sandbags; however they may optionally assist in this service in accordance with their own policies and procedures.</p> |
| County Council | <ul style="list-style-type: none"> • As required, providing relevant support and deployment of County Council deliverables as detailed in this document. • Activation of any formal multi-agency arrangements or plans pertinent to the event at hand. • Warning and informing the public in conjunction with EA and other responders. • Assisting in the identification of vulnerable persons. • Providing signage for road closures and advice on availability of passenger transport. • Maintaining traffic flows (in conjunction with police) especially for emergency services and repair effort. • Specific responsibilities regarding highway flooding and consequences • The provision of technical advice and supporting services in the fields of drainage and environmental management. |

The main documents associated with this deliverable are as follows:

- Relevant district and county deliverables contained within this plan;
- KRF Pan-Kent Emergency Response Framework;
- KRF Pan-Kent Emergency Recovery Framework;
- Individual multi-agency Local Area Flood Plans.

6.4 Fuel Shortage

The Department for Business, Innovation & Skills has produced the National Emergency Plan for Fuel (NEP-F). It contains a number of schemes which can be used to control the supply of fuel to the public, the emergency services, utilities and local authorities. Eight Designated Filling Stations that will supply fuel only for priority use in an emergency have been identified in Kent. Each local authority has arrangements to manage its response to the implementation of the NEP-F, including the measures it will take to mitigate the effects of any disruption on provision of its services.

| Organisation | Responsibility |
|------------------|---|
| District Council | <ul style="list-style-type: none">• Identifying its essential users and managing their access to the relevant scheme• Control and prioritisation of internal fuel stocks.• The provision of suitable business continuity strategies to minimise disruption to key services.• Developing a suitable strategy to reduce non-critical services to support an overall reduction in fuel usage. |
| County Council | <ul style="list-style-type: none">• Identifying its essential users and managing their access to the relevant scheme• Control and prioritisation of internal fuel stocks• The provision of suitable business continuity strategies to minimise disruption to key services• Developing a suitable strategy to reduce non-critical services to support an overall reduction in fuel usage.• The provision of Trading Standards support• County wide coordination of response measures. |

The main documents associated with this deliverable are as follows:

- KRF Fuel Shortage Plan;
- District Council and County Council business continuity plans.

6.5 Transportation and Highways Emergencies

Transportation emergencies may include rail incident, aircraft crash, maritime emergency, serious road traffic crash or accident, or transport incidents involving hazardous materials. The county/district response to these emergencies will be based on the agreed principles and responsibilities contained in the Kent Resilience Forum Pan-Kent Strategic Emergency Framework. Further specific information on roles and types of incidents is detailed below.

| Incident | Response |
|---------------|---|
| Rail Incident | <ul style="list-style-type: none">• Southeastern Trains will deploy a Rail Incident Care Team in the event of a major incident. They will assist with the onward travel of passengers and other practical support. The Rail Accident Investigation Branch (RAIB) will be involved in post-incident investigations. Emergencies within the Channel Tunnel system are covered by the Channel Tunnel Bi-National Emergency Plan. |
| Aviation | <ul style="list-style-type: none">• There are no airports in the District. Following an air accident the Air Accident Investigation Branch (AAIB) will be involved in post-incident investigations. |
| Maritime | <ul style="list-style-type: none">• The Maritime and Coastguard Agency will co-ordinate the at-sea response. Following an accident at sea, the Marine Accident Investigation Branch (MAIB) will be involved in a post-incident investigation. If a Survivor Reception Centre is required, there is a nominated facility at Cruise Terminals 1 and 2 of Dover Western Docks. |
| Highway (KCC) | <ul style="list-style-type: none">• KCC Highways and Transportation will respond to emergencies on the adopted road network excepting motorways and some key trunk roads. |

| Incident | Response |
|---|--|
| Highway (Highways England) | <ul style="list-style-type: none"> Highways England delivers a similar role to KCC Highway Services for the motorway network and some key trunk roads within the county. They have their own contingency arrangements to deal with driver welfare. |
| Operation BROCK | <ul style="list-style-type: none"> In an event where there is disruption to Ferry and/or Eurotunnel services, the Police may invoke Operation Brock, which is designed to use the M20 to safely park waiting lorries. District councils may be required to assist with welfare arrangements. |
| Spillage | <ul style="list-style-type: none"> Kent Fire and Rescue Service will liaise with the Environment Agency regarding any potential environmental pollution risk. This is in addition to the industry's CHEMSAFE scheme, which advises and deals with chemical spillages. |
| Care of travelling public | <ul style="list-style-type: none"> District and County Councils will assist with welfare support for survivors and evacuees. Highways England have their own contingency arrangements to deal with driver welfare during incidents that cause significant traffic congestion. |
| Transport (involving radiological material) | <ul style="list-style-type: none"> Incidents involving radiological packages may occur on road or rail. There are three main emergency response schemes that cover this contingency requirement: <ul style="list-style-type: none"> RADSAFE – covers all road and rail transported packages by British Energy, Magnox and a range of other operators. NAIR (National Arrangements for Incidents involving Radiation) – covers all other radiological incidents and will be activated by Kent Fire and Rescue Service. For military incidents, there are “Local Authority & Emergency Services Information (LAESI) - Defence Nuclear Materials Transport Contingency Arrangements”. Kent local authorities have no role over and above normal welfare arrangements. |
| District Council | <ul style="list-style-type: none"> Provision of immediate care to those affected by such incidents, such as those immediately affected by the event, or those stranded or evacuated because of the event. This will be discharged jointly with KCC and may include support to Rest Centres or Survivor Reception Centres. Technical advice or support as agreed and included in multi-agency plans and/or specific district council services as detailed in this document |
| County Council | <ul style="list-style-type: none"> Provision of immediate care to those affected by such incidents, such as those immediately affected by the event, or those stranded or evacuated because of the event. This will be discharged jointly with district councils and may include support to Rest Centres, Survivor Reception Centres, and in extreme cases, and in partnership with other agencies, those stranded on the highway. Technical advice or support as dictated by pertinent multi-agency plans and/or specific County Council deliverables detailed in this plan. This includes clean-up from KHS adopted roads. |

The main documents associated with this deliverable are as follows:

- KRF Pan-Kent Emergency Response Framework
- KRF Multi-agency Driver Welfare Plan
- Relevant district and county deliverables contained within this MEP
- Operation Fennel suite of Plans
- RADSAFE Emergency Plan
- NAIR arrangements
- National Contingency Plan for marine pollution from shipping and offshore installations.
- Dover Harbour Survivor Reception Centre Plan
- Channel Tunnel Bi-National Emergency Plan
- Highways Agency plan(s) for dealing with driver welfare.

6.6 Pipelines, Control of Major Accident Hazard Sites and Radiation Emergencies

The operation of industrial facilities and the transportation of fuels are all governed by specific legislation and guidance to ensure safety and inform the response to any associated emergency. Primary responsibility for ensuring implementation of on- and off-site industrial emergency planning and incident response sits with industry, the emergency services and Kent County Council. However, district councils may provide support as agreed in specific plans. All arrangements detailed in this section will dovetail into all relevant KRF emergency plans.

| Incident | Response |
|---|--|
| Major Accident Hazard Pipelines | <ul style="list-style-type: none"> • Kent County Council and Medway Council have published a joint plan addressing potential hazards and hazard ranges which could result from a pipeline failure, procedures for dealing with pipeline incidents, contact point details, alerting procedures and geographical locations, as required under the Pipeline Safety Regulations (PSR) 1996. • Activation of this plan will be made via the operator or the emergency services, with KCC or Medway (depending where the incident is) acting as the lead responding local authority. Technical expertise will be made available to detail the off-site implications and the emergency response requirements of the authority. |
| Control of Major Accident Hazards sites (COMAH) | <ul style="list-style-type: none"> • The COMAH Regulations (2015) ensure that at establishments where dangerous substances are handled, a high level of protection for people, property and the environment is managed through measures aimed at prevention or limiting the consequences of such an accident. • COMAH establishments are graded by the Health and Safety Executive as either top tier or lower- tier dependant on the quantities and types of substances they produce or store. The Regulations require that KCC, in conjunction with the district council and the site operator, publishes an off-site plan for top tier sites. There is no statutory requirement for an emergency plan for lower tier sites. There is currently two top tier COMAH sites within the County Council's administrative area – Givaudan, based in Ashford and Britannia metals in Gravesham. All top and lower tier COMAH sites are identified in the "Kent Profile" section of the Kent Prepared website. |
| Dungeness sites | <ul style="list-style-type: none"> • Dungeness has two licensed nuclear sites – Dungeness A (a decommissioned site) and Dungeness B (an operational Advanced Gas Cooled Reactor power station linked to the national grid). The Radiation (Emergency Preparedness and Public Information) Regulations (2001) cover the offsite planning requirements for these installations. |
| Other industrial installations | <ul style="list-style-type: none"> • Industrial sites large and small which are not covered by specific emergency plans or arrangements may still cause considerable disruption, pollution and risk to their staff and surrounding communities. The response to any emergency at sites of this type will be managed using existing generic emergency plans. |
| Other radiological or chemical incidents | <ul style="list-style-type: none"> • In general, if there is a discovery of a package or item where there is a chemical or radiological hazard, it will be a matter for the Fire and Rescue Services HAZMAT Officer to decide how the response should proceed. |
| District Council | <ul style="list-style-type: none"> • Provision of immediate care to those affected by such incidents, such as those immediately affected by the event, or those stranded or evacuated because of the event. This will be discharged jointly with KCC and may include support to Rest Centres or Survivor Reception Centres. • Provision of other technical advice or support as dictated by pertinent multi-agency plans and/or specific district council deliverables detailed in this plan. • Supporting the recovery process. |

| Incident | Response |
|----------------|--|
| County Council | <ul style="list-style-type: none"> • Acting as the lead authority for REPIR, COMAH, pipeline and nuclear (off-site) planning • Provision of immediate care to those affected by such incidents, such as those immediately affected by the event, or those stranded or evacuated because of the event. This will be discharged jointly with district councils and may include support to Rest Centres, Survivor Reception Centres or Friends and Families Reception Centres. • The provision of other technical advice or support as dictated by pertinent multi-agency plans and/or specific County Council services detailed in this plan. |

The main documents associated with this deliverable are as follows:

- Relevant district and county deliverables contained within this MEP;
- The Dungeness Off-site Plan;
- The Control of Major Accident Hazards (COMAH) Offsite Plan for Givaudan and Britannia metals.
- The Kent and Medway Emergency Plan for Major Accident Hazard Pipelines;
- The Pan-Kent Emergency Recovery Framework;
- The Department of Energy & Climate Change (DECC) Draft National Response Plan for Nuclear Emergencies (plus consolidated guidance);
- Department for the Environment, Food & Rural Affairs (DEFRA) documents relating to overseas nuclear accidents, UK National Response Plan and Radioactive Incident Monitoring Network (RIMNET);
- HPA UK Recovery Handbook for Radiation Incidents.

These documents are available from RD or the Kent Resilience Team.

6.7 Human Health Emergencies

The response to a human health emergency may be divided as follows;

| | NHS | HPA * | District Council | Kent Police | KCC |
|-----------------------|-----|-------|------------------|-------------|-----|
| Treating the unwell | ✓ | | | | |
| The cause | | ✓ | | | |
| Public Health | | ✓ | ✓ | | |
| Public information ** | ✓ | ✓ | ✓ | ✓ | ✓ |

* Public Health Kent, part of Public Health England

** Co-ordinated by the SCG

Whilst pandemic planning is a core activity within many agencies and authorities, a range of other health emergencies may require all local authorities to take action to support the response or to carry out business continuity management. Such health issues may include an epidemic, a fast spreading yet rare disease, or a localised outbreak of measles or other mild illness.

The KRF has published a pandemic influenza plan that sets out the response to a major outbreak. The principles set out in this plan will also be applied when a health threat arises from a cause other than a communicable disease outbreak. All agencies will have plans that detail how they will support a multi-agency response and how they will protect their own organisations and critical service delivery.

| Organisation | Responsibility |
|-----------------------------------|--|
| Joint District and County Council | <ul style="list-style-type: none"> • Business Continuity planning; • Emergency response activities in support of KRF plans. |
| County Council | <ul style="list-style-type: none"> • Emergency response activities in support of the KRF plan • Warning and informing the public, if necessary in conjunction with other Category 1 and 2 responders • Preparing and arranging for the publication of information on the KCC website • Arranging for the KCC Contact Centre to provide a telephone helpline and to answer FAQ's. |

The main documents associated with this deliverable are as follows:

- Relevant district and county services contained within this document;
- KRF Pandemic Influenza Plan;
- NHS (including PCT) and HPA supporting plans;
- KCC Pandemic Plan;
- KCC business continuity plans;
- District council business continuity plans;
- KRF Managing Excess Deaths plan.

These documents are available from the Kent Resilience Team, on RD or within the Emergency Centre.

6.8 Animal and Plant Health Emergencies

Kent's proximity to continental Europe, major ports and the significance of livestock to the local economy make animal health emergencies a key local risk.

The response to an outbreak of disease in animals will be led nationally by DEFRA and locally by KCC Trading Standards under the provisions of the Animal Health Act. KCC Trading Standards have a statutory duty to enforce movement restrictions in the event of an exotic animal disease outbreak. Similarly, the response to an outbreak of a plant disease will also be led nationally by DEFRA. The KCC response, which will involve a range of services, will be co-ordinated using the arrangements set out in this Plan.

| Organisation | Responsibility |
|-----------------------------------|--|
| Joint District and County Council | <ul style="list-style-type: none"> • Business Continuity planning; • Emergency response activities in support of KRF plans. |
| County Council | <ul style="list-style-type: none"> • Emergency response activities in support of the KRF plan; • Providing KCC emergency planning representation at the Local Disease Control Centre; • Co-ordinating the County Council and district council response; • Warning and informing the public, if necessary in conjunction with other Category 1 and 2 responders; • Preparing and arranging for the publication of information on the KCC website; • Arranging for the KCC contact centre to provide a telephone helpline and to answer FAQ's. |

The main documents associated with this deliverable are as follows:

- KCC business continuity plans
- District council business continuity plans
- DEFRA animal health plans
- KCC Animal and Plant Health plan.

These documents are on RD or available from the Kent Resilience Team.

6.9 Voluntary Sector Support

In Kent, the voluntary sector organisations that have a role to play in the response to a major emergency together form the Kent Voluntary Sector Emergency Group (KVSEG). This can be in a number of generic areas:

- Welfare: staff support to rest centres, feeding of those affected by the emergency;
- Social and psychological aftercare: support to individuals within a rest centre, guidance on how to deal with grief and bereavement;
- Spiritual care and religious services: multi-cultural advice;
- Medical support: ambulances, first aid and short-term provision of mobility aids;
- Search and rescue: finding people, provision of shelter for rescue animals;
- Transport: specialised disability transportation, animal transportation;
- Communications: telephone and radio operators;
- Documentation/admin: logging and recording information at casualty bureau and rest centres;
- Financial Services: disaster funds;
- Equipment and resources: bedding, ambulances, clothing and first aid equipment.

Any organisation may call on the voluntary sector to support its response through the District Emergency Planning Officer. When the voluntary sector is being used in support of a multi-agency response, KCC is responsible for co-ordinating their support to ensure that they are being used in the most effective manner. The following organisations are members of KVSEG:

- Age UK
- Air Search South-East
- British Red Cross
- Churches Together in Kent
- Citizens Advice Bureau
- Community Resilience UK CIC
- Cruse Bereavement Care
- Kent CAN
- Kent Search and Rescue
- Margate Ambulance
- Radio Amateur's Emergency Network (RAYNET)
- Royal National Lifeboat Institution
- Royal Society for the Prevention of Cruelty to Animals (RSPCA)
- South East 4x4 Response
- St John Ambulance
- The Salvation Army
- The Samaritans
- The Women's Institute
- Royal Voluntary Service (formerly WRVS)
- Victim Support

6.10 Mass Fatalities and Excess Deaths

A mass fatality incident is an emergency involving sudden and unexpected loss of life or any incident where the number of fatalities is greater than normal local arrangements can manage. In the event of a mass fatality incident a temporary mortuary may need to be erected. Kent County Council and Medway Council have a contract with a temporary mortuary provider, which allows for the provision of the required structures, equipment and support. Additionally, the National Emergency Mortuary Arrangements (NEMA) is the Home Office central assistance programme for assisting local authorities and services to manage mass fatality incidents once local arrangements have been exhausted.

Excess deaths are significant numbers of deaths over a period of time where the death rate exceeds normal capacities in certification, registration and funerals, and will often be over a wide area and an extended period of time. The response makes use of business continuity arrangements to provide additional capacity and may also demand body storage arrangements pending funerals. The KRF Excess Deaths Plan deals with this contingency.

| Organisation | Responsibility |
|-----------------------------------|---|
| Joint District and County Council | <ul style="list-style-type: none">• Assist through Mutual Aid Agreement or otherwise;• Pauper's funerals. |
| County Council | <ul style="list-style-type: none">• Establish, operate and close-down temporary mortuary;• Co-ordinate the Registration Service and the Kent Coroners Service, including involvement in the establishment of temporary mortuaries. |

The main documents associated with this deliverable are as follows:

- Kent Resilience Forum Mass Fatalities Plan
- Kent Resilience Forum Managing Excess Deaths Plan
- Cabinet Office: "A Framework for Planners Preparing to Manage Deaths"
- National government pandemic influenza guidance.

These documents are available on RD or from the Kent Resilience Team.

6.11 Military Support

In circumstances where additional resources, including specialist skills, are urgently needed, it is possible for Military Aid to the Civil Authorities (MACA) to be requested. The resource available will be determined by ongoing military operational demands, so cannot be guaranteed. To enable this, Military Liaison Officers will normally deploy to any Strategic Co-ordination Group which is activated. Any military resources deployed will always remain under military command, and the costs of the resources deployed may be recoverable, according to the circumstances.

Military Aid will not normally be provided where there is an existing resource or where the required service is commercially available. Applications are made to MoD and must be individually authorised at Ministerial level. The authorisation will specify the type of service, the duration and the level of cost recovery.

The main documents associated with this deliverable are as follows:

- KRF Pan-Kent Emergency Response Framework
- MoD Joint Doctrine Publication 02 "Operations in the UK – A Guide for Civil Responders".

These documents are available on RD or from the Kent Resilience Team.

7. Other Local, Regional and National Documents

| Name | Owner | Location | Summary |
|---|--------------------|---|---|
| Network Rail – National Emergency Plan | Network Rail | Resilience Direct: Planning / Organisations / .UK (all) / Network Rail / File Store / 07.-Plans | This plan describes the arrangements in place to provide an effective response to accidents, incidents and other emergencies on or affecting Network Rail controlled infrastructure across Great Britain. |
| East Kent Services – Cyber Attack Response Policy | East Kent Services | Emergency Planning Folder and Emergency Documentation Box. Copy can also be requested from EKS | Provides an overview of: <ul style="list-style-type: none">• Roles during preparations and detection.• Roles during incident response• Roles during recovery |

8. Business Continuity Management

Under the Civil Contingencies Act (2004), Local Authorities (as Category 1 responders) have a duty to put in place Business Continuity Management (BCM) arrangements and promote BC to local businesses.

Key activities include:

- Identifying critical functions and their core interdependencies;
- Identifying and managing risks that could impact upon these functions if realised;
- Defining the broad range of resilience and contingency measures that may be put into place to protect these functions;
- Defining recovery arrangements to bring all services back to normal levels

Each service area should have its own BCP in place and contained within the Corporate BCP.

9. Recovery

Recovery is the process of restoring and rebuilding the community in the aftermath of a disaster. This process can be started at any point within the response phase, but gains prominence once the immediate response has been completed. Although recovery is a multi-agency activity, local authorities (KCC/DDC) will normally lead recovery co-ordination. Many aspects of recovery have to be considered from the physical rebuilding of the affected area to the welfare needs of its residents and the financial implications for affected businesses and the Council itself.

The DDC Recovery Plan is on the list of function plans.

| Plan | Function |
|--|--|
| The KRF Pan-Kent Emergency Recovery Framework | The lead framework document that describes the core processes in Kent-wide multi-agency recovery working and the broad range of supporting arrangements. Roles and responsibilities are defined and explained, as well as activation protocols and working structures. |
| KCC Recovery Plan | An overview and detailed arrangements of how KCC will accomplish its obligations under the KRF Pan-Kent Emergency Recovery Framework. |
| District Council recovery plans | An overview and detailed arrangements of how the district councils will accomplish their obligations under the KRF Pan-Kent Emergency Recovery Framework. |

Part of the recovery process may involve the setting up of a Humanitarian Assistance Centre (HAC). This facility is designed to deal with the long-term humanitarian needs of survivors, family and friends, and any of the wider community that have been affected by the incident

| Plan | Function |
|-------------------------|---|
| District Council | Provide support and leadership in developing a recovery strategy and in the management of local community relations. Local political support will also be provided by the district council, ensuring that elected members are fully engaged with the recovery process. |
| County Council | KCC will appoint an appropriate senior manager to act as the lead in the Strategic Recovery Co-ordination Group. Additionally, KCC may provide a range of technical experts, political support and other recovery resources, including financial, to the recovery working agenda. |

The main documents associated with this deliverable are as follows:

- KRF Pan-Kent Emergency Recovery Framework
- KCC Recovery Plan
- District Council recovery plans

These are available on RD or from the Kent Resilience Team.

10. Community Leadership

10.1 The Response Phase

During any major emergency where the community has been adversely affected there will be a need for community leadership.

The Leader of the Council, Cabinet members, Chief Executive and/or members of CMT are made available to the media and public to act in this capacity. Those undertaking this role will need to be fully briefed by the District Emergency Co-coordinator and media team and be prepared to respond to questions at press conferences and interviews. Policy on public information will, if activated, be available from the Strategic Coordination Group and disseminated to all responding agency media teams. It is important that multi agency agreement is agreed and adopted for the response thus providing a cohesive approach to community information messages.

It is recommended that condolence messages and support for the work of the emergency services and reassurances that all possible is being done are included where applicable. Policy decisions and speculation on cause or outcome should be avoided.

10.2 The Recovery Phase

Following a major emergency, the District Council or Kent County Council will be the likely lead on multi agency recovery working. It is possible that a community liaison group will be formed to enable local views to be taken into account when decisions and priorities are determined. To ensure this is effective, it will be essential for local Members whose area was affected by the emergency to be engaged in this process as community leaders.

Full details of how this will operate are contained in the Pan-Kent Emergency Recovery Framework.

The main documents associated with this deliverable are as follows:

- The Pan-Kent Emergency Recovery Framework.

This is available on RD or from the Kent Resilience Team.

10.3 De-brief Phase

Debriefing is the mechanism that enables the Council to review its response to an incident. It provides a forum whereby those involved can evaluate any lessons identified. It provides an opportunity for staff to recount their experiences, positive and negative, with a view to improving the response and the development of best practice.

Debriefing can take place at intervals during the response, immediately after (hot debrief) or at a suitable time following the event. There may be circumstances where several debriefing sessions will be appropriate.

Debriefing can be conducted at an individual, one-to-one, level, Function Team level, a Council Operational level or at a Multi-Agency level. There are no rigid rules about the number or timing of debriefing sessions or at what level they take place. Training is available as part of the KRF Annual Training Programme and the Kent Resilience Team maintain a list of trained facilitators and scribes across the County.

11. Training and Exercising

11.1 Training – Overview

The Civil Contingencies Act 2004 requires local authorities (as Category 1 responders) to include a provision for training and exercising in their emergency plans. Regular training and exercise events for both emergency planning and business continuity raise staff awareness of potential risks and provide an understanding and confidence in the Council and their partners' emergency response procedures.

Emergency Response, Recovery and Business Continuity training is necessary to ensure that Dover District Council is confident and capable of carrying out required tasks and actions when an emergency occurs.

A schedule for training staff is maintained by the Emergency Planning Officer to ensure that all staff with an emergency role are prepared. It includes refresher training where necessary. The aim is to increase resilience by ensuring that all those charged with dealing with an emergency:

- Understand their role;
- Are competent to carry out the tasks assigned to them;
- Are properly equipped;
- Have confidence in their partner agencies' emergency response capabilities.

The Emergency Planning Officer organises internal bite-size training sessions, in conjunction with courses arranged by the Kent Resilience Forum.

11.2 Exercises – Overview

The Civil Contingencies Act 2004 requires emergency plans to include provision for the validation of emergency plans. It is important that, when emergency plans have been produced and appropriate staff have been trained in their roles, the plans are tested under exercise conditions. Exercises may test the entire plan or simply one or more elements of the plan, however periodically the entire plan will need to be tested.

Depending on the plan/arrangements being tested, exercises can be held locally by Dover District Council staff in conjunction with local emergency service responders, on a multi-district or pan-Kent basis or as part of a regional or national exercise.

Regular exercises are organised by the Emergency Planning Officer, with the support of the Kent Resilience Team, to allow staff with an emergency role to practice it. The exercises test the strategic, tactical and operational elements of the emergency response. There are also annual emergency exercises to test KCC's emergency response. Where possible these exercises will be multi-agency to further demonstrate pan-Kent capability. For all Welfare Centre activities and top-tier planning responsibilities, KCC will arrange joint exercising between the County Council and District Councils. This may be complemented by localised district training as required.

It is the general policy of Dover District Council that all major emergency plans are exercised, in whole or in part, on a regular basis, and any learning incorporated into a revised plan. The Council will encourage staff to participate in exercises, and invite the participation of other responders. Exercises can also be designed to include cross-border scenarios to practice both mutual aid agreements and integrated multi-agency response arrangements.

Appendix 1: Mutual Aid

Joint agreement between the Local Authorities of Kent for the provision of mutual aid and assistance in the event of emergencies.

THIS AGREEMENT is made the _____ day of _____ 2006
BETWEEN the local authorities whose names and addresses are listed in schedule 1 hereto
(hereinafter referred to as 'the Local Authorities ')

WHEREAS

- (1) The parties hereto are desirous of providing to each other mutual aid and assistance when called upon to do so in the event of a major civil emergency or in circumstances at the discretion of each party
- (2) The parties hereto are desirous of formalising as far as may be practicable arrangements for the requesting and giving of such mutual aid and assistance and have agreed to enter into this agreement in order to govern such arrangements

NOW THIS AGREEMENT WITNESSES AS FOLLOWS

1. AGREEMENT TO PROVIDE ASSISTANCE

The Local Authorities HEREBY AGREE in consideration of these presents to provide aid and assistance to each other in the event of the situations envisaged in Schedule 2 hereto arising

2. REQUEST FOR SUCH ASSISTANCE

Such aid and assistance shall be requested initially on an informal basis by means of direct verbal telephonic fax or written request from the Head of Paid Service of any party or officer acting on his or her behalf but in any event shall be followed within 24 hours of such request by formal confirmation in writing from the requesting party acknowledging that the aid and assistance sought is governed by the terms of this agreement

3. THE AID AND ASSISTANCE SOUGHT

The aid and assistance so sought shall include, inter alia, the matters set out in Schedule 3 hereof though such is not limited to the matters set out there in nor is such to be considered restrictive or exhaustive

4. COSTS

- 4.1 All costs incurred by any party including VAT or any other tax or statutory imposition in providing the aid and assistance envisaged by this agreement are to be met in full by the party requesting such aid and assistance
- 4.2 Evidence of such costs so incurred shall be supplied by the providing party in the form of a detailed account to be submitted within three months of the aid and assistance having been given or supplied and such account shall be paid by the receiving party within 28 days of its receipt
- 4.3 In the event of additional grant being requested from Central Government by any party under the 'Bellwin Scheme' (S.155 Local Government and Housing Act 1989) each party will provide to each other all assistance evidence and information necessary to support such application at its own expense

5. LOAN OF PERSONNEL

- 5.1 In the event of personnel being loaned or seconded by any one party (the loaning party) to another such personnel will at all times remain employees of the loaning party
- 5.2 The party to whom such personnel are loaned or seconded shall be responsible however for the payment to the loaning party of all salary (including pension payments income tax national insurance etc.) and any other additional costs and expenses incurred as a direct result of the loan or secondment of such personnel

6. INSURANCE

Each party shall be responsible for providing adequate public and employers' liability insurance in respect of such personnel and their actions during the period any such personnel are loaned or seconded to them

7. PROVISION OF ASSISTANCE IS VOLUNTARY

Each party acknowledges that this agreement and the requirements herein are entirely voluntary and that no party is under any obligation to another to provide aid and assistance where and if called upon to do so but that each party will use all reasonable endeavours (subject to the performance of its own statutory duties and functions) to respond to such request and provide the aid and assistance requested and once such is agreed to be given then the provisions of this agreement shall prevail

8. NO PARTNERSHIP OR AGENCY

Nothing in this agreement shall be deemed to neither constitute a partnership between the parties nor constitute any party the agent of any other party

9. INDEMNITY

Each party agrees with each other throughout the continuance of this agreement to indemnify and keep indemnified each other from and against any and all loss damage or liability whether criminal or civil suffered in the course of providing aid and assistance under the provision herein

10. DURATION OF AGREEMENT

This agreement shall subsist for an initial period of 3 months from the date hereof but thereafter shall continue from year to year.

11. ARBITRATION

In the unlikely event of any dispute under or arising out of this agreement such shall be referred to a single arbitrator in accordance with the provisions of the Arbitration Act 1996.

12. ENGLISH LAW GOVERNS

The validity construction and performance of this agreement shall be governed by English Law

13. NOTICES

Any notice given pursuant to this agreement shall be in writing and shall be sufficiently given to any party if given by hand or sent in a letter by first class prepaid post addressed to the Head of Paid Service of that party at the address of that party set out in schedule 1 (or any alternative address notified by that party in accordance with this clause) and any notice so given shall be deemed to be delivered (unless the contrary is proved) at the time at which the letter would be delivered in the ordinary course of post

14. INTERPRETATION

- 14.1 Reference to any statute or statutory provision includes a reference to:
- (a) that statute or statutory provision as from time to time amended, extended, re-enacted or consolidated; and
 - (b) all statutory instruments or orders made pursuant to it
- 14.2 Words denoting the singular number only shall include the plural and vice-versa
- 14.3 Unless the context otherwise requires reference to any clause, sub-clause or schedule is to a clause, sub-clause or schedule (as the case may be) of or to this agreement
- 14.4 The headings in this document are inserted for convenience only and shall not affect the construction or interpretation of this agreement

15. FORCE MAJEURE

No party shall be liable for any failure or delay in performance of this agreement which is caused by circumstances beyond the reasonable control of a party including without limitation any labour disputes between a party and its employees

16. CONFIDENTIALITY

The parties here to will at all times keep confidential information acquired in consequence of this agreement, except for information which they may be entitled or bound to disclose under compulsion of law or where requested by regulatory agencies or to their professional advisers where necessary for the performance of their professional services.

17. INTELLECTUAL PROPERTY

The parties hereto agree with each other not to cause or permit anything which may damage or endanger the intellectual property of each party nor each party's title to such intellectual property nor to assist or allow others to do so

18. REVOCATION OF PREVIOUS MUTUAL AID AGREEMENTS

Any previous similar agreement shall be deemed to be revoked when all the parties to that previous agreement sign this agreement

SCHEDULE 1 (Preamble hereof)

The Local Authorities

Ashford Borough Council, The Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL
Canterbury City Council, Council Offices, Military Road, Canterbury, Kent, CT1 1YW
Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent, DA1 1DR
Dover District Council, Council Offices, White Cliffs Business Park, Dover, Kent, CT16 3PJ
Gravesham Borough Council, Civic Centre, Gravesend, Kent, DA12 1AU
Kent County Council, Sessions House, County Hall, Maidstone ME14 1XQ
Maidstone Borough Council, London House, 5-11 London Road, Maidstone, Kent, ME16 8HR
Medway Council, Civic Centre, Rochester
Sevenoaks District Council, Council Offices, Argyle Road, Sevenoaks, Kent, TN13 1HG
Shepway District Council, Civic Centre, Castle Hill Avenue, Folkestone, Kent, CT20 2QY
Swale Borough Council, Council Offices, Swale House, East Street, Sittingbourne, Kent, ME10 3HT
Thanet District Council, Council Offices, PO Box 9, Margate, Kent, CT9 1XZ
Tonbridge & Malling Borough Council, Council Offices, Gibson Drive, Kings Hill, West Malling, Kent, ME19 6LZ
Tunbridge Wells Borough Council, Town Hall, Tunbridge Wells, Kent, TN1 1RS

SCHEDULE 2 (Clause 1 hereof)

Situations calling for the request of mutual aid and assistance

- 1. Major civil emergency being a situation arising with or without warning causing or threatening to cause death injury or serious disruption to normal life for numbers of people in excess of those which can be dealt with by the public services operating under normal conditions and requiring the special mobilisation and organisation of those services
- 2. All other situations whereby any party at its discretion requires aid and assistance

SCHEDULE 3 (Clause 3 hereof)

Provision of mutual aid and assistance

The aim of the agreement is to provide mutual aid between the parties herein for the provision, so far as may be practicable of certain resources and professional expertise in the event of any one or more of the situations described in schedules 1 hereof. This may include provision of:

- (a) Environmental Health Officers
- (b) Engineers
- (c) Building Control Officers/Structural Engineers
- (d) Persons to assist with media and public relations matters
- (e) Persons to provide support in the Emergency Centres of participating parties
- (f) Assistance with persons made homeless as a result of an emergency. (This may cover provision of premises for use as Welfare Centres, together with housing advice, and provision of longer term accommodation)
- (g) Use of contractors
- (h) All other advice and assistance which any party at its discretion may require

AS WITNESS the duly authorised officers of the parties hereto have signed this agreement on the date Hereof

Signed on behalf of Ashford Borough Council
Signed on behalf of Canterbury City Council
Signed on behalf of Dartford Borough Council
Signed on behalf of Dover District Council
Signed on behalf of Gravesham Borough Council
Signed on behalf of Kent County Council
Signed on behalf of Maidstone Borough Council
Signed on behalf of Medway Council
Signed on behalf of Sevenoaks District Council
Signed on behalf of Shepway District Council
Signed on behalf of Swale Borough Council
Signed on behalf of Thanet District Council
Signed on behalf of Tonbridge & Malling Borough Council
Signed on behalf of Tunbridge Wells Borough Council

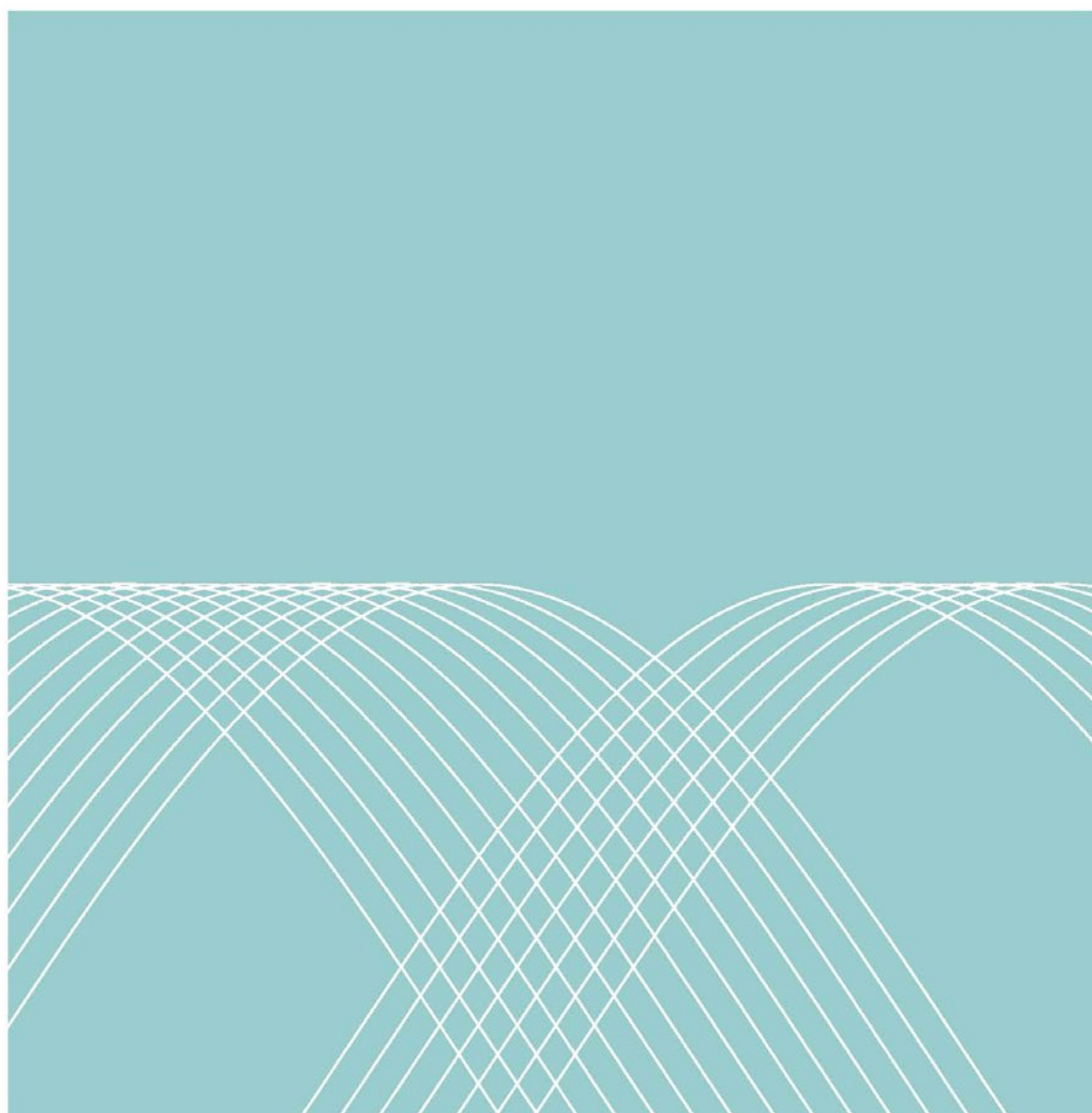
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CabinetOffice



Civil Contingencies Secretariat

Civil Contingencies Act 2004: a short guide (revised)





Background

Following the fuel crisis and the severe flooding in the autumn and winter of 2000 and the outbreak of Foot and Mouth Disease in 2001, the Deputy Prime Minister announced a review of emergency planning arrangements. The review included a public consultation exercise which reinforced the Government's conclusion that existing legislation no longer provided an adequate framework for modern civil protection efforts and that new legislation was needed.

Following public consultation on a draft Bill from June to September 2003 and pre-legislative scrutiny by a Joint Parliamentary Committee, the Civil Contingencies Bill was introduced to Parliament on 7 January 2004. Its development was informed from the start by close consultation with key stakeholders in what was an open and inclusive policy-making process. The Bill received Royal Assent on 18 November 2004 and henceforth became known as the Civil Contingencies Act 2004 (the "Act").

This guide gives a brief overview of the main provisions of the Act.

Overview of the Act

The Act, and accompanying regulations and non-legislative measures, will deliver a single framework for civil protection in the United Kingdom capable of meeting the challenges of the twenty-first century.

The Act is separated into two substantive parts:

- Part 1: focuses on local arrangements for civil protection, establishing a statutory framework of roles and responsibilities for local responders.
- Part 2: focuses on emergency powers, establishing a modern framework for the use of special legislative measures that might be necessary to deal with the effects of the most serious emergencies.

Key to modernising existing legislation is updating the definition of what constitutes an "emergency".

Definition of Emergency

Civil Protection activity at the local level previously took place under Civil Defence legislation dating from 1948. This legislation defined the events local responders should prepare for in terms of "hostile attack" from a foreign power. With the ending of the Cold War such a threat evaporated and local efforts have been focused on preparing for civil emergencies such as localised flooding and major transport accidents. Emergency Powers legislation is older still. The Emergency Powers Act 1920 defines an emergency in terms of interference with specified services and resources which will deprive the community of the essentials of life. A great deal has changed since 1920. The list of services and resources in the 1920 Act was out of date. In addition, the focus of the 1920 Act on essential services and resources failed to reflect the kinds of emergency which the UK now faces (for example, the 1920 Act did not clearly cover terrorist threats or threats to the environment).



In modernising the legislation, it was necessary to introduce a new updated definition of an emergency which focuses on the risks we face in the 21st century. The definition of emergency in the Act focuses on the consequences of emergencies. It defines an emergency as:

- an event or situation which threatens serious damage to human welfare;
- an event or situation which threatens serious damage to the environment; or
- war, or terrorism, which threatens serious damage to security.

For Part 1 of the Act the definition sets out the range of possible incidents for which local responders must prepare when fulfilling their civil protection duties. For Part 2 it sets out the situations in which it may be possible to use emergency powers if the appropriate safeguards are met.

This does not mean that the definition of “emergency” is the same in both Parts. In Part 1, the threat must pose a threat of serious damage to human welfare or the environment of a “place” in the United Kingdom. This reflects the fact that Part 1 is designed to deal with preparations by local responders for localised emergencies. In Part 2, the threat must pose a threat of serious damage to human welfare or the environment of one of the English Regions, or one of the other constituent parts of the UK (Scotland, Wales or Northern Ireland). This higher threshold reflects the fact that Part 2 is designed for use in very serious emergencies which affect a larger geographical area.

Part 1: local arrangements for civil protection

The purpose of Part 1 of the Act is to establish a new statutory framework for civil protection at the local level. Local responders are the building block of resilience in the UK, and the Act will enhance existing arrangements by:

- Establishing a clear set of roles and responsibilities for local responders;
- Giving greater structure and consistency to local civil protection activity; and
- Establishing a sound basis for performance management at a local level.

The Act divides local responders into two categories depending on the extent of their involvement in civil protection work, and places a proportionate set of duties on each.

Category 1 responders are those organisations at the core of emergency response (e.g. emergency services, local authorities). Category 1 responders are subject to the full set of civil protection duties. They are required to:

- Assess the risk of emergencies occurring and use this to inform contingency planning;
- Put in place emergency plans;
- Put in place Business Continuity Management arrangements;
- Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- Share information with other local responders to enhance co-ordination;
- Co-operate with other local responders to enhance co-ordination and efficiency; and



- Provide advice and assistance to businesses and voluntary organisations about business continuity management (Local Authorities only).

The definition of emergency in the Act defines the sorts of events or situations that Category 1 responders should be preparing for. Section 2 of the Act additionally establishes a threshold that events or situations would need to meet to constitute an emergency, and thus to trigger the duties in Part 1 of the Act. This provides that Category 1 responders' duties under the Act only apply to events or situations which require the use of assets beyond the scope of normal operations and require a special deployment.

Category 2 organisations (e.g. Health and Safety Executive, transport and utility companies) are "co-operating bodies" who while less likely to be involved in the heart of planning work, will be heavily involved in incidents that affect their sector. Category 2 responders have a lesser set of duties – co-operating and sharing relevant information with other Category 1 and 2 responders.

The detail of what this means in practical terms is fleshed out in the Contingency Planning Regulations 2005 and statutory guidance *Emergency Preparedness* which can be found at <http://www.ukresilience.info/ccact>. Category 1 and 2 responders are also required to come together to form 'Local Resilience Forums' (based on police force areas outside London) which will help co-ordination and co-operation between responders at the local level.

A full list of Category 1 and 2 responders can be found at Annex A. The Act enables the Minister to alter the membership of both Categories of responder in order to ensure flexibility and to take account of future developments.

The bulk of the duties in Part 1 of the Act came fully into force on 14 November 2005, with the duty on local authorities to give business continuity advice being implemented on 15 May 2006.

Part 2: emergency powers

In the UK emergency powers allow the making of special temporary legislation to deal with the most serious of emergencies. They are not a means for instigating martial law, for undermining Parliament, banning political parties or anything else of that nature. An essential point to note is that Emergency Powers legislation is a mechanism for dealing with only the most serious of emergencies that require an urgent response, an instrument of last resort. The previous emergency powers legislation (the Emergency Powers Act 1920) was used twelve times in its eighty-four year history, the last time being in 1974. In the years since, a considerable amount of sector specific emergency legislation has been introduced which reduced the need to resort to emergency powers, in part because of a recognition that Emergency Powers legislation was inadequate.

Nevertheless, there is still a need for a latent capacity to rapidly make new temporary statutory provision where this is the most effective way of enabling the resolution of an emergency situation. The Government needs a tool that can be deployed to address all forms of disruptive challenge where existing legislation is insufficient.

The Act repeals the existing legislation (the Emergency Powers Act 1920 and its Northern Ireland counterpart, the Emergency Powers Act (Northern Ireland) 1926), and the emergency powers provisions of the Act extend to the whole of the UK. It sets out a new



definition of what constitutes an emergency appropriate to the times in which we live and incorporating new risks and threats which were not so relevant in 1920, including terrorist attacks, contamination of land following a biological or chemical terrorist attack and loss of communications systems on which we now depend.

As with the 1920 Act, the Act allows the making of temporary special legislation aimed at dealing with a serious emergency that fits within the definition. The Queen, as Head of State, will formally indicate that emergency powers are necessary as part of the Order in Council that makes the regulations themselves. For the first time a fallback option has been included to cover the possibility that emergency powers will be needed, where the Queen is, for whatever reason, unable to act. The Act therefore allows for a senior Minister or the Prime Minister to make the regulations in the unlikely event that Her Majesty is not able to do so.

The Act introduces a range of other new features, mostly designed to ensure emergency powers cannot be misused and can be used in a more targeted and proportionate manner. The centre piece of these is the “triple lock”, which ensures emergency powers will only be available if:

- an emergency that threatens serious damage to human welfare, the environment or security has occurred, is occurring or is about to occur;
- it is necessary to make provision urgently in order to resolve the emergency as existing powers are insufficient and it is not possible to bring forward a Bill in the usual way because of the need to act urgently; and
- emergency regulations must be proportionate to the aspect or effect of the emergency they are directed at.

In addition emergency regulations:

- cannot prohibit or enable the prohibition of participation in, or any activity in connection with, a strike or other industrial action;
- cannot instigate any form of military conscription;
- cannot alter any aspect of criminal procedures;
- cannot create any new offence other than breach of the regulations themselves;
- must be compatible with the Human Rights Act and EU law; and
- are open to challenge in the courts

For the first time it is possible to use emergency powers on a regional and/or devolved administration basis. This ensures any special temporary legislation will apply only in the part of the UK affected by the emergency, leaving those elsewhere unaffected.

The Act also requires the appointment of a ‘Regional Nominated Co-ordinator’ (“Emergency Co-ordinator” in the devolved administrations). If emergency powers are used, he/she will act as the focal point for co-ordination of response efforts at the regional or devolved administration level.

As with the existing legislation, emergency regulations must be presented to Parliament for its approval as soon as practicable after being made. Parliament may amend the regulations and must approve them within seven days of laying. If Parliamentary approval is not forthcoming, the regulations cease to have effect. The maker of emergency regulations would be subject to an obligation to protect and restore the ability of Parliament to scrutinise emergency regulations, and the ability of the Courts to entertain challenges.



The Government has given a commitment to ask a senior Privy Councillor to conduct an inquiry within one year of any use of emergency powers. The report would be published and debated in both Houses of Parliament.

Part 2 of the Act was brought into force on 10 December 2004.

Devolution

The Act applies to the whole of the UK and reflects the various devolution settlements:

Part 1

Civil protection is largely devolved to Scotland. However, the Scottish Parliament consented to Part 1 of the Act being extended to Scotland. In light of this, the powers conferred on Ministers under Part 1 of the Act (power to make regulations and guidance etc.) are, in relation to devolved matters in Scotland, exercisable by Scottish Ministers. The Scottish Ministers and UK Ministers must consult each other when exercising their legislative powers under Part 1.

In Wales, UK Ministers will make legislation and issue guidance in relation to responders in Wales. However, the Act requires the UK Ministers to obtain the consent of the Assembly before taking action in relation to a responder in Wales which falls within devolved competence.

In Northern Ireland, different administrative arrangements at the local level make it impossible for Part 1 to apply to Northern Ireland in the same way as it applies in the rest of the UK. It does apply to certain bodies in Northern Ireland who exercise non-devolved functions (e.g. Maritime and Coastguard Agency, Police Service of Northern Ireland). In addition, the Northern Ireland Administration has developed the Northern Ireland Civil Contingencies Framework, which will ensure that responders falling within transferred competence act in line with the duties set out in the Act. The Framework is available at <http://cepu.nics.gov.uk/pubs/NI%20CCF.pdf>

Part 2

Emergency powers are a reserved matter. However, Part 2 ensures the devolved administrations will be consulted, if emergency powers are to be used in their territory, wherever possible. It allows emergency powers to be used in Scotland, Wales or Northern Ireland alone for the first time, though the use of emergency powers remains with Westminster.

Concordats setting out in more detail how these arrangements will work in practice have been agreed with the Welsh Assembly Government and with Scottish Ministers, while that with the Northern Ireland Administration will be finalised shortly. The signed concordats can be viewed on the devolved administrations' websites as well as on the UKResilience site at http://www.ukresilience.info/ccact/0602scots_concordat.pdf
http://www.ukresilience.info/ccact/wales_concordat.pdf

**Further information**

The Act, and accompanying documents, can be found at <http://www.ukresilience.info/ccact/index.htm>.

If you would like to know more about any specific aspect of the Act, you can email the Act Implementation Team at ccact@cabinet-office.x.gsi.gov.uk or call us on 020 7276 5053.

ANNEX A**CIVIL CONTINGENCIES ACT 2004: LIST OF RESPONDERS**

Schedule 1 of the Civil Contingencies Act lists the responders subject to its provisions. As described in Annex 1A, the Act splits local responders into two categories and imposes a different set of requirements on each category. Category 1 and 2 responders in England and Wales are listed below.

Section 13 of the Act enables Ministers to amend the list of responders with the agreement of Parliament.

Category 1 responders (“core responders”)Emergencies services

- Police forces
- British Transport Police
- Fire authorities
- Ambulance services
- Maritime and Coastguard Agency

Local authorities

- All principal local authorities (i.e. metropolitan districts, shire counties, shire districts, shire unitaries)
- Port Health Authorities

Health bodies

- Primary Care Trusts
- Acute Trusts
- Foundation Trusts
- Local Health Boards (in Wales)
- Any Welsh NHS Trust which provides public health services
- Health Protection Agency

Government agencies

- Environment Agency



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- Scottish Environment Agency

Category 2 responders (“co-operating responders”)

Utilities

- Electricity distributors and transmitters
- Gas distributors
- Water and sewerage undertakers
- Telephone service providers (fixed and mobile)

Transport

- Network Rail
- Train Operating Companies (passenger and freight)
- London Underground
- Transport for London
- Airport operators
- Harbour authorities
- Highways Agency

Health bodies

- Strategic Health Authorities

Government agencies

- Health and Safety Executive