



Office of the
Deputy Prime Minister

Creating sustainable communities

Guidance on development of a Site Clearance Capability in England and Wales



Llywodraeth Cynulliad Cymru
Welsh Assembly Government



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October 2005

Office of the Deputy Prime Minister: London

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FOREWORD

By Phil Woolas, Minister of State, Office of the Deputy Prime Minister and Rhodri Morgan, First Minister for Wales

This guidance has been prepared to help everyone with a key role to play in planning for, and dealing with the clear-up of rubble and debris generated by all types of incident whether of natural cause, accidental or attributable to terrorist attack.

The fact that we are issuing the guidance does not mean that there is an increased risk the frequency or scale of such incidents will increase. But past experience has confirmed the value of having well developed contingency plans that have been tried, tested and refined in the light of lessons learned. This guidance is intended to help inform this process as well as give advice on procedures to be followed during the response and recovery phases of an incident.

The prime objective in the event of an incident involving site clearance activity is to support the restoration of services and normal activity as rapidly as possible. Any site clearance operation is likely to have a number of under-pinning key objectives including, but not necessarily limited to, ensuring the safe rescue of trapped and injured people, the recovery and sensitive handling of fatalities and human remains; facilitation of criminal and other investigation and, with due regard for the environment, the safe removal and disposal of rubble and other debris.

The work of drawing up this guidance has underlined that site clearance can be a difficult and complex process raising many issues – some common to other types of incident - and affecting, or requiring the involvement of, a wide range of interests. The effectiveness and efficiency of site clearance operations will be increased if those organisations potentially involved consider the issues and their own roles and responsibilities in advance and prepare accordingly.

The guidance in this document draws together best practice and experience from previous incidents involving site clearance, reflects the current legislative framework, and points to other relevant sources of advice and information. It provides a starting point for the development of detailed plans by those who may be involved in having to deal with specific incidents and preparing for them.

We shall keep this first version of the guidance under review and refine it in the light of experience and developments in policy and practice. In the meantime, we should welcome feedback on the document. Any comments should be sent to siteclearance@odpm.gsi.gov.uk

Our thanks go to all those individuals and organisations who have contributed to the preparation of this edition of the guidance.



Phil Woolas
Minister of State
ODPM



Rhodri Morgan
First Minister for Wales

CHAPTER 1

Introduction

- 1.1 On 11 September 2001, following the terrorist attacks on the World Trade Centre in New York, 1.6 million tons of building debris was created as a result of the collapse of the Twin Towers. That was by far the biggest and most dramatic event requiring site clearance in history. Whilst, in Britain, the incidents requiring site clearance have been smaller in scale, each has presented particular challenges and confirmed the need for effective planning and preparation.
- 1.2 So, as part of the Government's civil contingencies "Capabilities Programme"¹ (co-ordinated by Cabinet Office) the Office of the Deputy Prime Minister (ODPM), in co-operation with the Welsh Assembly Government (WAG), has been responsible for work to develop a site clearance capability across England and Wales. This guidance is the result of that work.
- 1.3 This guidance has been prepared jointly by the ODPM and the WAG to inform and guide those with key roles in planning for, and responding to, incidents requiring the exercise of a site clearance capability. It reflects the current legislative framework and brings together information on best practice in site clearance planning and response.
- 1.4 This guidance is not prescriptive. It is intended to support front line responders (category 1 organisations as defined by the Civil Contingencies Act 2004 "the Act"²) and those with whom they have a duty to cooperate in the performance of their duties under the Act. It provides a practical source of reference for responders to use in developing site clearance plans reflecting their assessment of the risks within their areas. When developing site clearance plans, and supporting training and exercise programmes, care should be taken to do so in a way that is consistent with the requirements of the Act and its supporting regulations and guidance³.
- 1.5 The guidance covers England and Wales and is being shared with the Devolved Administrations in Scotland and Northern Ireland.
- 1.6 It covers all types of incident – be they naturally occurring, accident or result of a terrorist attack.

1 For further information see Annex B "Glossary of Terms" and the UK Resilience website at <http://www.ukresilience.info/contingencies/capabilities.htm>

2 Further details can be found in Annex E "Legislation and Regulation" and on the UK Resilience website at <http://www.ukresilience.info/ccact/index.htm>

3 The (draft) Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 have been laid before Parliament and are expected to come into force in November 2005. These, together with their supporting guidance *Emergency Preparedness* can be found on the UK Resilience website at <http://www.ukresilience.info/ccact>. The Regulations relate to the extent of the duties imposed on certain persons and bodies (referred to as general Category 1 responders) listed in Part 1 of Schedule 1 to the Civil Contingencies Act 2004 and under sections 2 and 4 of that Act (duties to assess, and plan for emergencies and duties to provide advice and assistance to business) and the manner in which those duties are to be performed.

- 1.7 This guidance will be kept under review and revisions will take account of developments in policy and practice as well as lessons learned from exercises and experience of responding to live incidents. We would welcome any comments on the guidance – including any areas that are not covered but are relevant to site clearance, so that we can take them into account when preparing the next version. Comments should be sent by e-mail to siteclearance@odpm.gsi.gov.uk. Please head your e-mail “Site Clearance.” Written comments should be sent to:

Site Clearance
Civil Resilience Directorate
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Bressenden Place
London SW1E 5DU

CHAPTER 2

Planning for a Site Clearance

Objectives

- 2.1 Incidents requiring site clearance will vary significantly in scale and nature. Incidents may range from those with natural causes (eg. arising from severe weather), to those with accidental causes (eg. from gas explosions), to those caused by terrorist attack. In some cases there may also be contamination of affected buildings and/or the wider environment.
- 2.2 The objectives of any site clearance operation are:
- the safe rescue of trapped and injured persons;
 - the recovery of fatalities and/or human remains;
 - facilitating criminal and other investigations;
 - the recovery of personal and other items of value;
 - the safe removal and disposal of rubble and other debris;
 - facilitating the recovery process and restoration of normality;
 - ensuring environmental impacts from site clearance are appropriately controlled; and
 - maintaining, so far as is practicable, normal services at an appropriate level.
- 2.3 Achievement of these objectives depends on delivery of a robust and appropriate site clearance capability. A range of responders – emergency services, local authorities and other agencies, commercial and voluntary organisations – will have a role to play. They should be fully engaged from the outset in contingency planning, testing, validation and updating of plans. They should all have a clear understanding, supported by training and experience, of their role as well as that of others. Annex A describes the roles and responsibilities of those likely to have a part to play in responding to incidents involving site clearance and in supporting this process.
- 2.4 The planning process must be underpinned by informed assessment of hazards and threats faced by individual local resilience areas⁴ and should encompass arrangements for enhancing the level of capability delivered where warranted by the scale or nature of incident involved. Local Resilience Forums (LRF) are best placed to lead this process at local level.

⁴ other than in London, normally the police area within which a general Category 1 or Category 2 responder's (as defined in the Civil Contingencies Act 2004) – see footnote 2 – functions are exercisable.

- 2.5 At regional level, Regional Resilience Forums (RRF) should consider the extent to which they need to develop plans and arrangements to support and, when necessary, co-ordinate local response arrangements. In Wales, the Wales Resilience Forum (WRF) will take on this role.

Key Issues

- 2.6 Site clearance does not begin when the incident is over. It starts from the beginning of the response process when the prime focus is the rescue of those who are trapped and clearing access routes to and from the incident site. Whatever the scale or nature of incident there are a number of common issues that need to be considered when drawing up a site clearance plan. These are:

- setting priorities for site clearance;
- managing the clearance process;
- public information and media handling;
- accountability;
- exercising the plan.

PRIORITIES FOR SITE CLEARANCE

- 2.7 The priorities in the event of an incident involving site clearance should have regard to the normal function of affected structures, their location, the extent of damage and the risks they present as well as health and other factors. Many of these issues cannot be determined in advance of an actual incident. However, planners should consider in advance likely priorities. A suggested order of priorities is as follows:

- **Priority 1:** buildings/structures in or under which people are believed to be trapped;
- **Priority 2:** buildings/structures whose use is essential (e.g. hospital, airport, or a suitable location for on-site medical facilities);
- **Priority 3:** buildings/structures or locations critical to forensic/evidential investigation or whose space is required for bodies to be stored;
- **Priority 4:** buildings/structures on a main arterial route or close to a major public thoroughfare;
- **Priority 5:** other structures in imminent danger of collapse – with priority given to dwellings to allow re-occupation or the cleaning of watercourses, drainage and stagnant water to prevent disease; and
- **Priority 6:** damage assessment of other affected buildings/structures that may have suffered hidden/latent damage but are not in need of immediate attention.

MANAGING THE CLEARANCE PROCESS

Potential equipment needs and suppliers

- 2.8 A wide range of services and equipment is likely to be needed to provide an effective site clearance response. A list of possible services that may be required, together with some advice on issues to be addressed when selecting contractors, is at Annex F of this guidance. In some cases local authorities (LAs) will have contracts in place (including call-off contracts) with a number of these service providers. Where these do not exist already, development of pre-planned contracts may help speed the clear-up process in the event of an incident and avoid later contractual disputes over issues that should have been addressed pre-incident. As a minimum, when developing or reviewing local site clearance plans, those involved should ensure that they have identified appropriate service providers, established appropriate contact and call-out arrangements, and, wherever possible, involved them in developing and testing plans.

Mutual aid agreements

- 2.9 The development of mutual aid or partnership arrangements between neighbouring local authorities, with site owners, shopping centres, private estates and others within an LA area can provide an important means of supplementing scarce resources and facilitate calls on additional or alternative contractors should the need arise. Agreeing protocols with neighbouring authorities on selection of contractors at strategic locations should help avoid situations where contractors are called on simultaneously by different authorities and their ability to provide an effective response is impaired. RRFs and the WRF may also wish to take a regional view and put systems in place to resolve any difficulties that may arise.
- 2.10 In extreme cases, the level and type of assistance, expertise and equipment through such arrangements may need to be supplemented through other channels including specialist government agencies, the military (whose availability is not and should not be assumed), and from overseas. Site clearance plans should recognise this possibility. Further information on such possible sources of assistance can be found in Annex A, “Key roles and responsibilities”.

Arrangements and responsibilities for site security

- 2.11 Effective site security and, where appropriate, screening is essential for health and safety. As well as protecting and preserving the integrity of the site for investigative and forensic purposes, it will prevent unauthorised access by traders, sightseers, and other unsolicited visitors. Plans should include details of security firms, fencing contractors and contacts whose services may be required.
- 2.12 Experience at earlier incidents has demonstrated the value of a strict pass system operated by the responsible authority. LAs are encouraged to consider how they might operate such a system when lead responsibility is handed over from the police. Key components of any such system might usefully include colour coding for different days or different types of personnel, with only those in possession of a valid pass being allowed through the police checkpoint (accompanied if necessary). Advertising the existence of such arrangements through the local media is likely to increase public awareness and facilitate their operation.

Permanent disposal or temporary storage sites

- 2.13 Information on currently licensed landfill sites, including details of the different types of waste they are licensed to take and their capacity can be accessed on the Environment Agency's (EA) website. Local authorities are also encouraged to liaise with their local EA representatives regarding local arrangements, requirements and the latest information on available landfills. EA membership, of LRFs as a Category 1 Responder under the Civil Contingencies Act, will help this process. The EA can also advise on the handling, on-site storage, treatment and disposal of materials, including contaminated material, by helping to identify facilities for the storage, transport and disposal of waste materials. Consideration must also be given to alternatives to the use of landfills for disposal of debris produced by site clearance. These are discussed in the following section.
- 2.14 Experience has shown that, in the event of a major incident, there may be a need to identify and establish an intermediate temporary site, or sites, between the site of the incident itself and the ultimate final destination(s) of debris. Such sites may be required to aid forensic investigation as well as sorting and sieving away from the incident scene of materials not discovered earlier. These are likely to include:
- human remains;
 - evidence associated with investigation of the incident and its cause;
 - property that may assist with identification of victims; and
 - items of value.
- 2.15 When developing site clearance plans, local authorities should work with their local EA representatives, and others as necessary, to identify possible suitable sites and any permissions that may be required. In some locations, there may be sufficient suitable unused land available at an existing landfill site that, with the permission of the site owner, can be "designated" for this purpose. In others it may be necessary to look further afield and to include consideration of such areas as disused military land. The key issues to be addressed are covered in Annex G.

Potential markets and end-uses for recovered materials

- 2.16 Pre-planning should include consideration of possible markets and other uses for the range of materials that may be generated by site clearance. This should include identification of re-cyclers, processors, and brokers who can divert the designated materials (concrete, brick, asphalt, dirt, steel); and the volumes they can handle. Reducing the quantity of waste debris, by utilising the full range of methods available will help conserve raw materials, keep down disposal costs and reduce demand for landfill capacity. Waste can be treated using a number of methods provided the appropriate authorisations are held or obtained from the EA. In addition to landfill the principal methods are:
- recycling;
 - composting;
 - burning;

- spread to land;
 - incineration;
 - recovery; and
 - treatment.
- 2.17 During the planning phase arrangements should be put in place to ensure that, in the event of an incident involving site clearance, there is clear understanding and agreement between the responsible authority, site/building owners and their insurers, over handling and right to receive revenue generated by any of the above activities.
- 2.18 Materials removed from a building or site remain the property of the owner. In accordance with the provisions of Section 100 of the Building Act 1984, the owner has 3 days within which to claim them after which they may be disposed of to a landfill site or sold by the responsible authority. In these circumstances, the responsible authority should, on receipt of any proceeds, deduct its necessary costs and pay the balance to the owner or, where appropriate, their insurer. Payment to insurers is likely to be appropriate where a claim is progressing towards reinstatement and under subrogation rights the proceeds belong to the insurer.
- 2.19 In some cases site/building owners themselves or insurers acting on their behalf may commission recycling or other related activity. In these circumstances any revenue generated will be a matter for settlement between them and is likely to be reflected in the overall level of insurance settlement. In other cases rates quoted/charged by contractors may reflect an expectation that they will receive the proceeds from waste recycling activity. A careful and difficult balance may sometimes need to be drawn between possible savings on contract costs and likely revenue from recovered materials.

Arrangements and responsibilities for handling of hazardous/contaminated materials

- 2.20 Useful guidance on the handling and disposal of hazardous/contaminated materials and other sources of advice can be found in:
- *Strategic National Guidance on decontamination of buildings and infrastructure exposed to CBRN substances or material*, published by the ODPM;
 - *Precautions to minimise effects of a Chemical, Biological, Radiological or Nuclear Event on Buildings and Infrastructure Guidance*, published by the ODPM;
 - *Strategic National Guidance on the decontamination of the open environment exposed to CBRN substances or materials*, published by DEFRA; and
 - *Guidance for Local Authorities on the release of CBRN substances or material* published by the Home Office.

- 2.21 These documents⁵ are included in the list of further reading at Annex C. Further general guidance on the handling and disposal of contaminated waste can be found on the EA website, details of which are given at Annex C. In addition, on 21 July 2005, the Government announced its decision to launch, a Government Decontamination Service (GDS)⁶ on 1 October 2005 to assist in planning for, and facilitating, effective decontamination following CBRN and significant HAZMAT⁷ incidents.
- 2.22 Plans should recognise that in some circumstances it may be necessary to dispose of considerable quantities of waste food, animal waste, or carcasses that may be contaminated, for instance from supermarkets, retail outlets, cattle markets or other livestock holdings affected by the incident. Disposal of such waste may be subject to Animal By-Product Regulation controls⁸ which are enforced by Local Authorities. There may also be public health issues surrounding the handling and disposal of these wastes and appropriate environmental and public health advice should be obtained.

Arrangements and responsibilities for handling bodies and human remains

- 2.23 Detailed guidance on these issues is contained in Home Office Guidance on *Dealing with Fatalities in Emergencies*, included in the list of further reading at Annex C.

Arrangements and recovery of personal items and sensitive business documents

- 2.24 Pre-planning should include development of procedures and protocols to allow owners and occupiers access to their premises at the earliest opportunity, subject to prior assessment of risks present and recognition of the need to preserve the integrity of the incident site for investigative purposes. Early access, where practicable, enables owners and loss adjusters to assess damage, recover items, and, depending on the circumstances, initiate repairs.
- 2.25 Protocols should recognize that sensitive documents and personal items may be found in and around the incident site and arrangements developed to cover collection, sorting and storage, to ensure, wherever possible, that belongings are returned to the rightful owners. These arrangements should include long term storage or disposal where owners cannot be located.

Transport of debris

- 2.26 Plans should consider the full range of transport modes that might be required to facilitate the removal of debris from incident site(s) to end point(s). The following issues should be addressed during the planning phase:
- registrations required to carry waste;
 - loading equipment available on vehicles for the type of waste that may be carried;

5 These do not discuss in detail waste management issues

6 More detailed information about GDS can be found in Annex A “Roles and Responsibilities” and on the DEFRA website at <http://www.defra.gov.uk/environment/risk/cbrn/gds/index.htm>

7 See Annex B “Glossary of Terms”

8 See Annex E “Legislation and Regulation” for further information about the Animal By-Products Regulation 2003 and the Animal By-Products (Wales) Regulation 2003

- arrangements and responsibilities for procuring vehicles to transport debris;
- arrangements required to provide parking or waiting space, fuelling and maintenance for contractor vehicles especially during the bulk clearance phase of an incident, at or near the incident site;
- whether the type of debris carried will affect the future use of the carrier;
- the need for transport units to be cleaned prior to accepting loads to ensure there is no contamination of evidence;
- health and safety (including personal protective equipment) of operators;
- compensation/insurance arrangements; and
- whether other contractors assisting in the site clearance process may include the transporting of debris as part of their contract.

Alerting, call out and reporting arrangements for non-profit and volunteer organisations

- 2.27 Plans should include effective procedures for alerting or calling out voluntary organisations and volunteers, as well as methods of identification and reporting arrangements. Further guidance can be found in the Cabinet Office publication *Dealing with Disaster (third edition)* and successor guidance *Emergency Preparedness and Emergency Response and Recovery*.

Contact information – both in and out of hours – for Local authority staff and other stakeholders

- 2.28 Collecting, holding and ensuring regular updating of this information is an integral and essential part of normal contingency and business continuity planning. Plans should include arrangements for early warning from the police of a potential problem, staff call-out arrangements and rotas, and access through police cordons.

Arrangements for providing continuity of service – both normal and in response to an incident – over a potentially long period of time

- 2.29 Major incidents make significant demands on all those involved in the response and those responsible for maintaining continuity of normal services. Plans should, therefore, include provision for ensuring adequate cover, rotation and rest periods for key staff, as well as determination of priorities (the issue of staff care is often one that, in previous incidents, has been neglected).

Arrangements and responsibilities for information and communication management

- 2.30 Efficient systems and protocols for storing, accessing and retrieving required information are vital. While these vary according to the roles and needs of individual departments and stakeholders, certain considerations apply to all:
- data sharing and communications networks – maintaining good sharing networks routinely within the organisation and external stakeholders;
 - systems should be resilient and tested under extreme circumstances;

- assessment of communication blackspots;
- ability to handle high traffic volumes and peaks. This should include properly organised support for systems both on site and on call;
- security – at levels appropriate to the information being handled and the needs of the different partners in the system;
- the provision of accurate information to all stakeholders involved in the site clearance activity;
- awareness of the types of alarm systems likely to come into operation in large buildings, complexes etc.; and
- awareness of evacuation procedures, for those staff working at the incident site, especially with regard to emergency routes and assembly points.

Caring for people

- 2.31 Plans should ensure that appropriate arrangements are made to manage enquiries from, and provide support for, those whose friends or families may have been killed or injured. These arrangements must cover both victims and responders. Arrangements, for caring for people, involved in the event of a major incident, including faith communities, are set out in chapter 4 of *Dealing with Disaster* (and its successor *Emergency Response and Recovery*) and outlined in Home Office guidance *Dealing with Fatalities in Emergencies*.

VIP visits

- 2.32 VIP visits can be useful in raising the morale of the emergency services, site clearance staff and of the victims of an incident. They can also provide assurances to the wider public, present opportunities for raising awareness and speed up some aspects of recovery. Plans should recognise the importance of ensuring that security implications are fully addressed in consultation with the local police and recognition given to the need to minimise possible disruption and ensure visitor safety.

Arrangements for handling and controlling donations

- 2.33 Development of plans should include arrangements for the controlling of donations. Experience shows that following major incidents a variety of donations including clothes, food, furniture, blankets, flowers are likely to be made at or near the site. Unless properly controlled and directed such action, although well intentioned, may impede the response and recovery process.

PUBLIC INFORMATION AND MEDIA HANDLING

- 2.34 Advice on arrangements for public information and media handling in the event of an incident in England and Wales are set out in chapter 7 of *Emergency Preparedness*. A key requirement is that all agencies co-ordinate their media releases through the lead authority. Regional Emergency Media Forums and the Wales Media Emergency Forum should be involved in the planning process.

- 2.35 Media plans should set out guidance on how best to ensure that the public, including all vulnerable groups and local businesses, is regularly informed of essential facts. This should include details of action being taken and appropriate telephone numbers to contact. Due account should be taken of the need for effective alternatives to radio and television for those who may not have access during or following an incident or in the event of power failure.
- 2.36 Experience has identified the need for a single point of contact at the scene to avoid inconsistencies and mixed messages. This must be adequately resourced, particularly in the case of major and/or high profile incidents to cope with prolonged and substantial media appetite – both domestic and international – for regular, up-to-date and authoritative information throughout the various phases of an incident. Experience also confirms the need to ensure that other measures are put into place to keep the community informed of developments when regular briefings have been terminated. Previous incidents and exercises suggest weekly or monthly newsletters, site boards or banners around sites can be effective ways of achieving this.
- 2.37 Advice should include, but not be restricted to, such as issues as where donations may be made, arrangements for ensuring a supply of potable water, road diversions, access arrangements during police investigation, utility disruptions, family displacement, controlling waste food, hazardous special waste collections, commercial and residential temporary disposal sites.

ACCOUNTABILITY – MONITORING AND DEBRIEFING

- 2.38 Debriefs and incident records will be disclosable in any legal proceedings or Public Inquiry, or may be required to support criminal investigation following an incident. Pre-planning should ensure that all agencies are clear on the arrangements needed to ensure that robust audit trails of decisions made, actions taken, expenditure incurred, are in place from the onset of an incident. Good record keeping also allows lessons to be learned and areas for improvement or best practice identified for the benefit of planners and others involved in future emergencies.
- 2.39 Monitoring of site clearance operations can be accomplished using suitably trained LA staff or out-sourced contract monitors.

ACCOUNTABILITY – EXERCISING THE PLAN

- 2.40 Effective testing of plans is essential. It is critical that all responders are clear on their role and that of others in the event of an incident and given the opportunity to undertake inter-agency training with other agencies that have a part to play in the site clearance process.
- 2.41 At suitably regular intervals site clearance plans, standard operating procedures, generic contracts, checklists and contact details should be reviewed to ensure that they are up to date and reflect any legislative changes as well as lessons learned from exercises and/or real-life incidents.

- 2.42 Exercising provides a valuable opportunity to ensure that all responders are clear about the roles and responsibilities of all those who would be involved in responding to an incident involving site clearance. Contractors, in particular, may be unfamiliar with incident management structures and terminology and how these change during the course of a major site clearance operation. Their involvement during the planning and exercise phase can help address this issue.

CHAPTER 3

Undertaking a Site Clearance Operation

Incident Management

OFF-SITE INCIDENT MANAGEMENT

- 3.1 At the onset of any incident for which there has been no warning, the operational level will be activated first with the Police being responsible for informing other emergency services, LA emergency planners, Health and Safety Executive (HSE), Utility Companies, EA (usually informed by the FRS) and other key stakeholders as necessary.
- 3.2 If there is a requirement for a Strategic Co-ordination Group (SCG), also referred to as Gold Command⁹, this will normally be established without delay, and certainly within two or three hours of the incident. In most, but not all, circumstances it will be a police responsibility to establish the group and chair it.
- 3.3 The function of Gold Command is to take strategic decisions and manage the overall response to the incident, harnessing the contributions of each service, and represent agencies as effectively as possible. It will meet regularly during the early stages of the response, perhaps twice a day. Its membership will comprise the Police, FRS, Ambulance, LA and other relevant stakeholders. Within Gold Command, there is a Strategic Level Commander (Gold) in overall charge for each of the emergency services. Each Commander is in direct control of the resources of their own emergency service, but delegates tactical decisions to their respective Tactical Level Commander (Silver). The Police Gold will usually be a chief officer, who will be responsible for the co-ordination of the overall response. In the later recovery phase this responsibility is normally transferred to the LA. The transition from initial response stage to recovery and the change in lead responsibility from the police to the LA will be determined on a case by case basis. It is usual for the police-led Gold Command to continue until the immediate crisis is over and there is no further risk.
- 3.4 Where required, specialist groups or “cells” will be established to provide expert advice to the SCG. A Joint Health Authority Cell, for example, would advise on public health issues.

⁹ The Strategic Co-ordination Group is usually known as Gold. The role of the Group is further explained in *Dealing with Disasters*, version 3 and its successor guidance, *Emergency Response and Recovery*. A brief explanation can be found in the “Glossary of Terms” at annex B

- 3.5 The Silver Commander for each of the emergency services will attend the incident site, take charge, and be responsible for formulating the tactics to be adopted by their service.
- 3.6 The Operational Level Commander for each of the emergency services (Bronze), will control and deploy the resources of their respective services within a defined area, or according to a specified role, implement the tactics decided by Silver.
- 3.7 Depending on the size of the incident and whether it crosses police boundaries, there may be a requirement to have regional co-ordination. If so, the Regional Civil Contingencies Committee (RCCC), or, in Wales, the Wales Civil Contingencies Committee (WCCC), may be convened to co-ordinate the activities of the Gold Commands. In circumstances where a site clearance operation crosses LA boundaries, a lead LA may also need to be identified.
- 3.8 Where local responders find that the scale of events puts it beyond the capacity of their own resources, their recourse is usually to mutual aid arrangements, where the RCCC or WCCC may co-ordinate the activities.
- 3.9 Where the RCCC or WCC is sitting, the appropriate regional Government Office or the WAG will ensure liaison with Gold Command.
- 3.10 At an early stage, and ideally from the outset of an incident, a multi-agency Recovery Working Group (RWG) should be established to address operational issues during the recovery phase. The overall aim of the Group would be to supply specialist advice to Gold Command and assist the local response in restoring normality to the affected community. The Group may also initiate thinking and discussion about action to be taken during the restoration/regeneration phase. It should not, however, duplicate the responsibilities of any other groups that may have been set up. The RWG will normally be led by the LA and the group's membership should include representatives from key agencies and other key players including site owners, contractors and the affected community. Group membership will be influenced by the type of expertise required and should be kept under review, as the number of organisations needing to be involved is likely to reduce as work progresses.
- 3.11 Key responsibilities for the RWG include:
 - contributing to decisions on the extent and nature of site clearance activities to be undertaken and identification of options for clean-up and disposal of waste;
 - developing proposals and preparing options for consideration covering such issues as restoration or regeneration, costs, legislative constraints, technical feasibility, environmental impact, acceptability to stakeholders, timescale of operation;
 - ensuring the full involvement of the community in the process;
 - ensuring adequate and appropriate arrangements are in place to care for both those involved in site clearance operations and those affected by the incident;

- leading/contributing to the development of an appropriate response strategy, including implementing and supporting business continuity, in consultation with trade associations and business forums;
 - post-recovery monitoring;
 - heritage, tourism and marketing; and
 - ensuring that all potential funding sources are approached on the basis of a credible plan supported by all relevant agencies.
- 3.12 Gold Command could be expected to delegate specific problems to the RWG for consideration, but the Group would also be expected to act on its own initiative within agreed parameters. The Group would consider possible courses of action and make proposals for action.
- 3.13 The Group would remit its advice to Gold Command who would be responsible for all decision making and the implementation of measures. The RWG would not be expected to become involved in advising on the wider strategic responsibilities of Gold Command such as media handling for the incident and public health issues.
- 3.14 The diagram at Annex D provides a summary of the incident management structure for a major incident but remains flexible to individual circumstances. Further details about incident management are set out in *Dealing with Disaster* and successor guidance *Emergency Response and Recovery*.

ON-SITE INCIDENT MANAGEMENT

- 3.15 On-site management structures should be activated in parallel with off-site management structures. A suggested structure, covering both on and off-site management, is described in Annex D to this guidance.
- 3.16 The Police and then the responsible LA, would co-ordinate all on-site operations, during the emergency phase, alongside any on-going investigations and before handover to the site owner.
- 3.17 The function of the on-site management is to undertake operational activities directed by Gold Command and, through the RWG, to offer advice on the operational requirements to bring the incident site and surrounding area back to normality effectively and efficiently.
- 3.18 It is recommended that the responsible authority establish a temporary office at a safe and suitable site, on or as close as possible to the incident site, for use as a marshalling area. Where practicable, this should be co-located with any office established for other related purposes including management of the decontamination process, and can be used for:
- recording and reporting of personnel movement and collection of passes for access to the incident site;
 - provision of transport, if required, to take those reporting for duty to the incident site; and
 - storage of equipment and resources not required immediately.

- 3.19 Following a major incident, a senior building control officer (SBCO), chief architect, or equivalent, appointed by the LA using general powers provided under section 111 of the Local Government Act (LGA) of 1972 and section 2 of the LGA 2000, will be assigned the overall lead responsibility for on-site management of the site clearance operation. The SBCO will ensure that activities do not conflict with any other management structure such as off-site management or RWG. The SBCO must ensure that there is a regular flow of information between on and off-site management.
- 3.20 For major incidents, experience has confirmed the benefit of dividing the incident area into sectors. Where this approach is followed, assigning a unique reference number to each sector will provide easy reference and an accurate record of the location of property and wreckage. Appointment, by the SBCO, of a senior surveyor for each sector will provide a single point of contact for effective co-ordination and integration of work within individual sectors. The size of individual sectors and the number of teams allocated to them will be determined by the nature and location of the incident. Sector team managers need to be integrated quickly into the authority structure and required to report directly to the senior surveyor.
- 3.21 In the initial phase of an incident, surveyors' responsibilities will include assessing the structural stability of affected structures. Surveyors will also play a lead role in determining, in consultation with others as necessary, works required and the deployment of private contractors and personnel needed to secure safe and effective clear-up and restoration to normality.
- 3.22 In the initial phase of an incident, senior surveyors, in consultation with others as necessary, will play a lead role in determining or advising on:
- assessing the size and nature of the problem and priorities;
 - risk assessment of affected structures and whether these present a particular threat to the safety of emergency and other personnel;
 - commissioning the demolition or shoring up of dangerous structures;
 - commissioning equipment and personnel needed to secure safe and effective clear-up;
 - timeline of recovery/phased reopening of sectors and/or public highways;
 - measures needed for the continued protection of public safety;
 - siting of skips;
 - materials shortages; and
 - auditing of the facilities.
- 3.23 The senior surveyor should consider engaging companies on a phased basis. This should be based on a risk assessment and health and safety assurances for contractors.

- 3.24 Senior surveyors should meet at regular intervals to report on progress and any other related issues to the SBCO, who, in turn, will be responsible for providing, through the RWG, an overall report to Gold Command.

Key Phases

- 3.25 The need to undertake site clearance activity can arise at all stages of an incident. In the early stages this is most likely to be required to facilitate search and rescue activity, to locate and secure safe removal of trapped and/or injured persons and fatalities and/or provide site access. In the later phases the prime focus is facilitation of recovery and restoration of normality and possible future regeneration.

EMERGENCY RESPONSE

- 3.26 Each of the partners involved in the emergency response has a specific role to play:
- the Police are responsible for co-ordinating all the activities at the scene, managing the cordons and traffic control;
 - the fire and rescue service (FRS) handles search and rescue, damage control and health and safety management within the inner cordon;
 - the Ambulance Service provides a focal point for all medical resources; and
 - the responsible LA plays a lead role in assessing the structural stability of affected buildings and co-ordinates the procurement of equipment or contractors.
- 3.27 The first decision to be taken by the senior police officer at the scene is to determine where the cordon is to be established for containing the incident and limiting its escalation or spread. Where possible, police officers, the military or traffic wardens can be assigned to major roads to keep people out of the cordon.
- 3.28 The FRS will play a key role in commissioning site clearance activity where this is needed to facilitate the search and rescue phase. The FRS will take initial responsibility for the rescue of those injured, undertaking a dynamic risk assessment to inform their actions and, in particular, to avoid exposing personnel to unnecessary risks. Where the FRS considers it necessary it will seek additional specialist advice from central and/ or local government and/or industry as appropriate. Wherever possible, remote monitoring equipment (cameras) will be used to enable non-FRS personnel to make their assessments from outside the inner cordon.
- 3.29 During this phase the FRS, working in close cooperation with the LA senior surveyor and other specialist advisors, will assess whether heavy or specialist equipment is required to help clear debris to facilitate the rescue of trapped people. Requests for equipment will be co-ordinated by the LA emergency control centre¹⁰ to ensure that resources are used to best effect and to avoid resources being called upon simultaneously by different agencies.

¹⁰ see annex B “Glossary of terms.”

- 3.30 In the case of an incident arising from known or suspected terrorist action, an immediate priority will be to check whether there is chemical, biological, or radiological contamination, or potential explosives on or around the site. This will be done initially by the FRS or specialist agencies in consultation with the Police. Checks must be conducted by suitably protected personnel with appropriate skills, knowledge and equipment. This is essential to determine the type, if any, of protective equipment that may be needed by personnel entering the site and avoid any unnecessary and preventable contamination. These checks and the need for forensic evidence may have an effect on the conduct and timing of the clearance process.
- 3.31 Decisions on the management of debris will be undertaken by Gold Command, based on a multi-agency (including EA) input. The EA's role includes assisting with hazard and risk assessments and providing advice on waste management issues throughout the site clearance operation.

SITE PRESERVATION (INVESTIGATION)

- 3.32 Every incident is likely to be the subject of at least one investigation/inquiry, whether for HM Coroner, a public inquiry, or civil or criminal court proceedings. As a result evidence collected should be of the highest possible quality. The Police, in the first instance, will attend the incident site as a potential scene of crime to collect evidence. Appropriate care is needed in handling the debris. Continuity and integrity of the scene and anything collected from it is critical. Prevention of forensic contamination/cross-contamination is of paramount importance.
- 3.33 For this reason, as well as the more general need to protect the incident site against looting and vandalism, the police, in consultation with the LA, will make appropriate arrangements at the earliest opportunity to secure the incident site. This is essential to control and, where necessary, prevent unauthorised personnel obtaining access, or material being brought into, or removed, from the site. Action taken during the planning phase should have identified suitable fencing or hoarding contractors to facilitate this process.
- 3.34 To support police management of the site the LA should establish its control centre to ensure that LA resources are mobilised and police requests for equipment at the incident scene and at the cordons are efficiently handled.
- 3.35 The extent of forensic investigation and evidence required will be influenced by the nature of the incident. It is likely to be minimal in the case of natural disasters, of variable extent for man-made disasters and at its most significant in the case of terrorist incidents. In the first two cases it certainly has to be considered initially, before clearance is commenced, but it is unlikely to hinder the onset of clearance where an incident is caused by natural disaster. Clearance may take longer to start in the case of man-made disasters but it should normally be relatively easy to identify those elements that need to be removed to an off-site examination area.
- 3.36 Several different agencies may carry out investigations to meet their particular needs. Most of these agencies will conduct their investigations under agreements which cover co-ordination and procedures for evidence preservation etc. These include the Workplace Death Protocol (between the Police, the Health and Safety Executive (HSE), LAs and the Crown Prosecution Service, a Memorandum of Understanding

between HSE, the Marine Accident Investigation Branch and the Marine Coastguard Agency, and a further Memorandum being developed between HSE, the Rail Accident Investigation Branch and the British Transport Police.

- 3.37 The incident control point¹¹, on behalf of the investigative agency, should be able to mobilise scene photographers/plotters and plan drawers. Aerial photography, both video and stills, can help throughout the incident in recording the scene for evidential purposes, as will any other photographic evidence available. Down drafts from helicopters in particular must be considered in relation to safety of staff and victims at the scene and debris spread.
- 3.38 In some circumstances sifting¹² for investigative and other purposes, including recovery of human remains, personal possessions and items of value, may have to be carried out at an off-site location, rather than at the incident site. This may be because there is insufficient space at the site; there are particular sensitivities surrounding the incident that are best addressed by moving material offsite or for other reasons. Guidance on selecting a temporary site¹³ is at Annex G. Where an off-site location is required the Police will seek advice from EA and the responsible LA on the selection of a suitable site, if possible close to the scene of the incident to facilitate forensic examination.
- 3.39 To assist with the examination of debris and other material following a major incident within the Metropolitan Police Area, the Metropolitan Police Authority have developed plans for the management and processing of materials through a purpose built temporary building erected at a location remote from the disaster site. Further details may be obtained from the Authority's Property Services Emergency Planning Officer.

SITE STABILISATION

- 3.40 As the incident progresses towards the site stabilisation phase, lead responsibility will normally be transferred from the emergency services to the LA in order to facilitate the LA's leading role in the return to normality and restoration of the environment. The broad division of phases occurs at 'hand-over' from the police to the LA. There may be circumstances, however, in which hand-over is delayed or phased.
- 3.41 These may include:
- CBRN incidents requiring specialist contractors suitably equipped with appropriate personal protective equipment. Conventional site clearance staff and demolition contractors are unlikely to be trained or equipped to deal with such incidents; and
 - incidents where a site has been divided into sectors (see paragraph 3.20) and individual sectors are handed back as police/forensic investigation needs are met.

¹¹ The point from which each of the emergency services can control their services. See annex B, Glossary of Terms

¹² Mechanism of sorting through the debris

¹³ A definition of a temporary site is given in the Glossary of Terms at annex B

- 3.42 Following hand-over, the responsible LA will assume responsibility for leading this phase, implementing the site clearance plan with input and assistance as required from other local authorities (through mutual aid agreements), building owners and insurers, the emergency services, private contractors and government departments/agencies. The establishment of a RWG should facilitate this process.
- 3.43 Where the LA leading this phase considers there is an urgent need to undertake work to render a damaged structure safe it should make every reasonable effort to establish and make contact with the owners of affected premises to advise them of their intentions before taking such action.
- 3.44 A key priority during this phase will be the maintenance of an exclusion zone for essential personnel only. A high planning priority should be to manage a progressive reduction in the size of this zone in the shortest possible time to allow for entry by residents, building owners, private contractors and workers into the areas affected. As each sector is declared safe to enter, LA contractors should clear glass and debris before owners of affected premises are allowed in to the site. To help keep the site secure, the LA may wish to consider the introduction of a pass system. This might include colour coding for different days or types of personnel and only those in possession of a valid pass would be allowed through the police checkpoint (accompanied if necessary). Advertising the existence of such arrangements through the local media will help increase public awareness and facilitate their operation.

BULK DEBRIS AND CLEARANCE

- 3.45 Once any relevant investigation has been completed and, where appropriate, the incident site is no longer deemed a crime scene, general clearance can commence. This may be phased as different sectors are cleared of evidence or bulk debris is removed to an examination site. Authority to initiate general clearance will normally be given by the investigating authority once they are satisfied that they have removed all the evidence or debris they need.
- 3.46 The responsible LA will lead and co-ordinate the whole clean-up operation, supported, as required, by appropriate government departments and agencies and working in close co-operation with site/building owners and their agents. Where not directly available to the LA, experience from other major incidents has confirmed the value of engaging a specialist adviser with appropriate civil engineering or quantity surveyor skills to advise on the site clearance operation. This person would provide expert advice on the use of appropriate equipment and would act as an intelligent customer in negotiations with contractors.
- 3.47 Construction, excavation and demolition contractors will continue to be required during this phase. In the event that an incident affects crosses LA boundaries, a number of local authorities are likely to be involved. In such circumstances close and regular communication will be required to avoid situations in which contractors receive multiple requests for assistance and, in extreme cases, risk being overwhelmed or have to balance potentially conflicting demands.
- 3.48 The responsible LA may continue to co-ordinate clean-up activities for large or complicated sites but, as soon as possible, and once it is safe to do so, the LA should return the site to site owners and residents.

Treatment and transport of debris

- 3.49 Decisions about the priorities to be adopted and appropriate collection, transport and disposal methods should be informed by factors such as:
- forensic/evidential examination and recovery of human remains;
 - volume and type of rubble and other debris generated (good quality estimates will help inform decisions about the level of resource required);
 - whether debris is suitable to be taken for recovery or disposal without prior treatment; or, if contaminated, can be treated in situ to make it suitable or needs to be treated elsewhere to sufficiently decontaminate;
 - contamination of debris with hazardous material and the risks to health and the environment. Assessments will be made by the EA, HSE, HPA and in Wales, the NPHS (Wales) working with HPA. There would also be LA involvement in this process;
 - incident site characteristics, including site location and accessibility
 - environmental complications;
 - whether the site is an economic key point;
 - urgency of site clearance;
 - availability and accessibility of appropriate disposal and, if required, temporary storage, sites;
 - available daily disposal capacity;
 - availability of equipment and operator services for the type of operation; and
 - debris recycling possibilities.
- 3.50 Segregation of the different types of debris created by the incident will make it easier to supply an accurate description of the waste for waste transfer purposes. Labelling waste skips to identify the particular types of waste they are intended to take will assist this process and make clear to those involved which waste type should be deposited in which skip. Wherever practicable, compounds for storing materials and waste skips should be located away from environmentally sensitive areas on site, such as drains, water bodies and site boundaries close to housing/offices.
- 3.55 Transport and disposal of potentially substantial volumes of hazardous waste present particular challenges. The EA should be consulted for advice on the availability of suitable landfills and other possible options. The latter might include possible extension of any temporary storage arrangements already permitted.

- 3.56 Transfer of material classified as 'hazardous' is subject to controls outlined in the Hazardous Waste (England and Wales) Regulations 2005.¹⁴
- 3.57 Debris contaminated with material that in itself would be classified as dangerous in transport (eg. asbestos) is subject to the transport of dangerous goods legislation whatever the mode of transport used.
- 3.58 Where, in the event of a catastrophic incident, dangerous goods are being carried with the intention of saving life or protecting the environment, the Department for Transport¹⁵ has power to issue Letters of Authorisation relaxing or disapplying the requirements of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2005. This is conditional on all measures being taken to ensure that carriage is carried out safely and securely.
- 3.59 Transport of material from the site must be carried out safely and securely in suitable road, rail or inland waterway transport units, particularly if contaminated material is involved. Where such material is classified as dangerous in transport, transport units specified in modal regulations¹⁶ must be used in accordance with any provisions applying to them. For other contaminated material, the transport must be capable of entirely containing the material to prevent any loss during transport. Liquids should be transported in suitable tank-vehicles or leak-proof receptacles. Solids should be transported in bulk transport units fitted with liners that can be closed for transport or in sift-proof receptacles.
- 3.60 In the case of radioactive contamination it may be possible, depending on the concentration of radioactive material in the waste, to transport material without the need for special packaging. However, for higher concentrations specific package types may be necessary. A typical package would be an Industrial Package 2, as defined in The Radioactive Material (Road Transport) Regulations 2002 (SI 1093). These regulations do not apply to shipments which are carried out under the supervision of the emergency services or in an emergency intended to save lives or protect the environment¹⁷.
- 3.61 Transporters should only be used if they have been appropriately identified. They must also:
- be able to demonstrate that the staff who are going to handle the dangerous goods are suitable;
 - ensure drivers always carry a means of photograph identification; and
 - install devices to prevent the theft of the vehicle or load (If they carry high consequence dangerous goods).

¹⁴ Annex E provides further information.

¹⁵ Annex C provides links to DfT sources of information on the carriage of dangerous goods including radioactive materials

¹⁶ See annex B "Glossary of Terms"

¹⁷ See footnote 15 for links to DfT sources of information

- 3.62 Disposal at sea presents a potentially serious threat to the food chain by contaminating fish as well as to other countries' waters or beaches. For these reasons permits to undertake such disposal are granted only for limited types of material at limited locations. Disposal at sea is unlikely, therefore, to provide an acceptable solution to the disposal problems created by site clearance. Further information and advice can be obtained from the Marine Consents and Environment Unit (MCEU)¹⁸ in the Department for Environment, Food and Rural Affairs (DEFRA).
- 3.63 The export of site clearance waste from the UK for disposal is prohibited. The export of such waste for recovery is allowed subject to certain controls, the stringency of which depend on the degree of hazard presented by the waste¹⁹. The EA should be contacted for advice if such action is envisaged.
- 3.64 Section 2 of this guide provides information on sources of further guidance and advice on handling and disposal of contaminated waste.

¹⁸ The MCEU can be found at: <http://www.mceu.gov.uk/>

¹⁹ for further information see reference to The Waste Shipments Regulation 2003 and related regulations in Annex E "Legislation and Regulation"

CHAPTER 4

Meeting the Cost of Site Clearance

- 4.1 In the case of accidental or malicious damage, the costs would normally fall on the party responsible for causing the damage. In the case of damage through natural causes, responsibility would normally be expected to rest with the owner or occupier of a property.
- 4.2 The public sector, central and local government, largely bears its own risks. In the private sector, owners or occupiers will want to consider with their advisers what insurance is available. Many household insurance policies will cover the cost of removing debris caused, for example, by fire, explosion, lightning or earthquake. However, many policies now exclude terrorism damages caused by nuclear, chemical, biological or radiological means. In these circumstances, local authorities would normally take the lead in arranging decontamination of private property.
- 4.3 Insurance for commercial property can also cover the cost of removing debris. Additional terrorism risks coverage is available through insurers who are members of the Pool Re scheme. The scheme has been extended from cover for 'fire and explosion' to an 'all risks' basis²⁰.
- 4.4 In the event of a major incident affecting numerous properties in the same area a large number of insurers are likely to be involved. Experience shows that opening and maintaining from the outset regular communication with insurers and those they represent can help speed the recovery process and avoid later misunderstandings over the allocation of costs. An effective approach adopted by Manchester City Council in respect of the Manchester bomb (1996) was to secure agreement that, using powers provided by the Building Act 1984 (see Annex E) it would commission contractors, operating under their supervision, to render safe the worst affected buildings and keep a detailed log of hours worked on each building. This facilitated the City's subsequent recovery of costs incurred from the building owners that would become part of their insurance claims. In circumstances where the responsible LA is unable to recover its costs from building owners or their insurers, s107 of the Building Act 1984 provides a power to register the unrecovered monies as a charge on the land affected that can be recovered, with interest, when the land is next sold.
- 4.5 Assistance towards costs incurred by LAs during an incident may be available in some circumstances. Re-imbursement of qualifying expenditure may be made through the Bellwin Scheme²¹, operated, in England, by ODPM and, in Wales, by the WAG under powers provided by s155 of the Local Government and Housing Act 1989. This scheme provides for re-imbursement of expenditure above a defined threshold incurred by a LA in meeting the costs of immediate action to safeguard

20 Further information about the Pool Re scheme can be found on the HM Treasury website at <http://www.hm-treasury.gov.uk/>

21 Further information about the Bellwin scheme and its operation in England can be found on the ODPM website at <http://www.local.dtlr.gov.uk/finance/bellwin/bell0506.htm> . The scheme is operated in Wales by the WAG and further information can be found at

life and property following a disaster and other emergency. Incidents must be reported to the Department within a defined period (normally one month) and all expenditure must have been completed within a limited defined period of the disaster (usually 2 months) and at a defined rate (85% of costs above the threshold level). Subject to meeting the scheme's requirements, examples of expenditure likely to qualify for Bellwin grant include payments made under s138 of the Local Government Act 1972 (which empowers LAs to incur expenditure or make grants or loans where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent), hire of additional vehicles, plant and machinery that are not those already in use by the LA, and emergency works to safeguard dangerous structures, including making them secure (where not insurable). Expenditure that an LA would normally expect to incur in an area for which there is already a government expenditure programme, is not eligible for reimbursement and most capital expenditure is excluded from the Bellwin scheme.

- 4.6 Assistance with certain categories of expenditure not covered by the Bellwin scheme may be available through other means. Revenue expenditure and loss of income by LAs may be compensated by special grant under s88 of the Local Government Finance Act 1988 or section 31 of the Local Government Act 2003 where the circumstance or type of expenditure/loss falls outside the coverage of the Bellwin scheme.
- 4.7 Applications for assistance will be considered on their individual merits within the parameters of the relevant powers and scheme provisions. The availability and extent of any assistance that might be offered should neither be assumed nor is it guaranteed.

ANNEX A

Key Roles and Responsibilities

- 1 During the early phases of an incident the Police and the FRS (FRS) will take responsibility for commissioning site clearance activity where necessary for the conduct of search and rescue activities. They will do so in close co-operation with other responders and contractors. During the recovery phase lead responsibility will normally pass to local authorities operating in close co-operation with site owners, insurers and contractors.
- 2 In all phases, the following organisations and individuals will have a role to play.

SITE OWNER/BUILDING OWNER

- 3 In the case of commercial and domestic properties, the site or building owner is responsible in most cases for arranging and meeting the costs of site clearance, following an incident. Where there is no obvious owner the person responsible for the site management holds the responsibility for a site clearance operation. Site owners will be expected to work in close conjunction with and, wherever appropriate, under the direction of the responsible LA, to facilitate the clear up and recovery process.
- 4 In particular it is expected that site/building owners will:
 - co-operate with the LA and others in fulfilling their responsibilities;
 - co-operate with the EA in providing facts about the history of the building being cleared. The building owner may have considerable knowledge about the presence of oil or gas stores, chemicals or presence of asbestos or contaminants in building infrastructure etc.;
 - inform their insurers and co-operate with loss adjusters;
 - be responsible for maintaining site security after responsibility has been relinquished by the Police and the LA;
 - be responsible for commissioning contractors to carry out detailed site evaluation (including further sampling) and subsequent decontamination (if required) of building, systems and contents, demolition and removal of waste²²;
 - be responsible for establishing that the building is safe for re-occupation by obtaining verification from the leading authority; and
 - maintain a communication strategy to inform employees and key stakeholders of developing information.

²² see ODPM – Strategic National Guidance – The Decontamination of Buildings and Infrastructure Exposed to Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material at Annex C

LOCAL AUTHORITIES (LAS)

- 5 Local Authorities have a key role to play in co-ordinating the site clearance process in close conjunction with site/building owners or occupiers and their insurers. Where there is an immediate threat to life, and site/building owners cannot be identified or located, the LA will take a lead role in assessing the structural stability of affected buildings; arranging demolition and/or arranging site clearance. Whilst the precise nature and range of inputs required may be affected by the type and scale of incident all incidents will make significant demands on LA staff and resources. To prepare for this LA Emergency Planners should work in close co-operation with key LA departments, (or the relevant divisions in the WAG) and the full range of external partners to develop appropriate response/recovery plans and procedures whilst maintaining the LA's normal services at an appropriate level.
- 6 Key LA roles during both the planning and recovery phases include :

Emergency Planners whose responsibilities include:

- initial preparation, testing and periodic review of plans for responding to incidents requiring the exercise of a site clearance capability; and
- ensuring lessons learned are reflected in revised plans.

Building Control/Surveyors Departments whose responsibilities include:

- maintenance of relevant plans of public buildings such as hospitals, libraries, airports and arrangements for their release, including out of normal working hours, and on-site management in the event of an incident; and
- in consultation with the police and others as necessary, giving advice on the issue of access passes to the site following handover to the responsible LA.

Highway Services whose responsibilities include:

- pre-identification of local and regional critical transport routes in co-operation with the relevant agency (ie: LA, Highways Agency (HA) or WAG);
- arranging parking and passes for vehicles of those working at, and visiting, the incident site and other associated sites;
- arranging parking for vehicles involved in the transport and storage of debris and equipment; and
- diversion of major traffic arteries in consultation with the police, LA and HA.

Public/Environmental Health whose responsibilities include:

- liaison with the relevant division in WAG having devolved competence, DEFRA and EA over suitable decontamination methods, debris removal methods and disposal sites;
- assessment of public health risks in association with HPA and NHPS in Wales;

- identification, where required, of temporary or additional sites for holding or disposing of debris; and
- ensuring effective arrangements are in place for dealing with such issues as a growing population of rodents that may result in the case of site clearance operations with a long recovery phase.

Administration Services/Finance have a variety of roles and responsibilities including:

- Establishment of systems for emergency expenditure;
- maintenance of comprehensive and accurate financial records of costs incurred;
- liaison with the insurance industry, particularly loss adjusters and encouraging those with insurance to make appropriate claims;
- pursuing, where appropriate, claims for assistance through the Bellwin Scheme²³ or other grants from Central Government and/or the European Union; and
- putting in place effective arrangements for dealing with the receipt, accounting for and distribution of public or other donations.

CENTRAL GOVERNMENT

- 7 When involved by virtue of the nature or scale of the incident, Central Government, has the full range of policy levers at its disposal and the organisational structure is in place to deal with disruptive challenges, through the appropriate Lead Government Department (LGD)²⁴ and regional Government Offices, or, where appropriate, Devolved Administration.
- 8 Central Government have endorsed the principle that, for the majority of emergencies requiring response at the national level, there will be a pre-nominated LGD²⁵, which will be responsible for both planning for and activation of the central Government response. In the case of an incident requiring site clearance, nomination of the lead Department will reflect the nature and cause of the incident eg. DEFRA for flooding. The UK Resilience website provides information on the support and assistance that may be provided by individual Government Departments. Where required the nominated LGD, usually through the relevant regional Government Office, will:
 - provide specialist advice and/or assistance to local emergency teams;
 - co-ordinate the activities of agencies and others involved;

²³ see footnote 21

²⁴ Further information can be found in Chapter 12 of Emergency Response and Recovery which can be accessed on the UK Resilience website at <http://www.ukresilience.info/ccact/index.htm>

²⁵ See annex B "Glossary of Terms"

- collect information on the incident and its effects to provide information to the public and media at national level, to brief Government Ministers, and to inform Parliament;
- act as a focal point between the local SCG and Central Government.

GOVERNMENT OFFICES FOR THE REGIONS

- 9 The Government Offices (GOs) are central Government's presence in the English regions and provide a key interface between a number of Government Departments and local responders and agencies. The GOs also contain dedicated teams (Regional Resilience Teams or RRTs) to focus on emergency preparedness and to act as a liaison between the central and local levels in response to an emergency.

DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS (DEFRA)

- 10 DEFRA has lead responsibility for development of policy and provision of advice on waste management issues. This includes:
 - responsibility for waste management policy and ensuring implementation of European Directives concerning waste; and
 - under the provisions of the Environment Protection Act 1990, the Secretary of State, has powers of direction to order the transportation and acceptance of waste in an emergency.

GOVERNMENT DECONTAMINATION SERVICE (GDS)

- 11 The GDS is being launched on 1 October 2005, as an executive agency of DEFRA, to enhance the country's ability to deal with the consequences of major terrorist (CBRN) or accidental (HAZMAT) incidents affecting the built and open environment, transport and infrastructure. The GDS will provide a UK-wide service.
- 12 It will have four principal functions:
 - to provide advice, guidance and assistance on decontamination related issues to responsible authorities in their contingency planning for CBRN and HAZMAT incidents and assist with regular testing and validation of arrangements that are in place;
 - to identify and assess the ability of specialist contractors in the private sector to carry out decontamination operations in such circumstances and ensure that responsible authorities have access to those arrangements if the need arises. If required the Service will also help co-ordinate decontamination operations;
 - to work with Government departments, responsible authorities, specialist suppliers, research organisations and other nations to improve decontamination technologies and capabilities; and

- to advise central Government on the national capability for the decontamination of buildings, infrastructure, mobile transport assets and the open environment, be a repository of information, and a source of expertise in the event of CBRN incident or major release of HAZMAT materials. The GDS will regularly review the United Kingdom's capability gaps.
- 13 In an emergency caused by CBRN or HAZMAT release, GDS will have the capability to:
- provide strategic advice on decontamination to national response machinery;
 - provide advice on decontamination approaches, strategies and capabilities to strategic co-ordinating machinery, whether police or LA-led, as part of an over-arching multi-agency Recovery Strategy;
 - provide practical assistance in formulating the decontamination element of the Recovery Strategy;
 - provide advice, guidance and help in securing contracts and managing them; and
 - address and resolve operational issues arising from the deployment of specialist suppliers to the recovery phase of a CBRN or HAZMAT incident.
- 14 GDS will **not**:
- act as first responder;
 - fulfil the functions of a Category 1 or Category 2 responder under the terms of the Civil Contingencies Act 2004;
 - assume responsibility for decontamination;
 - fund decontamination; or
 - deal with humans, animals or their remains.

CONTACT WITH GDS – INTERIM ARRANGEMENTS

- 15 Pending establishment of GDS as an agency, planners may seek advice on specific aspects of the GDS role, on actual or potential relationships and on aspects of CBRN contingency planning by:
- contacting GDS through the DEFRA help desk; and
 - approaching Regional or Devolved Administration CBRN Working Groups.

IN AN EMERGENCY

- 16 GDS Incident Response and Call-Out procedures and national guidance, currently being developed, envisage that when operational GDS:
- will establish a team at any Strategic Co-ordination Centre (SCC) set up to co-ordinate the response to an emergency caused by CBRN release;

- may be contacted, on arrival, at SCC, through the RWG; and
- may be contacted, prior to arrival at SCC, through arrangements set out in the procedures and guidance being developed.

CABINET OFFICE – CIVIL CONTINGENCIES SECRETARIAT (CCS)

- 17 CCS provide a focal point for co-ordination through NATO and EU channels of requests for mutual assistance in responding to natural, technical and man-made disasters. This includes a site clearance operation requiring specialist expertise or equipment not available within the UK or needed to supplement that available. It should be borne in mind that, even where the assistance requested can be provided, it is unlikely to arrive in the UK for some hours.
- 18 Decisions on the need to seek international assistance through CCS will normally be taken by Gold Command, or where sitting, a Regional/Wales CCC or in the event of a major national emergency, the Civil Contingencies Committee. Any request for assistance should be sent to CCS (pnc-ccs@cabinet-office.x.gsi.gov.uk) who will forward it to the EU and NATO and keep the requester informed of responses received. Requests for assistance should include:
 - information on the nature and location of the incident(s) involved;
 - precise details of the type of equipment and/or expertise required;
 - period for which it is expected assistance is likely to be required;
 - period for which, if necessary, responders may need to be self sufficient;
 - details of support that will be provided to responders eg. food and accommodation, fuel/maintenance/operators for equipment; and
 - funding arrangements (while it is not required that the requesting nation meet the cost of assistance provided, the response is likely to be more rapid if it does so, as responding nations do not then have to appeal to their own funding mechanisms, which may take time and affect their ability to respond).

DEPARTMENT FOR TRANSPORT (DfT)

- 19 DfT:
 - has lead responsibility for policy on transport of dangerous goods and regulation of drivers' hours and is able to offer advice on the circumstances in, and process by, which legislative and other requirements may be relaxed or disappplied; (separate guidance is available on the DfT website²⁶); and
 - maintains strong links with industry associations who may be able to provide links to haulage companies with appropriate vehicles.

²⁶ Transport of Dangerous Goods see Annex C for DfT website

DEPARTMENT FOR TRADE AND INDUSTRY (DTI)

20 DTI:

- is the main government partner with the Construction Industry and is able to facilitate the bringing together of contractors including those with demolition expertise should this prove necessary.

OFFICE OF THE DEPUTY PRIME MINISTER (ODPM)

21 ODPM :

- operates the Bellwin²⁷ Scheme in England, under powers provided by s155 of the Local Government and Housing Act 1989. In Wales, the scheme is operated by the Welsh Assembly Government.

REGIONAL CIVIL CONTINGENCIES COMMITTEES (RCCC)/WALES CIVIL CONTINGENCIES COMMITTEE (WCCC)

22 In major site clearance operations where local responders are overwhelmed or where an incident affects several parts of a region simultaneously, if requested by a member of a local SCG or instructed by the lead government department, a RCCC will be formed by the appropriate regional Government Office. In Wales, the WAG will form a WCCC. The RCCC/WCCC can support the local response by:

- providing a strategic overview of the situation across the region or pan-Wales;
- providing a link between local responders and Central Government;
- prioritising calls on scarce resources, if there are conflicting demands across the region;
- bringing together Central Government Departments and Agencies, the emergency services, local authorities and any other relevant agencies.

THE ENVIRONMENT AGENCY

23 The EA:

- has responsibilities for the protection of air, land and water in England and Wales;
- will respond to environmental incidents within its remit on a 24/7 basis; and
- has regulatory responsibilities on matters affecting the environment. These include management of hazardous waste, discharges to air from processes the Agency regulates, flood risk management and navigation on certain inland waterways, estuaries and harbours.

²⁷ see footnote 21 and paragraphs 4.5-4.7 of this guidance

- 24 The EA will provide regulatory and pollution prevention advice on:
- the accumulation and disposal of waste (whether or not contaminated);
 - permits for the discharge of liquid waste to controlled waters;
 - the disposal of controlled wastes on land or to landfill;
 - the handling, on-site storage, treatment and disposal of contaminated materials (liquid and solid);
 - location of decontamination facilities;
 - post-incident clean-up of contaminated sites; and
 - the suitability of disposal sites to the multi-agency commander during the initial response phase of an incident and to the LA during the recovery phase of an incident.

HEALTH AND SAFETY EXECUTIVE (HSE)

- 25 HSE is responsible for the regulation of most of the serious risks to health and safety arising from work activity in Britain.
- 26 HSE will:
- provide specialist advice on the risks to workers and others at the incident site;
 - advise on decontamination plans and systems of work proposed to carry out decontamination;
 - take, together with DfT, any necessary action regarding relaxation from, disapplication of, or enforcement of health and safety legislation at an incident site, transportation phase and at end point/landfill; and
 - advise on safe systems of work for testing whether decontamination is successful.

ENVIRONMENTAL SERVICES ASSOCIATION (ESA)

- 27 ESA will:
- provide advice to DEFRA, DTI (Environment Directorate) and EA on the availability and location of suitable landfill sites.

THE POLICE SERVICE

- 28 The underlying principle for an incident with an identifiable land-based scene is that the Police normally assume the management of overall co-ordination. This approach ensures that resources are used to best effect and avoids situations where resources may be called upon simultaneously by different agencies.

29 The Police Service will:

- in consultation with other responders take measures to protect the public. This may be achieved by external evacuation or internal sheltering;
- secure, protect and preserve potential scene of crime until it is established as otherwise and control sightseers;
- where terrorist action is suspected as the cause of an incident, take additional measures to protect the incident site and carry out searches for secondary devices;
- where the incident is suspected to be of terrorist nature the National Co-ordinator for Terrorist activity will play a lead role in the strategic management of the potential scene of crime and deployment of special investigative resources;
- where crime is suspected, following the initial phase manage and co-ordinate the evidential/forensic examination at both scene and bulk debris examination site;
- usually establish the Gold Group and chair it initially, passing this over in the recovery phase to the LA or other relevant agency. If decontamination of people is required during the crisis phase the Police will assist the Ambulance and FRS;
- on behalf of Her Majesty's (HM) Coroner control the Disaster Victim Identification process of the dead;
- in consultation with the LA, EA and HSE, have responsibility for the establishment, management and security of the forensic area at the landfill site;
- in consultation with other departments or agencies as necessary, authorise the onset of site clearance;
- control all access and exit points to the outer cordon;
- control the release of vehicles and other items of value when safe and appropriate to do so on presentation of acceptable proof of ownership; and
- be responsible for co-ordinating the response to media enquiries and arrangements at the scene of an incident.

THE FIRE AND RESCUE SERVICE

- 30 During the response phase the FRS will play a key role in commissioning site clearance activity where this is needed to facilitate search and rescue of those who are trapped and/or injured. The primary role of the Service in an incident is to extinguish fires, protect life and property from fire, rescue and protect people from serious harm. All fire fighters will have a basic understanding of the hazards and the principles of Search and Rescue at structural collapses. There are also Urban Search and Rescue (USAR) teams comprising specialist fire fighters tasked with more complex search and rescue operations.

31 The FRS will:

- take responsibility, in liaison with LA Building Control, for managing any structural collapses that could be caused by natural disaster (earthquake, subsidence, floodwater), accidental (explosion, impact, fire) and deliberate (terrorist attack, bomb);
- assist with the management of hazardous materials and protection of the environment during the response phase of an incident;
- in consultation with PS and the LA assist in the determination of evacuation, building safety, road closures, arranging for the clearing of debris from the highway;
- if required, provide a mass decontamination facility for on-site workers and members of the public;
- be a conduit for scientific advice in relation to Hazardous Materials incidents;
- assist with salvage and damage control;
- be responsible, with the exception of terrorist incidents, for the health and safety of all responders in the inner cordon during the initial response.

THE AMBULANCE SERVICE

32 Whilst the Ambulance Service will not normally have a direct role in the site clearance process it will play a key part during the initial response (described earlier). During this phase and, if necessary, beyond the Service will:

- save life together with the other emergency services;
- provide treatment, stabilisation and care of those injured at the incident site;
- determine the hospital(s) to which any injured persons should be taken; and
- provide medical support to those involved in clearing the incident site.

Other Organisations

33 The following organisations do not have a direct role to play in the site clearance process. All, however, have a potentially important role to play in supporting and assisting the process. For these reasons they should be both invited to contribute to the initial development of site clearance plans and alerted or approached at an appropriate stage in the event of an incident where it is clear or considered that their assistance is required.

MILITARY

- 34 Military support can be sought to support the civil authorities, though it cannot be guaranteed and should not therefore be assumed to be available during contingency planning. It should also be borne in mind that the Armed Forces have no specialist training in rescue or site clearance and that, in almost every instance, civil resources vastly exceed military resources in both quantity and availability. The MOD will not agree to the provision of support if there is an alternative in the civil sector, nor will they agree to undertake specialist tasks without appropriate prior training. Nonetheless, in cases where life is in imminent danger, local commanders are authorised to provide general duties support drawing on resources available at the time. This support can be requested by the emergency services during the initial response phase through the Regional Brigade or Army District Headquarters or the Joint Regional Liaison Officer (JRLO). When life is not in immediate danger, all requests for Armed Forces support require prior approval by a Defence Minister, and must be directed to the MOD.
- 35 Normal practice is to charge the full cost for the provision of services that fall outside the normal activities of a publicly funded Department or Agency. MOD follows this practice. Under some circumstances costs can be reduced if a task can be combined with normal MOD activity. Charges are generally waived in cases where urgent support is provided in response to an imminent danger to life.

VOLUNTARY AGENCIES

- 36 Volunteers can contribute to a wide range of activities, either as members of a voluntary organisation or as individuals. When responding to an incident, whether local or national, they will always be under the control of a statutory authority.
- 37 There are established organisations that provide a range of services such as the Women's Royal Voluntary Service, the Register of Engineers for Disaster Relief, the British Red Cross Society, St. John Ambulance Brigade, Raynet (radio amateurs' network) etc.
- 38 Setting up a voluntary sector co-ordinating group at local level can help co-operation between the statutory services and local voluntary organisations.

UTILITY COMPANIES

- 39 The utility companies can be mobilised by any of the emergency services and will normally be co-ordinated by the police in the first instance.
- 40 They are able to control gas, water, telecommunications and electrical supplies.
- 41 A request for 'power off', 'line closures' or 'service restoration' should be passed through the appropriate infrastructure control via emergency services control rooms. This control will confirm that the request has been carried out.
- 42 Telecoms – Emergency Services and LA have 24 hour access to the respective service provider by using the British Telecommunications (BT) National Emergency Linkline and the Cable & Wireless (C&W) Direct Access Response. In the event of an emergency these controls will mobilise the resources requested. BT and C&W

have a Memorandum of Understanding for mutual assistance when they are supporting authorities involved with a major incident. Other licensed operators may also be able to provide support. Arrangements for this need to be pre-planned.

- 43 Water companies are tightly regulated under the Water Act Security and Emergency Management Direction, which requires them to liaise with partners and to respond to emergencies.

ENGLISH HERITAGE, COUNTRYSIDE AGENCY, ENGLISH NATURE, NATIONAL TRUST, WAG, COUNTRYSIDE COUNCIL FOR WALES, CADW (historic environment agency responsible for protecting, conserving & promoting appreciation of the historic environment of Wales), NATIONAL PARK AUTHORITIES, DEPARTMENT OF CULTURE MEDIA AND SPORT (for damage to Historic Palaces) and OFFICE OF GOVERNMENT COMMERCE (for damage to Government Buildings)

- 44 Should be consulted, as appropriate, for advice on any incident affecting listed buildings, archaeological sites, scheduled ancient monuments, and other sites of special interest eg. Sites of Special Scientific Interest and/or any proposal that any such sites might be used for rubble disposal.

THE HEALTH PROTECTION AGENCY

- 45 Protects the health and well-being of everyone in England and Wales. Its responsibilities include playing a key role in preventing harm when hazards involving chemicals, poisons or radiation occur and preparing for new and emerging threats such as bioterrorist attack.

THE NATIONAL PUBLIC HEALTH SERVICE FOR WALES

- 46 Is responsible for the management of the public health aspects of those emergencies that have the potential to affect the public health, including incidents where there is a release of biological or toxic agents.

DEVOLVED ADMINISTRATIONS (DA)

- 47 Each DA has its own civil protection and lead organisation arrangements. These vary according to the terms of local administrative arrangements. For incidents affecting site clearance operations the DA would implement their own response, lead department, decision-making and co-ordination arrangements in relation to devolved matters.
- 48 In Wales the WAG will coordinate the flow of information between the local level and UK Central Government through its Emergency Co-ordination Centre in Cardiff. There are arrangements in place to activate a Wales Civil Contingencies Committee which would be facilitated by the WAG. There is also a Wales media protocol established to coordinate media issues. There are also Welsh National Emergency Coordination Arrangements in place to facilitate the needs of any wide-area disruptive event in Wales.

49 In the event of an incident in Wales requiring a site clearance operation the WAG HR (Facilities and Emergencies) Division will:

- coordinate the gathering of information from the agencies involved;
- collect information on the incident and its effects for onward transmission to WAG Ministers and UK Central Government Ministers; and
- act as a focal co-ordinating point between UK Central Government and local SCG involved in responding to the incident(s).

ANNEX B

Glossary of Terms

Access Control Points

The Access Points at a perimeter of an area, which maybe physical or improvised, to cordon off an incident site.

Capability

A demonstrable capacity or ability to respond to and recover from a particular threat or hazard. Originally a military term, it includes personnel, equipment, training and such matters as plans, doctrine, and the concept of operations.

Capability Programme

The core framework through which the Government is seeking to build Resilience across all parts of the UK. The aim of the Capabilities Programme is to ensure that a robust infrastructure of response is in place to deal rapidly, effectively and flexibly with the consequences of civil devastation and widespread disaster inflicted as a result of conventional or non-conventional disruptive activity.

Catastrophic Incident

An incident of such a magnitude that it requires an exceptional response, including a requirement for full government involvement.

Control

The authority to direct strategic and tactical operations in order to complete an assigned function and includes the ability to direct the activities of other agencies engaged in the completion of that function.

Co-ordination

The harmonious integration of the expertise of all the agencies involved with the object of effectively and efficiently bringing the incident to a successful conclusion.

Cordon

Seal off the controlled area to which unauthorised persons are not allowed access and provides security for it.

Co-ordinating Group

A management Team comprising senior representatives of the emergency services and other agencies, which meets regularly to determine and review strategy and policy.

Devolved Administration

Scottish Executive, WAG and Northern Ireland Executive.

Forward Control Point

Each service's command and control facility nearest the scene of the incident – responsible for immediate direction, deployment and security.

HAZMAT

Hazardous materials.

Incident Control Point

The point from which each of the emergency services tactical managers can control their services' response to a land-based incident. Together, the incident control points form the focal point for co-ordination all activities on site. Also referred to as 'Silver Control'. In London, incident control points are grouped together to form the Joint Emergency Services Control Centre (JESCC).

Joint Emergency Services Control Point

Centre for the control of the movements and activities of all the emergency services' personnel and equipment.

LA Emergency Control Centre

LA operations Centre from which the management and co-ordination of LA incident support is carried out.

Lead Government Department

Department which, in the event of a given major emergency, co-ordinates central government activity.

Local Resilience Forum

A process for bringing together all the Category 1 and Category 2 responders within a local police area for the purpose of facilitating co-operation in fulfillment of their duties under the Civil Contingencies Act 2004.

Major Incident

Any emergency that requires the implementation of special arrangements by one or all of the Emergency Services, Local Authorities or Ambulance/Health Authorities.

Modal Regulations

The regulations governing road/rail, sea or air transport as appropriate.

Mutual Aid

An agreement between responders, within the same sector or across sectors and boundaries, to provide assistance with additional resources during an emergency which may go beyond the resources of an individual responder.

Recovery Working Group

A multi-agency group, usually led by the responsible LA, with representation from key agencies, and others involved in recovery and site clearance, including the local community, contractors and local businesses, water and health authorities with interests in the areas affected by the incident.

There is reference in various other guidance to other similar groups such as the Remediation Working Group, the Recovery Liaison Group etc. However the groups appear to perform a similar function.

Regional/Wales Civil Contingencies Committee

Regional (or pan-Wales) body which meets during an emergency when action or a response is required at a regional or pan-Wales level is required.

Regional Resilience Forum

A forum established by the government offices of the regions to discuss civil protection issues from the regional perspective and to create a stronger link between local and central government on resilience issues.

Senior Investigating Officer

The senior detective appointed by the senior police officer to assume responsibility for all aspects of the police investigation.

Strategic Co-ordinating Group (also known as Gold Command)

Strategy/Policy Group or Senior representatives from all agencies involved in a response to determine, review and amend overall strategy.

Tactical Level (also known as Silver Command)

A Tactical Level of management provides overall management of the response to an emergency. Tactical managers determine priorities in allocating resources, obtain further resources as required, and plan and co-ordination when tasks will be undertaken.

Temporary Storage Sites

Facilities where waste is unloaded in order to permit its preparation for further transport for recovery, treatment or disposal elsewhere. Identification of a site will need to be undertaken in consultation with the EA who will identify what authorisations are required.

The decision whether to establish a temporary storage site is the responsibility of the Strategic Co-ordinating Group in consultation with the relevant authority(s)/agency(s) responsible for the type and contents of the debris. The EA and HSE would be consulted in all cases.

Wales Resilience Forum

This Forum is a multi-agency group providing the mechanism for national multi-agency co-operation and strategic advice on civil protection and emergency planning at an all-Wales level.

ANNEX C

Further Reading: Core Guidance and Other Useful Publications

LINKS TO EXTERNAL SITE CLEARANCE RELATED GUIDANCE/INFORMATION

Document title	Summary/key points	Web link
Dealing with Disaster, Version 3	<ul style="list-style-type: none"> Core guidance for emergency planners and responders on UK arrangements. Offers guidance on basic principles which may be tailored to suit local conditions when incorporated into local arrangements. It includes the principles of Integrated Emergency Management, which are applied by those involved in dealing with a disaster and also the management policy and process framework. 	http://www.ukresilience.info/contingencies/dwd/index.htm
Emergency Preparedness	<ul style="list-style-type: none"> Guidance on Part I of the Civil Contingencies Act 2004, its associated Regulations and non-statutory arrangements. 	http://www.ukresilience.info/ccact/emergprepfinal.pdf
Emergency Response and Recovery (draft)	<ul style="list-style-type: none"> Replaces and updates guidance contained in Dealing with Disaster. 	http://www.ukresilience.info/ccact/
Home Office Strategic Guidance on the Decontamination of People Exposed to CBRN Substances or Material	<ul style="list-style-type: none"> Builds upon the principles enshrined within Dealing with Disaster and is designed to enable the emergency services, the military, local authorities, health professionals, and government departments and agencies to work together more effectively at an incident. Provides an agreed set of principles, common terminology, and a shared understanding of each organisation's roles and responsibilities to help responders deal more effectively with deliberate releases of dangerous material. 	http://www.ukresilience.info/cbrn/cbrn_guidance.htm
Home Office – The Release of Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material – Guidance for Local Authorities	<ul style="list-style-type: none"> Its primary purpose is to give local authorities an overview of the multi-agency response to a deliberate release of chemical and biological agents in the UK. However accidental releases, outbreaks of serious communicable diseases, contamination from overseas site clearance operations, even domestic spillages or leakages can produce equally severe consequences to manage and from which to recover. 	http://www.ukresilience.info/cbrn/cbrn_guidance.pdf
DEFRA – Strategic National Guidance – The Decontamination of the Open Environment Exposed to Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material	<ul style="list-style-type: none"> Primarily aimed at Local Authorities, who have the lead role in managing the recovery phase of a CBRN incident (the Police have the lead role during the initial emergency phase). States that the EA's role is to support and advise the LA and outlines basic recovery-phase decontamination principles, roles and responsibilities, and options. Refers to the establishment of a national decontamination and recovery service. 	http://www.ukresilience.info/cbrn/defracbrn-guidance.pdf

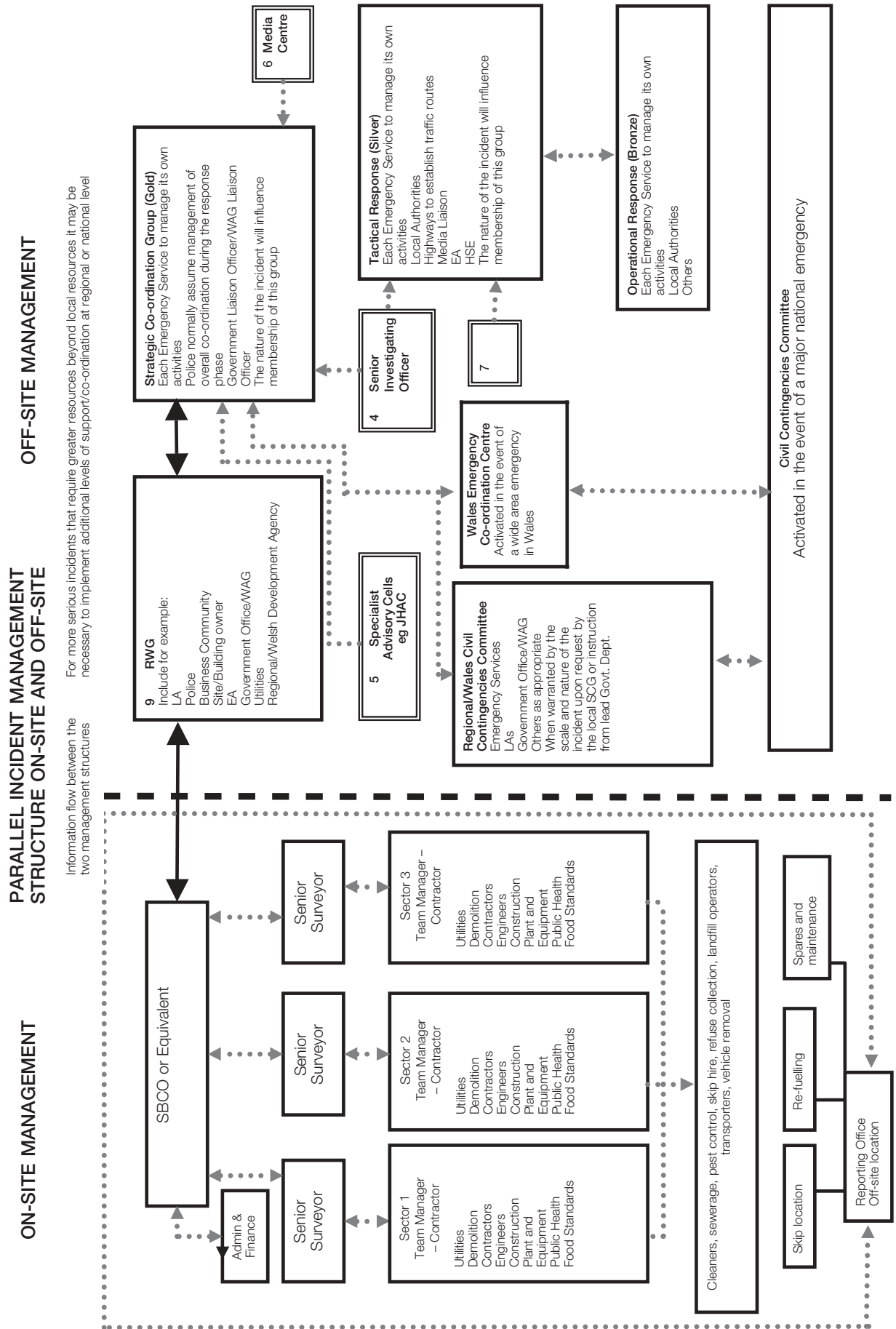
Document title	Summary/key points	Web link
Water UK Protocol for the Disposal of Contaminated Water	<ul style="list-style-type: none"> The purpose of this protocol is to ensure effective control and co-operation between the Emergency Services, Local Authorities, the Water Industry and the EA in England and Wales, the Scottish Environment Protection Agency in Scotland and the Northern Ireland Environment & Heritage Service in dealing with water based contamination site clearance operations, which involve the potential pollution of the environment, the disposal of waste and/or the release of radioactive substances. 	http://www.water.org.uk/home/policy/positions/disposal-contaminated-water
ODPM – Strategic National Guidance – The Decontamination of Buildings and Infrastructure Exposed to Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material	<ul style="list-style-type: none"> Primarily aimed at those who have the lead role in managing the recovery phase of a CBRN incident (the Police have the lead role during the initial emergency phase). The guidance is generic in view of the variety of potential incident types and of buildings and infrastructure that could be affected by a release of CBRN material. It provides a starting point for the development of plan to assist the in the decontamination and clean up of buildings which could be affected by the release of CBRN material. 	http://www.odpm.gov.uk/stellent/groups/odpm_fire/documents/downloadable/odpm_fire_028829.pdf
London Emergency Services Liaison Panel, Sixth Addition – Major Incident Procedure Manual	<ul style="list-style-type: none"> Primarily aimed at emergency services and local authorities. The manual provides summaries of the responses and responsibilities of each of the emergency services at a major incident. 	www.leslp.gov.uk/download.htm
Scottish Executive – Dealing with Disasters Together	<ul style="list-style-type: none"> Core guidance for emergency planners and responders on UK arrangements. Offers guidance on basic principles which may be tailored to suit local conditions when incorporated into local arrangements. It includes the principles of Integrated Emergency Management, which are applied by those involved in dealing with a disaster and also the management policy and process framework. 	www.scotland.gov.uk/library5/government/dealdisasters.pdf
Department of Trade and Industry – Interim Guidance from the EA on the Disposal of Radioactive Waste Arising from a Nuclear Accident	<ul style="list-style-type: none"> This guidance recommends the principles which apply for response to accidents at UK nuclear sites. It is beneficial in that the guidance can also apply to the recovery (ie:decontamination and clean-up) phase. 	www.dti.gov.uk/energy/nuclear/safety/meplg16.pdf
The University of British Columbia – Disaster Debris Management – July 1996	<ul style="list-style-type: none"> This document promotes the local development of a debris management plan as one of the most effective strategies to mitigate disaster impacts. The paper addresses roles and responsibilities, policy making, human factors, debris management, cost reduction and administrative procedures. 	http://www.ocipep.gc.ca/research/resactivites/emergMan/PDFs/1994-D016_e.pdf
Home Office and Cabinet Office Guidance on Dealing with Fatalities in Emergencies	<ul style="list-style-type: none"> Aims to inform and guide all responders who have key roles to play in responding to and planning for fatality incidents resulting from a major or catastrophic incident. 	http://www.ukresilience.info/contingencies/pubs/fatalities.pdf
Civil Contingencies Secretariat website	<ul style="list-style-type: none"> This website provides links to government and non-government sources on a wide variety of emergencies and crises that can affect the UK, plus emergency planning guidance and government information. 	www.ukresilience.info

Document title	Summary/key points	Web link
EA	<ul style="list-style-type: none"> The EA has responsibilities for the protection of air, land and water in England and Wales. The Agency will provide advice on the suitability of disposal sites to the multi-agency commander during the initial crisis phase of an incident, to the LA during the recovery phase and to Regional Resilience Teams as part of contingency planning. There is a considerable list of legislation for landfill and waste management issues further practical guidance and advice can be found through the EA link or contacting the EA representative through the LRF framework. 	www.environment-agency.gov.uk
The Environmental Services Association (ESA)	<ul style="list-style-type: none"> ESA represents the UK's waste management sector. The ESA provides essential waste and secondary resources management services to the public and private sectors. They are working closely with government, Parliament and regulators to bring about a sustainable system of waste management for the UK. 	www.esauk.org
National Federation of Demolition Contractors	<ul style="list-style-type: none"> The Federation aims to establish new and safe procedures for demolition and dismantling and associated works. It represents the industry on government and other authoritative agencies dealing with matters affecting the industry. 	www.demolition-nfdc.com
Guidance on the Transport of Dangerous Goods – Department for Transport	<ul style="list-style-type: none"> Any incident involving dangerous goods is potentially very serious, especially if it involves high consequence dangerous goods. That is why the Government is trying to make dangerous goods less vulnerable while they are being transported. 	http://www.dft.gov.uk/stellent/groups/dft_control/documents/contentservertemplate/dft_index.hcst?n=10449&l=1 http://www.dft.gov.uk/stellent/groups/dft_transsec/documents/divisionhomepage/030867.hcsp http://www.dft.gov.uk/stellent/groups/dft_shipping/documents/divisionhomepage/037324.hcsp
Military Aid to the Civil Community (MACC)	<ul style="list-style-type: none"> MACC is a phrase referring to the armed forces providing a service to the civilian community. It is used in many countries, particularly the <i>United Kingdom</i>. 	http://www.ukresilience.info/cgi-bin/htsearch?config=ukresil&words=MACC
ODPM publication on Precautions to minimise effects of a Chemical, Biological, Radiological or Nuclear Event on Buildings and Infrastructure	<ul style="list-style-type: none"> Provides generic guidance to building and infrastructure owners and managers on pre-planning measures to minimise the effects of a CBRN event whether deliberate or accidental. It complements the strategic national guidance on building and infrastructure decontamination published by ODPM in 2004. 	http://www.odpm.gov.uk/stellent/groups/odpm_fire/documents/page/odpm_fire_029042-05.hcsp
EnviroCentre – A report on the Demolition Protocol	<ul style="list-style-type: none"> A key aim of the project is to facilitate the planning system, both local and national levels, to require more effective resource management in demolition and new builds. 	http://www.londonremade.com/download_files/Demolition Protocol – Cover Sheet + Executive Summary – Final.pdf

Document title	Summary/key points	Web link
Guidance on Municipal Waste Management Strategies – March 2002	<ul style="list-style-type: none"> This document provides a framework for LAs to set out objectives and standards for service, policies and plans on how to achieve these, provide a framework for monitoring and evaluating progress and communicating these plans to government, key stakeholders, partners and the wider community. The guidance applies to all LAs in England. 	http://www.defra.gov.uk/environment/waste/management/guidance/mwms/pdf/mwms.pdf
Guidance on Municipal Waste Management Strategies in Wales – August 2002	<ul style="list-style-type: none"> This guidance, published jointly by the WAG and the Welsh Local Government Association advises local authorities in Wales on the production of municipal waste management strategies, improving the sustainability of waste management and meeting targets in the Wales waste strategy. 	http://www.wales.gov.uk/subienvironment/topics-e.htm#11

Incident Management Structure

ANNEX D



ANNEX E

Legislation and Regulation

This annex provides summary details of legislation and regulation likely to be relevant to site clearance operations. It is not intended to be exhaustive, nor should it be considered a substitute for authoritative legal advice.

LOCAL GOVERNMENT AND FINANCE

Section 138 Local Government Act 1972

Gives LAs power, in the event of an emergency or disaster involving destruction of or danger to life or property, to incur expenditure in taking action to avert, alleviate or eradicate the effects of the disaster. Does not provide any rights of entry.

Section 111 Local Government Act 1972

General power of LAs to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. Does not provide any rights of entry.

Section 2 Local Government Act 2000

Gives LAs general power to do anything which they consider is likely to promote or improve the “well-being” of their area (including economic, social and environmental). Again does not provide any rights of entry.

Section 76 Building Act 1984 – defective buildings

Where the buildings are in such a state as to be prejudicial to health or a nuisance and unreasonable delay would be caused by following procedure in section 80 of the Environmental Protection Act 1990, LA may serve a notice on occupier specifying the defect. LA may, 9 days later, execute such works as are necessary to remedy the defective state and recover costs.

Section 77 Building Act 1984 – dangerous buildings

Where a buildings is in such a state as to be dangerous the LA may apply to a Magistrates Court for orders that the owner execute such work as is necessary to obviate the danger, or restricting its use until further notice. No notice is expressly required

Section 78 Building Act 1984 – dangerous building – emergency measures

If a building is in such state as to be dangerous and immediate action is necessary to remove the danger this allows the LA to take immediate action to remove the danger. But may not cover all site clearance (for instance where it may not be a danger but still needs to be removed urgently)

Section 79 Building Act 1984 – Ruinous and dilapidated buildings

Where a building or rubble from a building’s collapse/demolition is in such a state as to be seriously detrimental to the amenities of the neighbourhood, LAs may require the owner to execute such works of repair (or at the owner’s election,

demolish the building and remove any resulting rubbish) or removal of rubbish as is necessary in the interests of amenity. The LA must give notice to the owner and state the time within which the works are to be executed.

Section 95 Building Act 1984 – Powers of Entry

Power to enter premises at all reasonable hours to investigate, undertake works or for any other performance of LA functions under the Act with the following restrictions:

- entry to premises other than a factory or workplace only on 24 hours' notice, unless a warrant is obtained; and
- immediate entry with a warrant signed by a justice of the peace in a case of urgency.

Section 99(2) Building Act 1984 – Enforcement notice

Section 99(2) enables the LA to execute works and recover expenses for carrying out such works if the person upon whom notice to carry out the works fails to execute the work within the time specified in the notice. A right of appeal exists under section 102.

Section 80 Environmental Protection Act (EPA) 1990 – Abatement notice

Where a LA is satisfied that a statutory nuisance exists under s79 of the EPA 1990, the LA must serve an abatement notice under s80. The abatement notice must require abatement, prohibition and/or restriction of the nuisance, and/or further works or steps necessary to achieve these ends, within a timescale. It is an offence to breach, or fail to comply with, an abatement notice, without reasonable excuse, punishable by a maximum fine of £5,000 for individuals and £20,000 for businesses through the magistrate's court. The notice is served on the person responsible for the nuisance, or the owner of the premises if the nuisance is caused by structural defects. There is a 21 day period in which a notice can be appealed. A defence of "Best Practicable Means" (BPM) is available to industrial, trade or business premises – i.e. the best available means are being used to control the nuisance, taking into account local conditions and circumstances, financial implications, legal duties, and health and safety at work. Private action is available under s82 of the EPA 1990 through the magistrate's court, where, if a statutory nuisance is found to exist, the magistrate will order an abatement notice. Powers of entry are provided by Schedule 3 of the EPA 1990. The LA may enter any premises at any reasonable time to check for statutory nuisance or undertake action or work, although 24 hours' notice should be given to residential premises. The LA may enter by force with a warrant if necessary.

Section 155 of the Local Government and Housing Act 1989

Permits the Secretary of State to establish a scheme for a payment of 'disaster grants' where an emergency or disaster has occurred involving destruction of or danger to life or property, and one or more local authorities incur expenditure. This power was transferred, in respect of Wales, to the National Assembly for Wales by Transfer of Functions order 1999, S.I. 1999/672.

The Pollution Prevention and Control Act 1999

Integrated Pollution Prevention and Control (IPPC) Directive builds on the present UK system of Integrated Pollution Control (IPC) but, as well as covering emissions to land, air and water, the Directive covers noise, energy efficiency, waste minimisation and site restoration. The primary purpose of the Directive is to prevent and control pollution arising from a defined range of activities, including certain waste management processes: landfill, incineration, hazardous waste treatment and other recovery processes. IPPC also controls new processes and industries.

The Pollution Prevention and Control Act 1999 implemented the Directive on integrated pollution prevention and control into UK legislation. The Act regulates activities capable of causing environmental pollution, preventing and controlling potentially polluting emissions. Permit conditions are set by the EA, based on Best Available Techniques (BAT) so as to achieve a high level of protection for the environment as a whole. The IPPC Regulations 2000 implement the EU IPPC Directive in England and Wales. Separate systems will be introduced to apply the IPPC Directive to Scotland, Northern Ireland and the offshore oil and gas industries. The European Commission is expected to issue a full report on implementation of the Directive shortly and the Directive will under go a full review in 2005.

Environment, Pollution and Waste

The Pollution Prevention and Control Regulations 2000

Pollution Prevention and Control is a regime for controlling pollution from certain industrial activities. The regime introduces the concept of Best Available Techniques (BAT) to environmental regulations.

Operators must use the BAT to control pollution from their industrial activities. The aim of the BAT is to prevent, and where that is not practicable, to reduce to acceptable levels, pollution to air, land and water from industrial activities. The BAT also aims to balance the cost to the operator against benefits to the environment.

The system of Pollution Prevention and Control is replacing that of Integrated Pollution Control and is taking effect between 2000 and 2007. The Pollution Prevention and Control regime implements the European Directive (EC/96/61) on integrated pollution prevention and control.

The Pollution Prevention and Control Regulations 2000 are being amended to provide a power of emergency direction.

Waste Strategy 2000

The Waste Strategy 2000 for England and Wales aims to improve waste management in the UK, by better use of natural resources, through waste reduction, re-use, recycling, composting and energy recovery. WS2000 also forms part of the UK's approach to meeting its EU legal obligations to produce a national waste strategy. It lays the foundations for a robust waste management sector able to meet future market challenges and legislative developments.

Wise about Waste: the National Waste Strategy for Wales (June 2002)

Wise about Waste published by the National Assembly for Wales in June 2002 replaced *Waste Strategy 2000* as the national waste strategy for Wales from that date. It sets out policies for Wales towards meeting obligations under United Kingdom and European legislation, and for leading to more sustainable waste management in Wales, by moving waste management up the waste hierarchy away from disposal in landfill to waste prevention and minimisation, recycling and composting.

EU: The Waste Shipments Regulation 1993. UK: Statutory Instrument No.1137/94, The Transfrontier Shipment of Waste Regulations 1994 and the UK Management Plan for Exports and Imports of Waste

The Waste Shipments Regulation controls the movement of waste, implementing the Basle Convention, the OECD Council Decisions on trans-frontier movements of waste, and the fourth ACPEEC Convention (Lomé IV). It sets up separate regimes governing shipments within the EU, imports to and exports from the EU, and transit shipments through the EU. Different requirements are laid down depending on the destination of the waste shipment, on whether the waste is destined for recovery or disposal, and, in the case of shipments for recovery, whether it is listed in the Annexes on the Green, Amber or Red list.

The Transfrontier Shipment of Waste Regulations 1994 implement the Shipments of Waste Regulations in the UK and also implement the Waste Framework Directive in respect of imports and exports of waste. The UK Management Plan for Exports and Imports of Waste is legally binding and sets out government policies on waste shipments, and prohibits the export of waste from the UK for disposal.

EU: The Waste Oils Directive 1975 (as amended) – This is mainly transposed through Hazardous Waste Legislation which is transposed into various pieces of domestic legislation. The Environmental Protection Act 1990 and the Hazardous Waste (England and Wales) Regulations 2005. Other parts of the Directive are implemented through water, air and landfill regulations

The Directive creates a harmonised system for the collection, treatment, storage and disposal of waste oils, without harming the environment. Member States are required to establish systems for the registration, permitting and supervision of activities involving the processing or disposal of waste oils. The highest priority for managing waste oils is given to regeneration, followed by combustion, then destruction or controlled storage or disposal. The directive prohibits the discharge of waste oils into waters or onto soil, as well as prohibiting uncontrolled discharge of waste oil residues and emissions to air, as a result of processing, in excess of permitted levels. The European Commission recently consulted on a review of the Directive with a view to possibly repealing it as most of its requirements are covered elsewhere in European legislation.

The Waste Incineration (England and Wales) Regulation 2002 – Implements the Waste Incineration Directive (WID). Transposed via the Pollution Prevention and Control Act 1999

The Waste Incineration Directive was adopted into European law in December 2000. This directive covers the incineration of hazardous and non-hazardous waste. The aim of the draft Directive is to prevent or – where that is not practicable – to reduce as far as possible environmental pollution caused by the incineration and co-incineration of waste. A reduction in emissions into the air, soil, surface water and groundwater is a primary aim of the Directive. Uniform emission limits (to air and

water) and control over solid residues are set and stringent operational conditions and technical requirements will be enforced.

The directive applied to new plants from 28 December 2002 and will apply to existing facilities from 28 December 2005.

The Landfill (England and Wales) Regulation 2002 and amendment Regulations 2004 – Implement the Landfill Directive. Transposed via section 2 of the Pollution Prevention and Control Act 1999

The Landfill (England and Wales) Regulations 2002, which came into force on 15 June 2002, is significantly impacting on waste management options in the UK. The Regulations transposed the Landfill Directive into UK legislation.

The Directive requires that:

- Sites will be classified into one of three categories: hazardous, non-hazardous or inert according to the type of waste they will receive. Higher engineering and operating standards will be followed;
- Hazardous liquids, flammable, corrosive, explosive, oxidising and infectious wastes are banned from landfill from July 2002;
- Non hazardous liquids will be banned from landfill between 2004 and 2007;
- Co-disposal – of hazardous and non-hazardous waste – will be banned from landfill from 16 July 2004;
- Whole tyres banned from landfill from 2003, and shredded tyres banned from 2006.
- Waste will be required to be treated prior to landfilling; and
- Operators must demonstrate that they and their staff are technically competent to manage the site, and have made adequate financial provisions to cover the maintenance and aftercare requirements.

The Directive also sets three progressive targets for Member States to reduce the amount of their biodegradable municipal waste (BMW) sent to landfill. Countries that currently landfill over 80% of their biodegradable municipal waste, such as the UK, are allowed 4-year derogations on these targets. The UK has indicated that it will use these derogations, which require the following maxima :

- 75% of total amount of BMW produced in 1995 by 2010;
- 50% of total amount of BMW produced in 1995 by 2013; and
- 35% of total amount of BMW produced in 1995 by 2020.

These reductions are being managed through the Landfill Allowance Trading Scheme which applies to municipal waste. Landfill allowances have been allocated to each waste disposal authority at a level that will enable England to meet its targets, as a contribution to the UK targets, under the Landfill Directive. Waste disposal authorities

can use the flexibilities of trading, banking and borrowing their allowances to meet their obligations under the scheme in the most cost effective way.

The Landfill (England and Wales) (Amendment) Regulations 2004 include Waste Acceptance Criteria, set out in the Landfill Directive, requiring the basic characterisation of waste (to include source and origin of waste, class of landfill at which waste may be accepted and evidence that it is not waste that is prohibited from landfill) – from 16 July 2005 waste which has not been characterised cannot be landfilled; compliance checking and on-site verification. Where waste is hazardous and it is intended for landfill disposal, it must go to a hazardous waste landfill permitted to receive it and be capable of meeting the waste acceptance criteria and the limit values for prescribed contaminants. The landfill operator and the EA would be able to offer advice in individual cases.

EU: The Waste Framework Directive – implemented through the Environmental Protection Act 1990 and the Waste Management Licensing Regulations 1994

The Waste Framework Directive lays down basic obligations for Member States for managing waste. The Framework Directive establishes a waste management hierarchy and requires Member States to adopt this hierarchy by encouraging, in order of priority:

- Prevention or reduction of waste production and its harmfulness; and
- Recovery of waste, including recycling, re-use or reclamation, or the use of waste as a source of energy.

Member States must ensure that the disposal and recovery of waste takes place in such a way as to prevent harm to human health or the environment and, in particular, without risk to water, air, soil, plants or animals. Furthermore, they must not allow waste disposal or recovery operations to constitute a nuisance through noise or odours, or adversely to affect the countryside or places of special natural interest. Member States must prohibit the abandonment, dumping or uncontrolled disposal of waste.

Member States must also establish an integrated and effective network of waste disposal plants, prepare waste management plans, ensure that those who produce waste have it handled properly, and ensure that waste recovery and disposal operations receive a permit or register a permit exemption. Professional waste collectors must be registered. Companies carrying out waste collection or disposal must undergo periodic inspections. Such companies must also keep records of the waste that they handle. The deadline for implementing the original Directive was 1977. Amendments to strengthen and clarify the original Directive came into force in 1993.

The Environmental Protection Act 1990 Primary. Implements the Waste Framework Directive. Also introduced some other domestic measures

The Environmental Protection Act 1990 is the main piece of legislation controlling the protection of the environment in all its forms, including air, land, waste and water. The main provisions of the act, in terms of waste management, include:

- Improved control of pollution arising from certain industrial and other processes through Integrated Pollution Control (IPC) and waste management licensing;

- Placing Duty of Care on those who deal with or manage controlled waste; and
- In terms of emergency provisions, there is section 57 and also section 59. There is also a defence under section 33 that, if prosecuted for illegal dumping of waste, could be used to argue that the deposit was made in an emergency.

Waste Management Licensing Regulations 1994

These regulations provide the regulatory framework for sites with a waste management licence. The regulations also provide a number of exemptions to waste management licensing for certain recovery and disposal (at place of production) activities.

The Environment Act 1995

Introduced legislative power to create the EA as the competent authority for environmental protection in the UK.

Hazardous Waste (England and Wales) Regulations 2005 and List of Wastes (England) Regulations 2005 implement the Hazardous Waste Directive and European Hazardous Waste List. Order making power is in the Environmental Protection Act 1990

The Hazardous Waste Directive (91/689/EC), which replaced Directive (78/319/EEC) on toxic and dangerous waste, introduced a precise and uniform definition of hazardous waste and promotes environmentally sound management of hazardous waste. A number of controls, additional to those laid down in the Waste Framework Directive (74/442/EEC), are imposed in respect of handling and disposal of hazardous waste. The Directive also established the key definitions of what constitutes waste, disposal and recovery.

The Hazardous Waste List incorporated in the European Waste Catalogue (2000/532/EC as amended) lists and defines categories of waste according to the nature of the waste or the activity which generated it. The list also defines the constituents and properties which make waste hazardous. The Hazardous Waste Directive and the Hazardous Waste List are implemented by the Hazardous Waste (England and Wales) Regulations 2005 and the List of Wastes (England) Regulations 2005.

The Hazardous Waste Regulations ensure the sound management of the most dangerous wastes from production to final disposal or recovery. A key feature of the Regulations is a consignment note system under which movements of hazardous wastes are tracked until they reach an appropriately licensed waste management facility and on to the point of disposal or recovery.

Hazardous Waste Incineration Directive – Environmental Protection Regulations 1998

The Directive sets out operating conditions and emission limit values for hazardous waste incineration plants. This Directive will apply to existing plants until 2005 when the Waste Incineration Directive (WID) comes into force. New hazardous waste facilities are governed by WID.

The hazardous waste incineration directive was transposed into UK legislation as an amendment to the Environmental Protection Regulations 1998.

The Animal By-Products Regulation 2003 and the Animal By-Products (Wales) Regulation 2003

These Regulations set down health rules concerning animal by-products not intended for human consumption. The Regulations introduce rules for the collection, treatment and disposal of animal by-products and catering waste, requiring changes in waste management procedures by both waste producers and waste managers. The Regulations also re-classify materials which were previously classified as catering waste as animal by-products.

The Regulations prohibit the disposal of most animal by-products to landfill, in particular raw meat and fish and “former foodstuffs of animal origin”. This is material that is no longer intended for human consumption from food retailers, manufacturers, wholesalers and distributors. This material is required to be disposed of by rendering, incineration, or by treatment in a composting or biogas plant. A transitional measure – until 31 December 2005 permits the continued use of landfill for former foodstuffs. This does not apply to raw meat and raw fish.

NB. Recent EC developments indicate that it is likely that the period of the transitional measure will be extended pending incorporation into the regulation and at the same time amended to allow pre-treated former foodstuffs that do not pose a risk to human and animal health to continue to go to landfill. Check DEFRA website for further updates. www.defra.gov.uk

Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991 Secondary – Order making power in the Control of Pollution (Amendment) Act 1989

Waste carriers are people who are registered to transport controlled waste by road, rail, air, sea or inland waterways. It is the responsibility of the EA to maintain registers of carriers.

The Food and Environment Protection Act 1985

DEFRA has a statutory duty to control the deposit of articles or materials in the sea/tidal waters with the primary objective of protecting the marine ecosystem and human health and minimising interference and nuisance to others. Part II of the Act requires that a licence be obtained from DEFRA to undertake any such deposit.

EC Groundwater Directive, implemented by the Waste Management Licensing Regulations 1994 and the Groundwater Regulations 1998

The Groundwater Directive, implemented by these Regulations, classifies groups and families of substances within two lists. Member states are required to prevent the introduction of those on List I into groundwater and to limit the introduction of those on List II to prevent pollution of groundwater.

OTHER LEGISLATION

Civil Contingencies Act 2004

The Act, and accompanying regulations and non-legislative measures, will deliver a single framework for civil protection in the United Kingdom to meet the challenges of the 21st century. The Act is separated into two substantive parts:

- local arrangements for civil protection (Part 1); and
- emergency powers (Part 2).

The purpose of Part 1 of the Act is to establish a new statutory framework for civil protection at the local level. This, together with accompanying guidance and regulations, will set out clear expectations and responsibilities for front line responders at the local level to ensure that they are prepared to deal effectively with the full range of emergencies from localised incidents through to catastrophic emergencies.

Part 2 of the Act provides emergency powers that allow the making of special temporary legislation to deal with the most serious of emergencies across the whole of the UK. It sets out a new definition of what constitutes an emergency appropriate to the 21st century, including terrorist attacks, contamination of land following a biological or chemical attack and loss of communication systems on which the country depends.

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 are proportionate to the aspect or effect of the emergency.

ANNEX F

Contractors: Types and Selection

- 1 Experience has shown that effective planning for site clearance often starts with the establishment of lists of a wide range of contractors whose services and equipment may be required to undertake or support the site clearance activity. These may include:
 - civil engineers;
 - structural engineers;
 - mechanical and electrical engineers;
 - construction and plant hire;
 - demolition;
 - decontamination;
 - asbestos removal;
 - specialist advisers ie. chemical, biological, radiological, nuclear, food etc.;
 - site security;
 - scaffolding and screening;
 - transport operators with vehicles suitable for removing large volumes of rubble or other debris (ie. tarped/covered);
 - major barge operators;
 - skips and containers;
 - heating and ventilation;
 - portable sanitation;
 - unexploded ordnance ie. sniffer dogs, portable analysis equipment to analyse powder etc.;
 - health and safety equipment provision ie. British Safety Industry Federation;
 - national glass companies;
 - utilities and communications;

- portacabins for temporary office accommodation;
- major carriageway and surfacing works;
- street cleansing, washing down sewers and waste collection;
- cleaning following a fatality (including delayed discovery), site or item contaminated by bodily fluids (ie. rubber gloves & organic vapour respirators);
- clearance of vermin and insects;
- clearance of general and decomposing household waste and rubbish;
- clearance of sewers and drains/mobile sewer cleaners;
- clinic waste collections by trained people;
- dumps and fly tip clearance;
- commercial wastes;
- waste transfer stations – for local and neighbouring boroughs;
- high volume pumps;
- heavy and medium duty support propping;
- drinking water restoration;
- contaminated land rectification; and
- military resources (but plans must not assume that these will be available if required).

SELECTING CONTRACTORS

- 2 When developing, maintaining and reviewing lists of suitable contractors relevant considerations include:
 - contractors should be pre-qualified in advance;
 - whether the contractor is registered with an authority representing the industry;
 - what measures have been taken to ensure that the contractor has appropriate access to sufficient suitable personnel, plant, equipment, expertise & knowledge;
 - whether the contractor is local, regional, national or multi-national;
 - capacity to handle multiple incidents;
 - whether equipment and resource availability are affected by seasonal variation;

- whether operators are supplied with their own personal protective clothing and respiratory equipment and have received training to deal with hazardous materials;
- evidence of previous involvement in site clearance activity;
- the type of incident they will attend. Not all contractors are prepared to attend an incident involving contamination or the clean-up of human remains;
- willingness to attend planning meetings and whether the contractor will charge for doing so; and
- the importance of ensuring that private contractors have a comprehensive knowledge and understanding of the roles, responsibilities, and capabilities of those statutory responders and representatives at an incident.

CONTRACT TYPES

- 3 When engaging contractors there are three main types of contract that are suitable for debris clean up operations:
 - the **Time and Material Contract** is extremely flexible and not scope dependent. However, it requires extensive documentation and close monitoring by designated staff. Previous experience indicates that because of the physical unknowns of the debris, as well as frequent interruptions for recovery of fatalities, work is best done on the basis of open-ended “time and materials” agreements, as opposed to the standard packaged bids;
 - the **Unit Price Contract** is suitable for debris removal and disposal operations when the exact quantity of debris is not known. The Unit Price contract requires accurate accounting of actual quantities of debris transported, measured in either cubic yards or tons. All trucks must be accurately measured and numbered. Trained full-time contract monitors are required to eliminate the possibility of contractor fraud; and
 - the **Lump Sum Contract** is easy to monitor when the scope of work is well defined. This type of contract is not well suited to scattered debris. It is more suitable for debris removal from a temporary debris management site to landfill, since the scope of work must be well defined. Monitoring is likely to be less resource intensive. There should also be provisions for time and material due to work stoppage.
- 4 A number of key issues need to be addressed when developing or letting a contract. These include:
 - responsibility for claims arising in connection with the operation of the plant and operator;
 - terms and conditions covering stoppages through causes outside the owner’s control, including bad weather or ground conditions;

- terms and conditions covering contractor operators in the event of illness/injury arising from site clearance;
- terms and conditions for contract termination;
- arrangements covering travelling time and fares for contracted personnel;
- arrangements for working night shifts; and
- arrangements for monitoring of work carried out

ANNEX G

Establishment of Temporary Site for Storage, Forensic Investigation, Sorting

- 1 Local EA representatives must be consulted on the suitability of and precautions required to protect the environment in respect of any proposal to establish a temporary site for this purpose.
- 2 Environmental issues to be considered during the identification and any subsequent use of temporary sites include:

SELECTION OF SITE

- 3 Where possible use a suitable licensed waste management site (in consultation with site owner); where waste is contaminated with radioactivity, undertake an appropriate radiological assessment and use a site authorised under the Radioactive Substances Act 1993.
- 4 Where an authorised site is unavailable, the following issues should be considered:
 - ***Sensitive environmental receptors***
Select site away from sensitive environmental features, eg watercourses, groundwater source protection zones, conservation sites (eg Sites of Special Scientific Interest)
 - ***Buildings***
Where possible store waste inside covered buildings which incorporate aerial emission containment/ dust suppression
 - ***Drainage***
Store waste on impermeable pavements with sealed drainage systems (to trap surface water run-off and firefighting run-off) and monitoring points.
 - ***Segregate wastes***
To reduce fire risk. A fire prevention plan is required.
 - ***Vehicles***
Any vehicles used to transport waste must be leak proof. Leak/spillage plans should be produced in the event of accidental release. Separate requirements for transport of radioactively contaminated material.

- **Nuisance**

Provide control and monitoring mechanisms for birds, vermin, insects, dust, odour, noise and litter.

- **Flooding**

Choose sites away from floodplain.

- **Records**

Records of waste in/out of the site need to be maintained.

5 Other key considerations include:

- **Capacity**

A balance needs to be struck between the level of assessed hazard/threat and volume of rubble or other debris for which temporary capacity may be required.

- **Security**

On the assumption that a 24/7 security presence will be required suitable domestic arrangements will be required to support this ie. staff rest area, toilets/showers. A building of modular construction may suit this purpose.

- **Access**

Whether the site is accessible by a variety of transport modes:

- Road
 - class of road access eg. trunk road etc.; and
 - risk of flooding that could prevent access to the site.
- Rail
 - distance from nearest railway station;
 - whether station has freight handling facilities and access; and
 - distance and location of nearest bulk railhead.
- River/Canal
 - whether site is accessible by navigable waterway;
 - availability of suitable vessels to transport rubble/debris by water; and
 - whether operational wharf is located or could be constructed at the site.
- Air
 - whether there is a hard core base helicopter pad at the site or suitable area for one to be constructed (if considered essential).

- **Designated forensic/sorting area**

Consideration should be given to inclusion of facilities for such tasks as:

- sorting and examination of large items, eg steel girders
- searching and sifting of larger debris/rubble
- searching and sifting of smaller debris/rubble.

As a consequence of recovery there will be a need to establish areas where items can be processed (examined and recorded) and stored, either temporarily or for the longer term pending the outcomes of investigation or identification processes.

- ***Materials Recycling Facility***

This structure could provide a covered zone sheltered from the elements and with controlled access
- ***Examination and storage buildings***

These could be modular in construction, with discrete areas for the following processes:

 - pathologist/forensic archaeologist/Disaster Victim Identification (DVI) examination;
 - cold storage (i.e. refrigerated lorry) for body parts;
 - forensic examination and photography;
 - forensic and DVI administration;
 - Forensic and property storage; and
 - Drying area for wet exhibits.
- ***Rest, briefing and decontamination buildings***

Again these could be of a modular construction close to but separate from other buildings with a 'dirty side' rest area divided by a decontamination area on the other side of which should be a clean rest area with briefing facilities.
- ***Equipment required in recovery areas***

Including:

 - Large items – Heavy lifting/moving/cutting plant to manipulate items for examination and storage
 - Larger debris/rubble – A heavy duty conveyer belt system with grader facility for finer debris. Two JCBs to load conveyer and move out, post-examination, debris of no significance
 - Smaller debris/rubble – Conveyer belt examination system and sifting machines.
- ***Storage area***

Ideally consisting of 'dexion' type racking on which plastic forensic storage boxes could be stored and a forklift truck to assist in transit of items on site.
- ***Establishment of pre and post-incident ground and other conditions***

Before, during and following completion of site activity, ground and aerial photographs should be taken, important features such as structures, fences, and landscaping should be noted. Representative soil samples should be taken as well as water samples from existing wells, streams etc. The site should be checked for volatile organic compounds. Consideration should also be given to the possible need to install a form of protective barrier on the site surface for environmental and/or health and safety reasons.

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