

Memorandum of Understanding

AGREEMENT BETWEEN DISTRICT COUNCILS AND THE COUNTY COUNCIL ON THE PROVISION OF EMERGENCY PLANNING AND RESPONSE SERVICES WITHIN CAMBRIDGESHIRE

1.0 Parties

Cambridgeshire County Council (County) and the District Authorities within Cambridgeshire (Districts) :
Cambridge City Council;
East Cambridgeshire District Council;
Fenland District Council;
Huntingdonshire District Council;
South Cambridgeshire District Council

2.0 Purpose of the agreement

To ensure a clear understanding of the way in which the County and District Councils will work together to deliver an effective emergency planning service within the framework of the Civil Contingencies Act 2004 and other relevant legislation as defined below.

3.0 Principles of the Service

3.1 This agreement relates only to arrangements for the discharge by the County Districts of their responsibilities for planning and responding to a civil emergency as required by the Civil Contingencies Act 2004. For the purposes of this agreement a civil emergency is defined as: -

“...An event or situation which threatens serious damage to human welfare in a place in the UK, the environment of a place in the UK, or war or terrorism which threatens damage to the security of the UK...”

(Civil contingencies Act 2004, Part 1, 1(1))

3.2 The Act recognises that the Districts have in place specific service arrangements for dealing with non-routine incidents which do not necessitate establishing integrated incident control arrangements, although other services may be advised where this is deemed appropriate.

3.3 In addition to the Civil Contingencies Act the following legislation also relates to the service:

Local Government Formula Spending Share directives 2004
The Civil Defence Regulations 1983
The Civil Defence regulations 1993
Pipeline Safety Regulations 1996
Control of a Major Chemical Hazard (COMAH) Regulations 1999.
Radiation Emergency Preparedness and Public Information Regulation
(REPPIR), 2001;

- 3.4 The Civil Contingencies Act 2004 states that all local authorities are classed as Category 1 Responders and will have the same statutory duties. Consequently, there is a risk that Category 1 responders may duplicate each other's work when, for example, carrying out their duty of risk assessment or providing warnings when an emergency occurs. The statutory guidance states:

'Regulations address these potential problems by permitting all those Category 1 responders whose functions are exercisable in relation to a particular duty (other than the duties to communicate with the public) to identify one of their number as lead responder. The lead responder is the Category 1 responder with lead responsibility for performing a given duty in relation to a given emergency, or an emergency of a particular kind, in that local resilience area.'

(Emergency Preparedness, Ch. 2, para 2.34)

The Guidance recognises that in some instances, responders will wish to put their co-operation onto a more formal footing, and enter into joint arrangements with other responders.

- 3.5 The Act requires local authorities (and other Category 1 Responders) to undertake:
- Risk assessments
 - Emergency planning
 - Communicating with the public
 - Business continuity management
 - Co-operation (with other Responders)
 - Information sharing
 - Advice & assistance to business and voluntary organisations.

- 3.6 The main duties of the Act fall equally on all those Category 1 responders whose functions are likely to be seriously obstructed by an emergency or who would consider it necessary or desirable to take action to deal with the emergency through a special deployment of resources. The parties recognise that in exercising their duties under the act there is a risk of duplication and as such agree to the principle of identifying one of their number as lead responder.

3.7 In February 2005 the Chief Executives Liaison Group (CELG) endorsed the principle of exercising responsibilities on a joint approach basis through the establishment of a combined Local Authority Emergency Planning Team. The new team would utilise the existing structure of the County Council Civil Protection Team (CPT) and its officers as the vehicle to deliver the majority of the responsibilities of local authorities within Cambridgeshire as required under the Civil Contingencies Act.

3.8 In order for authorities to provide the staffing necessary to undertake the enhanced duties detailed in the Act central funding arrangements have been changed to reflect the additional costs that individual local authorities will sustain. The parties to this MoU agree that the CPT will have to be expanded in order to comply with its new remit. An analysis of the additional resources required has been carried out and the related costs have been agreed.

4.0 Definition of the Service

4.1 Under the terms of this MoU the CPT, agrees to act as the lead responder for and on behalf of the Districts providing a series of services in compliance with a number of the duties specified for local authorities under the Civil Contingencies Act 2004.

These services are detailed in two annexes which form an integral part of this MoU as described below:

- Annexe A relates to the duties of the CPT;
- Annexe B relates to the duties of the Districts;

5.0 Responding to an Emergency

5.1 Given the extreme importance attached to providing an effective response in an emergency, the roles of the County and Districts are clarified as follows.

5.2 *The County will: -*

1. Assume responsibility for the co-ordination of the local authority response and the Management of Gold Control (where responsibility is not vested in the Police), for any civil emergency of a national or regional nature, and on request from the Districts for any emergency extending beyond the boundary of the District Council into one or more Cambridgeshire Districts.

2. Support the Districts in the control and co-ordination of the local authority response for any civil emergency contained within the administrative boundaries of the Districts *except* where scale of the incident overwhelms the District resources and the District requests the County to assume the lead responder role. In these circumstances the County Council will co-ordinate the Local Authority response subject to mutual agreement.
3. Facilitate debriefing sessions for any civil emergency occurring within the County.

5.3 *The Districts will: -*

1. Establish control and co-ordination arrangements for the District's response to any civil emergency extending beyond the boundary of the District, into one or more other Cambridgeshire districts area and integrate with such control and co-ordination arrangements established by the County Council.
2. Assume responsibility for the control and co-ordination of the local authority response for any civil emergency contained within the administrative boundaries of the District *except* where such an emergency clearly overwhelms, or has the potential to overwhelm, the resources of the district in question. In this event the County will assume control and coordination on request from the district, subject to mutual agreement.

6.0 Reporting arrangements

- 6.1 The CPU will provide the Districts with a report at the Local Resilience Forum twice a year setting out:
 1. summary of incidents which have occurred and response provision;
 2. details of training undertaken;
 3. service developments by workstream area *cf* 3.5
 4. update on national developments;
 5. update on the work of principal working groups (C&PRF, JESLP etc).

7.0 Funding arrangements

7.1 The following contributions have been agreed as necessary for the funding of the combined local authority team:

County Council	£218,404
Cambridge City Council	£22,266
East Cambridgeshire	£13,990*
Fenland	£15,856
Huntingdonshire	£23,000
South Cambridgeshire	£22,475

* This excludes an additional contribution for which separate arrangements have been made.

7.2 Financial contributions will be paid at the commencement of each financial year and will be increased in line with the Retail Prices Index.

7.3 In order to provide continuity of funding for the staff posts the contributing local authorities agree that should they wish to reduce or withdraw their funding contribution then they should give 12 months notice. The joint local authority team will be employed and managed by the County Council acting on direction and guidance from the CELG.

8.0 Liability

8.1 The CPT will comply with the regulations laid down by the Civil Contingencies Act and, with specific reference to its role as lead Category 1 responder, will:

- a) take the lead responsibility in the Cambridgeshire local resilience area;
- b) consult the Districts (i.e. non-lead Category 1 responders) in the performance of its duty;
- c) keep the Districts informed about how it is fulfilling the duty;
- d) as far as reasonably practicable, obtain approval from the Districts for the way it is performing its duty.

8.2 The Districts undertake, within timescales agreed with the CPT, to :

- a) co-operate with the CPT in the performance of the duty;
- b) provide information to the CPT which will assist in performance of the duty; and
- c) assist the CPT in any exercises, training or tasks in connection with the duty.

- 8.3 Any liabilities arising from involuntary omission or non compliance with the requirements of the Act will fall on a joint basis to the County and Districts party to this agreement .
- 8.4 Any liability or damage resulting from failure to comply with any regulation on the part of a responder, lead or non-lead, will remain the responsibility of the responder(s) who is (are) accountable for the omission.

9.0 Term of Agreement

- 9.1 This agreement shall be effective from the 1 April 2005 and will run until terminated by either party on the service of twelve months notice.
- 9.2 The agreement may be modified by mutual agreement.

ANNEXE A

SERVICES TO BE PROVIDED BY
CAMBRIDGESHIRE COUNTY COUNCIL
CIVIL PROTECTION TEAM

Service Area	Description
<p>Local responder Risk Assessment duty</p>	<ul style="list-style-type: none"> • The CPT will lead on the production of a Community Risk Register (CRR) collating and providing local authority input to the <i>Joint Agency Resilience Team</i> (JART) to conduct risk assessments using templates provided by the Statutory Guidance and prepare the CRR in accordance with this. <p><i>More specifically the CPT will:</i></p> <ul style="list-style-type: none"> ~ <i>act as co-ordinating agency for risks assigned to local authorities;</i> ~ <i>analyse risk, likelihood and impact and translate into accepted format for the register as per CCA guidance and industry best practice;</i> ~ <i>feed any relevant information back to Districts enabling them to incorporate such assessments into their documentation;</i> ~ <i>provide guidance and assistance in obtaining any data required from districts in the formulation of the CRR ;</i> <p><i>The outline timetable for the production of version 1 of the CRR is :</i></p> <p><i>April 05 - Initial CRR strategy meeting</i> <i>- Districts provide County with details of their risk sites with assessments where available</i></p> <p><i>April 05 - CPT to meet with JART monthly to update on progress/</i> <i>to Nov 05 project schedule. CPT Lead officer to liaise with all agencies</i></p> <p><i>November 05 – presentation of CRR V.1</i></p> <p><i>April 06 – Information from CRR will be fed into emergency planning workstreams</i></p> <ul style="list-style-type: none"> • The CPT will provide input to the <i>Regional Risk Register</i>.

<p>Emergency Planning</p>	<p><i>PLANNING & TRAINING WORK PROGRAMMES WILL BE SET BY THE C&PRF</i></p> <ul style="list-style-type: none"> • Lead on the development of the following plans with input from JART: <ul style="list-style-type: none"> ○ COMAH plans ○ Rest Centre Protocol (County Activation Arrangements) ○ Cambridgeshire & Peterborough Emergency Directory ○ Flood Plan ○ Temporary Mortuary Plan (County and input to Regional plan) ○ Mass Evacuation Plan ○ Mass Casualty Plan ○ Fuel Supply Disruption Plan ○ Pipelines Plan ○ CBRN Plan <p>The CPT will review the above plans annually.</p> <ul style="list-style-type: none"> • Support the Safety Advisory Groups • Formulate and provide input into Regional Capabilities Programme. • Develop, deliver and fund local training programme.¹ • Send & fund training costs of up to 3 officers per district to the Emergency Planning College.² • Send County staff to Emergency Planning College. • The CPT will act on behalf of the Districts in the planning and delivery of any joint services or cross boundary exercises.
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<p>Communicating with the public</p>	<p><i>C&PRF SET WARNING & INFORMING WORK PROGRAMMES</i></p> <ul style="list-style-type: none"> • Work with Joint Emergency Services Liaison & Planning Committee to agree lead responsibilities for specific hazards. • Develop and distribute information to the public. • Maintain website with guidance and CRR. • Provide input into other agency systems e.g Floodline. • Maintain FLOWS electronic Drainage Database. • Maintain WARMS (Warning Alarm Radiation Monitoring System) system. • Arrange promotional seminars. • Produce and/or coordinate material for schools and libraries. • Represent districts in the input to a Regional Alert System. • Support JESLP Media Group and Regional Media Emergency Forum. • Activate Inter Agency Gold Media group in event of incident requiring multi agency media input and coordinate local authority media response. • Link to regional and national warning systems. • Maintain access to GIS database (Geographical Information System). • Maintain other databases relative to area of warning & informing.³
<p>Business Continuity Management</p>	<ul style="list-style-type: none"> • Provide guidance/best practice for all local authorities. • Develop and/or facilitate exercises to test plans. (annually)
<p>Co-operation with other responders</p>	<ul style="list-style-type: none"> • Provide professional support / input to Local Resilience Forum subgroups. • Maintain Military Liaison. • Maintain SPOC pager system⁴ and provide assistance and Major Incident support to Districts when requested eg the scale of incident exceeds district capabilities.⁵ • Co-ordinate local authority response to county / multi district incidents. • Chair and Secretary to JESLP & C&PLRF providing secretariat services as necessary.

	<ul style="list-style-type: none"> • Arrange for a CPT officer to attend Duxford Flying Days • Provide named link officer for each local authority.⁶ • Facilitate incident debriefs and dissemination of learning points. • Attend Regional Resilience Forum Support Group and provide representation on other regional groups as requested. • The CPT will brief new members of staff appointed to the District's Emergency Staff Structure on their emergency planning role within four weeks of being notified by the District. • The CPT will chair and provide secretariat services to the Emergency Planning Co-ordination Officers (EPCOs) meetings, which are to be held prior to the JESLP meetings.
Information Sharing	<ul style="list-style-type: none"> • Provide and collate information as required by other agencies and Government. • Develop document control and security vetting arrangements. • The CPU will maintain liaison with the Cabinet Office, Home Office, Local Government Association, Emergency Planning Society and other bodies deemed appropriate.
Business Continuity advice & assistance to business and voluntary organisations	<ul style="list-style-type: none"> • Produce and disseminate guidance information. • Maintain web site with guidance and CRR. • Arrange and fund promotional seminars. • Offer exercise facilitation service to local businesses on a cost recharge basis. • Collaborate with/assist the districts in any BCM promotion they carry out.
Other	<p>b) undertake audits of Key Systems in accordance with a programme set by the C&PRF;</p> <p>b) through the auspices of the C&PRF, consult with the District Council when formulating its spending proposals and Service Plan for each financial year.</p> <p>c) provide the District Council with any performance information it may reasonably require to enable it to satisfy the reporting arrangements imposed by a government department or statute.</p>

Notes

¹ Training for the District Council's Emergency Staff Structure Officers will fall into two categories:

- training to enable the officers to undertake their ordinary duties in extraordinary circumstances;
- training to develop specialist skills which will usually only be required in an emergency situation e.g. managing a rest centre, operating emergency communications system.

The CPT will assist the Council to identify its training needs

In addition to training for officers it is recognized that the District Council may also request training for its elected members. The CPT will endeavour to assist if requested subject to resources and availability.

² The CPT will support the Council in arranging and facilitating external training sessions for the District Council's staff where local training resources are deemed to be inappropriate. The CPT will meet the cost of the up to three external courses to the Emergency Planning College. District Officer time, travel and expense costs will remain the responsibility of the District Authority.

³ The CPT will maintain the following registers and notifications and make information available to the Council:-

1. NIHHS (Notifications of Installations Holding Hazardous Substances);
2. COMAH (Control of Major Accident Hazards);
3. Pipeline Safety Regulations;
4. NAIR (National Arrangements for Incidents involving Radiation);
5. LAESI (Local Authority and Emergency Services Information on Nuclear Weapon Transportation Contingency Plans).

⁴ SPOC (Single point of contact for the emergency services use) enables the emergency services to contact the District Council's pager holder out of hours (and simultaneously the named CPT officer); Full details of the system are included in the Activation Protocol held by the Districts and available on request. The CPT will provide a pager, or similar, for use by the Council as part of the SPOC procedures.

⁵ A CPT Officer (or reserve) will be on call at all times to support the Council in the event of an emergency. The Officer, at the request of the Chief Executive, will act as a Staff Officer for the Chief Executive of the Council and as a point of contact to access County Council resources. The named Officer will not be empowered to commit District Council Resources. The CPT will also ensure that officers from the County Council departments are available to join the District Council's Emergency Management Team as required.

⁶ A named CPT Officer will be allocated to work with the Council (but not exclusively) to assist with the preparation of plans and the training of its Emergency Staff Structure Officers. The named officer will be the point of contact for the Council to access the CPT services. The named officer will not be changed without prior consultation with the Council. When the named Officer is on leave other members of the CPT will maintain support for the Council.

Communication with the CPU named officer will be maintained through:

- ~ (during office hours) phone at the CPU;
- ~ pager;
- ~ mobile phone;
- ~ fax;

ANNEXE B

SERVICES TO BE PROVIDED BY THE DISTRICT COUNCIL

The District Council recognises the crucial role it plays in the immediate response to a major incident and undertakes to:

- a) Ensure that an effective Emergency Management team is established and that the appropriate senior staff are made aware of their emergency management responsibilities.
- b) Develop strategies to maintain services during the period of the emergency incident.
- c) Make available staff to provide an operational response including the provision and management of rest centres.
- d) On request to use its best endeavours to make resources available to support other C&PRF authorities, subject to appropriate reimbursement of costs.
- e) Provide accommodation as necessary to enable the services set out in this agreement, to be provided, this includes the provision of an Emergency Centre/Incident Room.
- f) Provide to the CPT any performance information it may reasonably require to enable it to satisfy any reporting arrangements imposed by a government department or statute including the completion and return of CPT Performance Questionnaires.
- g) Comply with its duties as a non lead Responder as described in the table below:

Service Area	Description
Local responder Risk Assessment duty	Provide information from Planning and Environmental Health services.
Emergency Planning	<p>Prepare District Activation Plan⁺ in consultation with the CPT designated officer ensuring that the two authority plans dovetail.</p> <p>Prepare District Rest Centre Plan in accordance with the County Rest Centre plan.</p> <p>District Emergency Planning Officers to provide consultative input on draft plans prepared by CPT</p> <p>Districts to encourage and enable staff to attend local training courses.</p> <p>Send selected District staff to Emergency Planning College. Fund if necessary the provision of extra courses where 4+ officers are involved</p> <p><i>⁺ Districts can refer to the CPT activation plan for reference if they wish</i></p>
Communicating with the public	<p>Distribute information through offices.</p> <p>Provide web link to District site.</p> <p>Input into other agency systems e.g Floodline.</p> <p>Support JESLP Media Group if requested</p> <p>Develop contacts and warning arrangements with local sites e.g. Shopping Centres.</p>
Business Continuity management	Prepare and maintain District Council Business Continuity Management Plan.
Co-operation with other responders	<p>Co-ordinate local authority response to district incidents where scale allows.</p> <p>Designate and provide pager holder as per SPOC reciprocal response arrangements.</p> <p>Provide representative to attend Emergency Planning Officer meetings and any other relevant groups. A broad commitment of up to 12 attendances per year is expected .</p> <p>CEX or Director to attend C&PRF.</p> <p>EPCO to attend Duxford Flying Days. (SCDC only)</p> <p>Provide EPCO[*] as link to combined team.</p>
Information	Provide information as required by other agencies and Government.

Sharing	Implement document control arrangements.
Advice & assistance to business and voluntary organisations	Distribute information through offices. Provide web link from District site.

*** EPCO (Emergency Planning and Coordination Officer) ~ Role description**

1. The EPCO provides a vital link between their organisation eg the District Council and the CPT in both day-to-day activities and during an emergency.
2. EPCOs provide advice and co-ordinate staff within the District to attend training and exercises. In consultation with the CPT the EPCO establishes and identifies training for the District Council and plays a key role ensuring the training is attended and effective.
3. They play a significant role in offering a thorough understanding of the District, its role, and its staff and the ability to apply this knowledge to issues relating to responding to an emergency.
4. Part of the role of the EPCO is to work closely with the CPT to ensure Emergency Planning remains on the day-to-day agenda.

Advisor to DEMENT

5. They are to keep their CEX informed on emergency planning matters to ensure they are effectively briefed when attending C&PRF.
6. They are to provide an advisory role to the CEX during an emergency and as such need to remain at a strategic level with the DEMENT. They should resist strongly any requests for them to attend the scene.
7. The role provides a conduit into/out of the district to the CPT and should be viewed as an essential partnership tool between the CPT and the Emergency Planning Co-ordinating Officer.

Activation of the District Council

8. The EPCO as a pager holder provides a vital link between the Emergency Services and the District during a Major incident. The EPCO will be alerted to a Major Incident through the Pager and will activate the District Council as necessary.