



Office for
Nuclear Regulation

ONR Assessment Report

**Capability and Governance Arrangements of
West Berkshire District Council as a REPPiR duty
holder**

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Executive Summary

The Office for Nuclear Regulation (ONR) seeks assurance that West Berkshire District Council (WBDC) has adequate resources and capabilities to meet its obligations under The Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPiR). A regulatory issue was raised by ONR (RI 10700):

“ONR has concerns that West Berkshire District Council does not have sufficient capability, capacity and resilience within the Emergency Planning unit to ensure that AWE's Off-Site emergency plan can be maintained sufficiently.”

This Assessment is consolidating the outcomes of a series of interventions carried out with WBDC which sought assurance of the ability of WBDC to appropriately deliver their REPPiR responsibilities. Over the course of four interventions the vulnerabilities with WBDC were explored as well as the improvements required by WBDC to deliver their responsibilities, and by the final intervention the council provided ONR with confidence that their capability and capacity was maturing. The successful completion of exercise ALDEX23 (the test of the WBDC off site emergency plan) on 24 April 2023 further demonstrated that council was able to deliver its obligations under REPPiR.

The four interventions and successful delivery of the off-site emergency exercise provided the evidence that WBDC now is able to fulfil its responsibilities under REPPiR 19.

My recommendation is:

- Close the Regulatory Issue based on the interventions carried out with WBDC, and the successful delivery of the off-site emergency exercise.

List of Abbreviations

DEPZ	Detailed Emergency Planning Zone
JEPU	Joint Emergency Planning Unit
MOD	Ministry of Defence
OGD	Other Government Departments
ONR	Office for Nuclear Regulation
REPPIR	The Radiation (Emergency Preparedness and Public Information) Regulations 2019
SAP	Safety Assessment Principle(s)
TAG	Technical Assessment Guide(s)
WBDC	West Berkshire District Council

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1. Introduction

1. ONR developed a strategy for oversight of the REPP19 arrangements concerning the AWE's Detailed Emergency Planning Zones around both sites (Aldermaston and Burghfield) [1]. The strategy has three legs, enhanced attention on WBDC to seek assurance of the adequacy of the offsite emergency plan; Proactive engagement with AWE about the plutonium coefficient change, and engagement with MOD and OGDs to ensure that the adequacy of emergency plans is considered during planning applications. This assessment note concerns the first of these legs about the adequacy of WBDC in providing the capacity and capability to deliver the offsite emergency plan within the context of the ongoing challenges to the Detailed Emergency Planning Zone (DEPZ).
2. The Office for Nuclear Regulation, as the enforcing authority for REPP19 [2], seeks assurance that West Berkshire District Council (WBDC) has adequate resources and capabilities to meet its obligations under REPP19. A regulatory issue was raised by ONR (RI 10700):
3. "ONR has concerns that West Berkshire District Council does not have sufficient capability, capacity and resilience within the Emergency Planning unit to ensure that AWE's Off-Site emergency plan can be maintained sufficiently."

1.1. Scope

4. A series of four interventions were carried out to explore WBDC's arrangements for producing, reviewing, and testing the AWE off-site emergency plan. These focused on whether the Emergency Planning Team has sufficient resource, capability and resilience, the adequacy of their governance arrangements and management oversight, as well as conflicting demands between development and emergency planning noting the conflict within the Council with their planning departments that is under pressure to permit development. In achieving this objective, ONR sought answers to the following questions:
 - How does WBDC ensure that it has adequate organisational capability to produce, review and test the AWE off-site emergency plan?
 - How resilient are the resources and capabilities of WBDC to produce, review and test the AWE off-site emergency plan?
 - How effective are WBDC's arrangements for ensuring there is adequate succession planning for staff in key REPP19 compliance roles?
 - How does WBDC manage risks to the delivery of its duty to produce, review, and test the AWE off-site emergency plan?

- How effective are the arrangements for the cooperation with local authorities for the purpose of reviewing and testing the AWE off-site emergency plan?
5. This assessment note provides a summary of the interventions and considers the evidence provided that can be used to close the Regulatory Issue (RI 10700). Assessment was undertaken in accordance with the requirements of the Office for Nuclear Regulation (ONR) Management System and follows ONR's guidance on the mechanics of assessment, NS-TAST-GD-096 [3]. The ONR Safety Assessment Principles (SAPs) [4], together with supporting Technical Assessment Guides (TAGs), have been used as the basis for this assessment. This is an Other Report (refer to NS-TAST-GD-108 [5]).

2. ONR Assessment

6. This Assessment is consolidating the outcomes of a series of interventions carried out with WBDC which sought assurance of the ability of WBDC to appropriately deliver their REPIR19 responsibilities. Over the course of the four interventions the vulnerabilities with WBDC were explored, and by the final intervention the council was in a much better position and the successful completion of Exercise ALDEX23 demonstrate that WBDC can deliver their REPIR19 responsibilities. A summary of the four interventions are shown in Appendix A, along with the summary from Exercise ALDEX23. The intent is to use this assessment note to support closure of the regulatory issue.
7. A summary of the evidence supporting the Intervention Scope questions are presented in the subsections below.

2.1. Organisational Capability

8. **How does WBDC ensure that it has adequate organisational capability to produce, review and test the AWE off-site emergency plan?**
9. Over the course of the four interventions this was discussed and over the 12 months Joint Emergency Planning Unit (JEPU) has increased the size of the team, developed mechanisms for organising the team such that work is allocated on complexity and know-how, alongside training and development for new team members. The workload of the team has been unprecedented in recent times due to the death of the Queen, the coronation, asylum seekers, the Hollies Appeal and asylum seekers; despite these workload challenges the team were able to successfully test the off-site emergency plan during Exercise ALDEX23.
10. Senior leaders in the council provided ONR with assurance that the importance of maintaining team competence was recognised and that funding was assured for the medium term (~2 years).

2.2. Resilience

11. **How resilient are the resources and capabilities of WBDC to produce, review and test the AWE off-site emergency plan?**
12. The JEPU team has increased in size, and reorganised such that they are able to task work based on competence and experience. The team is still very reliant on [REDACTED], but arrangements were described that should develop new members of staff such that they can support this. Additionally, the reorganisation of the team provides promotion routes that WBDC hope will assist in the retention of staff, and ultimately resilience.

2.3. Succession Planning

13. **How effective are WBDC's arrangements for ensuring there is adequate succession planning for staff in key REPPiR compliance roles?**
14. See above.

2.4. Risk Management

15. **How does WBDC manage risks to the delivery of its duty to produce, review, and test the AWE off-site emergency plan?**
16. After the 2nd intervention, WBDC provided a service improvement plan (also known as the "focussed work plan") to ONR, this was a very broad task sheet that demonstrated the breadth of work, as well as the quantity of work. At the 4th intervention, WBDC stated that they used the service improvement to develop the business case for more resource and to reallocate tasks where appropriate (e.g. removing budget and asylum issues from the emergency planning team's area of responsibility).

2.5. Co-operation

17. **How effective are the arrangements for the cooperation with local authorities for the purpose of reviewing and testing the AWE off-site emergency plan?**
18. The actions taken were described by the senior managers about the liaison with other local authorities. Additionally, Exercise ALDEX23 provided a test of this, and no significant problems emerged.

2.6. Other Observations

19. Further observations of relevance are:
 - Emergency planning issues are receiving attention at the appropriate level in the council;
 - The JEPu team is now fully resourced, and that arrangements are in place to develop competence of new teams members;
 - The JEPu team has been reorganised such that supervision and allocation of work is determined by experienced people, which means that priorities and work allocation is appropriate to the skills available;
 - Assurance that the resource issues are now receiving the attention warranted and that funding is assured for the next two years; and
 - WBDC is responsible for ensuring public safety.

20. The LMfS SAP Capable organisation (MS.2) states that ‘the organisation should have the capability to secure and maintain the safety of its undertakings’, within the context of REPPiR19 this means that the local authority needs the ability to develop, maintain and test the off-site emergency plan. To achieve this the local authority needs to provide adequate capabilities, including the development of adequate written emergency arrangements and procedures which are complete, up to date and readily available. Due to the nature of AWE and recent changes the requirement to keep this up to date, alongside the other demands of JEPu, is a significant burden. The four interventions and successful delivery of the off-site emergency exercise provided the evidence that WBDC now is able to fulfil its responsibilities under REPPiR 19.

3. Conclusions and Recommendations

21. The four interventions and successful delivery of the off-site emergency exercise provided the evidence that WBDC now is able to fulfil its responsibilities under REPPiR 19.
22. My recommendation is:
 - Close the Regulatory Issue based on the interventions carried out with WBDC, and the successful delivery of the off-site emergency exercise.

References

- [1] ONR, "ONR Strategy regarding AWE's Detailed Emergency Planning Zones," 2022/15011, 2022.
- [2] ONR, "Radiation (Emergency Preparedness and Public Information) Regulations 2019," 2022.
- [3] ONR, "NS-TAST-GD-096 - Guidance on Mechanics of Assessment," 2020.
- [4] ONR, "Safety Assessment Principles (SAPs) for Nuclear Facilities - 2014 Edition (Revision 1)," 2020.
- [5] ONR, "NS-TAST-GD-108 - Guidance on Production of Reports for Permissioning," 2022.

Appendix 1 – Relevant SAPs Considered During the Assessment

SAP No.	SAP Title
MS.1	Leadership Directors, managers and leaders at all levels should focus the organisation on achieving and sustaining high standards of safety and on delivering the characteristics of a high reliability organisation.
MS.2	Capable organisation The organisation should have the capability to secure and maintain the safety of its undertakings.
MS.3	Decision making Decisions at all levels that affect safety should be rational, objective, transparent and prudent.
MS.4	Learning from experience Lessons should be learned from internal and external sources to continually improve leadership, organisational capability, safety decision making and safety performance.

Appendix 2 – Summary of Intervention Contact Reports

Intervention 1 – Proactive capability assessment for assurance of compliance with REPIR 2019 (ONR-TD-CR-21-484) March 2022 (2022/25366)

At the start of intervention 1 WBDC acknowledged that the capability and capacity of the Joint Emergency Planning Unit (JEPU) Team was inadequate, and that services were only being delivered by extended working hours [REDACTED]. Plans were being developed to increase team resilience, but due to the competence needs as well as the capacity required to train that this could not be implemented quickly.

Conflict of interest and change in council leadership lead potentially to the risk from a radiological event not being adequately appreciated, and that conflicts from development and emergency planning may not be appropriately resolved.

Intervention 2 - Proactive capability assessment for assurance of compliance with REPIR 2019 – meeting with Council Senior Leaders, July 22, ONR-TD-CR-22-143, 2022/43244

The second Intervention sought assurances that council's senior management recognised the importance of REPIR and the council's role in compliance with the arrangements, as well as the emergency planning risks. The council shared their service improvement plans, and provided ONR will confidence that JEPU will be funded for 2-3 years, and stated that the DEPZ will be considered as part of development planning.

Intervention 3 - Proactive capability assessment for assurance of compliance with REPIR 2019 – second meeting with Council Senior Leaders, November 2022, ONR-TD-CR-22-289, 2022/70910

At the time of the third intervention JEPU did still not have a full complement [REDACTED]. WBDC hoped to have a full complement by January 2023.

The directors spoken to had started building relationships within the council to ensure that emergency planning considerations were taken in routine planning discussions, as well as with the leadership at AWE. Work was also described covering proactive work, including guidance for developers on DEPZ, and information for schools on what to do in the event of an off-site emergency.

Intervention 4 - Proactive capability assessment for assurance of compliance with REPIR 2019, March 2023, ONR-TD-CR-23-165, 2023/42540

At the time of the fourth intervention it was confirmed that the JEPU Team was at full complement, and that additionally they had reorganised their team to make better use of capability and to help with the use of appropriate experience, and tasking according to work requirements

They recognised that workload is difficult to manage as planning applications lead to immediate high workload, and that they also can lead to appeals. Additional demands have including housing asylum seekers, as well as emergent issues (e.g. coronation, state funeral, Hollies planning inquiry). WBDC highlighted that at the time of the meeting the concurrent activities of Exercise ALDEX23, Hollies planning inquiry and the coronation would provide a stress test of current adequacy of resourcing.

Additionally WBDC is working on guidance to help reduce workload by better communication and material available to stakeholders to reduce demand on the JEPU team dealing with routine inquiries.

Planning issues (inquiries and appeals) have significant financial implications.

In terms of other local authorities, there are communications at many levels, eg. CEO to CEO, and more local levels. The key lesson is early communication to AWE on planning applications.

ONR and WBDC discussed risks. WBDC understood its emergency planning department's risks to be as follows:

- Conflicting priorities (due to multiple ongoing issues);
- Transition, especially with respect to training new staff; and
- Staff wellbeing (especially if they have the additional burden of developing others).

20. In discussion, WBDC made the following points:

- There are risk registers at each level (service level to corporate level) where risks are scored;
- Significant risks are reported to the corporate board; and
- The new CEO is now embedded, and although both senior leaders at this meeting are new, they consider leadership now to be the most stable it has been for 12 months

AWE Aldex 23 Level 2 exercise – ONR-TD-23-063, 2023/30425

“The ‘hot feedback’ provided by ONR at the end of the exercise reflected a consolidation of the key points observed during the exercise and presented the consensus views of the assessment team – see Annex 1. The participating organisations also provided summary feedback and will be invited to submit this

using the council's formal feedback process. The council will be holding a 'cold debrief' on 8th June to identify key learning.

I thanked the emergency planning team and all those involved for their efforts in planning and facilitating the exercise. The participation of the responding organisations and the professionalism of the players was recognised.

I stated that the ONR assessment team considered Aldex 23 to be a robust test of the off-site emergency plan, meeting the requirements of REPPIR Regulation 12(1) for a test of the plan to be carried out. The exercise did challenge aspects of the plan and, in accordance with one of the key objectives of REPPIR, it has identified valuable learning for improvement of the plan.

In accordance with standard practice, I provided three examples of positive performance and three learning points.

Positive performance:

- There was good representation and participation of players. The test was realistic and covered wide span of activities.
- The SCG was well chaired (by the police gold commander), who had a good grip of the situation and provided clear direction.
- There was good coordination between the different local authorities (noting that the detailed emergency planning zone crosses multiple local authorities).

Learning points:

- Situational awareness of the radiological risk could have been better, leading to lack of clarity on evolving protective actions (in particular on the need for a RMU and the provision of reassurance monitoring to those exposed).
- The STAC would have benefited from more focus, clearer priorities and tasking.
- Communications between STAC and other groups cells (e.g. Recovery, Media, Evacuation and Shelter) could be improved.

I stated that this hot feedback would be supplemented by further feedback to be submitted as part of the council's feedback process.