

Minutes of Meeting of Planning & Emergency Services Strategic Policy Committee held on Tuesday 30th March 2021 at 10.00a.m. via zoom from Committee Room 5.3, Civic Offices, Nenagh.

Present: In the Chair - Cllr. Phyll Bugler
Councillors – Via zoom - Micheál Lowry, Hughie McGrath, Michael O’Meara, Joe Hannigan, John Carroll, Michael Fitzgerald, Ger Darcy, Marie Murphy. Mike Edwards, John O’Shaughnessy.

In Attendance: Brian Beck, Acting Director of Services via zoom
Nuala O’Connell, Acting Senior Planner via zoom
Dolores Fahey, Civil Defence Officer via zoom
John Hctor, Assistant Chief Fire Office via zoom
Brian Clancy, Administrative Officer

Apologies: Eamon Lonergan, Acting Director of Services, Dave Carroll, Chief Fire Officer, Cllr. Roger Kennedy.

1. Minutes of last meeting held on 8th December 2020

The minutes of the last meeting held on 8th December 2020 were proposed by Mike Edwards, seconded by Cllr. M. Fitzgerald and adopted.

Arising from the minutes Brian Clancy stated that our SPC’s recommendation that the quorum for meetings of the Committee be amended to state that it shall be five members, which shall consist of not less than three elected members or not less 1 sectoral representative was accepted. The venue for the meetings of the SPC shall be at either of the Council’s Civic Offices or at any of the Council’s Municipal District Offices in Carrick-on-Suir, Thurles or Tipperary. The revised Standing Orders were adopted by the Plenary Council at their January meeting held on 8th January 2021.

Replying to queries from Cllr. P. Bugler, Nuala O’Connell stated that a promotional campaign would commence in respect of Cluster Housing which would be included as part of the workshops on the County Development Plan which will be held with the Elected Members in June 2021. The issue of downsizing would also be discussed including the need for 2 bedroom houses.

1. Update on the role of Civil Defence

Dolores Fahey, Civil Defence Officer gave a presentation to the meeting on Civil Defence and replied to queries raised. The principal points were as follows:

The Role of Civil Defence

- ▶ Volunteer based second line emergency service that provides backup to the Primary Response agencies i.e Garda, H.S.E and Local Authority

- ▶ Where possible support and assistance is given to the community with the provision of first aid cover, safety cover and transport.
- ▶ Nationally there are over 3,500 volunteers
- ▶ Uniformed, well trained and ready to respond in their community
- ▶ Medical Response
- ▶ Search & Rescue
- ▶ Emergency Response
- ▶ Radiation Monitoring
- ▶ Community Assistance
- ▶ Communications

Medical Response

- ▶ Recognised training institute by Pre Hospital Care council.
 - Volunteers are certified from CFR level to E.M.T level.
 - Administered by the CD College & National HQ in Roscrea.
- ▶ These standards allow volunteers to provide First Aid cover to sporting,cultural community events.
- ▶ Allows volunteers to work along side the National Ambulance Service and HSE at times of Emergency.

Search & Rescue

- ▶ Provide assistance to the Garda who are the lead agency in the search for missing person.
- ▶ We conduct land based search - Urban and rural
- ▶ Water based search – Rivers, Canal, estuary
- ▶ Volunteers trained to very high standard.

Emergency Response

- ▶ Response to adverse weather, flooding, snow storms and drought.
- ▶ Dealing with displaced persons in emergency situation such as evacuation or in the setting up of rest centre for refugees.
- ▶ Provision of welfare and catering facilities

Radiation Monitoring

- ▶ Civil Defence has a number of functions under the National Emergency Plan for nuclear accident including :
 - Collecting of various soil samples and the transport of these samples to the EPA
 - Conduct mobile monitoring in LA area
- ▶ These skills are demonstrated at annually planned exercises.

Community Assistance

- ▶ While emergency support is priority community events are vital to allow volunteers practice their skills and to provide a service to local community. Support is given in First Aid, safety boat cover and transport for senior citizens etc

Communications

- ▶ Civil Defence operates a number of radio communications systems
 - V.H.F providing a wide area coverage. A national system incorporating a network of radio bases and repeaters

- U.H.F mainly for on site communication fitted to both vehicle and mobile units
- Tetra systems allowing for interal communication with primary responses agencies
- ▶ Boat operations use the marine band communications to allow communication with RNLI and Coast Guard.

Local Structure

- ▶ Tipperary Civil Defence currently has
- ▶ Active members 97
- ▶ Volunteer Instructor 18
- ▶ Total 115
- ▶ Training centres in Nenagh, Thurles ,Clonmel & Ballingarry
- ▶ Rented premises in Carrick on Suir, Ballyporeen, Kilcash for regular training sessions

Tipperary Civil Defence Organisational Structure

Chief Executive

Director of Services Civil Defence Branch, Dept of Defence

Civil Defence Officer

Asst Civil Defence Officer

Acting Asst Civil Defence Officer

Volunteer Instructors

Volunteer Members

Our Fleet

- ▶ 9 4x4 vehicle
- ▶ 1 Communications vehicle
- ▶ 1 multi purpose van
- ▶ 3 mini Buses
- ▶ 3 Road Ambulance
- ▶ 1 4x4 Ambulance
- ▶ 3 Inflatable Boat
- ▶ 1 Rib Boat
- ▶ 2 Tents
- ▶ Fully Kitted catering kitchen

Covid-19 Response

- ▶ Responding consistently since March 2020
- ▶ Over 475 individual responses to the COVID Pandemic
- ▶ Involving volunteers from all ends of our County
- ▶ each response is on average 4 hrs - approx 1,900 hours in service to the community

Areas of Response

- ▶ **Assistance to the HSE**
 - Ambulance & bus transport of both COVID & Non COVID patients

- Transportation of staff to Nursing homes in Nenagh
- Backup & assistance to the test centre Munroe Clonmel
- Assistance to HSE at pop up test centres
- Meet and greet at Blood Donation Clinics in support of I.B.T.S

Community Response

- ▶ Delivery of essential medications and personal care items
- ▶ Assistance to Cuan Saor Clonmel
- ▶ Assistance to Homeless services section Housing section of Tipperary Co Council
- ▶ Support to Knockanrawley family support centre Tipp Town with delivery of childcare support pack.
- ▶ Collection of items in Cork for the food cloud initiative
- ▶ Responding to calls from Tipp Co.Co. Community help desk call line
- ▶ Sit on the Community Forum Committee
- ▶ Covid Testing Centres – Golden & Munroe
- ▶ Blood Transfusion Service Board
- ▶ Meals on wheels
- ▶ Packing & delivery of care packs – community forum
- ▶ Delivery of Education packs & Food cloud

Mandatory Training

- HSE Ireland
- Manual Handling
- Children First

NSAI Safety Standard

- Certificate of Registration of Occupational Health & Safety Management System to OHSAS 18001:2007 - 11th May 2020 – only Civil Defence Unit to achieve

Going Forward in 2021

- Covid-19 Test Centres
- Covid-19 Vaccination Centres – Clonmel & Nenagh

Brian Beck, Acting Director of Services thanked Dolores for the presentation and for her work with Civil Defence. He acknowledged the work of the 115 volunteers across a range of activities and stated they deserve our support. All who attended thanked Dolores and the Civil Defence volunteers for the amount of work they are doing including achieving the NSAI standard, their work in search and rescue, their handling of Covid 19 response, their work during the duration of the test centre in Golden and their overall professionalism. Responding to queries Dolores Fahey stated they had 115 volunteers throughout the county, recruitment is through family members and friends, local newspapers, facebook, and the website. She praised the commitment, flexibility and adaptability of members. A certain level of core skills and fitness is required as well as Garda clearance and members must be over 18. No recruitment is possible presently due to the pandemic. The HSE have begun to roll out Covid-19 vaccination and Civil Defence will be assisting. Some Civil Defence members have been trained in swift water training and the use of drones and they also have a search dog unit. Equipment and structures continue to be improved in line with their needs and health and safety requirements. Radiation monitoring is done using GPS and soil samples are sent to the Radiological Institute of Ireland.

Cllr. P Bugler thanked Dolores for the presentation.

3. Fire Services presentation on the Dangerous Substances Licensing Regulations and TCC Fire Service role in implementing them

John Hoctor, Assistant Chief Fire Officer gave a presentation on the Dangerous Substances Licensing Regulations and the Fire Service role in implementing them and replied to queries raised. The principal points were as follows:

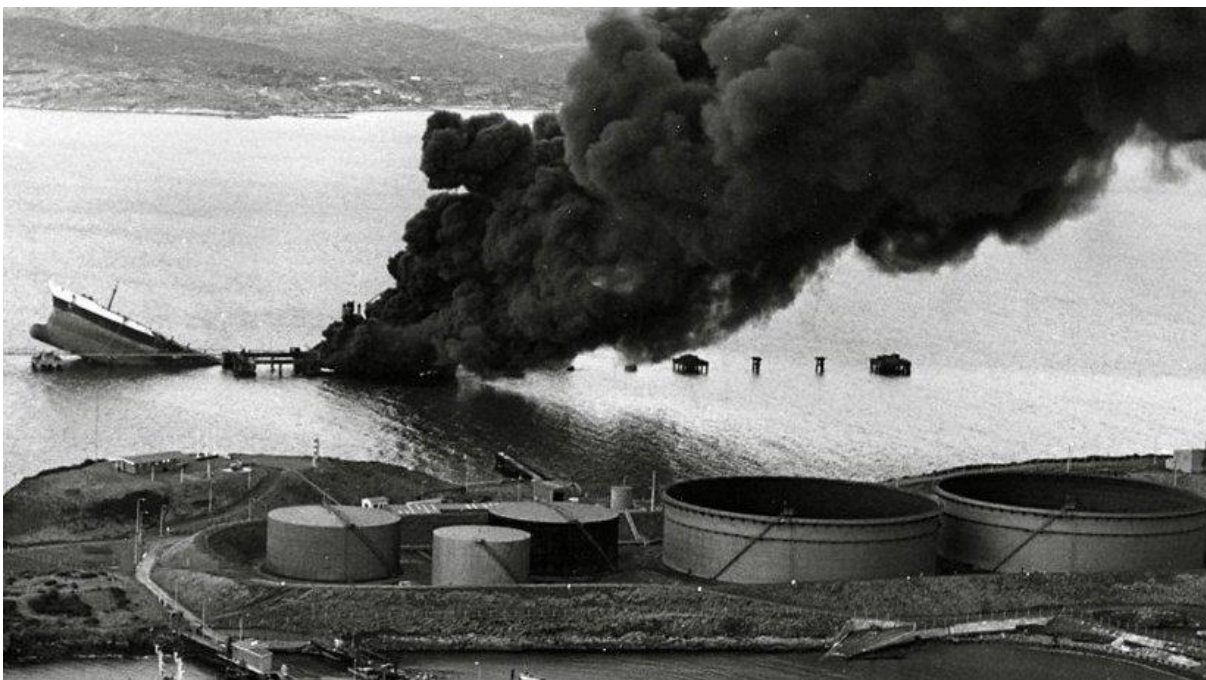
Background

- Historically the storage and transport of petroleum controlled by the Petroleum Act 1879
- Dáil Éireann repealed the Petroleum Act 1879 by the Dangerous Substances Act 1972.

Dangerous Substances Act 1972

- Explosives/ Fireworks/Dangerous Substances
- Petroleum
 - Petroleum-spirit/ Storage / Safety regulations.
- Notification / Investigation of Accidents
- Administration
 - Issue of licences by Minister
 - Regulations/Exemptions/Fees/Offences.
 - Inspectors/ Appeals

The Whiddy Island disaster – 8 January 1979



S.I. No. 311/1979 – Dangerous Substances (Retail and Private Petroleum Stores)

Regulations, signed 18 September 1979

- To prevent risk of injury to persons or property in the storage, conveying, loading, unloading and in dispensing operations.
- To control the licensing of "retail stores" and "private stores" Class 1 (petrol)
- Applications form with relevant plans, drawings and other prescribed particulars
- A licence issued - not exceeding 3 years.
- Regs gave requirements relate to the design, construction, installation, maintenance and pressure testing

S.I. No. 313/1979 - Dangerous Substances (Petroleum Bulk Stores) Regulations, signed 18 September 1979

- Regulations to prevent risk of injury to person or property in the keeping, conveying, loading and unloading of petroleum
- A store used for the keeping of petroleum Class I required to be licensed
- Where only petroleum Class II and petroleum Class III are kept at the store a licence is NOT required BUT the owner of the store is required to submit plans and drawings in accordance with provisions laid down.
- Provided that the stores shall be designed, suitable and adequate for the purposes of their use in order to prevent risk of injury either to persons or to property

Kerbside/Forecourt



S.I. No. 303/1998 – Dangerous Substances (Retail; and Private Petroleum Sores) (Amendment) Regulations, 1988

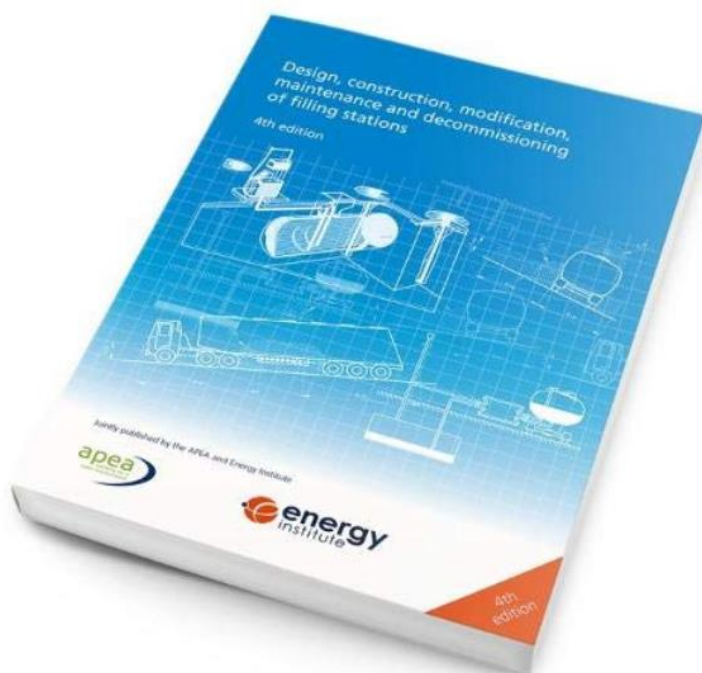
- Provided for revised safety requirements for petrol filling stations, constructed before the 1979 Regulations commenced, to enable them to be licensed to operate until 31 December, 1999.
 - (i) such store cannot at reasonable expense be made to comply ...
 - (ii) all reasonably practicable steps have been taken...
- Amended every 2 years from 1999 - SI No 502 of 2018 extended exemption until 31 December 2020

Origin of new 2019 Regulations

- 2018 Review of 1972 Act and 1979 Regulations by Dept Business Enterprise & Innovation highlighted considerable gaps between legislation and implementation:-
 - Up to 50% of filling stations unlicensed in Ireland;
 - Inconsistent Enforcement of Regulations;
 - The 1979 regulations were not in line with modern good practice;
 - Diesel only sites not included in Regulation;
 - Flammable Liquids and Fuels Distribution and Commercial Supply Stores addressed by 1979 Regulations but NOT licensed;

Basis for 2019 Regulations

Design, construction, modification and decommissioning of petrol filling stations: **The Blue Book & Petrol Filling Stations – Guidance on Managing the Risks of Fire & Explosion (The Red Guide)**



Revised Regulations

- The 'Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations, S.I. No. 630 of 2019 and
- The 'Dangerous Substances (Flammable Liquids and Fuels Distribution and Commercial Supply Stores) Regulations, S.I. No. 631 of 2019 '
- The Dangerous Substances Act 1972 (Part IV Declaration) Order 2020 (S.I. No. 147 of 2020) effectively making diesel a dangerous substance (along with other fuels in the new Regulations)
- Came into effect on the 1st April 2020 with a statutory obligation on the Local Authorities to administer them under the 1972 Dangerous Substances Act

S.I. No. 630 of 2019 Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations, 2019

- to prevent risk of injury arising from the keeping, conveying, loading and unloading of flammable liquids or fuels at retail stores or kerbside retail stores for the purposes of sale or supply to the public.
- Provides for the licensing, operation and inspection of such retail stores, grant the authority to license, in certain circumstances, petrol stations which were constructed before 28 September 1979 (**kerbside retail stores**)

Dangerous Substances (Flammable Liquids and Fuels Distribution and Commercial Supply Stores) Regulations S.I. No. 631 of 2019

- to prevent risk of injury arising from the keeping, conveying, loading and unloading of flammable liquids or fuels at fuel stores.
- Regulations apply to (i) fuel stores for supply or sale to commercial enterprises, (ii) for supply to the licensee's own vehicles
- These Regulations lay down rules which provide for the licensing, operation and inspection of such fuel stores, for the purpose of prevention of risk arising from the storage of flammable liquids and fuels.

Legislation 1

- Application requires large documentation set which includes
 - Comprehensive documented risk assessment undertaken by a competent person
 - Detailed plans and procedures
 - Explosion Protection Document
- Applies to existing retail stations (forecourt and kerbside) and also Distribution/ Commercial Supply Stores (home heating oil distributors).
- Appeals to the Health and Safety Authority or District Court for kerbside retail sites

Legislation 2

- The new Dangerous Substances Regulations came into force in April 2020 with expectations to issue the licence within 60 days of application receipt.
 - The Regulations will exacerbate the challenges which Local Authorities are currently facing due to the expansion of the regulatory scope;

- The lack of resources continue to make licensing difficult in many areas of the country;

Tipperary

- We have applied the TFRS branding to the new licence templates and made them available on our website - <https://www.tipperarycoco.ie/fire-services/dangerous-substances-licences>
- We have received 12 dangerous substances licence applications for retail stores since April 2020 - To date we have issued 3 licences and requested further information on 9 other applications.
- We have received NO dangerous substances licence applications for Distribution /Commercial Supply Stores.
- Delayed licence issue due to
 - applicants delay in responding to our requests for further information
 - COVID (delayed inspections).

Extension of Time part of the process

Gaps both in the legislation and in the implementation systems

- Following consultations with the County and City Management Association (CCMA), a Dangerous Substances Project Board developed a Business Case for the establishment of a National/Regional structure for the licensing of flammable liquids and fuels by Local Authorities at fillings stations and bulk stores.

**This Review recommended the potential establishment of the following 4 Regions:
North East, South, West, South East**

Tipperary

- As a potential solution to these issues, the Review proposed that the Local Authorities Shared Services structures could serve as a potential model for the efficient and effective implementation of Government policy at local level.
- Tipperary County Council (TCC) have put forward bid proposal to become Lead Authority for the Regional Dangerous Substances Licensing Office for the Southeast region.

Cllr. P. Bugler thanked John Hctor for the presentation. Replying to queries John stated that the Regulations provide for another layer of risk assessment and documentation which would be costly and would require a competent person to submit. Forecourts will be subject to the 2019 Regulations. There is a move away for heavy vehicles from diesel to compressed gas on the Continent which will happen here over time. Bus Éireann have carried out a trial on hydrogen powered buses. Kerbside petrol stations require decommissioning by taking them out of the ground and/or filling them in with concrete. The licensing is for 3 years and can be appealed to the District Court. Electric Ireland will roll out electric charging points for each household and smart meters will be installed over the next 5 years or so. The Blue book referred to in the presentation applies to requirements for filling stations.

3. Any other business

The recently published Government document on Rural Ireland 'Our Rural Future' was raised and discussed. Matters referred to included its implications for the National Planning Framework and the County Development Plan. Concerns were expressed that while the document promotes remote working and rural living as part of the regeneration of rural Ireland the NPF places restrictions on the numbers who can live there. Derelict and older buildings should be looked at as possible sites for digital hubs. John O'Shaughnessy stated the CIF had expressed serious concerns to the Department and had a huge issue with the demographics contained in the NPF and had lobbied for a suspension of the adoption of County Development Plans. Nuala O'Connell, Acting Senior Planner stated there is a need to embed a rural strategy in our County Development Plan which will take reference from the Rural Regional Strategy and remote working strategy. There are no plans to review the National Framework Strategy but the National Development Plan is being reviewed. We need to ensure the NPF works for Tipperary and we have already availed of substantial funding under Regeneration schemes. There is a 2 year timeframe for the County Development Plan process which is an investment programme for the county and which is due for adoption in Summer 2022 and there are benefits for us in keeping the process going. Workshops will be held in June at which the matters raised can be further discussed.

4. Date of next meetings

It was agreed to hold the remaining three meetings for this year on Tuesdays 18th May, 21st September and 23rd November 2021 commencing at 10.00a.m.

This concluded the business of the meeting.