

Health and Safety Commission Paper		HSC/06/23	
Meeting Date:	14/2/2006	Open Gov. Status:	Fully open
Type of Paper:	Below the Line	Paper File Ref:	
Exemptions:			

## HEALTH AND SAFETY COMMISSION

### CHANNEL TUNNEL SAFETY AUTHORITY (CTSA)

#### APPOINTMENTS OF ROB ANDREWS, DIRECTOR OF RAIL SAFETY POLICY, OFFICE OF RAIL REGULATION AND CHARLIE HENDRY, CHIEF FIRE OFFICER DESIGNATE OF KENT FIRE AND RESCUE SERVICE, TO CTSA AND ARRANGEMENTS FOR FUTURE APPOINTMENTS

**A Paper by: Richard Clifton, Head of UK Delegation CTSA**

#### **Issue**

1. Appointment of members of the UK Delegation to the Channel Tunnel Safety Authority (CTSA) and arrangements for future appointments.

#### **Timing**

2. Routine.

#### **Recommendation**

3. The Commission is asked to:
  - a) approve the appointment of Rob Andrews, Director of Rail Safety Policy, Office of Rail Regulation (ORR) to the UK Delegation of the CTSA, as successor to Stephen Williams who left the Delegation on taking up his appointment as HSE's Chief Inspector of Construction;
  - b) approve the appointment of Charlie Hendry, Chief Fire Officer Designate of Kent Fire and Rescue Service as successor to Peter Coombs who is due to retire on 23 April 2006;
  - c) note the arrangements for future appointments to the UK Delegation following the transfer of responsibility for rail safety from HSC/E to the ORR.

## Background

4. The CTSA was created under the 1986 Treaty of Canterbury to advise and assist the Intergovernmental Commission (IGC) on all matters relating to safety in the operation of the Channel Tunnel Fixed Link, to ensure that safety measures and practices applicable to the Fixed Link comply with national or international laws. The CTSA also examines reports on any incident affecting safety in the Fixed Link, makes necessary investigations and reports findings to the IGC. The CTSA has no direct enforcement powers: the enforcement of national laws is carried out by national bodies whose inspectors rely on their powers under national law. These inspectors have the right to investigate throughout the Fixed Link, having been authorised by the IGC and CTSA. The CTSA itself has 10 members, the French Government being responsible for selecting 5 representatives. Responsibility for selecting UK members was delegated by Ministers to the HSC when responsibility for the CTSA transferred from DfT in 1997.

## Argument

5. **Appointment of Rob Andrews** - Stephen Williams left the UK Delegation to the CTSA on taking up his appointment as Chief Inspector of Construction in September 2005. Stephen Williams provided expertise in rail safety policy, responsibility for which will transfer from HSC/E to ORR early in 2006. The ORR Board has nominated Rob Andrews, the ORR Director of Rail Safety Policy to replace Stephen Williams as a member of the UK Delegation. Although the transfer of responsibility from HSC/E to ORR is not expected to take place until April 2006, in order to avoid a long gap on the UK Delegation it is proposed that Rob Andrews should take up his appointment with immediate effect.

6. **Appointment of Charlie Hendry** - Peter Coombs is due to leave the UK Delegation to the CTSA after his retirement on 23 April 2006. He currently provides expertise in rescue and public safety. Charlie Hendry has been appointed as the Chief Fire Officer of Kent Fire and Rescue Service with effect from 24 April 2006. It is proposed that Charlie Hendry's appointment should be effective from the date of Peter Coombs's retirement.

7. **Future Arrangements for Appointing Members of the UK Delegation** – With the transfer of responsibility for rail safety from HSC/E to ORR it is proposed that responsibility for appointing members of the UK Delegation should revert from HSC to the Secretary of State for Transport. Responsibility for appointing members was transferred to the HSC in November 1997 by means of an agency agreement. In due course the HSC can expect to receive a letter from the Secretary of State terminating the agreement. Formally termination of the agreement requires six months notice, but there is no obvious reason for the parties not to agree that termination is from the date of transfer of rail safety responsibilities to ORR.

8. Under future arrangements the HSC will continue to be involved as the Secretary of State is expected to consult as appropriate on proposed appointments and it is anticipated that the member of the UK Delegation that provides expertise on civil engineering matters should continue to be provided by HSE.

## Consultation

9. The ORR Board and the Department for Transport have been consulted.

**Presentation**

10. None.

**Costs and Benefits**

11. None.

**Financial/Resource Implications for HSE**

12. There are no resource implications for HSC/E.

**Environmental implications**

13. None.

**Other Implications**

14. None.

**Action**

15. The Commission is asked to :

- a) note that Stephen Williams has departed from the UK Delegation of the CTSA and that Peter Coombs is due to retire on 23 April 2006;
- b) approve the appointments of Rob Andrews, Director of Rail Safety Policy ORR and Charlie Hendry, Chief Fire Officer Designate of Kent Fire and Rescue Service as replacements;
- c) agree the attached draft letters;
- d) note the future arrangements for appointing members of the UK Delegation.

**Contact**

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27 January 2006

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Date :

## **CHANNEL TUNNEL SAFETY AUTHORITY**

In exercise of the Health and Safety Commission's power to appoint members to the Channel Tunnel Safety Authority on behalf of the Secretary of State for the Environment, I am writing to appoint you as a member of that Authority with immediate effect.

I am very pleased to be able to offer you this appointment. The Commission recognises the valuable work the Channel Tunnel Safety Authority undertakes to ensure that the risks to health and safety are adequately controlled and is very grateful to its members.

**BILL CALLAGHAN**  
**CHAIR**

Charlie Hendry  
Kent Fire and Rescue Service  
The Godlands  
Tovil  
Maidstone  
Kent ME15 6XB

Date :

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**CHAIR**

Peter Coombs QFSM MIFireE  
Kent Fire and Rescue Service  
The Godlands  
Tovil  
Maidstone  
Kent ME15 6XB

Date:

## **CHANNEL TUNNEL SAFETY AUTHORITY**

I am sorry to hear that you will be retiring as the Chief Officer for Kent Fire and Rescue Service and as a member of the Channel Tunnel Safety Authority (CTSA), but I wish you every success for the future.

The Commission greatly appreciates the time and effort given by you.

I would like to thank you on behalf of the Commission for your valuable service and the contribution that you have given as a member of CTSA.

**BILL CALLAGHAN**  
**CHAIR**