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## **SUMMARY OF THE ADVISORY COMMITTEE ON DANGEROUS SUBSTANCES OPEN MEETING HELD ON 14 FEBRUARY 2002**

### **Why it was held**

1 The Advisory Committee on Dangerous Substances (ACDS) held its first open meeting on 14 February 2002 in response to encouragement from the Health and Safety Commission (HSC) that all its advisory committees should follow their example and hold such meetings. The meeting was held in the Health and Safety Executive's (HSE's) London Headquarters, Rose Court, Southwark Bridge.

### **Who attended**

2 The event was publicised in the HSC's December Newsletter and on HSE's web site. Thirty-five members of the public attended the meeting. Most members of ACDS attended, as did two Health and Safety Commissioners, the Deputy Director General of Policy in HSE and other relevant HSE staff. The meeting was chaired by HSE's Director of Safety Policy who is also Chair of ACDS.

### **What it was about**

3 The aim of the meeting was to enable members of the public to meet ACDS members and to find out more about the Committee – how it worked and the types of issues it dealt with. The agenda for the meeting was posted on HSE's web site. Members of the public who had booked a place were sent a copy of a background information note about ACDS (reproduced below).

4 The first session was devoted to a series of short presentations by members and officials describing ACDS's work and current and future issues about dangerous substances. The second session was a discussion forum.

### **What people were interested in**

5 Issues discussed during the open forum included:

- Consumer representation on ACDS's gas safety sub-committee. A victim support group representative expressed concern that there was only one consumer representative out of a total membership of 28; the representative was of a government appointed body - energywatch. Some members of the audience felt that consumer representation should be through an independent body such as the Carbon Monoxide and Gas Safety Society. In response, it was pointed out that the work of the sub-committees, and indeed ACDS itself, was wide reaching which had to be reflected in the membership; this fitted in with the consensual approach to decision making in the Committees. Energywatch was aware of the need to ensure that the interests of victims were adequately represented. Consumer representation had recently been extended at working group level to include victim support group representatives following discussion at ACDS.
- Difficulties experienced by local community groups in obtaining meaningful information about dangerous substances and major hazards. In response it was

pointed out that information about major hazards is generally available through public registers etc. The local fire brigade and local authority planning departments could also be useful sources of information.

- Female representation on ACDS. Currently only one member of ACDS was a woman and she had been a recent appointee (another had recently resigned following a change of job). In response, it was accepted that women had been poorly represented on the committee and that this needed to be borne in mind in the future. The woman ACDS member was present at the meeting and pointed out that the risks resulting from major hazards tended not to be gender-specific. She noted that she had been appointed on the basis of her expertise not gender.
- A perception that the Committee often seemed to be process, rather than outcome-driven, i.e., biased towards the process of introducing new legislation, rather than concentrating on what the actual outcome should be. In response it was true that much new legislation was driven by the need to implement European Directives but in future HSE would be focussing more on eventual outcomes in all its areas of work, including how successful new legislation was from an enforcement point of view.
- There was a feeling that the Committee should be more involved in sponsoring and developing research into the risks and hazards arising from dangerous substances, especially in the “management of risk” area. In response, it was true that ACDS did not directly sponsor research projects; it had no budget to do so. However, much of the research generated by HSE was directly or indirectly linked to the work being done by the advisory committees. This process needed to be reviewed to see if it could be made more visible.
- There was a view that the work of the Committee often seemed to take little account of the difficulties and comparative lack of resources affecting small businesses. In response, it was pointed out that there was a requirement that all proposals for new legislation were accompanied by a regulatory impact assessment, including the impact on small businesses. ACDS sub-committees usually had a small businesses representative and the CBI was increasingly interested in this sector.

The meeting ended at 12 30.

## **INFORMATION NOTE ABOUT ACDS.**

### **Background**

This note provides a brief introduction to the work of the ACDS.

### **What is ACDS?**

Set up in 1976, ACDS is an Advisory Committee appointed by the Health and Safety Commission (HSC) to provide them with independent advice originally on issues concerning the control of risks arising from the manufacture, import, storage, transport and use of large quantities of dangerous chemicals.

ACDS's work was then (and still is) concerned with the prevention of major accidents such as those that happened in Flixborough and Bhopal. In recent years, its remit has been extended to include safety in relation to the supply, transmission, distribution, installation and use of flammable gas, and the policy for onshore oil.

Since its formation, ACDS has overseen the:

- review of particular areas of safety e.g. the major hazard aspects of the transport of dangerous goods and the fundamental review of gas safety;
- drafting legislation e.g. the Control of Major Accident Hazards Regulations 1999 (COMAH);
- production of guidance e.g. "Emergency planning for major accidents".

The ACDS programme of work for April 2000 - 2003 includes:

- amendments to the Seveso II Directive and in turn COMAH;
- revised controls for tanks and gas cylinders used to transport gases
- implementing the fundamental review of gas safety;
- amendments to the Pipelines Safety Regulations and related issues;
- developing proposals for new Regulations, Approved Code of Practice (ACOP) and Guidance on fire and explosion risks from chemicals;
- developing proposals for new Regulations, ACOP and guidance for explosives - following the review of the Explosives Act 1875.

### **Who is on the ACDS?**

The committee consists of members who represent: employers nominated by the Confederation of British Industry (CBI); employees, nominated by the Trade Union Congress

