

Open government status: Open	Paper number: sum260903
	Date of meeting: 26 September 2003
Intranet embargo: N/A	Type of paper: Summary

Advisory Committee on Dangerous Substances (ACDS)

Summary of Open meeting on Friday 26 September 2003 at HSE's London headquarters, Rose Court, 2 Southwark Bridge, London SE1 9HS

Background

1 The second open meeting of the Advisory Committee on Dangerous Substances was held partly in response to the Government's commitment to more openness, encouraging both central and local government departments to be accessible to the public, and also in response to the Health and Safety Commission (HSC) encouraging its Advisory Committees to hold annual open meetings. ACDS had held its' first open meeting in February 2002.

Who attended

2 The meeting was advertised on HSE's website, and personal invitations were issued to organisations and individuals that members considered might be interested in learning more about the Committee. It was chaired by Nick Starling, HSE's Director of Policy Group, who is also the chair of ACDS, and was attended by seven members of the public; along with most of the members of ACDS; a member of the HSC, Abdul Chowdry, and a number of HSE staff.

Why it was held

3 The aim of the meeting was to enable members of the public to meet members of ACDS and the relevant HSE officials; to find out how the Committee (and its' Subcommittees and Working Groups) operated; and about the type of issues it dealt with. The agenda was placed on the HSE website, and members of the public who had confirmed an interest in attending had received an information note which provided some background details on ACDS and listed current members of the Committee. A copy of the information note is attached.

Summary of presentations

4 The Chair summarised the work of the HSC and HSE and their Advisory Committees; the remit of ACDS; the current work programme; and identified a number of issues on which ACDS were likely to be engaged in future.

5 Examples of what ACDS had been doing recently included:

- proposals to revise the Manufacture and Storage of Explosives Regulations;
- proposals for revised land planning criteria;
- proposals to amend the Pipeline Safety Regulations;
- implementation of recommendations following a fundamental review of gas safety; and contributing towards HSC's forward look; and
- advising HSC on implementation of detailed, complex European Directives, such as the Chemical Agents Directive and the Explosives Atmospheres Directive. These Directives were implemented through the Dangerous Substances and Explosive Atmospheres Regulations in December 2002.

6 The current work programme included:

- revisions to the Seveso 2 Directive (which deals with both the safety and environmental aspects of major hazard installations); and
- proposals for modernising petrol legislation.

7 Future issues were likely to include:

- further amendments to the Seveso 2 Directive;
- a possible European Pipelines Directive; and
- further work following up the fundamental review of gas safety; and the (growing) hydrogen economy.

8 Abdul Chowdry spoke about his role as a member of the HSC; how HSC relied on its Advisory Committees to provide appropriate advice; and to help keep HSC informed of stakeholders' views on particular issues. Abdul Chowdry further explained the benefits of HSC working in partnership with employers, employees, and other organisations, seeking a consensus in their discussions and decisions. This theme was developed by the Chair - ACDS also operated by consensus, and worked hard to agree how to take issues forward.

9 The Secretary of ACDS described the more detailed and often more technical work undertaken by the Subcommittees and the Working Groups (under the strategic control of ACDS) in assisting HSE develop new legislation. For example, the Flammable Substances Subcommittee had made a valuable contribution to the development of the final legislative package of the Dangerous Substances and Explosive Atmospheres Regulations, (including the general guidance and the Approved Codes of Practice). Members also assisted in providing technical advice on a number of issues, and practical advice on how best to present the publications in a form that would be appropriate to the different needs of small firms and larger enterprises.

Question time

10 The final session provided the audience with the opportunity to ask HSE officials and/or members of ACDS questions. The main thrust of this session was a vigorous campaign for a renewed application from members of the Carbon Monoxide and Gas Safety Society - (an independent registered charity and victim support group) - for representation on the ACDS Gas Safety Subcommittee.

11 Whilst an Open meeting was not considered the most appropriate time in which to consider an individual application for membership of ACDS or its Subcommittees, HSE confirmed that it welcomed consumer representation; a number of the Gas Safety Working Groups already included consumer representatives. HSE considered it important to have as wide a range of views as possible, not only from constituents in the industry, but also those who are affected by the risks which occur in those industries. The composition of ACDS and its Subcommittees will be reviewed shortly as part of the reconstitution process which all of HSC's Advisory Committees are required to undertake every three years.

12 The review will consider whether an Advisory Committee remained the most appropriate way of advising HSC on particular issues, and if so, how it should be constituted; how they could build upon existing appropriate expertise; were they the right size; were the representatives the most suitable; were people appointed in the correct way etc.

13 The meeting closed at 11.45.

14 A copy of the full transcript of the meeting (which is not intended for publication) is available on request.

INFORMATION NOTE: OPEN MEETING OF THE ADVISORY COMMITTEE ON DANGEROUS SUBSTANCES (ACDS) 26 SEPTEMBER 2003

Background

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

What is ACDS?

ACDS is an Advisory Committee appointed by the Health and Safety Commission (HSC). It was set up in 1975 to provide them with independent advice on issues concerning the control of risks arising from the manufacturer, import, storage, transport and use of large quantities of dangerous chemicals.

ACDS's work is concerned with prevention of major accidents such as those which occurred in Flixborough, Bhopal and, more recently, in Toulouse. The committee's remit was extended, in 1984, to include safety in relation to the supply, transmission, distribution, installation and use of flammable gas, and again in April 2000, to include the policy for on-shore oil.

Since its formation, ACDS has overseen:

- a number of reviews of specific areas of safety including the major hazard aspects of the transport of dangerous goods, and fundamental reviews of both gas safety and of land use planning;
- drafting of legislation e.g. the Dangerous Substances in Explosive Atmospheres Regulations 2002 (DSEAR) and the Control of Major Accidents Hazards Regulations (COMAH);
- publication of the recommendations following a review of consequence models for explosive effects;
- production of a range of general and technical guidance on both DSEAR and COMAH.

The current work programme for ACDS includes:

- amendments to the Seveso II Directive and in turn COMAH;
- implementing recommendations from the fundamental review of gas safety;
- implementing the recommendations from the land use planning review;
- amending the Pipeline Safety Regulations and related issues;
- developing proposals for modernising the legislation controlling the manufacturer, use, and storage of explosives (following a review of the Explosives Act of 1875).

Who is on ACDS?

The committee consists of members who represent employers nominated by the Confederation of British Industry (CBI); employees, nominated by the Trade Union Congress (TUC); Local Authorities, nominated by the Local Government Association (LGA); and independent members who are chosen for their expertise in specific areas of dangerous substances. ACDS includes one consumer representative.

ACDS also has four Subcommittees, dealing with Major Hazards, Gas Safety, Flammable Substances and Explosives. The Subcommittees advise ACDS on technical issues, such as risk assessments on explosive hazards, and assist in developing and scrutinising HSE's proposals for draft regulations, guidance and Approved Codes of Practice on behalf of ACDS.

The following table lists the current members of ACDS and specifies their affiliations.

Name	Nominated by/ independent	Employment
Dr Chris Beaton	CBI	Acordis
Dr Thomas Smith	CBI	Davas Ltd
Dr Mike Considine	CBI	BP Ltd
Jim O'Sullivan	CBI	Transco
Tom Mellish	TUC	TUC
Alan Owen	TUC	Transco
Susan Murray	TUC	TGWU
Leonie Wingrove	TUC	TGWU
Professor Barbara Mawer	LGA	Warrington Council
Assistant Firemaster Sweeney	COSLA	Strathclyde Fire Authority
Dr Tony Cox	Independent	Independent consultant
Dr Mike Hogh	Independent	Independent consultant
Professor Philip Nolan	Independent	South Bank University
Professor Gordon Walker	Independent	Staffordshire University
Maurice Healy	Consumer representative	Formerly Consumer Association

Nick Starling, HSE's Director of Policy Group is the Chair of ACDS. The Secretariat for the committee is provided by the Health and Safety Executive (HSE). Martin Davies is the Secretary of ACDS.

What will the meeting cover?

The aim of the Open meeting is to let you know what ACDS does, and how it works through its Subcommittees and Working Groups, and to give you the opportunity to ask members and/or HSE officials for further information about the committee.

Further information

Please contact:

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