

PETROLEUM ENFORCEMENT LIAISON GROUP

ACTION NOTES OF THE 26th PELG MEETING HELD ON THURSDAY 23 SEPTEMBER 2004

Allan Davies (Chair)	HSE - LAU
Peter Roberts	HSE - CFPD
John Hazeldean	HSE - HID
Ted Beckley	COSLA
Alison Edwards	LACORS
Andy Berry	London
Rob Tunnicliff	Midlands
Phil Thomas	South East
Roger Marris	North East
Harry Eggar	North West
Steve Grey	Wales
Phil Monger	PRA
Rupert Ainsworth	UKPIA

Welcome, introduction and apologies

1 Allan Davies (Chair) welcomed members to the 26th PELG meeting. It was Allen's first meeting and he briefly introduced himself.

2 Apologies were received from: Huw Morgan, Michael Webber, Steve Quick, Rory Hennessy and Chris Hunt (UKPIA was represented by Robin Ainsworth). Huw Morgan has resigned from the group.

Notes of the 25th PELG meeting

3 There were no comments on the accuracy of the meeting notes.

Action notes

4 The following action notes were carried forward from the previous meeting:

- a. Competence of petroleum officers – the application of Section 18 guidance – has not been progressed since the last meeting. However, Alison Edwards mentioned that work currently being developed on enforcement in the explosives sector would probably also be relevant to petrol. Members agreed to discharge the item for the time being.

Item discharged

- b. LPG nozzles and cold burns – HSE has not yet received any information from PLAs – Rob Tunnicliff will follow this up with Steve Quick. Industry representatives also agreed to canvass their members.

Action: All Members

- c. PETEL on LAPS in the petroleum sector – has been issued and is on the HSE website.

Item discharged

- d Review of PETEL 65/51 – see main agenda item

- e Vapour hoses – problems with valves – the Energy Institute have not been in touch. John Hazeldean and Roger Marris will maintain a watching brief.

Action: John Hazeldean & Roger Marris

- f The guidance document for site operators has been formally endorsed by PELG and a PETEL to note this has been issued, but has not yet appeared on the website. Members were content to discharge the item – but see main agenda item 9.

Item discharged

- g The Surrey / Esso LAPS has been issued as a PETEL and is on the website.

Item discharged

- h Autogas – dispensing into cylinders - see main agenda item.

- i The Autogas PETEL has been issued and is on the website.

Item discharged

- j Incident reporting etc (raised under any other business at the last meeting). Members discussed this item in some detail. Currently, the only incidents requiring a statutory response would be those reportable under RIDDOR – but the vast majority of incidents at petrol filling stations fall below RIDDOR thresholds. However, it would be useful to have information on significant spills, fires etc. Some regional initiatives have started, eg, the North West Region. A difficulty will be collating any response from regions or individual PLAs, as HSE is unlikely to be able to devote significant staff resources to a project, but will investigate if the extranet system could be used. Members were asked to further consider the topic and report back at the next meeting.

Action: Members

Main Agenda

Discussion Paper – Aims, objectives and membership of PELG

5 A paper had been distributed to members before the meeting. Members agreed that the aims and objectives of PELG as last set down in January 2000 were still valid, though the objectives should also mention the Enforcement Concordat agreed between the Cabinet Office and the Local Government Association.

6 Members generally agreed that the potential membership of the group was too large. It was agreed that there was no need for the various professional bodies or APEA to be represented on the group. The revised membership would be on the following lines:

- HSE – 3 or 4 – representing the Local Authority Unit (1), Chemicals and Flammables Policy Division (1 or 2) and the Hazardous Installations Directorate (1). Other technical experts eg, on LPG or electrical topics could also attend if necessary.
- LACORS – 1.
- PELG Regional Groups – 7, including one also representing COSLA and one also representing the Wales Local Government Association. Fire services, trading standards and environmental health disciplines should all be represented, if necessary by adding further representatives to the group.
- UK Petroleum Industry Association – 1.
- Petroleum Retailers Association – 1.
- Association of UK Oil Independents and the British Retail Consortium – 1.
- The Environment Agency – 1.

7 Members considered whether other trade associations should be represented - the general feeling was that they should not, but if proposals could affect a particular sector of the industry, then the relevant trade association should be kept informed by sending them agendas and papers.

8 Although not addressed in the paper, members also considered whether the current Technical Subcommittee structure was necessary. It was generally agreed the it should be replaced by small 'one-off' working groups, sometimes called 'start and finish' groups, which would report directly back to PELG. It will be necessary to further consider the procedures for taking this forward. With the abolition of the Technical Subcommittee, members agreed that it was appropriate for PELG to meet four times a year.

9 Again, although not addressed in the paper, some members were of the opinion that PETEL circulars should be issued directly by PELG rather than through the HELA / LACORS route. In particular, some members believed LACORS licence conditions should be replaced, where possible, by PETEL guidance. It became apparent that this proposal was controversial and would not be agreed during the meeting. However, it will be necessary to come back to this topic in the future (see also agenda items 5 and 6 covered in paragraphs 11 and 12 below). Thus, the agenda for the next meeting will contain an item relating to the links between licence conditions, LAPS agreements, general guidance and PETELs.

10 To summarise the actions:

- HSE will prepare a paper summarising the proposed addition to the list of PELG objectives and the revised membership of the Group.
- HSE will prepare another paper covering the proposed abolition of the Technical Subcommittee and how its work will be carried out in future.

- The agenda for the next meeting will include an item considering the links between licence conditions, LAPS agreements, general guidance and PETELs.

Action: HSE

LAPS – purpose and extent

11 Allan Davies summarised the reasoning behind the LAPS scheme and concluded that if the agreements were used properly, then there would be improvements in the consistency of enforcement. They should also result in efficiency gains for enforcement agencies, as duplicated effort would be reduced. Members accepted that LAPS schemes were potentially very useful but one of the problems in the petroleum sector is that some enforcing authorities, on occasions, choose to ignore LAPS agreements. The issues needs further consideration, together with the links to licence conditions, general guidance and PETELs (see paragraph 9).

PETELs and guidance

12 This item will now be carried forward to the next meeting (see paragraph 9).

Communications outside PELG

13 This item was, in effect, covered during the discussion on the paper about the aims, objectives and membership of PELG – see paragraph 7.

PETEL 65/51 – proposed changes

14 John Hazeldean had issued the latest draft of PETEL 65/51 to members before the meeting and had already received some comments. Some further work would be necessary on the portable credit terminals section, with a view to reducing the amount of comment. It was also apparent that the guidance on CCTV would need some extra work, balancing those situations where the facility was useful against giving the impression that CCTV should be mandatory.

15 Agenda item 10 was also addressed during this discussion. This revolved around an enquiry from a petroleum officer considering a site that was to be unstaffed for part of the day. CCTV had been installed but only came into operation if the emergency button was pressed. The officer wondered whether this was sufficient if the operator was to comply with the licence conditions relating to under-age sales and dispensing into suitable containers. It was agreed that the guidance should be further redrafted to give some advice on this situation and the other points raised in discussion.

Action: John Hazeldean

West Yorkshire guidance document – proposed changes

16 This item related to the proposed changes to PETEL 65/51, ie the guidance would be updated when the final draft is agreed.

Unattended sites – need for video recording?

17 This item was addressed as part of the discussion on amendments to PETEL 65/51 – see paragraph 15.

Emergency pump isolation switch

18 The revision of the ‘Blue Book’ has prompted a question about the need for the emergency isolation switch, intended for use by members of the public. It is clearly needed for unstaffed sites, but seems of little utility for staffed sites. Members agreed that it seemed of little use and, indeed, might encourage vandalism and mis-use. However, members will further consider the issues and forward any comments to Peter Roberts.

Action: Members

Refilling LPG cylinders – latest developments

19 Penny Taylor had tabled a paper at the PELG Tech meeting about the various issues involving re-filling LPG cylinders at Autogas facilities. One of the main conclusions to be drawn is that the legal position is not clear and further information is to be sought. For the time being, the advice for site operators and petroleum officers is that this activity should be subject to a risk assessment under DSEAR. The paper includes information about what might be included in the assessment, but it must be stressed that this is an initial draft and is likely to change considerably.

20 Members requested copies of the paper and Peter Roberts agreed to arrange this. Responses to the paper should be sent to Penny Taylor by 31 October.

Action: Peter Roberts & Members

Report back from PELG Technical sub-committee

21 A copy of the action notes relating to the PELG Tech Subcommittee held on 9 September had been distributed to members. Many of the significant issues discussed at the meeting have been raised as other items on the agenda. Members did not raise any issues concerning the remaining contents of the section notes.

Any other business

22 No issues were raised under ‘any other business’

Dates of future meetings

23 It had already been agreed that the next PELG meeting should take place on 27 January 2005, with further meetings arranged for 28 April, 7 July and 6 October 2005. For the time being, the PELG Tech meeting of 6 January 2005 will proceed. However, it will be cancelled if the action mentioned in paragraph 8 is completed.