

## SCHEDULES

### SCHEDULE 1

Part 1

#### CATEGORY 1 AND 2 RESPONDERS

#### PART 1

#### CATEGORY 1 RESPONDERS: GENERAL

##### *Local authorities*

- 1 In relation to England—
  - (a) a county council,
  - (b) a district council,
  - (c) a London borough council,
  - (d) the Common Council of the City of London, and
  - (e) the Council of the Isles of Scilly.
- 2 In relation to Wales—
  - (a) a county council, and
  - (b) a county borough council.

##### *Emergency services*

- 3 (1) A chief officer of police within the meaning of section 101(1) of the Police Act 1996 (c. 16).
  - (2) The Chief Constable of the Police Service of Northern Ireland.
  - (3) The Chief Constable of the British Transport Police Force.
- 4 A fire and rescue authority within the meaning of section 1 of the Fire and Rescue Services Act 2004 (c. 21).

##### *Health*

- 5 A National Health Service trust established under section 5 of the National Health Service and Community Care Act 1990 (c. 19) if, and in so far as, it has the function of providing—
  - (a) ambulance services,
  - (b) hospital accommodation and services in relation to accidents and emergencies, or
  - (c) services in relation to public health in Wales.
- 6 An NHS foundation trust (within the meaning of section 1 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43)) if, and in so far as, it

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has the function of providing hospital accommodation and services in relation to accidents and emergencies.

- 7 A Primary Care Trust established under section 16A of the National Health Service Act 1977 (c. 49).
- 8 A Local Health Board established under section 16BA of the National Health Service Act 1977.
- 9 (1) The Health Protection Agency established by section 1 of the Health Protection Agency Act 2004 (c. 17).
- (2) Until its dissolution consequent upon the coming into force of section 1 of that Act, the Special Health Authority established under section 11 of the National Health Service Act 1977 and known as the Health Protection Agency.
- 10 A port health authority constituted under section 2(4) of the Public Health (Control of Disease) Act 1984 (c. 22).

#### *Miscellaneous*

- 11 The Environment Agency.
- 12 The Secretary of State, in so far as his functions include responding to maritime and coastal emergencies (excluding the investigation of accidents).

## **PART 2**

### CATEGORY 1 RESPONDERS: SCOTLAND

#### *Local authorities*

- 13 A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).

#### *Emergency services*

- 14 A chief constable of a police force maintained under the Police (Scotland) Act 1967 (c. 77).
- 15 (1) A fire authority.
- (2) In sub-paragraph (1) “fire authority” means—
- (a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or
- (b) a joint board constituted under an administration scheme made by virtue of the Local Government (Scotland) Act 1973 (c. 65) or section 36 of the Fire Services Act 1947 (c. 41).
- 16 The Scottish Ambulance Service Board.

#### *Health*

- 17 A Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29).

*Miscellaneous*

- 18 The Scottish Environment Protection Agency.

**PART 3**

CATEGORY 2 RESPONDERS: GENERAL

*Utilities*

- 19 (1) A person holding a licence of a kind specified in sub-paragraph (2) and granted under section 6 of the Electricity Act 1989 (c. 29).
- (2) Those licences are—
- (a) a transmission licence,
  - (b) a distribution licence, and
  - (c) an interconnector licence.
- (3) Expressions used in this paragraph and in the Electricity Act 1989 shall have the same meaning in this paragraph as in that Act.
- 20 (1) A person holding a licence of a kind specified in sub-paragraph (2).
- (2) Those licences are—
- (a) a licence under section 7 of the Gas Act 1986 (c. 44), and
  - (b) a licence under section 7ZA of that Act.
- 21 A water undertaker or sewerage undertaker appointed under section 6 of the Water Industry Act 1991 (c. 56).
- 22 (1) A person who provides a public electronic communications network which makes telephone services available (whether for spoken communication or for the transmission of data).
- (2) In sub-paragraph (1)—
- (a) the reference to provision of a network shall be construed in accordance with section 32(4)(a) and (b) of the Communications Act 2003 (c. 21), and
  - (b) “public electronic communications network” shall have the meaning given by sections 32(1) and 151(1) of that Act.

*Transport*

- 23 A person who holds a licence under section 8 of the Railways Act 1993 (c. 43) (operation of railway assets) in so far as the licence relates to activity in Great Britain.
- 24 A person who provides services in connection with railways in Great Britain—
- (a) without holding a licence under section 8 of that Act, but
  - (b) in reliance on Council Directive 95/18/EC on the licensing of railway undertakings.
- 25 (1) Transport for London.
- (2) London Underground Limited (being a subsidiary of Transport for London).

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- 26 An airport operator, within the meaning of section 82(1) of the Airports Act 1986 (c. 31), in Great Britain.
- 27 A harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990 (c. 31), in Great Britain.
- 28 The Secretary of State, in so far as his functions relate to matters for which he is responsible by virtue of section 1 of the Highways Act 1980 (c. 66) (highway authorities).

*Health and safety*

- 29 The Health and Safety Executive.

**PART 4**

CATEGORY 2 RESPONDERS: SCOTLAND

*Utilities*

- 30 (1) A person holding a licence of a kind specified in sub-paragraph (2) and granted under the Electricity Act 1989 (c. 29), in so far as the activity under the licence is undertaken in Scotland.
- (2) Those licences are—
- (a) a transmission licence,
  - (b) a distribution licence, and
  - (c) an interconnector licence.
- (3) Expressions used in this paragraph and in the Electricity Act 1989 shall have the same meaning in this paragraph as in that Act.
- 31 (1) A person holding a licence of a kind specified in sub-paragraph (2), in so far as the activity under the licence is undertaken in Scotland.
- (2) Those licences are—
- (a) a licence under section 7 of the Gas Act 1986 (c. 44), and
  - (b) a licence under section 7ZA of that Act.
- 32 Scottish Water, established by section 20 of, and Schedule 3 to, the Water Industry (Scotland) Act 2002 (asp 3).
- 33 (1) A person who provides a public electronic communications network which makes telephone services available (whether for spoken communication or for the transmission of data) in so far as the services are made available in Scotland.
- (2) In sub-paragraph (1)—
- (a) the reference to provision of a network shall be construed in accordance with section 32(4)(a) and (b) of the Communications Act 2003 (c. 21), and
  - (b) “public electronic communications network” shall have the meaning given by sections 32(1) and 151(1) of that Act.

### *Transport*

- 34 A person who holds a licence to operate railway assets under section 8 of the Railways Act 1993 (c. 43) in so far as such operation takes place in Scotland.
- 35 A person who provides services in connection with railways—  
(a) without holding a licence under section 8 of that Act, but  
(b) in reliance on Council Directive 95/18/EC on the licensing of railway undertakings,  
in so far as such services are provided in Scotland.
- 36 An airport operator within the meaning of section 82(1) of the Airports Act 1986 (c. 31) in so far as it has responsibility for the management of an airport in Scotland.
- 37 A harbour authority, within the meaning of section 46(1) of the Aviation and Maritime Security Act 1990 (c. 31) in so far as it has functions in relation to improving, maintaining and managing a harbour in Scotland.

### *Health*

- 38 The Common Services Agency established by section 10 of the National Health Service (Scotland) Act 1978 (c. 29).