
STATUTORY INSTRUMENTS

1999 No. 743

The Control of Major Accident Hazards Regulations 1999

PART 4

EMERGENCY PLANS

Off-site emergency plan

10.—(1) The local authority, in whose area there is an establishment, shall prepare an emergency plan (in these Regulations referred to as an “off-site emergency plan”) in respect of that establishment, and such a plan shall be adequate for securing the objectives specified in Part 1 of Schedule 5 and shall contain the information specified in Part 3 of that Schedule.

(2) The off-site emergency plan shall be prepared no later than 6 months (or such longer period, not exceeding 9 months, as the competent authority may agree in writing) after—

- (a) the receipt by the local authority of a notice from the competent authority informing the local authority of the need to prepare an off-site emergency plan in respect of the establishment;
- (b) the time an on-site emergency plan is required to be prepared for the establishment pursuant to regulation 9; or
- (c) the receipt by the local authority of the information referred to in paragraphs (3) and (5);

whichever is later.

(3) An operator shall supply to the local authority in whose area the establishment is situated the information necessary for the purpose of enabling the authority to prepare the off-site emergency plan.

(4) The information referred to in paragraph (3) shall be supplied no later than the time an on-site emergency plan is required to be prepared for the establishment pursuant to regulation 9.

(5) The operator shall supply to the local authority any additional information it may reasonably request in writing to enable the off-site emergency plan to be prepared, and the information shall be so provided within such period as the local authority specifies in the request.

(6) The local authority shall consult the operator, the competent authority, the emergency services, each health authority for the area in the vicinity of the establishment and such members of the public as it considers appropriate on the preparation of the off-site emergency plan.

(7) The competent authority may in view of the information contained in a safety report exempt a local authority from the requirement to prepare an off-site emergency plan in respect of an establishment, and any such exemption shall be in writing and state the reasons for granting it.

(8) Where an exemption has been given under paragraph (7), the local authority shall, for the purposes of these Regulations and while the exemption is in force, have no function in relation to the preparation, review, testing and putting into effect of an off-site emergency plan for the establishment concerned.