

Tyne and Wear Fire and Rescue Service

Creating the Safest Community

www.twfire.gov.uk

Chief Fire Officer Tom Capeling



Freedom of Information Request Ref Number: KS/15 06 16 1

Date of Response: 28th June 2016

Request:

This is a request for information issued by the International Campaign to Abolish Nuclear Weapons UK (ICAN-UK) under the Freedom of Information Act 2000. The information requested relates to the transportation of nuclear warheads by the Ministry of Defence past Newcastle. Lorries carrying warheads from the Trident nuclear arsenal are routinely transported from their base at RNAD Coulport in Scotland to the maintenance plant at AWE Burghfield in Berkshire. When this transportation takes place the lorries often pass Newcastle and Gateshead on the A1.

We would like to know:

1. What emergency plans you have in place, if any, to respond to either a radiation leak or an explosion involving the nuclear convoy lorries. Such an event could be caused either by a road traffic accident or a deliberate attack on the lorries.
2. How quickly you estimate that the Fire Service could reach the scene of an accident involving a nuclear convoy lorry and how long it would take them to stop a radiation leak.
3. What amount of information or warning, if any, you are given by the British Government before a convoy travels past your city.
4. If you have carried out any analysis to determine the radius that might be affected should a nuclear convoy leak radiation or explode.
5. If the answer to Question 4 is "Yes", please describe what you forecast the impact would be on your city. ICAN-UK is a campaign calling for the abolition of all nuclear weapons.

It would be helpful if you were to provide any brief notes which might be necessary to understand the context of the information provided, although I recognise that you are not obliged to do this.

Service Headquarters Nissan Way Barmston Mere Sunderland SR5 3QY
Telephone 0191 444 1500 Fax 0191 444 1512



Response:

Please see response for Q2 below:

All of Tyne and Wear Fire Rescue Authority's fire stations are strategically located in line with our Integrated Risk Management Plan (IRMP). Any such major incidents will be responded to in line with our mobilising policy.

The remainder of the information that you have requested is refused. Please find the details below:

In accordance with the Freedom of Information Act 2000, this letter represents a Refusal Notice for this particular request under Section 17 (1).

In relation to your request for details regarding our capabilities to respond to emergency situations during the transportation of nuclear warheads by the Ministry of Defence, Tyne and Wear Fire and Rescue Service is exempting the information by virtue of the following exemptions:

Section 24(1) - National Security
Section 38 - Health and Safety

Section 24 (1) – National Security

Under the Freedom of Information Act 2000, the National Security exemption S.24 (1), the information is exempt for the purpose of safeguarding national security.

Tyne and Wear Fire and Rescue Service (TWFRS) work to provide an emergency service across the five local authority areas to make Tyne and Wear safe. One of the ways is to make sure our emergency plans are intact.

This type of information could be of particular interest to individuals wishing to cause harm and disruption to the lives of the residents of Tyne and Wear. Therefore the release of this information would, or would be likely to, prejudice national security which is exempt under Section 24(1) FOIA.

The National Security exemption also applies where releasing information relating to the capabilities to respond to emergency situations during the transportation of nuclear warheads into the public domain could be misused by those with malicious intent. This information could be viewed as hampering the effectiveness of TWFRS's ability to carry out its responsibilities effectively in the event of a major incident, placing a real threat to national security.

Section 38 – Health and Safety

The Freedom of Information Act 2000 also contains a health and safety exemption (S.38) which states that information is exempt information if its disclosure under this Act would, or would be likely to;

- (a) endanger the physical or mental health of any individual, or,
- (b) endanger the safety of any individual.

If we disclose the emergency and other plans relating to transportation of nuclear warheads this will increase the risk of disruption rendering predetermined response arrangements unusable and therefore compromise the health and safety of staff members in the course of carrying out their duties.

Disclosure of this information may also increase the risks faced by staff members as potential targets of terrorist activity. This would endanger the physical and mental health of our specialist teams and, accordingly, the health and safety exemption (S.38) applies to this information.

National Security and Health and Safety – Public Interest Test

In applying Sections 24 (National Security) and 38 (Health and Safety) we must further consider the “ public interest” test; this is to consider whether the public interest in withholding the information outweighs the public interest in disclosing it.

I have set out my public interest considerations as follows:

By disclosing the information requested we would be mapping out our resources, capabilities and pre-determined plans for such incident. This information could be used in conjunction with other data held by a terrorist (or other person wishing to inflict harm) ultimately to put Tyne and Wear at a greater risk and potentially reduce our capability to respond. Providing this information could increase the risks faced by the crews and the members of the public.

The public interest is primarily in knowing that TWFRS have an emergency plans for such incidents. It could be argued that disclosing the emergency plans may reassure the public regarding TWFRS’s ability to respond to major incidents in specific areas.

On balance, I believe that the public interest in withholding this information outweighs the public interest in disclosing it and in accordance with the Freedom of Information Act 2000, this letter acts as a Public Interest Refusal Notice in relation to that information.

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Sunderland
Tyne and Wear
SR5 3QY

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