

SCHEDULE 24

Protestor Action Protocol

This is Schedule 24 comprising the Protestor Action Protocol referred to in the Project Agreement
for the provision of waste services to Cumbria

between

CUMBRIA COUNTY COUNCIL

and

SHANKS CUMBRIA LIMITED



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SCHEDULE 24 – PROTESTOR ACTION PROTOCOL

1. INTRODUCTION

This protocol outlines the potential for protestor action, identifies general rules to be followed in the event of protestor action and then looks at specific issues relating to the construction of the Resource Parks during the Works Period.

2. POTENTIAL PROTESTOR ACTION

There are two (2) main categories of protestors relating to the Works as follows:-

2.1 Environmental Activists

2.1.1 Various environmental action groups and individuals will, as a matter of principle, protest against the development of certain waste management facilities.

2.1.2 However, such groups may protest against any major development on the basis of loss of green belt, inappropriate use of land, scale of development not in keeping with the area, etc.

2.1.3 Such groups can be well organised and if they ‘target’ a particular site could take a range of courses of action ranging from a visible/vocal presence at the site entrance to a full scale occupation of the site for a prolonged period.

2.2 Local Residents

2.2.1 Inevitably not all local residents will be in favour of the development works taking place in their locality. They may have a personal animosity towards the development as it affects their house or business or a more general concern about impact on the neighbourhood. Alternatively the construction activities themselves could give rise to concerns from neighbours as a result of excessive noise, dust, odours, traffic, mud, etc.

2.2.2 Such individuals will normally try to mobilise opposition through public meetings and the local political process. However, if they perceive that they have genuine grievances which are not being appropriately addressed then they could mobilise direct action against the development through visual/vocal presence at the site gate. It is unlikely that such groups will attempt to enter or occupy the site, but this cannot be ruled out.

3. GENERAL RULES IN THE EVENT OF PROTESTOR ACTION

3.1 Required action to be undertaken in the event of protestor action will depend upon the nature of the protest. It is important therefore that any actions are lawful and that any actions taken by the Contractor or its Sub-Contractors are proportional to the activities of the protestors. The following general rules should therefore be used as guidance:-

3.1.1 Any employee or sub-contractor becoming aware of protestor action at a Site should immediately inform the site manager.

3.1.2 The site manager at the Site should assess the severity of the protestor action and should consider the most appropriate steps to take with a view to protecting

the health and safety of the Site staff and the protestors. Steps to consider taking include:-

- (a) talking to the protestors to find out what their concerns are and what actions they intend to take;
- (b) closing and locking the entrance gate to prevent entry to the Site;
- (c) contacting the police if there is a threat of physical violence or if the protestors are blocking entrance to the Site or trespassing on the Site.

- 3.1.3 After assessing the situation and taking any immediate steps which they feel to be necessary the site manager should inform the Contractor's senior management. Contact details are listed in Appendix 2. The site manager should describe the nature of the protest, actions already taken and recommendation for further actions.
 - 3.1.4 The Contractor's senior manager will, soon as possible arrange a meeting (most likely via conference call) between the site manager and any other people felt to be appropriate. The meeting should assess the situation, immediate actions taken and consider options for further action.
 - 3.1.5 Any action agreed in accordance with 3.1.4 above will be implemented as appropriate.
 - 3.1.6 The Contractor's senior manager will be responsible for any additional external communications (unless he delegates this), which must include notifying Cumbria County Council and may include external management, police, press, health and safety executive, etc.
- 3.2 For the avoidance of doubt, the Contractor shall not be obliged to take any steps which may be unlawful or may endanger the safety of its staff or the Site.
 - 3.3 Following completion of any action carried out in accordance with this Schedule and/or cessation of the protest, a written report on the incident must be completed by the Contractor in accordance with the Incident Report set out in Appendix 1 (Incident Report).
 - 3.4 Any further written reports which may be required will be determined by the Contractor.

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Appendix 1 - Protestor Action Protocol – Incident Report

SITE NAME	
DATE OF PROTEST AND TIME AT WHICH PROTESTORS FIRST BECAME EVIDENT	
ABOUT THE PROTESTORS	
Number	
Description of the protestors	Identities of individuals (<i>if known</i>)
Are the protestors part of an identifiable group or organisation? (<i>eg any statements made by them, banners, flags, leaflets etc</i>). If so, who?	
Description of any vehicles used by protestors	
PROTESTOR ACTIVITIES	
Describe what activities the protestors undertook.	
Did the protestors block entrance to the site?	
Did the protestors gain access to the Site?	
Was any violence or threatening behaviour used? If so give details.	

Details of any damage caused by the protestors?

IF THE PROTESTORS ENTERED THE SITE

Were the protestors asked to leave the Site?

If so, name and position of person who informed protestors that they are trespassing and ordered them to leave the premises.

Give details of what was said:

What was the protestor's reaction/response to being ordered to leave the premises?

Details of any other communications with the protestors:

HEALTH & SAFETY

Details of Health & Safety risks associated with the protestor's occupation?

ACTIONS TAKEN TO SECURE THE PREMISES FROM FURTHER PROTESTOR ACTIVITY.**IF THE POLICE WERE INFORMED**

Who informed the Police?

Time:

Name of police officer informed

Details of police officers who attended the premises.

What action did the police take?

Police incident report number.

DETAILS OF ANY OTHER RELEVANT INFORMATION

