

THE FIFE COUNCIL

MOSSMORRAN AND BRAEFOOT BAY COMMUNITY AND SAFETY COMMITTEE

CONSTITUTION AND TERMS OF REFERENCE

1.0 TITLE

1.1 The Committee shall be known as the Mossmorran and Braefoot Bay Community and Safety Committee: referred to herein as "the Committee"

2.0 TERMS OF REFERENCE

2.1 The Committee shall provide a forum which will enable the local communities to:

- Be aware of developments likely to take place at Mossmorran and Braefoot Bay;
- Be briefed on operational, environmental and safety aspects associated with the existing plant and terminal and associated with developments affecting the plant and terminal (this includes from the three Expert Advisory Groups for Air Quality, Noise, Vibration and Light and Communications – the aims and objectives of which are outlined in Appendices 1-3); and
- Allow the views of local communities on these issues to be properly expressed.

In particular, the Committee shall have the following remit:

- To identify and discuss operational, environmental and safety aspects of the developments at Mossmorran and Braefoot Bay on the area. Where appropriate, to identify and suggest possible action or investigation to be taken, if required, in connection with such aspects.
- To receive, for information and discussion purposes, reports on various aspects relating to measures and procedures designed to safeguard the environment, monitor potential environmental impact of the developments and identify matters of relevance to communities. This includes reports from the three Expert Advisory Groups for Air Quality, Noise, Vibration and Light and Communications.
- To discuss safety issues and any matters of interest or concern to the local communities relating thereto, arising from the developments at Mossmorran and Braefoot Bay.
- To receive, for information and discussion purposes, reports on various aspects of operations at the Mossmorran and Braefoot facilities.
- To receive, for information purposes, reports from the local authority in respect of the companies' performance of those conditions of a continuing nature pertaining to the planning permissions for the developments at Mossmorran and Braefoot Bay.
- To assist in developing a mutual understanding of matters and issues of relevance to both the local communities and the companies to assist in the creation of a climate which is positive to future investment and/or

developments which are safe, environmentally acceptable and economically advantageous for the area of Fife.

2.2 This Constitution and terms of reference shall not imply any responsibility for, control over, or restriction of the statutory or common law positions of Fife Council, Scottish Environment Protection Agency (SEPA), Health and Safety Executive (HSE), Shell U.K Limited, ExxonMobil Chemical Ltd or any other local authority, statutory authority or agency, or company, nor derogate from the rights, powers and responsibilities of such authorities, agencies or companies, in respect of the developments.

3.0 MEMBERSHIP

3.1 There shall be on the Committee three representatives from Fife Council, and one representative from each of the following: -

- Scottish Environment Protection Agency (SEPA)
- Health and Safety Executive (HSE)
- Shell U.K. Ltd
- ExxonMobil Chemical Ltd
- Aberdour Community Council
- Auchtertool Community Council
- Benarty Community Council
- Burntisland Community Council
- Cardenden & Kinglassie Community Council
- Cowdenbeath Community Council
- Crossgates & Mossgreen Community Council
- Dalgety Bay & Hillend Community Council
- Hill of Beath Community Council
- Kelty Community Council
- Lochgelly Community Council
- Lumphinnans Community Council

Representation level shall be increased to enable the companies to invite appropriate specialists, who shall not be entitled to vote, to attend when required.

3.2 An appropriate number of officials (normally no more than four), who shall not be entitled to vote, from the local authority shall attend meetings of the Committee.

3.3 The Committee may invite others to attend meetings to address them on issues related to the terms of reference as referred to in paragraph 2.1 above.

4.0 MEETINGS

4.1 The Committee shall meet four times per year or more if deemed necessary.

5.0 OFFICE BEARERS

5.1 The members of the Committee shall appoint an elected representative of Fife Council to Chair this Committee.

5.2 Secretarial support shall be provided by Fife Council.

6.0 BUSINESS

6.1 The Secretary shall send to all members, as appropriate, a record of the previous meeting and notice and agenda for all meetings at least seven days before the date of the next meeting.

6.2 Business shall be in keeping with the terms of reference specified in paragraph 2.1 above.

7.0 FINANCE

7.1 The local authority shall meet any reasonable costs of the administration of the Committee.

June 2023

Appendix One – Expert Advisory Group (EAG) on Air Quality

1.0 TITLE

1.1 The Group is known as the Mossmorran & Braefoot Bay Expert Advisory Group on Air Quality (referred to below as the EAG).

2.0 INTRODUCTION

2.1 The EAG was formed in 2021 (following the dissolution of the Mossmorran and Braefoot Bay Independent Air Quality Monitoring Review Group) to provide advice and recommendations to Fife Council regarding the monitoring of air emissions arising from the operations at the Mossmorran plants and the Braefoot Bay terminal facilities.

2.2 The EAG's focus is to review data, particularly surrounding air quality issues of relevance within the local communities. A key role is assisting with communications of air quality related information.

3.0 AIMS AND OBJECTIVES

3.1 To provide independently reviewed advice on air quality related monitoring arrangements.

3.2 To review air quality monitoring data obtained at sites in the vicinity of the Mossmorran complex and the Braefoot Bay terminal.

3.3 To consider, advise and make recommendations on the outcome of monitoring data including to the Mossmorran and Braefoot Bay Community & Safety Committee. The EAG intends by inclusion in its membership of public health representation and where required, independent specialist consultants, that timely and informative communications can be provided in respect of any relevant health issues that might arise in the local communities. The EAG also intends by inclusion in its membership of an independent consultant that the recommendations have been independently reviewed.

3.4 To submit reports to the Mossmorran and Braefoot Bay Community & Safety Committee, Fife Council and to make presentations as appropriate to representatives of the Community Councils that are local to the Mossmorran plants and the Braefoot Bay terminal. The EAG intends inclusion in its membership of representation from the local Community Councils to assist with these communications related responsibilities.

3.5 The EAGs approach will be based on:

(i) Providing regular updates on activities to the Mossmorran & Braefoot Bay EAG on Communications & the Mossmorran and Braefoot Bay Community & Safety Committee;

(ii) Prepare and publish an Annual Independent Air Quality report, ensuring that all reports produced by, or on behalf of, the EAG are independently produced and/or reviewed;

(iii) Ensuring that all reports produced by, or on behalf of, the EAG are fully documented and contain source references to all relevant data;

(iv) Providing regular and non-technical summaries on its activities in collaboration with the Communications EAG; and

(v) Informing the local communities through submissions to existing liaison structures (i.e. primarily the Mossmorran & Braefoot Bay Community & Safety Committee) and through direct presentations by EAG members as appropriate.

4.0 MEMBERSHIP

4.1 Membership of the Expert Advisory Group comprises appropriate representation from the following:

- Fife Council (Chair)
- NHS Fife
- Scottish Environment Protection Agency (SEPA)
- Community Councils
- Shell U.K. Ltd
- ExxonMobil Chemical Ltd
- Elected Members

4.2 The EAG may invite others to address group members on issues related to the terms of reference set out at paragraph 3.0 above.

5.0 MEETINGS

5.1 The EAG will meet as frequently as is considered necessary by the Chair (normally at least once a year), having regard to the remit set out at paragraph 3.0 above.

5.2 A summary of the meetings will be provided to the Mossmorran and Braefoot Bay Community and Safety Committee for formal noting.

6.0 FINANCE

6.1 The local authority shall meet any reasonable costs of the administration of the EAG.

6.2 The operators of the Mossmorran complex will pay for the costs of a suitable consultant to produce the Annual Independent Air Quality Report.

Appendix 2 – Expert Advisory Group on Communications

1.0 TITLE

1.1 The Group is known as the Mossmorran & Braefoot Bay Expert Advisory Group on Communications (referred to below as the EAG).

2.0 INTRODUCTION

2.1 The EAG was formed in 2022 to provide advice and recommendations to the Mossmorran and Braefoot Bay Community & Safety Committee regarding the communication of factual information arising from the operations and any matters arising at the Mossmorran plants and the Braefoot Bay terminal facilities.

2.2 Of particular relevance to the EAG are issues relating to any aspects of relevance within the local communities, and a key role is assisting with communications on matters relating to health, air quality, noise, vibration and light related information.

3.0 AIMS AND OBJECTIVES

3.1 To provide advice on the communication of air quality, noise, vibration and light monitoring arrangements.

3.2 To review air quality, noise, vibration and light monitoring data/reports obtained at sites in the vicinity of the Mossmorran complex and the Braefoot Bay terminal and how best to communicate this information (includes design/layout and content) in collaboration with the relevant EAG's.

3.3 To consider, advise and make recommendations on the communication of monitoring data including to the Mossmorran and Braefoot Bay Community & Safety Committee. The EAG intends by inclusion in its membership of public health representation that timely and informative factual communications can be provided in respect of any relevant health issues that might arise in the local communities.

3.4 To submit reports to the Mossmorran and Braefoot Bay Community & Safety Committee, Fife Council and to make presentations as appropriate to representatives of the Community Councils that are local to the Mossmorran plants and the Braefoot Bay terminal. The EAG will invite representatives from the local Community Councils to assist with these communications related responsibilities as and when required/appropriate.

3.5 The EAGs approach will be based on:

(i) Providing regular updates on communication trends to the Mossmorran and Braefoot Bay Community & Safety Committee, in particular highlighting aspects of relevance raised by local communities.

(ii) Ensuring that all reports produced by, or on behalf of, the EAG are fully documented and contain source references to all relevant data;

(iii) Providing regular and non-technical summaries on its activities, in particular the effectiveness and feedback on communication activities undertaken in local communities; and

(iv) Ensuring local communities receive fit-for-purpose communications on aspects of relevance relating to the Mossmorran plants and the Braefoot Bay terminal facilities through submissions to existing liaison structures (i.e. primarily the Mossmorran & Braefoot Bay Community & Safety Committee) and through direct presentations by EAG members as appropriate.

4.0 MEMBERSHIP

4.1 Membership of the Expert Advisory Group comprises appropriate representation from the following:

Fife Council (Chair)
Scottish Environment Protection Agency (SEPA)
Shell U.K. Ltd
ExxonMobil Chemical Ltd
NHS Fife
Elected Members
Community Councils

4.2 The EAG may invite representatives of other organisations to address group members on issues related to the terms of reference set out at paragraph 3.0 above.

5.0 MEETINGS

5.1 The EAG will meet as frequently as is considered necessary by the Chair (normally at least once per year), having regard to the remit set out at paragraph 3.0 above.

5.2 A summary of the meetings will be provided to the Mossmorran and Braefoot Bay Community and Safety Committee for formal noting.

6.0 FINANCE

6.1 The local authority shall meet any reasonable costs of the administration of the EAG.

Appendix 3 – Expert Advisory Group on Noise, Vibration and Light

1.0 TITLE

1.1 The Group is known as the Mossmorran & Braefoot Bay Expert Advisory Group on Noise, Vibration & Light (referred to below as the EAG).

2.0 INTRODUCTION

2.1 The EAG was formed in 2021 to provide advice and recommendations to the Mossmorran an & Braefoot Bay Community and Safety Committee regarding the monitoring of noise, vibration and light arising from the operations at the Mossmorran plants and the Braefoot Bay terminal facilities.

2.2 The EAGs focus is to review data, particularly surrounding noise, vibration and light issues of relevance within the local communities. A key role is assisting with communications of noise, vibration and light related information.

3.0 AIMS AND OBJECTIVES

3.1 To provide advice on noise, vibration and light monitoring arrangements.

3.2 To review noise, vibration and light monitoring data/reports obtained at sites in the vicinity of the Mossmorran complex and the Braefoot Bay terminal.

3.3 To consider, advise and make recommendations on the outcome of monitoring data including to the Mossmorran and Braefoot Bay Community & Safety Committee. The EAG intends by inclusion in its membership of public health representation and where required, independent specialist consultants, that timely and informative communications can be provided in respect of any relevant health issues that might arise in the local communities.

3.4 To submit reports to the Mossmorran and Braefoot Bay Community & Safety Committee, Fife Council and to make presentations as appropriate to representatives of the Community Councils that are local to the Mossmorran plants and the Braefoot Bay terminal. The EAG intends inclusion in its membership of representation from the local Community Councils to assist with these communications related responsibilities.

3.5 The EAGs approach will be based on:

(i) Providing regular updates on activities to the Mossmorran and Braefoot Bay Expert Advisory Group on Communications and the Mossmorran and Braefoot Bay Community & Safety Committee

(ii) Ensuring that all reports produced by, or on behalf of, the EAG are fully documented and contain source references to all relevant data;

(iii) Providing regular and non-technical summaries on its activities, in collaboration with the Communications EAG; and

(iv) Informing the local communities through submissions to existing liaison structures (i.e. primarily the Mossmorran & Braefoot Bay Community & Safety Committee) and through direct presentations by EAG members as appropriate.

4.0 MEMBERSHIP

4.1 Membership of the Expert Advisory Group comprises appropriate representation from the following:

Fife Council (Chair)
Elected Members
Scottish Environment Protection Agency (SEPA)
Shell U.K. Ltd
ExxonMobil Chemical Ltd
NHS Fife
Community Councils

4.2 The EAG may invite others to address group members on issues related to the terms of reference set out at paragraph 3.0 above.

5.0 MEETINGS

5.1 The EAG will meet as frequently as is considered necessary by the Chair (normally at least once a year), having regard to the remit set out at paragraph 3.0 above.

5.2 A summary of the meetings will be provided to the Mossmorran and Braefoot Bay Community and Safety Committee for formal noting.

6.0 FINANCE

6.1 The local authority shall meet any reasonable costs of the administration of the EAG.