Response of the Labour Group of the Cumbria County Council Local Committee for Copeland

1. **Do you agree that a test of public support should be taken before the representative authority loses the Right of Withdrawal? If so, what do you think would be the most appropriate means of testing public support, and when should it take place? If you do not agree with the need for such a test, please explain why.**

   Yes, the success of a future MRWS process will require the active support of potential host communities in developing the proposals**.**One of the keys to managing this successfully will be to engage with the "silent majority" and to ensure that the widest possible public opinion has been canvassed in the potential host community. However, the timing of this will be crucial – it should not take place until the geographical area of the host community has been agreed and defined.

   The government also needs to gain the confidence of the host community that a 'no' vote would still be acceptable if it decided to pull out – even after years of investigation.

   Methods of testing support can include consultation through workshops, surveys and focus groups or by a referendum. However it is important if a test of public support is to be carried out that people understand the issues or they are less likely to take part. The host community needs to be well informed and to understand the "need case" for the GDF; where radioactive waste is stored at present, how much of it there is, how much there will be in future, what other options have been considered, and what solutions have been selected by other countries.

   The issues involved need to be explained in "Plain English". Technical jargon and bureaucratic language can be intimidating for people who do not have the background knowledge, and they are less likely to participate.

2. **Do you agree with the proposed amendments to decision making within the MRWS siting process? If not, how would you modify the proposed phased approach, or, alternatively, what different approach would you propose? Please explain your reasoning.**

   We support the**'**learning' and 'focusing' phasesbut it needs to be made clear that there is not a decision-making point in between these two phases. However, any reports produced from the 'learning' phase (geological and socio-economic) would need to be independently peer reviewed. This would ideally be done by international bodies with similar experience of GDF site selection in other countries.

3. **Do you agree with this approach to revising roles in the siting process set out in the White Paper? If not, what alternative approach would you propose and why?**

   The previous MRWS process handed the decision of the initial stages of the process to a partnership of three differently-tiered local authorities (Cumbria County Council and Allerdale and Copeland Borough Councils) but this reduced the ability of the Government, the Nuclear Decommissioning Authority (NDA) and CoRWM to lead the process or to make the arguments in favour of geological disposal effectively; those bodies became seen as technical advisors rather than as advocates or promoters. The local authority partnership

approach also required approval from all three councils to move to the next stage of the site selection process, effectively placing control over the whole issue into the hands of a small number of county councillors. The fact that both Copeland and Allerdale councils supported moving to the next stage, as did two-thirds of people in Copeland questioned in an Ipsos/Mori opinion survey, could not outweigh a decision taken remotely by a small number of county councillors (mainly from outside the Copeland area) only weeks before the County Council elections.

Therefore, allowing local authorities to determine the outcome of a process which is designed to deliver a national Government policy may not be the most appropriate route. The Planning Act 2008 introduced a new planning process for Nationally Significant Infrastructure Projects (NSIPs) which requires the promoter/developer to carry out thorough pre-application and consultation and research, which is then considered by the Planning Inspectorate when determining whether to grant consent for the project. Local authorities, communities and environmental bodies, among others, are consultees rather than decision-makers, and Planning Performance Agreements (PPAs) can be put in placewhich require developers to support local authorities in considering the wider and longer-term implications of the proposed development.

The affected community should still retain the right to withdraw.

4. **Do you agree with this proposed approach to assessing geological suitability as part of the MRWS siting process? If not, what alternative approach would you propose and why?**

We agree with this approach but the assessment must be seen as credible and be peer reviewed. The issue of whether local geology was suitable for deep burial of nuclear waste in West Cumbria was a key issue during the previous process. Campaigners against the GDF cited reports by independent geologists who claimed it was not suitable, but the nature of the MRWS process (as stated above) meant it was impossible for NDA or DECC to provide a counter-argument; the NDA's detailed geological investigation could not take place until the next stage, but opponents claimed that moving to the next stage meant the creation of a GDF in West Cumbria was a "done deal", even though this was not the case. Again, treating the GDF project as an NSIP would allow the NDA to carry out geological investigation at varying levels of detail at different stages in the development of the proposals.

It would be helpful to have a definition of what is suitable geography and extensive consultation during and after each stage would allow detailed examination, challenge and review of the findings at each point in the process.

5. **Do you agree with this proposed approach to planning for the geological disposal facility? If not, what alternative approach would you propose and why?**

We agree with this proposed approach. The GDF will be a major project and should be classified as an NSIP (Nationally Significant Infrastructure Project). The Government's National Policy Statement (NPS) for Nuclear Power Generation (EN-6) identifies geological disposal as the solution for radioactive waste, but a further NPS specific to geological disposal is required in order for a GDF to be classified as an NSIP for the purposes of planning legislation. This is important in order to provide clarity and to allow the process to move on. We also believe that such an NPS should include clear statements about the right to withdraw and community benefits.

It would be helpful to understand the timetable for publication.

6. **Do you agree with this clarification of the inventory for geological disposal – and how this will be communicated with the volunteer host community? If not, what alternative approach would you propose and why?**

   With inventory all efforts should be to follow the waste hierarchy principles of reduction, reuse and recycle and only after these principles have been applied should waste be classified for disposal.

   It would seem that what was once proposed as the "upper inventory" is now the "baseline" inventory which includes all legacy higher activity wastes, stockpiles of transuranic materials of which no alternative use can be found, and stored spent fuels from existing reactors and any new waste from the new build programme. Clarification is sought if this means a significantly larger GDF operating over a longer period than NDA's reference GDF design?

   It also effectively expects the community to accept an open-ended commitment to all higher activity wastes and materials, past, present and future. This raises concerns and we think that a change control mechanism needs to be in place, which must be agreed by the local community which defines how any change to the agreed inventory would be agreed and mitigated against. Such a control should include a right for the community to "veto" disposal if it is deemed unacceptable.

   Any acceptance of further foreign waste would have to be rigorously investigated and be subject to consultation with the host community.

7. **Do you endorse the proposed approach on community benefits associated with a GDF? If not, what alternative approach would you propose and why?**

   The proposed approach, which includes the establishment of a community fund and a clear indication of the amount of funding likely to be available, is very helpful. However, the extremely long-term nature of the project means there should also be a commitment to work with potential host communities on the development of long-term local/neighbourhood plans. A comprehensive package of community benefits should be developed with each potential host community as part of the site selection process, with clear and unequivocal benefits and steps for the eventual host.

   Any community fund should be independently administered to ensure transparency and to ensure all communities are treated fairly and all interests properly represented.

   In order to avoid concerns about communities being 'bought off' we would suggest that there is a clear distinction between what is provided during the early 'learning' and 'focusing' stages and the later stages, through to construction and afterwards. There must also be clarity over what the government will do regarding retrieving any funds following withdrawal by the host community.

8. **Do you agree with the proposed approach to addressing potential socio-economic and environmental effects that might come from hosting a GDF? If not, what alternative approach would you propose and why?**

We agree that socio-economic and environmental issues should be addressed at an early stage in the process. A community's willingness to participate in the site selection process will include a number of considerations, such as safety, health, inward investment, employment, disturbance during planning, construction and operation, visual impact and others.

The government should clearly define and communicate the economic and social impacts and benefits that would be enjoyed by the host community in the area immediately affected but also the impact on the wider area. However it is also vitally important to recognise that communities such as West Cumbria are already living with the nuclear industry and above-ground storage of nuclear waste and have an informed view about its future. We have many thousands of people employed in the nuclear industry and a much higher level of knowledge than most other parts of the United Kingdom. West Cumbria is also living day-to-day with the above-ground storage of nuclear waste already.

There should be clear information on how socio-economic and environmental impacts on potential host communities will be assessed, and how those communities will be involved in developing long-term plans for economic, social and community benefits. Any reports must be independently reviewed to build trust and international expertise used whenever appropriate.

Generic Strategic Environmental Assessments need to be carried out early in the process and Environmental Impact Assessments produced so that this information can inform the site selection process.