Cinque Port Town of New Romney

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CN/MW/7001

4 December 2013

RESPONSE TO
DEPARTMENT OF ENERGY & CLIMATE CHANGE
CONSULTATION : SITE SELECTION PROCESS
FOR A GEOLOGICAL DISPOSAL FACILITY (GDF)

Question 1

At paragraph 1.45 there is reference to Shepway District Council's (SDC) attempt to secure a formal Expression of Interest from the area's residents. This failed, primarily because the local community of Romney Marsh, where a disposal facility would probably be sited, were strongly opposed to the project and to the manner in which SDC had presented it to them. New Romney Town Council independently sought information from the NDA and were, as a result, better informed when commenting on the proposal.

New Romney Town Council has embraced 'localism'. It is preparing its own Neighbourhood Plan. It is the authority that functions closest to the people affected by a decision and does have power to respond to planning applications.

As paragraph 2.24 acknowledges "A GDF ..... would be situated in a comparatively small geographical area. The impact of the implementation and operation of a GDF will, therefore, be experienced by a specific community in a specific area."

In Shepway District that specific area is Romney Marsh and that community encompasses the residents of the towns and villages on the Marsh. The urban populations of Folkestone and Hythe, wherein lies the political power of the District, have no relationship nor reference to the communities of the Marsh.

For the above reasons New Romney Town Council's view is that the representative authority which would hold the Right of Withdrawal (on behalf of the community that it represents) should NOT, in this instance, be Shepway District Council or any other District Council where the circumstances are similar to those pertaining on Romney Marsh.

It is regrettable that the Government is seeking to marginalise the role of the County Council simply on the basis of the experience in Cumbria. Town and Parish Councils have a vital role to play and not just through the Consultative Partnership during the siting process. The twin tenets of the Government on this issue are 'voluntarism' and 'partnership'. **Partnership should involve all tiers of local government**, acting together as the 'decision-making body' for the potential host community, ie a partnership of total community interests with the power to negotiate with Government and to exercise the Right of Withdrawal for the community it would represent.

New Romney Town Council feels strongly that the representative authority should be a consortium of local government representatives from all three tiers, acting jointly.

Such a representative authority would be in a position to properly address the requirement for a demonstration of community support for a GDF. This should be via a referendum in a suitably defined area, for example Romney Marsh, and should take place before any major expenditure of public funds. In practice, since the regional geology of a potentially suitable location is already known, as is the scale and nature of the sub-surface and surface development, the only additional information required to initially test public opinion is that relating to community benefits. With information to hand a local community would be able to decide whether, in principle, it wished to accommodate a GDF in its midst. A single 'yes', 'no' or a qualified 'yes', pending further information being forthcoming, would suffice. In the latter case the local government consortium could then act on behalf of the wider community in discussions with Government whilst retaining the Right of Withdrawal.

Question 2

Once the public awareness and engagement programme has been implemented and progressed there would be nothing to prevent an 'interested community' (most likely one or other tier of local government) from registering to begin the 'learning' phase. In Kent discussions and information gathering have already taken place. Should the representative authority, say SDC, then decide that a GDF could be of interest to its residents, then it could, unilaterally, agree to (Radioactive Waste Management Directorate) RWMD commissioning reports on geology and socio-economics and so begin the 'learning' phase. The Government has determined that it would not be appropriate to require any demonstration of community support at this stage, although the fact that the representative authority had consented to the commissioning of the reports would be made public.

New Romney Town Council considers such arrangements seriously flawed. It would be untenable for, say, the Cabinet of SDC, or indeed a small Parish Council, to agree to initiate the process simply on the basis that it purported to represent 'the community interest'. The Town Council's view is that those residents likely to be most directly affected by any proposed GDF should be given the opportunity to vote thereupon immediately any group or body seeks to initiate the 'learning' phase. If they are not then 'voluntarism' and 'transparency' cease to exist.

The reports would be produced over a 1-2 year period. Upon receipt the Government, the representative authority and RWMD would assess whether they offered 'reasonable prospects' of the area being potentially suitable to host a GDF. If they did then the Government and the representative authority would agree to go to the 'focusing' phase and establish a formal Steering Group and consultative partnership to assess the process.

The Steering Group would comprise the representative authority (ostensibly representing the people most affected by the potential development but with no public mandate and, as yet, no demonstration of community support), the Government and RWMD. A Consultative Partnership would also be convened with the Steering Group, appointing stakeholders with an interest in the siting process, including, amongst others, the County Council, Parish Councils and resident groups. Members of the Steering Group would also be members of the Consultative Partnership. The focus would be on progress of the siting process. As currently envisaged the issue of public acceptance of the principle of a GDF in the locality is unlikely to be addressed until the end of the 'focusing' phase, potentially over a 7-15 year period. The first opportunity the public would have to comment upon the proposals would be when RWMD applied for planning permission for the borehole investigations – much too late in the 'focusing' phase.

Towards the end of the 'focusing' phase (a period of 10 years) RWMD would prepare plans for a development consent application. Paragraph 2.62 acknowledges that there would need to be 'very extensive public consultation' at this stage 'taking into account wider interests'.

New Romney Town Council's view is that, provided that there was an initial positive demonstration of community support, via a referendum, secured early in the 'learning' phase then the development consent application could be the appropriate time for the final test of community support before the Right of Withdrawal ceased.

Question 3

New Romney Town Council has no issue with the roles of the UK Government and the Nuclear Decommissioning Authority (NDA)/RWMD in respect of the provision of a GDF. However, the Town Council is totally opposed to the representative authority, with its decision making powers, being a District Council. The very nature of the site selection criteria for a GDF points towards relatively isolate locations with small local communities. Such communities, with few Councillors elected to the District, are often poorly represented in the decision making process at District level. New Romney Town Council has no confidence that the interests of the smaller communities, say on Romney Marsh, would be adequately addressed at District level either in discussions with the UK Government or in ensuring that their concerns were addressed by the relevant bodies. Exercising the Right of Withdrawal or taking the final decision to volunteer to host a GDF is beyond the scope and capability of a District Council.

New Romney Town Council has no issue with the enhanced role of Regulators or with External Stakeholder engagement.

Question 4

New Romney Town Council concurs with the amended approach which should provide the level of detail required to take an informed view of the suitability of the geology of an area to accommodate a GDF. Since the lack of detailed knowledge of the geology at depth was a significant factor in the District Council's previous consideration of this issue, the proposed amendments are to be welcomed.

Question 5

New Romney Town Council agrees that the development of a GDF should be through the nationally significant infrastructure planning regime.

Question 6

New Romney Town Council welcomes the clarification in the revised Baseline Inventory. The issues of the types of waste and materials to be included was of concern to local residents.

Question 7

New Romney Town Council endorses the UK Government's approach on community benefits but would reiterate that from its own perspective, and in the light of previous experience, the potential host community that would be providing a service to the nation would be the people of Romney Marsh and not the whole of Shepway District. It is likely that similar circumstances exist elsewhere. Community benefit must focus on the local area rather than being dissipated across the District.

Question 8

New Romney Town Council agrees that there is a need to address environmental and socio-economic issues early in the process and to encompass the potential effects on house prices, businesses, tourism and designated areas (SSSI sites etc). These matters represent real concerns for potential host communities.

Response prepared by Councillor S M Cox for and on behalf of New Romney Town Council.