

*1.Do you agree that a test of public support should be taken before the representative authority loses the Right of Withdrawal?*

Before any further steps are taken by any representative authority by which I mean any authority elected by voters and taxpayers there should be a referendum for the voters and taxpayers of such public authority. Any decisions on nuclear waste should be done by open , wide and transparent processes as a record for future generations.

*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?*

Cumbria County Council has a planning remit and should not be disenfranchised from the process for nuclear waste disposal. To exclude the very County Council which voted against the proposal last time would go against the principle of natural justice- justice would not be seen to be done. The fact that a decision affects rights or interests is sufficient to subject the decision to the procedures required by natural justice. Excluding a County Council with its planning remit could result in decisions being made by the wrong bodies which could constitute an unlawful forced sub-delegation of powers and therefore a ground for judicial review. It could therefore leave the door open for County Councils aswell individuals to bring an action for judicial review of a Borough Council's decision.

Angela Jackson

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