

GDF siting process consultation
Department of Energy and Climate Change
(DECC)
Room M07
55 Whitehall
London
SW1A 2EY

Our Ref N/A
Your Ref URN 13D/250
Contact James Holbrook
Extension x5218
Date 22 November 2013

Dear Sir/Madam

Review of the siting process for a Geological Disposal Facility

At West Somerset Council's Full Council meeting on Wednesday 20th November, Members agreed to provide a response to the Department of Energy and Climate Change (DECC), Welsh Government and the Northern Ireland Department of the Environment on the consultation document "Review of the Siting Process for a Geological Disposal Facility". Minutes of this meeting will be found at <http://www.westsomersetonline.gov.uk/Council---Democracy/Council-Meetings/Full-Council/Full-Council---20-November-2013.aspx> in due course.

West Somerset Council has responded due to existing nuclear facilities being located in the District at Hinkley Point.

Q1. 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?

It is proposed by DECC that the representative authority (the relevant District Council) would hold the Right of Withdrawal (on behalf of the community that it represents). The Right of Withdrawal would be maintained throughout the siting process, up until the point at which a demonstration of community support would be required.

It is considered that a suitable mechanism to provide a clear measure of public support could be through a pre-legislative referendum within the District managed by the Electoral Commission.

West Somerset Council would only wish for this to take place once all the relevant and necessary information has been provided to allow the community to make an informed decision on the potential local impacts of any development.

Q.2 Do you agree with the proposed amendments to decision making within the Managing Radioactive Waste Safely (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.

West Somerset Council notes that the proposals allow for any local body to approach UK Government to find out more about the siting process, and whether it would be relevant to their local area. This is an integral part of the democratic process and should be encouraged. However, West Somerset Council are concerned about the resource and expertise implications when the UK Government contact the representative authority to seek views on how to progress and the considerations of two reports on geology and socio-economics.

West Somerset Council wishes to raise concerns in relation to Para. 2.48 of the consultation document, which currently states that “at this early stage” the UK Government does not think it appropriate to set out any requirement for formal community support.

The Council considers that seeking community support is just as important as assessing the socio-economic and geological impacts of any proposed development and consultation and engagement should commence at an early stage of the process.

In addition, if the development of a GDF should be sought through the Nationally Significant Infrastructure Planning regime, as set out in the Planning Act 2009 (as set out in Para. 3.32-3.37 of the consultation document), then this regime places significant emphasis on the developer formally consulting with the local community at a very early stage (Section 42 of the Planning Act 2008).

Q.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?

West Somerset Council is satisfied that the approach currently set out in the White Paper enables Local Government to adequately represent the host community. West Somerset Council has considerable experience working alongside Somerset County Council (and other neighbouring authorities) when the Development Consent Order (DCO) for Hinkley Point C was considered by the Planning Inspectorate. Responses from the Councils (notably the Local Impact Report (LIR)) were submitted jointly and enabled the two tiers of Local Government to adequately represent local communities throughout the process.

Q.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?

West Somerset Council has no specific comments to make in relation to this question.

Q.5 Do you agree with this proposed approach to planning for a GDF? If not, what alternative approach would you propose and why?

West Somerset Council agrees that the development of a GDF (in England) should be sought through the Nationally Significant Infrastructure Planning (NSIP) regime as set out in the Planning Act 2008. Having been an integral part of the process when the Planning Inspectorate considered the Development Consent Order (DCO) for Hinkley Point C, it would appear appropriate for the Planning Inspectorate, with their expertise and resources to lead on this planning approach. The Planning Inspectorate would consider the DCO application for a GDF in England and in turn make a recommendation to the DECC Secretary of State.

West Somerset Council is aware that the NSIP regime places significant emphasis on the developer formally consulting with the local community prior to the submission of an application for a DCO. Section 42 of the Planning Act 2008 essentially frontloads the consultation process and West Somerset Council would therefore also refer back to their response to Q.2.

Q.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?

West Somerset Council has no specific comments to make in relation to this question.

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

West Somerset Council welcomes the approach outlined in Para. 4.10-4.16 of the consultation document. It is noted that the Community Benefit offer would be in addition to “Engagement Funding” (the funding that the UK Government provides to meet the costs of any community engaging in the siting process) and additional to any payments required of the developer, as identified by the planning process.

West Somerset Council also supports the principle of creating a community fund, into which money would be paid in during the ‘Focusing’ phase. However, West Somerset Council would wish to see further details of the mechanisms that would be used to release money into the community during the Focusing phase and how the UK Government would seek to retrieve these monies if the construction of a

GDF did not progress.

Q.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?

West Somerset Council has no specific comments to make in relation to this question

Q.9 Do you have any other comments?

At this stage, West Somerset Council has no further comments to make.

Yours faithfully

A handwritten signature in grey ink, appearing to read "JH", written over a light blue horizontal line.

James Holbrook
Major Projects Manager (Hinkley Point)