



**Response to DECC Consultation on the
Review of the Siting Process for a Geological Disposal Facility**

December 2013

Submitted by email to radioactivewaste@decc.gsi.gov.uk

Thank you for giving the National Trust the opportunity to comment on the Department's proposals for amending the process for Managing Radioactive Waste Safely and the GDF siting process.

The Trust is the owner of approximately 255,000 hectares of land in England, Wales and Northern Ireland, of which some 200,000 comprises agricultural land. We care for over 50,000 built structures, including 57 villages and more than 700 farmsteads. We are therefore in a position to comment both from the perspective of a landowner and also as a major conservation organisation responsible for safeguarding the nation's natural and historic assets.

Our comments build upon our response to the 2013 Call for Evidence and our reflections on our engagement in the MRWS process so far, including our experience in West Cumbria.

Summary

The National Trust is neither in favour nor against nuclear energy or the underground storage of nuclear waste in principle. However, we do oppose the siting of nuclear waste in locations that are special and protected in statute because of their natural and historic importance.

We believe that the storage of nuclear waste is a significant public issue which requires a national approach. The process for locating the Geological Disposal Facility (GDF) should be based on an understanding and appraisal of the most suitable locations from a national geological and environmental perspective.

The National Trust remains strongly opposed to the creation of a Geological Disposal Facility in the Lake District. The Lake District is a special place of international importance and outstanding natural beauty. It is much loved by people across the world and receives over 15 million visits each year. The National Trust is proud to look after a fifth of the National Park area, much of it inalienably, for the permanent benefit of the nation as a whole and we would take any threat to this land extremely seriously.

In deciding a site for nuclear waste storage, we believe the following principles should be followed:

- Geological and environmental suitability should be the starting point for the siting process. We would expect any decision making process to be based on a sequential approach which identifies the best locations from a national geological and environmental point of view, ruling out protected sites including National Parks, Area of Outstanding Natural Beauty and World Heritage Sites, and then works with communities and stakeholders to test other options.
- Robust public consultation should also be a major part of the whole process. An open and transparent decision making process is vital for public confidence.
- Whilst it is important that affected local communities are engaged throughout the process, it is also clear that decisions on locating a GDF hold a wider public interest and that many places have a wider community of interest that needs to be considered, e.g. tourists.
- Parts of the country are so special that they should not be considered for underground storage, surface infrastructure or intrusive testing. Such places include those that are protected through statutory safeguard, including National Parks, Areas of Outstanding Natural Beauty and World Heritage Sites.
- The National Trust has a presumption against allowing intrusive testing, surface infrastructure or underground storage which would have a negative impact on the significance of its own land which it looks after on behalf of the nation.

Response to questions

- 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 as test, please explain why.**

Public support is vital to the decision where to locate a GDF. However, the starting point for the process should be an expert-led, independent analysis of the best geological and environmental options.

We believe that there are places, including the Lake District, that are so special they form part of our national heritage. These places are protected in statute and organisations such as the National Trust and National Parks exist to ensure that they are looked after for future generations to enjoy. In these places, the decision to site a GDF is more than a local decision and all other options should be investigated first.

- 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.**

The decision about where to locate a GDF is a fundamental national issue and we question whether it is one that should be made at District Council level. We also note that responsibility for strategic waste planning is held at a county or National Park level and question why nuclear waste is not aligned with this.

We would expect any decision making process to be based on a sequential approach which identifies the best locations from a national geological and environmental point of view, ruling out designated sites, and then works with communities and stakeholders to test other options. It is vital that the decision-making process is as open and transparent as possible to build public confidence.

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

See our comments in 2. We would expect to be consulted early in the process if our interests were potentially affected.

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 would expect as much expert-led, detailed examination of options to be undertaken as possible before communities are involved. Whilst we acknowledge that detailed, location-based testing might not be feasible early in the process, it should be possible to provide a strong steer for the best locations for a GDF based on known geological and environmental suitability. As this is such a significant decision resources should be put into commissioning as much geological analysis as possible in order to frame the decision.

Community interest in hosting a GDF shouldn't override legal protections such as the Environment Act (National Parks), CROW Act (AONBs) and Habitats Directives/Regulations.

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

We agree that a GDF would be a Nationally Significant Infrastructure and therefore subject to a Secretary of State decision. However, the process for planning consent should involve robust, open and transparent public consultation. The National Policy Statement needs to be approved before the siting process restarts.

Robust public consultation must have been undertaken before it reaches the planning system. In particular, engagement of communities and stakeholders, including the wider public, businesses and visitors, that are affected by any proposal must be open, trusted and fully resourced. It may be that this consultation needs to be undertaken or overseen by an independent body in order to be trusted by communities.

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 would you propose and why?

We agree that as much information about the inventory as possible is communicated to the community at an early stage.

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

Community benefits should not override geological or environmental suitability. However, communities that are hosting a GDF are clearly carrying out a service on behalf of the nation and are likely to suffer years of disruption, they should therefore be compensated for this.

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 carrying out environmental assessments beyond the current statutory minimum is required. Sites that are designated for their natural and historic significance, such as National Parks, Areas of Outstanding Natural Beauty and World Heritage Sites, should not be considered suitable as a site for a GDF. We believe that the negative impact on tourism and the brand of certain areas, particularly international destinations such as the Lake District and other National Parks, should be taken into account when making an assessment of the socio-economic effects.

9. Do you have any other comments?

The National Trust would welcome early engagement in discussions about potential GDF sites in order to ensure that we are able to assess possible impacts on our interests.