



Stakeholder workshop report following consultations on geological disposal

June 2019

Note:

The views expressed in this report are those of the authors (as summarised from what was said by participants in the workshops), not necessarily those of BEIS, and nor do they necessarily reflect Government policy.

The workshops were supplementary to BEIS's two public consultations on the draft National Policy Statement for Geological Disposal Infrastructure and draft policy for Working with Communities. This report should be read alongside the consultation documents¹ and responses to the consultations.

The primary aim of the workshops was to help stakeholders build a well-informed submission to the public consultations, and it was emphasised to participants that their input at the workshops would *not* be classified as a formal response to either of the consultations.

The information in this report therefore does not form part of the consultation responses and should be read as useful context and information for BEIS, their stakeholders and other parties.

A summary of the responses to the consultations has also been published on the BEIS website alongside this workshop report. For further information see the [BEIS website](#)².

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3KQ is a company that helps organisations collaborate effectively, including engaging the public and stakeholders around sensitive issues.

For more information see www.3kq.co.uk.

¹ The consultation documents are available at the following links:

National Policy Statement: <https://www.gov.uk/government/consultations/national-policy-statement-for-geological-disposal-infrastructure>

Working with Communities: <https://www.gov.uk/government/consultations/working-with-communities-implementing-geological-disposal>

² Government website on geological disposal for higher-activity radioactive waste:

<https://www.gov.uk/government/collections/geological-disposal-facility-gdf-for-high-activity-radioactive-waste>

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Executive summary

Aims and objectives

A series of stakeholder engagement workshops was held by the Department of Business, Energy and Industrial Strategy (BEIS) in February and March 2018 to supplement their public consultations on the Government's proposals for implementing geological disposal for higher activity radioactive waste.

Six national workshops focusing on both the Working with Communities and National Policy Statement (NPS) consultations took place in London, Birmingham, Bristol, Darlington and Lancaster. A further more detailed workshop on the NPS consultation took place in London. The workshops were held alongside a range of other engagement activity, including sector-specific stakeholder workshops for local authorities and NGOs.

The primary aim of the workshops was to enable participants to make a well-informed and timely submission to the consultations after the workshops. It was emphasised that input at the workshops would *not* be classified as a formal response to the consultation, and as such participants were encouraged and reminded to submit their responses after the event so that their views could be formally taken on board by BEIS.

The objectives of the workshops were:

- To update stakeholders on the history, context and current proposals regarding geological disposal and specifically the National Policy Statement and Working with Communities draft policies.
- To allow participants to explore and understand the implications of the draft policies for themselves and other stakeholders by raising questions and taking part in discussions.
- For BEIS to understand common issues and questions arising from stakeholders' questions and discussions

Invitations were issued to a range of stakeholder organisations with experience of or potential interest in Government policy for the siting process for a GDF. The workshops were independently facilitated by 3KQ Ltd, and supported by representatives from BEIS, Radioactive Waste Management (RWM), the Environment Agency, the Office for Nuclear Regulation and the Committee on Radioactive Waste Management (CoRWM).

Agenda

Discussions at the workshops focused on responding to participants' questions as raised on the day. The discussions around these questions aimed to enable participants to reach a better understanding of the Government's proposals, and develop their thoughts on how they/their organisation would respond to the consultation questions.

The questions and issues that were discussed are summarised below.

Cross-cutting themes

Issues that cut across both consultations or that were felt by participants to be fundamental to the Government's proposals for the GDF siting process included questions about the relationship between the two policies and how they will inform each other, and the need for more clarity on the boundaries and distinctions between the technical and political decision-making processes. Concerns were also expressed about the potential for the nationally significant infrastructure project (NSIP) planning regime to be used by central Government to over-rule a community's decision and ultimately decide on the location for a GDF. Whilst BEIS reiterated that the White Paper states that the siting process requires both a willing community and suitable geology, it was apparent that concerns about the powers of the Secretary of State to make a final decision could dissuade communities from participating in the process, and it was suggested that reassurances need to be built in.

Another common area of discussion was the national geological screening, including questions about the information that it will contain, and why it has not been used to screen areas out. BEIS explained that it is feasible for a GDF to be built in a variety of rock types, and information about geology at the depth required for a GDF does not exist across the country. No area of the country is therefore being ruled at this stage, however some participants felt that the geological screening has no merit if it does not screen out any areas, and it was reiterated that any geological information that *does* exist will need to be readily available at the beginning of discussions with communities.

Other issues and questions that were raised included:

- The reasoning behind classifying boreholes as nationally significant infrastructure projects.
- Whether the option for more than one GDF has been ruled out.
- Questions about the inventory and the role that the host community might have in deciding what might be included in a GDF in their area.
- Transportation of waste to the GDF including concerns about safety/security, whether the current location of waste would be a factor in deciding the location of a GDF, the potential infrastructure needed to bring the waste to a GDF, and impacts on communities along the transport routes.
- Issues and concerns about the potential for a GDF to be located in a designated/protected landscape.
- What will happen if the revised siting process does not work and no site is found.

Working with Communities

Discussions on the draft Working with Communities policy focused on the following areas:

The relationship between suitable geology and a willing community: There were some suggestions that RWM should target their engagement towards areas with more favourable geology and/or towards communities that are more likely to be interested in taking part in the siting process, however BEIS reiterated that nowhere in the country is being targeted, and that the policy requires both a willing community *and* suitable geology.

Defining communities: Issues around the approach to defining and identifying communities were raised as a fundamental issue at all of the workshops, and there were a

number of questions of clarification about the Government's proposals. BEIS provided clarification on several aspects of their current proposals including the intention for interested host communities to 'self-define'. There were mixed views on several elements of the proposals, with some participants supporting this level of flexibility, and others feeling that a stronger definition and more clarity are needed.

Initial expressions of interest: There were a number of questions about who can approach RWM to express an interest in hosting a GDF and how this initial process would work. There was some scepticism about the extent to which the process is intended to be truly open for *any* individual to come forward, and concerns were also expressed about the capacity and legitimacy of certain parties (and communities) to lead the process. Some felt that the local authority should be the only body that is able to come forward to express an interest, but it was also highlighted that potential differences of view between authorities in two-tier areas could make this problematic, and others welcomed the option for a more open process.

Formative and constructive engagement: Questions and requests for clarification about the different stages of the process included the help and support that interested parties might get, the membership/governance of the proposed formative engagement team and the Community Partnership, and the role of the local authority(ies) during these stages. BEIS explained that RWM will provide support and funding for communities that decide to engage in the siting process, and that all costs of engaging will be covered. It was reiterated that the intention is for the process to be driven by the community, and it has deliberately been left open for the local community to decide which bodies should be involved/engaged. It is, however, intended that the process should be as inclusive and representative as possible, and both BEIS and RWM are keen to ensure that there is engagement with all sectors of the community.

The role of local authorities: The role of local authorities in the process was a key area of debate/discussion at all of the workshops. There were a number of questions of clarification including e.g.: whether the Community Partnership could be created without local authority involvement; how decision-making would operate (including who has the ultimate power of veto); how all types/levels of local authority would be engaged/involved; and who the 'principal authority' would be in a 2-tier system (including what would happen if one authority supports involvement and the other is against).

BEIS reiterated that the proposals allow for anybody to lead the initial discussions and formative phase, and whilst local authorities are not required to be part of the formative engagement team or the Community Partnership, they would need to signal that they are content for the process to proceed without their involvement. It was explained that the process is deliberately intended to be flexible as local issues are likely to vary and there are risks in over-defining the role of local authorities. Whilst some participants supported this degree of flexibility, others expressed concerns about the lack of clarity, and concerns were also expressed about the legitimacy of the Community Partnership if local authorities are not included as members.

Engagement funding and community investment funding: There were a number of discussions and questions about the various types and levels of funding that will be available to communities during the different stages of the process. BEIS reiterated that the financial

costs of engaging in the process would be covered via the engagement funding. Participants felt that there needs to be more clarity about what the engagement funding could be used for, and it was noted by some participants that the earlier stage *prior* to formative engagement should also be funded.

With regards to community investment funding, as in previous discussions regarding community benefits, participants held differing views on the ethics/morality of providing investment funding to communities that take part in the siting process for a GDF. Some perceived the funding as 'incentives' or a bribe, and others as rightful and appropriate compensation for dealing with an issue of national need. It was suggested that the framing of community investment needs to avoid implying that it is a bribe to accept a dangerous facility, and whilst some felt that the higher the money the more dangerous it implies the facility is, others felt that the proposed levels of investment were not significant enough.

With regards to the 'significant investment' for a community that agrees to move to the next stage of the siting process, BEIS confirmed that the proposal is that this would be discussed and decided after the test of public support has taken place. Participants, however, felt that it would be difficult for a community or local authority to commit themselves to the process without an agreed benefits package being in place.

Engaging with the wider community: Another key area of discussion was the importance of engaging, educating and sharing information with the wider community throughout the process. Some of the main considerations included how to overcome perceptions that the community is being 'done to', and ensuring impartiality of information.

Right of withdrawal and test of public support: There were a number of questions about the processes and methods for the right of withdrawal and the test of public support and the links between them. Questions were also asked about the role of local authorities and whether they would have a power of veto, with a particular emphasis on what would happen in a two-tier authority if the district/borough council wants to proceed and the county council does not (and vice versa), and what would happen if other members of the Community Partnership are not happy to continue. BEIS reiterated that the Community Agreement (as drawn up by the Community Partnership at the outset of the process) will set out the working agreements between Partnership members. Participants, however, felt that the wording in the proposals is confusing/ambiguous and that there is a need for more clarity on who has the right of veto and how this would work in practice.

With regards to the test of public support, BEIS reiterated that decisions regarding the test of public support would be determined by the Community Partnership. Whilst some participants welcomed this flexibility, others felt that there are likely to be significant challenges in determining the most appropriate method and ensuring that it is not open to challenge or exploitation. It was apparent that no single method had unanimous support, and it was suggested that defining the process and methodology/criteria for the test of public support should be an early task for the Community Partnership. It was also suggested that that there should be more detailed guidance on this from the Government/RWM. Concerns were expressed about only carrying out a single test of public support at the end of the process, and some participants also felt that members of the public should be asked for their consent at the beginning of the process.

Draft National Policy Statement

Discussions on the draft National Policy Statement focused on the following areas:

Development of the NPS and avoiding duplication of work: In response to a number of questions about different aspects of the siting, permitting and planning application processes and how they inter-relate, BEIS advised that in developing the NPS, they tried not to duplicate work that the Planning Inspectorate and other parties such as the regulators will carry out, but have instead described the different regimes (e.g. regulatory permitting/licencing) and explained the links between them. Participants suggested that the way in which all of the processes inter-relate could be better illustrated.

The need for geological disposal infrastructure: Whilst some participants felt that the NPS needs to do more to justify geological disposal as the chosen approach for dealing with higher activity radioactive waste, BEIS advised that in writing the draft NPS and Working with Communities policies, they regarded that geological disposal is settled policy because of the previous work done by CoRWM, and previous commitments by the Government in their 2008 and 2014 White Papers. Comments and suggestions from participants for improving the justification included:

- Include arguments for what will happen if a GDF is not built.
- Provide a comparison of the costs for long-term surface storage vs geological disposal.
- Include more in the ethics section to address a perceived difference between the ethics of legacy waste and creating new waste from the nuclear new-build programme.
- Include more information on the different types of waste, the different containers and routes of disposal, and more information on nuclear medicine including its benefits and continuing need.

Consideration of the long-term nature and integrity of a GDF: Issues relating to the long-term nature of geological disposal were a common theme, and there was a strong emphasis on the need for the NPS to take into account the political and operational uncertainties that are associated with such a long-term project. Other issues included concerns about the long-term integrity of the GDF including the potential impacts during operation *and* post-closure of climate and geological change, as well as longer-term effects such as glaciation, reactivation of dead faults and societal changes. Issues relating to institutional control over the projected timescales for a GDF were also discussed, and BEIS were asked how they intend to factor this into the process in the face of political instability and increasing risks of terrorist attacks and environmental threats.

‘Associated Developments’: There were a number of questions about what is classed as an ‘Associated Development’, including e.g. other local/national infrastructure, and transport improvements required to transfer waste from existing sites to the GDF. It was also noted that there is no mention in the NPS of an encapsulation plant to package the waste ready to go into a GDF, and questions were asked about how the impacts of such a facility would be assessed, and whether it should be part of the NPS process. BEIS/RWM advised that there is a lot of flexibility in working with a Community Partnership and additional developments such as research centres and packaging plants could be considered for inclusion as part of the above-ground facilities but these may come under local planning regimes as opposed to the NPS.

Impacts: BEIS were keen to hear stakeholders' views on the extent to which the impacts of geological disposal infrastructure and the potential options to mitigate those impacts were appropriately covered in the NPS, and whether any other impacts needed to be added. There were several questions about how environmental and social impacts will be covered, and suggestions for additional elements included:

- The need for a process to identify and manage unforeseen/non-routine impacts.
- A greater emphasis on transport and construction impacts, and more detail on the management of material arising from excavations.
- Inclusion of the impact on people's perceptions of the landscape, particularly in relation to protected/designated landscapes.
- The need to ensure that qualitative/non-quantifiable impacts are taken into account (including e.g. perceptions, psychological impacts, stigmatisation etc.)
- More detail on mitigation and compensation for the community, and a suggestion that a Community Impact Assessment should be carried out.

Appraisal of Sustainability and Habitats Regulations Assessment: The consultation asked for views on the extent to which stakeholders agree with the findings and conclusions of the generic Appraisal of Sustainability (AoS) and Habitats Regulations Assessment (HRA) reports.

Questions and comments relating to the AoS report included:

- What consideration has been given to 'non-normal' operation (e.g. the consequences of a nuclear accident).
- The need for contingency measures for potential environment/safety problems.
- The need for a sustainability appraisal of communities on the transport routes to the GDF, and arguments for the NPS/AoS to be supported by a Health Impact Assessment.
- Consideration of long-term monitoring after the facility has been sealed over.
- Concerns as to whether it is sufficient to leave the safety case until later.

Discussions on the HRA report focused on the extent to which it sets the context for project-level HRAs, and it was suggested that there could be more in the NPS/HRA to help people dealing with the project stage.

Impact of Brexit: There were a number of questions about how Brexit might affect the draft NPS and what assumptions are being made about regulatory regimes/standards post-Brexit. BEIS confirmed that EU regulations are currently transposed to UK law, and the AoS and HRA requirements are therefore enshrined in law. The current assumption is that there will be regulatory continuity and the same levels of assessment will apply, unless a future government decides to change that.

Other: Other questions of clarification and points of discussion included:

- The need for careful explanation regarding the context of different pieces of UK and EU legislation and the different legal tests that are required by them, in particular the differences between '*reasonable alternatives*' set out in the AoS and '*alternative solutions*' set out in the HRA.
- The need to provide more information about the reasoning behind the decision *not* to adopt exclusionary criteria as the preferred approach.
- How the NPS links with other policy/infrastructure and consultations.

Other comments

Other issues that were discussed at the workshops but which fell outside the scope of the two consultations included:

- Questions about the degree of cross-party support for geological disposal, how secure or definitive the NPS can be over the projected timescales, and how the siting process can be 'depoliticised' in the face of changes in government.
- Questions and concerns about the financial aspects of building and operating a GDF including: how the long-term financial risk/liability will be dealt with; what safeguards can be put in place to make sure that the money that is required to ensure safety in the long-term can be managed; and who will pay for any associated infrastructure that is required at a distance from the GDF (e.g. to transport waste to the GDF).

Next steps

Working with Communities consultation

The Government will consider all comments received and publish a written response to the consultation setting out their final policy decision. RWM, the delivery body for a geological disposal facility, will then produce more detailed guidance as to how the siting process will work in practice. It is currently envisaged that the policy for the siting process will be finalised towards the end of 2018, and the siting process will then be launched.

Draft National Policy Statement consultation

The draft National Policy Statement (NPS) will be subject to Parliamentary scrutiny, including consideration by the BEIS Select Committee and possible parliamentary debates. The draft NPS will then be revised, taking into account the responses to the public consultation and any recommendations from the Parliamentary scrutiny process. The NPS is currently expected to be designated early in 2019.

For further information, including a summary of the responses to the formal consultations, see the [BEIS website](#)³ or contact BEIS via the following email addresses:

- GDF Programme – GDFprogramme@beis.gov.uk
- GDF Land Use Planning – GDFlanduseplanning@beis.gov.uk
- GDF Working with Communities – GDF-WWC@beis.gov.uk

³ Government website on geological disposal for higher-activity radioactive waste:
<https://www.gov.uk/government/collections/geological-disposal-facility-gdf-for-high-activity-radioactive-waste>

Section 1 – Introduction and objectives

The Government's 2014 White Paper, *Implementing Geological Disposal*⁴, set out the revised Government framework for siting a geological disposal facility (GDF).

In early 2018 the Department of Business, Energy and Industrial Strategy (BEIS) held two public consultations⁵ on the Government's proposals for implementing geological disposal for higher activity radioactive waste. The consultation on the draft policy for Working with Communities set out the Government's proposed policy on how communities should be engaged in a siting process for a GDF for higher activity radioactive waste in England and Northern Ireland. The consultation on the draft National Policy Statement (NPS) for Geological Disposal Infrastructure set out the need for nationally significant infrastructure projects related to the geological disposal of higher activity radioactive waste in England. It also provided planning guidance for promoters of such projects, and for the Planning Inspectorate and the Secretary of State in their consideration of such applications.

A series of stakeholder engagement workshops was held by BEIS to supplement the consultations, which ran in parallel from 25th January to 19th April 2018. Six national workshops covering both consultations took place in London, Birmingham, Bristol, Darlington and Lancaster in February and March 2018, and a further more detailed workshop on the NPS consultation took place in London on 22nd March 2018. Alongside these workshops BEIS also carried out a number of other engagement activities, including sector-specific workshops for local authorities and NGOs.

The primary aim of the workshops was to enable participants to make well-informed and timely submissions to the consultations after the workshops, as well as providing BEIS with useful context and stakeholder input on the Government's proposals. It was emphasised that input at the workshops would *not* be classified as a formal response to the consultation, and as such participants were encouraged and reminded to submit their responses after the event so that their views could be formally taken on board by BEIS.

The objectives of the workshops were:

- To update stakeholders on the history, context and current proposals regarding geological disposal and specifically the National Policy Statement and Working with Communities draft policies.
- To allow participants to explore and understand the implications of the draft policies for themselves and other stakeholders by raising questions and taking part in discussions.
- For BEIS to understand common issues and questions arising from stakeholders' questions and discussions

Invitations were issued to a range of stakeholder organisations with experience of or potential interest in Government policy for the siting process for a GDF. The workshops were independently facilitated by 3KQ Ltd, and were supported by representatives from

⁴ The 2014 White Paper 'Implementing Geological Disposal' can be found at:

<https://www.gov.uk/government/publications/implementing-geological-disposal>

⁵ The consultation documents can be found at:

National Policy Statement: <https://www.gov.uk/government/consultations/national-policy-statement-for-geological-disposal-infrastructure>

Working with Communities: <https://www.gov.uk/government/consultations/working-with-communities-implementing-geological-disposal>

BEIS, Radioactive Waste Management (RWM), the Environment Agency, the Office for Nuclear Regulation (ONR) and the Committee on Radioactive Waste Management (CoRWM). The technical NPS workshop was further supported by consultants from Wood PLC who worked closely with BEIS in developing the draft NPS and accompanying environmental documents (Appraisal of Sustainability and Habitats Regulations Assessment).

Please see Appendix 4 for full attendance lists of the organisations that attended the workshops.

Devolved administrations

The draft National Policy Statement consultation applied in England, and the Working with Communities consultation applied in England and Northern Ireland. Anyone from across the UK was, however, able to respond to the consultations. The Welsh Government consulted at the same time on its policy for engaging with communities in Wales on the siting process for a geological disposal facility.

Scottish Government policy is that the long-term management of higher activity radioactive waste should be in near-surface facilities located as close to the sites where the waste is produced as possible. Whilst the Scottish Government does not support deep geological disposal, it continues, along with the UK Government and other devolved administrations, to support a robust programme of interim storage and an on-going programme of research and development.

For further information on the positions of the devolved administrations in Wales, Northern Ireland and Scotland, please see Sections 2.26 – 2.28 of the National Policy Statement consultation document, and Section 2.7 of the Working with Communities consultation document.

Section 2 – Methodology and approach

National combined workshops

Introduction, history and context

In order to make the most of the time at the workshops, all participants were asked to view a short video covering the history and context of radioactive waste management in the UK before attending. The video was also available to view at the workshops prior to discussions commencing. A link to the video is available [here](#)⁶.

The workshops were introduced by the independent facilitators 3KQ and BEIS, who outlined the objectives and the agenda for the day. Early workshop sessions focused on the Working with Communities consultation, and later sessions focused on the draft National Policy Statement.

Working with Communities consultation

Participants were invited to consider the key questions and issues that they would like to discuss in relation to the key stages of the Government's proposed process for engaging with communities during the siting process. The questions/topics were written on post-its and allocated to workstations with the following headings:

1. Formative engagement
2. Constructive engagement
3. Test of public support and right of withdrawal
4. Other

The format for the discussions that followed was dependent on the size of the group. At the larger workshops, participants were divided into sub-groups that circulated around the above workstations to discuss each topic in turn. At workshops with lower attendance, the discussions took place in plenary.

The discussions were facilitated by 3KQ and supported by representatives from BEIS and/or RWM. Representatives from the other supporting/observing organisations were also available to respond to technical questions and provide any necessary clarifications. The discussions focused on responding to participants' questions to enable them to reach a better understanding of the Government's proposals, as well as the opportunity for further deliberation to develop participants' thoughts on how they/their organisation would respond to the consultation questions.

Draft National Policy Statement (NPS) consultation

For the majority of the events, the afternoon session on the draft National Policy Statement for Geological Disposal Infrastructure was introduced with a brief presentation from BEIS summarising the history, context and current proposals in the National Policy Statement:

Participants were then invited to generate the key questions and topics that they would like to discuss, which were allocated to the following headings:

1. Need for geological disposal infrastructure

⁶ The induction video is available to view at: <https://www.youtube.com/watch?v=z9ombV7zBRQ>

2. Impacts of geological disposal infrastructure
3. 'Other' including Appraisal of Sustainability and Habitats Regulations Assessment

As per the morning session, the questions/issues were then discussed in small groups and/or plenary.

Technical NPS workshop

The more detailed NPS workshop was primarily targeted at statutory consultees but was also open to other stakeholders with an interest in the more technical aspects of the NPS consultation, especially the Appraisal of Sustainability (AoS) and Habitats Regulations Assessment (HRA).

The specific objectives of the technical NPS workshop were:

- To update participants on the history, context and current proposals in the National Policy Statement.
- To allow participants to explore and understand the implications of the National Policy Statement (for themselves and other stakeholders) and raise questions and take part in discussions.
- For BEIS to understand common issues and questions on the National Policy Statement arising from any discussions following this session.

The workshop was independently facilitated by 3KQ and supported by representatives from BEIS, Wood PLC, RWM and CoRWM. The workshop began with a presentation from BEIS providing an overview of:

- The draft NPS including the history, context and current proposals.
- The Appraisal of Sustainability and Habitats Regulation Assessment documents and the work done in developing them.

Following questions of clarification, participants were asked to generate a list of questions/topics that they would like to discuss. These were allocated to the following headings which were then discussed in plenary:

1. NPS and its development
2. Appraisal of Sustainability: General (approach to its development)
3. Appraisal of Sustainability: Likely significant effects identified (Chapter 5)
4. Appraisal of Sustainability: Conclusions (Chapter 6)
5. Habitats Regulations Assessment: General
6. Other

Summary of discussions

At all of the workshops, the main questions and issues that were generated and discussed during the small group and plenary discussions were recorded by 3KQ either to flipchart or to computer. The key areas of discussion from all workshops are summarised in Sections 3 to 6 below. These sections should be read alongside the consultation documents.

See Appendix 1 for a summary agenda for both the national combined workshops and the technical NPS workshop.

Section 3 – Cross-cutting themes

This section contains a summary of issues raised by participants that either cut across both consultations, or that were felt to be fundamental to the Government's proposals for the geological disposal siting process.

3.1 – Relationship between the two policies

There were a number of questions regarding the relationship between the draft policy for Working with Communities and the draft National Policy Statement (NPS), and there were also concerns about how the planning regime for nationally significant infrastructure projects (NSIPs) would work alongside the siting process for a geological disposal facility (GDF). The issues that were raised included:

- **Timing of publication and siting process launch** – It was confirmed that the aim is to finalise the Working with Communities policy by the end of 2018, and that the NPS is due to be designated in early 2019. Whilst some participants felt that it would be better to align them, it was noted by BEIS that this is not necessary and that the siting process can be launched before the NPS is designated. The White Paper states that information on the working with communities policy and the national geological screening are both required for the siting process to commence but NPS designation is not required at this stage. It was further noted that the launch of the siting process is the starting point for conversations to happen, not for decisions to be made. Although the outcomes of the two consultations are not dependent on each other, participants suggested that there needs to be more clarity on the boundaries and distinction between technical and political decisions.
- **How the different processes will inform each other** – There were several questions about how the Working with Communities policy would inform the Development Consent Order (DCO) planning application process (and vice versa), as well as the regulatory environmental permitting process. Issues raised by participants included: at what point a community might feel well-enough informed to make a decision to move forward to the next stage of the process; what happens if new information comes to light which changes people's minds at a later stage; and how the developer will be able to construct the environmental safety case.

BEIS confirmed that the processes will run sequentially, however some of the exploratory/investigatory work will happen in parallel. Although the DCO process for the GDF will happen after the final test of public support, the planning applications for the boreholes will take place during the constructive engagement stage of the siting process, and each of these will require extensive/wide-ranging pre-application public engagement and consultation. The Environment Agency also confirmed that they have a requirement for an initial site evaluation to support an application for boreholes. There are therefore a number of checks and balances throughout the process, and stages at which the local community would be consulted. There was some debate about the extent to which the NPS could do more to promote the parallel tracking of planning, consulting and permitting, and it was further noted by BEIS that whilst they have tried to avoid an overlap of different bodies duplicating work, they welcome input on how this is covered in the consultations.

- **Concerns about the Government over-ruling a community's decision** – A number of concerns were expressed by participants about tensions between the two policies. These included: a lack of equilibrium between what the NPS says regarding the DCO process and the local authorities' role, and the extent to which the draft Working with Communities policy gives local authorities the power to prevent a community from moving forward to the next stage of the process; the potential for the NPS planning regime to be used by central Government to invoke/exercise its powers to decide on the location for a GDF; and fears that the views of a potential host community could ultimately be over-ridden. BEIS reiterated that the White Paper states that the siting process requires both a willing community and suitable geology, but it was apparent that concerns about the powers of the Secretary of State to make a final decision could dissuade communities from participating in the process. It was suggested that reassurances need to be built in including e.g. making it clear that a successful test of public support is needed before the developer will put forward a planning application/DCO for the final GDF, ensuring that there is transparency about how the Secretary of State will make the decision(s), and providing further information about what will happen if this siting process fails [see also Section 6.1].

3.2 – What happens if more than one community comes forward

Several questions were asked about what would happen if more than one community expresses an interest in taking part in the siting process, including e.g.:

- What criteria would be used to determine which community(ies) to move forward with.
- Whether there is a maximum/minimum number of communities that RWM wishes to work with, and how would timescales/progress in different communities influence this.
- Whether there is a budgetary constraint that would limit the number of communities that can receive community investment funding.

BEIS confirmed that some of this would depend on the level of interest. RWM advised that they are working on these kinds of scenarios and their assessment would include e.g. site characteristics, level of community support, safety cases, operational safety and the likelihood of a positive planning decision.

3.3 – Inclusion of boreholes

Several questions were asked about the reasoning behind the inclusion of boreholes in the NPS. Some participants felt that their inclusion gives a sense of 'overkill', and there were concerns that the process could lose momentum due to the time taken to get planning approval. BEIS explained that deep exploratory boreholes have been classified as NSIPs as geology is intrinsic to the design of the GDF and boreholes are intrinsic to characterising the geology at a potential site. It is also felt that the DCO process provides a greater level of certainty about the timescales for planning decisions to be made, whereas the process could be more easily frustrated if carried out at a local level through the Town and Country Planning Act.

3.4 – National geological screening

The national geological screening that was committed to in the 2014 White Paper is now under way. Questions about the screening included: what information it will include, when it will be published, whether it forms part of the NPS, and whether boundary details (e.g. local

authority and national park boundaries) will be included on the maps. There were also a number of questions about the kind of geology that is suitable/unsuitable for a GDF, and BEIS were asked why the 2006 CoRWM recommendation to screen out geologically unsuitable areas had not been adopted.

BEIS gave an overview of the information that the national geological screening will contain and confirmed that it will be published when the siting process is launched. It was reiterated that it is not possible to screen out geologically unsuitable areas, as it is feasible for a GDF to be built in a variety of rock types, and information about geology at the depth required for a GDF does not exist across the UK. No area of the country is therefore being ruled in or out at this stage. Some participants felt that the exercise has no merit if it does not screen out any areas, and there was some disappointment that the information from the geological screening was not available to inform participants' responses to the consultations. Participants reiterated that any information about local geology that *does* exist will need to be readily available at the beginning of any discussions with communities.

As outlined in Section 5.3 of this report, in developing the NPS, BEIS have tried not to duplicate work that the Planning Inspectorate and other parties such as the regulators will carry out, but have instead described the different regimes (e.g. permitting/licencing) and explained the links between them. Geological suitability is explained at a high level in Section 2.4 of the NPS, and it also explains that when the Secretary of State makes the planning decision, there will be a sense of whether the regulators are likely to agree the safety case and grant the necessary permits/licences. It was noted by some participants that the way the safety case for different rock types will be developed and work needs to be explained more clearly

3.5 – More than one GDF

BEIS were asked whether there is the option for more than one GDF to be built e.g. if a suitable location is found that isn't big enough for all of the inventory, or if a community agrees to take legacy but not new build waste. BEIS confirmed that whilst there is a preference for a single GDF, they have not ruled out the option for more than one GDF, and that they are mindful of the fact that there may be permutations where a site may take only part of the inventory.

3.6 – Inventory

There were a number of questions about the inventory, including the role (if any) of the host community in deciding it, whether a community could decide to take only legacy waste, whether spent fuel is included in the inventory, whether the GDF will take non-UK waste, at what stage the GDF will close, and what will happen to waste generated after this time.

In relation to the inclusion of new build and legacy waste, reference was made to CoRWM's original recommendations on geological disposal which covered legacy waste only. CoRWM were neutral on new-build waste and suggested a separate study to consider arrangements for waste arising from any future nuclear new build. Questions were also raised about the ethics/morality of disposing of legacy and new-build waste in a single facility. BEIS referenced assessments that have been carried out since CoRWM's report which concluded that a GDF would be suitable for new-build waste, and confirmed that the policy is now for the GDF to deal with legacy *and* predicted new-build waste. The GDF is intended to cover the next generation of nuclear power stations but the Government is not looking beyond that.

As outlined in Section 3.5 above, there is a preference for a single GDF to cater for the whole of the inventory, however if the inventory did need to be split across more than one GDF, other factors such as the characteristics of the waste, the need for spacing, cost of building etc. would also need to be taken into account.

It was also confirmed that construction and operation of the GDF will happen simultaneously and the generic safety case covers a time period of 160 years. This timescale takes into account initial construction, followed by 100+ years of continuous construction and emplacement with an ongoing process of closure of tunnels. A key factor in the timescales for emplacement of waste from nuclear new build is the amount of time needed for the waste to cool sufficiently before it is ready for disposal. The point at which construction and emplacement stops will be pre-determined by the characteristics of the site.

With regards to spent fuel, the intention is that it will go into a GDF but it has not yet been designated as waste because a decision could be made to do something with it. It was noted that the inventory needs to take account of the possibility of fuel reprocessing, and BEIS confirmed that a separate policy team are looking at this.

Participants also noted that the inventory is likely to be questioned by the host community, and that the final inventory (including decisions about the designation of spent fuel) will have an impact on the size of the GDF and the security standards that are required for transportation and at the site itself. It will therefore be important for factors such as these to have been determined before the test of public support.

3.7 – Retrievability

Questions relating to retrievability included: whether the option for retrievability has been ruled out because of safety concerns; how the inventory would be stored on the surface if it had to be retrieved for some reason; and how well the NPS process will be able to respond to retrievability.

BEIS reiterated that the Government's policy is for a GDF to be for disposal of waste as opposed to storage, and the working assumption is that the waste will *not* be retrieved. It is however accepted that things may change in the future, but retrieval would only be considered if there was a compelling reason to do so, and a safety case would have to be made to the regulators in order for them to give their consent for it to happen. Concerns were expressed by some participants about the security and safety risks of leaving the GDF open for retrieval, but there was also a reminder of the history of work carried out during Nirex 2 that looked at the concept of retrievable disposal in case new knowledge arises about the risks of the disposal facility.

3.8 – Current location of waste

A common theme that cut across a number of areas of both consultations was the current location of the waste that is intended for disposal in a GDF. Issues that were raised included:

- Whether the current location would be a factor in determining the location of a GDF.
- The impacts on the communities that currently host the waste (both in terms of the requirement for them to continue managing the existing surface storage arrangements until a GDF is built, and the socio-economic impacts on those communities if/when the waste is moved).

- The capacity at Sellafield for taking further waste in the interim.
- Transportation of the waste including concerns about safety/security and impacts on communities along the transport routes.
- The need to engage with these 'distant' affected communities at an early stage in the process, and what kind of a say they will have.
- The potential need for new infrastructure to bring the waste to the GDF (plus any required improvements to existing transport infrastructure), including the likely costs, who would pay for it, and the need to go through different planning regimes.

BEIS acknowledged that the NPS does not go into detail about the impact of the waste in the existing locations, although sections of the NPS and AoS do talk about freeing up the land that the current temporary storage sites cover.

With regard to the other issues, there are a number of factors to take into account and these will include planning frameworks, transportation, socio-economic factors, infrastructure, location and so on. Within the evaluation criteria, the cost and safety/security factors of moving waste will be taken into consideration, as will the willingness of a local community. A limited section of the current draft NPS talks about weighting of factors such as these, but it is not specifically covered at present. There will be a site evaluation framework which will set out criteria for comparing several communities against each other.

3.9 – Protected landscapes

Issues surrounding designated/protected landscapes were a consistent theme, and BEIS were asked whether they had considered ruling out locating a GDF in protected landscapes including e.g. sites of special scientific interest (SSSIs) and national parks. Questions/issues that were discussed included:

- How to strike a balance between protecting national interests if the potential site for a GDF is within or near a national park or other protected/designated landscape.
- Nationally and internationally designated sites have a much wider community and how would this be handled e.g. voting/input of views, wider impacts etc.
- Whether a national park authority would have the right of veto to keep a GDF outside of its boundary.
- Why the recommendation to exclude protected landscapes in the Appraisal of Sustainability was not taken forward in the NPS.
- A recommendation that assessment of the impacts of a GDF should include the impact on people's perceptions of the landscape (in all landscapes but particularly in protected/designated landscapes).

With regards to how decisions regarding siting a GDF in these areas would be made and who would be involved, it was noted that national park authorities and other relevant bodies would be able to have a say through the Community Partnership, and the Community Agreement would set out how this would operate in practice.

Whilst some participants felt that it is too complicated to keep protected/sensitive landscapes within scope, BEIS advised that the NPS says that development will only occur in certain areas (e.g. flood zones, SSSIs, national parks) in exceptional circumstances. Existing planning policy was taken into account when developing the NPS, and whilst it is not a 'blanket ban' it is a high bar to reach.

It was also noted that the AoS looks at reasonable alternatives to the draft NPS, and one alternative that was considered was an NPS that excluded certain areas of the country such as national parks, however as the siting process requires both a willing community *and* suitable geology, BEIS did not want to rule out any areas of the country at this stage. BEIS advised that there are examples of where infrastructure has been sited in a national park with no adverse effect, however at least one participant made the point that the psychological impact of a GDF in a protected landscape will have an impact on people even if there is no physical change.

3.10 – Other

Other issues that were raised that cut across both consultations included:

- **Devolved administrations** – There were a number of questions about the policies and plans for radioactive waste disposal in devolved administrations [see Section 1 of this report for further information], with particular emphasis on why Scotland favours near-surface disposal, and why the search for a suitable site for geological disposal has not been adopted as a UK-wide policy, particularly as the ‘best’ site may not be in England or Wales. Although it was reiterated that Scotland does not have any higher-level waste or spent fuel, it was noted that the Scottish Government’s position might have an impact on local consultations, and could affect people’s beliefs that geological disposal is the best approach.
- **Cross-border/trans-boundary impacts** – The issues around getting consensus/wider support early on where there are potential cross-border impacts were highlighted. It was reiterated that the Community Partnership will be required to engage with neighbouring areas, but they will be able to decide who to engage with and how. With regards to the draft NPS, it was confirmed that no trans-boundary impacts have been identified in the AoS, but European states have been made aware.
- **Offshore facilities** – Questions relating to offshore facilities included: whether a sub-sea disposal facility has been ruled out; how far off-shore the various regulatory regimes extend; how an offshore site could be ‘volunteered’; and in the case of an onshore surface facility to an offshore GDF who would the host community be. BEIS confirmed that an offshore facility has not been ruled but that it would have to be accessed from onshore land. Territorial water boundaries would apply and regulatory oversight would be the same (or higher). The national geological screening will extend up to 12 miles from the coast.
- **Expected/anticipated locations** – BEIS confirmed that they are ‘site-agnostic’ and that no locations or communities have been identified as potential areas to target. Once the Working with Communities policy is finalised, RWM will take it forward as the developer of a GDF. Whilst they will be proactive about raising awareness, they will not directly target any community.
- **What will happen if a site is not found** – There were several questions about what the Government will do if the revised siting process does not work and no site is found e.g. if no communities come forward, or a site with suitable geology is not found. Concerns were also expressed about the length of time that the siting process takes, and the potential for many years of work to be carried out in a potential host community that ultimately may not lead anywhere. Fears of community views being over-ridden were balanced against suggestions that more needs to be done to make sure that the process is not slowed down indefinitely e.g. through legal challenges and adversarial organisations prolonging/undermining the process. BEIS

reiterated that the Government's policy is to find a willing host community and RWM will be working positively to take the process forwards.

- **Planning blight** – BEIS were asked whether there is a planned compensation strategy for individual property owners whose property values might be impacted. BEIS responded that it would take this point away for consideration, and it was noted that mitigation for planning blight would be covered during the planning process.
- **Compulsory purchase powers** – BEIS were asked whether compulsory purchase powers might be used in this process e.g. if a landowner refused permission for boreholes on his land. BEIS confirmed that this aspect is not currently covered in the NPS or Working with Communities policy. *[Note: There are, however, separate provisions covering compulsory purchase powers within the Planning Act 2008.]*

Section 4 – Working with Communities

4.1 – Background to the draft Working with Communities policy

4.1.1 – Overview of proposed process

The 2014 White Paper set out a framework for a consent-based approach to finding a community to host a geological disposal facility (GDF) for higher-activity radioactive waste in England and Northern Ireland. The Government also committed to providing further information to help interested communities understand more about hosting a GDF and engage with confidence in the process.

Work to develop the Government’s proposals for working with communities has included the formation of a Community Representation Working Group, a call for evidence, and a review of past experience in the UK and internationally. The Working with Communities consultation document set out the resulting proposed policy on how communities should be engaged with during the siting process. This included setting out the Government’s proposed approaches for identifying communities in areas interested in learning more about a GDF, what mechanisms should be used to disburse the community investment, and how communities would have a say.

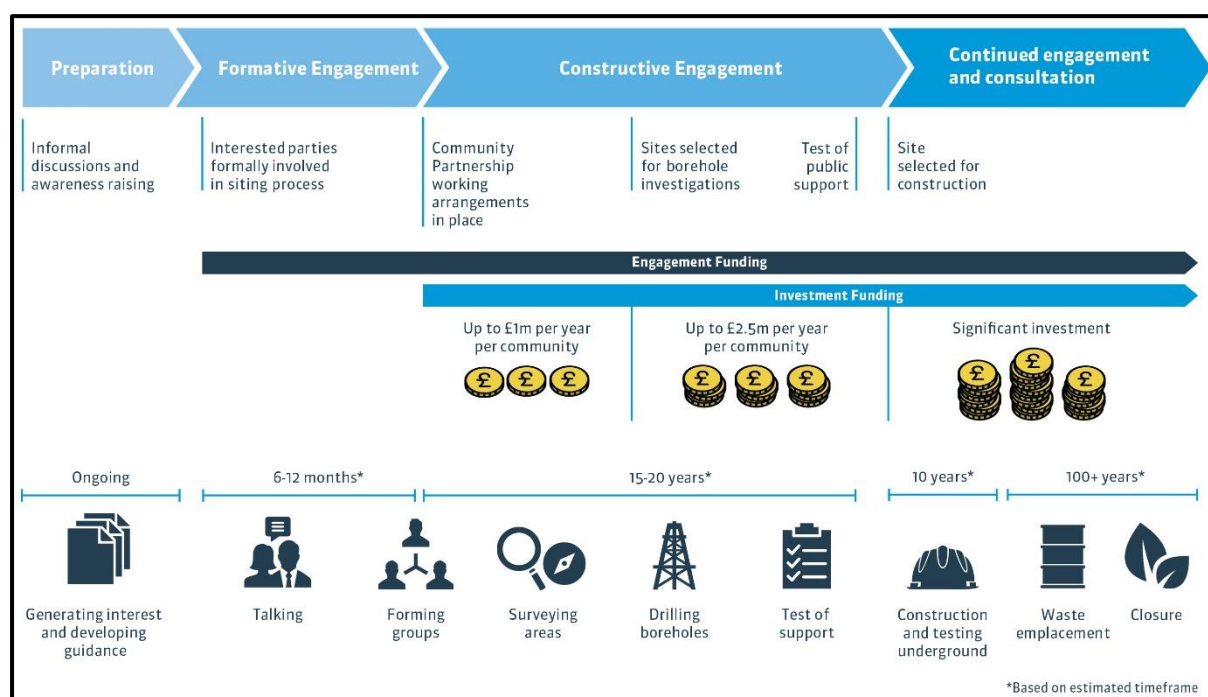


Figure 1: Summary of the proposed community engagement within the overall siting process

4.1.2 – Consultation questions

The full set of consultation questions is detailed in the table below.

Working with Communities consultation questions:

1. Do you agree with this approach of identifying communities? Do you have any other suggestions that we should consider?
2. Do you agree with the approach of formative engagement? Do you support the use of a formative engagement team to carry out information gathering activities? Are there any other approaches we should consider?
3. Do you agree with this approach to forming a Community Partnership? Are there other approaches we should consider?
4. Do you agree with the approach to engaging people more widely in the community through a Community Stakeholder Forum? Are there other approaches we should consider?
5. Do you agree with the proposal for a Community Agreement and what it could potentially include?
6. Do you agree with the proposed approach to the way community investment funding would be provided? Are there alternatives that we should consider?
7. Do you agree with the proposed process for the right of withdrawal? Do you have views on how else this could be decided? Are there alternatives that we should consider?
8. Do you agree with the approach to the test of public support? Do you agree that the Community Partnership should decide how and when the test of public support should be carried out? Do you have views on how else this could be decided? Are there alternatives that we should consider?
9. Do you feel this process provides suitably defined roles for local authorities in the siting process? Are there alternatives that we should consider?
10. Do you have any other views on the matters presented in this consultation?

A summary of the questions and issues raised during discussions is given below. See also Section 3 above for a summary of themes which cut across both consultations.

4.2 – Relationship between suitable geology and willing community

There were several questions about the relationship between identifying a willing community and identifying geological suitability, including concerns about what might happen if potentially willing communities have unfavourable geology, and some suggestions that RWM should target their engagement towards areas with more favourable geology and/or towards communities that are more likely to be interested in taking part in the siting process. BEIS reiterated that nowhere in the country is being targeted, and that the policy requires both a willing community *and* suitable geology. They also reiterated that there will be multiple places with suitable geology where a safe site can be located, and that nowhere is being ruled out at this stage [see also Section 3.4 above.]

4.3 – Defining ‘community’

Issues around the approach to defining and identifying communities were raised as a fundamental issue at all of the workshops, and there were a number of questions of clarification about the Government’s proposals, including e.g.: how ‘community’ is being defined; who will have a say in determining how the community is defined at a local level; how the size of the community will be determined; whether the host community includes the area *above* the underground facilities as well as the surface facilities; how the definition of community will evolve throughout the process (e.g. as search areas are narrowed down); and how ‘affected’ as well as ‘host’ communities will be considered. Questions about

political boundaries were also raised e.g. what would happen if the potential search area crosses (or is close to) county, country or other administrative borders.

BEIS provided clarification on several aspects of their current proposals (including the intention for interested host communities to 'self-define'), and reiterated the work that has gone into developing them. There were mixed views on several specific elements of the proposals, with some participants supporting this level of flexibility, and others feeling that a stronger definition and more clarity are needed. It was acknowledged by both BEIS and participants that previous experience has shown how challenging it is to define and engage with communities, and BEIS welcomed any comments on the current proposals in participants' consultation responses.

Issues relating to 'other' affected communities were also raised e.g. communities at a distance to the GDF such as those on transport routes to the GDF and existing storage sites, and the definition of community when nationally/internationally protected landscapes are involved. [See also Sections 3.8 and 3.9 above].

4.4 – Initial expressions of interest

There were a number of questions about who can approach RWM to express an interest in hosting a GDF, and how this initial process would work. Questions included: how the process will start; who can come forward as an interested party (e.g. an individual landowner, the Ministry of Defence, other national landowners etc.); whether a link to the local community is required; whether an expression of interest needs local authority support; whether initial conversations would be confidential; and how an individual and/or community can know that they might have a suitable site.

There was some scepticism about the extent to which the process is intended to be truly open for *any* individual to come forward, and concerns were also expressed about the capacity and legitimacy of certain parties (and communities) to lead the process. Some felt that the local authority should be the only body that is able to come forward to express an interest as they are the voice for local democracy, but it was also highlighted that potential differences of view between authorities in two-tier areas could make this problematic, and the option for a more open process was welcomed by others.

BEIS reiterated that the intention is that any interested party can approach RWM to begin the process. RWM would make it clear to the interested party that they need to widen participation at an early stage in order for the process to move forwards, and RWM would assess their willingness, capacity and legitimacy for engaging with the community. An initial assessment of the potential suitability of the area would also be carried out.

It was noted that some communities are more aware of the process and will therefore be more ready to engage, but the need for sensitivity to wider community concerns and the danger of communities feeling 'done to' or labelled negatively when expressing invitations to engage were also highlighted. The importance of awareness raising at a national level to ensure that people in other communities are also aware of the opportunity to come forward was emphasised. RWM confirmed that they have broad outline plans for raising awareness both locally and nationally and that they will also use lessons learned from other countries. They are still forming ideas for approaches and welcome any further input on this.

4.5 – Formative engagement

Questions about the formative engagement stage included: how long this stage might last, what help/support interested parties would get, and who would be involved. Some felt that there needs to be more clarity about the transition from ‘interest’ to formative engagement, and concerns were also expressed about a potential ‘deluge’ of information and activity on a community.

BEIS explained that RWM will provide support and funding for communities that decide to move forward to the formative engagement stage, and that all costs of engaging will be covered. RWM will work with the volunteer community to set up a ‘formative engagement team’ to inform and engage with the wider local community, and to start to understand and answer questions that the community may have. It was reiterated that the process will be community-led and that membership of the formative engagement team is not pre-determined. Assurances were also given that the pace and timing of the process will be set by the volunteer community.

There were a number of questions about the role of local authorities during this stage. BEIS confirmed that the local authority(ies) should be invited to join the formative engagement team, and although they can choose *not* to join, they would need to confirm that they are happy for the engagement process to go ahead without them. [See also Section 4.6 and 4.7 below.]

4.6 – Constructive engagement and community representation

Questions about the constructive engagement stage focused on the formation of the proposed Community Partnership, its membership/governance, and (as above) the role of the local authority(ies) during this stage.

BEIS reiterated that the intention is for the process to be driven by the community, and whilst BEIS and RWM have begun to develop some scenarios for how the process might work, it has deliberately been left open for the local community to decide which bodies should be involved/engaged. It is, however, intended that the process should be as inclusive and representative as possible, and both BEIS and RWM are keen to ensure that there is engagement with all sectors of the community.

Participants’ key considerations about the composition of the Community Partnership included: the need to ensure that the Partnership reflects the local community; the need to identify who the local influencers and trusted parties are; concerns about how to manage self-selecting parties/vested interests; how to strike a balance between local democratic processes and their place versus the legitimate interests of parties that have not been elected by the local population; concerns about the Partnership’s legitimacy; how conflicting interests will be managed (e.g. the tourism industry); and the importance of the role of the independent chair.

Participants also highlighted the importance of carrying out an initial stakeholder analysis to ensure that all relevant/interested parties are included, including e.g. opponents, NGOs, neighbouring communities, young people, local enterprise partnerships and community groups.

4.7 – The role of local authorities

The role of local authorities in the process was a key area of debate/discussion at all of the workshops. There were a number of questions of clarification including e.g.: whether the Community Partnership could be created without local authority involvement [see also Sections 4.4 and 4.5 above]; how decision-making would operate (including who has the ultimate power of veto); how all types/levels of local authority would be engaged/involved including parish/town councils and national park authorities; and who the 'principal authority' would be in a 2-tier system (including what would happen if one authority supports involvement and the other is against).

BEIS reiterated that the proposals allow for anybody to lead the initial discussions and formative phase, and (as outlined above) whilst local authorities are not required to be part of the Community Partnership, they would need to signal that they are content for the process to proceed without their involvement. It was explained that the process is deliberately intended to be flexible as local issues are likely to vary and there are risks in over-defining the role of local authorities. The Community Partnership will be expected to draw up a Community Agreement which will set out the participation and decision-making roles of all parties. Participants and BEIS both acknowledged that this is likely to be a complex process, and participants emphasised the need for support in negotiating the agreement. BEIS confirmed that RWM would finance independent support for the Community Partnership in drawing up the Community Agreement.

Whilst some participants supported this degree of flexibility, others expressed concerns about the lack of clarity, and some concerns were also expressed about the legitimacy of the Community Partnership if local authorities are not included as members. The need for a dispute resolution process was noted, alongside the potential for the decision-making process to be open to legal and public challenge, especially if it is carried out differently in different places.

With regards to the issue of who the principal authority would be in a 2-tier system, BEIS reiterated that it would be both the district and county councils. The local Community Partnership will determine how decisions are made and this will be set out in the Community Agreement. Some participants also highlighted that parish/town councils provide another tier of authority and the importance of their role in the process was noted.

4.8 – Engaging with the wider community

Another key area of discussion was the importance of engaging, educating and sharing information with the wider community throughout the process. Some of the main considerations included:

- How to overcome perceptions that the community is being 'done to', and that the process is being led by RWM and the Government.
- Ensuring impartiality of information e.g. by enabling access to alternative views on geological disposal and providing information about the risks/disadvantages as well as the benefits.
- The need to present information in laymen's terms, and to consider existing levels of awareness and economic factors in engaging people.
- Consideration of how members of the public engage with nuclear issues from a psychological perspective (e.g. community values, ethics, fears etc.) as well as technical issues.

The importance of sharing the history of radioactive waste disposal in the UK was noted, including not 'losing' the history of what happened during Nirex and the more recent Managing Radioactive Waste Safely process in Cumbria. It was also suggested that it would be useful to ask overseas communities that have been involved with geological disposal to share their experiences and stories.

In response to a number of questions about how wider communities of interest might be engaged (e.g. non-local organisations, national landowners, campaign groups, users of national parks etc.), BEIS reminded participants that the Community Partnership could choose to establish a wider 'stakeholder forum' in addition to carrying out local public/stakeholder engagement.

4.9 – Engagement funding and community investment funding

Discussions about the various types/levels of funding that are available to communities during the different stages of the process are summarised below:

4.9.1 – Engagement funding:

In response to a number of questions regarding the financial costs of engaging in the process, BEIS confirmed that engagement funding is available throughout the process and the costs of engagement will be covered for as long as a community is involved in the siting process. The funding will flow from the Government through RWM, and will cover e.g. procurement of an independent chair/facilitator, and the costs of holding meetings, learning about geological disposal, engaging with communities, visits to existing facilities etc.

Despite assurances from BEIS that the funding is intended to cover any necessities identified by the potential host community, it was suggested that the policy needs to be clearer on what the engagement funding could be used for. With regards to the amount of funding, some participants felt that the previous MRWS process was under-funded and suggested that the new process needs to be better resourced if it is going to work this time round. Others, however, felt that the MRWS process was well-funded, and although BEIS confirmed that an exact amount for engagement funding has not been specified, it was acknowledged that some assumptions will have to be made before the policy is finalised.

It was also noted by some participants that there is an earlier stage *prior* to formative engagement and that this should also be funded. The differences between early informal discussions with RWM and 'going public' were highlighted, and it was suggested that a lot of work would need to go into the process (e.g. seeking advice, research, due diligence etc.) before a decision is made to enter into the formative engagement stage.

4.9.2 – Community investment funding

Questions of clarification relating to community investment funding included: what types of benefits would the community get; how will local benefits be identified, communicated and distributed; whether it is legal to fund support for industry; what type of criteria would determine the amount of funding for communities; what are the

criteria for accessing investment funding; and will the community have to repay the funding if they withdraw from the process.

BEIS confirmed that the proposed community investment funding is in addition to the engagement funding outlined above, and that it will start when a Community Partnership is set up. The money for the community investment fund will come through RWM to the host Community Partnership, and there is currently no stated maximum cumulative investment over the life of the process (i.e. no 'cap'). The proposed level of funding is up to £1m per community per year in the early stages of constructive engagement, rising to £2.5m for communities that progress to deep investigative boreholes to assess the potential geographical suitability of their area.

The consultation document says 'up to' £1m and £2.5m as the funding is bid-based i.e. community members will put forward proposals for funding. It is therefore not possible to guarantee that £1m or £2.5m worth of suitable projects will be awarded each year. With regards to the criteria for accessing investment funding, it was noted that a community investment panel will need to be set up to assess and approve bids for funding. The broad criteria for funding are outlined in the consultation document and would be subject to further development by the Community Partnership and the investment panel.

It was noted by participants that the Community Partnership's investment panel will need support, information and time to evaluate funding bids. RWM advised that they will be available to provide advice on assessment and funding mechanisms, and help build capacity within communities so that they are able to manage the process for allocating funding themselves.

As in previous discussions regarding community benefits, participants held differing views on the ethics/morality of providing investment funding to communities that take part in the siting process for a geological disposal facility. Some people perceived the funding as 'incentives' or a bribe, and others as rightful and appropriate compensation for dealing with an issue of national need. It was suggested that the framing of community investment needs to avoid implying that it is a bribe to accept a dangerous facility, and whilst some felt that the higher the money the more dangerous it implies the facility is, others felt that the current proposed levels of investment were not significant enough. It was also suggested that any messaging about the different types of funding should be open about the risks and disadvantages of hosting a geological disposal facility as well as the potential benefits, and there was a further suggestion that providing funding for critics to engage in the process would help to avoid the perception of community investment looking like a bribe.

Some concerns were expressed about the risks of a community going along with the process in order to receive funding, with no intention of ever reaching the stage of carrying out a test of public support. In response to these concerns, it was noted by BEIS that a community will need to be 'constructively engaging' with RWM and the local community in order to receive both the engagement funding and the initial community investment funding.

With regards to the 'significant investment' for a community that agrees to move to the next stage of the siting process, there were a number of questions about the timeline for when the funding would be agreed, the anticipated scale/level of funding, and the degree of buy-in from the Treasury. BEIS confirmed that the current proposal is that 'significant' community investment would be discussed and decided after the test of public support has taken place. Participants, however, stated that the uncertainty about funding at the stage of taking a test of public support is not helpful, and emphasised that it would be difficult for a community or local authority to commit themselves to the process without an agreed benefits package being in place. It was therefore suggested that more needs to be done to develop confidence in the process for agreeing the community benefits packages.

A number of questions were also asked about budget limitations on engagement funding and community investment, and whether this might limit the number of communities that can take part in the process [see also Section 3.2].

4.9.3 – Expert input

In response to questions regarding access to funding to pay for independent external or expert advice, BEIS explained that the cost of this would be paid for via the engagement funding, and the Community Partnership would therefore have control over their ability to source independent expertise e.g. via learned societies or specialist consultants.

Although this mechanism was welcomed, it was noted that during the previous MRWS process 'experts' often contradicted each other, leaving communities in a difficult position. RWM advised that they will be able to play a stronger role than previously in responding to/managing situations such as these, and it was also noted that the regulators and CoRWM will make their expertise available to communities. Attention was also drawn to the 'Third Party Expert' mechanism outlined in the consultation document, which the community can access in order to 'buy-in' additional expert input if they need an extra view.

4.9.4 – Budget limitations

BEIS were also asked whether there is a cap on the funding budget that would limit the number of interested communities that can take part in the siting process [see also Section 3.2 above].

4.10 – Right of withdrawal and test of public support

General questions about the processes and methods for the right of withdrawal and the test of public support (and the links between them) included: how does a community decide if they want a geological disposal facility; what is the process by which a community can refuse geological disposal and at what stages; and how can a community withdraw from the process after investigations have started (e.g. if new information emerges, or the views of the Community Partnership differ to those of RWM regarding the emerging geological information);

4.10.1 – Right of withdrawal

Specific questions about the right of withdrawal included: when does the right of withdrawal end; how will it work in practice; who defines the community that wants to

withdraw; and by what method can the public force the Community Partnership to withdraw. There were also a number of questions about the role of local authorities and whether they would have a power of veto, with a particular emphasis on what would happen in a 2-tier authority if the district/borough council wants to proceed and the county council does not (and vice versa). Questions about the power of veto of other Community Partnership members and stakeholders included: what happens if one member of the Community Partnership is not happy to continue; what if a neighbouring community objects; and what if a national park authority wants to keep a GDF outside of its boundaries.

BEIS confirmed that the right of withdrawal exists up until the community takes the test of public support. With regards to the power of veto of different parties, it was reiterated that the Community Agreement (as drawn up by the Community Partnership at the outset of the process) will set out the working agreements between Partnership members, including the processes for making decisions and managing disputes. It was felt that the wording in the proposals is confusing/ambiguous and likely to lead to conflict, and it was reiterated by participants that at some point in the process there will inevitably be tension and differences of opinion not only between Partnership members but also between people in the community and the organisations that are representing them on the Partnership. There is, therefore, a need for more clarity on who has the right of veto, how this would work in practice, and who ultimately holds the 'trump' card.

4.10.2 – Test of public support

Specific questions of clarification about the test of public support included: what types of test might be used; why there are multiple options for the method that could be used; how do you define/demonstrate independence; how do you ensure the process is appropriate; and what margins would be considered appropriate.

BEIS reiterated that decisions regarding the test of public support, including the timing, method, margins etc., are to be determined by the Community Partnership. The process for dealing with any disputes (e.g. with regards to different views on the preferred method and/or a member (or members) of the Partnership no longer wanting to support the process proceeding) will be set out in the Community Agreement. Whilst some participants welcomed this flexibility, others felt that there are likely to be significant challenges in determining the most appropriate method and ensuring that it is not open to challenge or exploitation from e.g. external interests. It was suggested that defining the process and methodology/criteria for the test of public support should be an early task for the Community Partnership, and it was also suggested that there should be some guidance from the Government/RWM on which types of test are more/less appropriate and acceptable thresholds (e.g. for the percentage of the population taking part, margins etc.).

There was some debate about the advantages and disadvantages of the different methods that could be used, and it was apparent that no single method had unanimous support amongst participants. For example, some felt that opinion polls do not provide explicit consent, and although a local referendum was favoured by some, issues relating to low turnout and 'voter apathy' meant that others did not feel that this would be the best mechanism. It was also noted that, whichever method is

chosen, there is a need to proactively engage with people within a community who do not necessarily have a strong voice.

Some felt that members of the public should be asked for their consent at the beginning of the process, and concerns were also expressed about only carrying out a single test of public support at the end of the process. BEIS reiterated that the intention behind the proposals is that the final question is asked *after* an extensive programme of community engagement and sharing information so that people are aware of what they are being asked to vote on. It was noted that the key principle of any test is that both informed *and* explicit consent are needed for the process to proceed, and it was suggested that regular polling throughout the process (as happened during the West Cumbria MRWS process) would provide a useful sounding board for the Community Partnership on public views on an ongoing basis, alongside an extensive programme of community engagement and education.

There were also a number of discussions about the links between the test of public support and the NSIP planning regime, and it was suggested that it needs to be made clear that before a planning application decision can be made by the Secretary of State, a successful test of public support must be in place.

4.11 – Trust

Trust was commonly raised as a theme, with discussions focusing on how the Government and local authorities will be able to build and maintain trust over the length of time that the process will take, concerns about initial discussions taking place in secret, and how to overcome existing levels of mistrust arising from the history of radioactive waste disposal policy in the UK.

It was acknowledged that trust can only be built by developing good relationships over time, and the importance of clear and honest communication was reiterated. There was also a reminder of the safety and monitoring processes that are in place, and the role that the regulators will play in licensing and permitting the operation of a GDF. RWM also advised that they are thinking very carefully about how to communicate and maintain confidence over the long time frames that are involved in siting, constructing and operating a GDF.

When discussing conditions and criteria that might need to be in place for a community to have trust in the process, considerations included:

- The importance of providing information early in the process.
- The need for discussions to be open and transparent.
- Making the Community Partnership accountable to a higher level.
- Carrying out a more regular test of public support.
- The need to find a way to articulate that this process will be more honest than in the past, and that issues will not be repressed or hidden.
- Learning from experience in oversea countries e.g. where plans have been adapted in response to community concerns about monitoring.

4.12 – Long-term continuity and governance

There were several discussions relating to the issues surrounding continuity and governance of such a long-term project. Key themes included: how long-term continuity can be ensured (particularly in relation to working relationships between RWM and local communities); how

the process can be safeguarded against future changes of context, populations etc.; what provision there will be for a Community Partnership to review/revisit their involvement (e.g. if there is a change in local government, or if new evidence comes to light); and how the process will retain its legitimacy.

It was acknowledged that the Community Partnership will inevitably evolve and change over time. There are examples from other countries who are in the operational phase (USA, Finland etc.) that can be drawn upon, and some form of legal framework for the Community Partnership could also be considered.

4.13 – Other

Other questions/issues that were raised included:

- What evidence exists (e.g. from overseas and other UK projects) about actual negative impacts of geological disposal facilities.
- How RWM and the Government will ensure that future societal models (e.g. with robots carrying out a lot of the work) are considered/accommodated.
- The importance of ongoing research and development and knowledge sharing (internationally and between involved communities/organisations).
- What consideration has been/will be given to the need for personal security for proponents of the process.

Section 5 – Draft National Policy Statement

5.1 – Background to the draft National Policy Statement

5.1.1 – Legislative changes

The 2014 White Paper committed to making infrastructure related to the geological disposal of higher activity waste in England part of the planning regime for 'nationally significant infrastructure projects' (NSIPs). Legislation was passed in March 2015 to bring the development of a geological disposal facility (GDF) and the associated deep boreholes within the coverage of the Planning Act 2008. Geological disposal infrastructure has therefore now been made a NSIP in law. The resulting draft National Policy Statement (NPS) for Geological Disposal Infrastructure, and accompanying Appraisal of Sustainability (AoS) and Habitats Regulations Assessment (HRA) documents were the subject of this public consultation.

5.1.2 – Consultation overview

An overview of the draft NPS including the history, context and its development was presented at the national combined consultation workshops. A more detailed presentation outlining the content and development of the AoS and HRA documents was given at the technical NPS workshop.

The draft NPS sets out the need for NSIPs related to the geological disposal of higher activity radioactive waste in England. The draft NPS also provides planning guidance for developers, as well as a decision-making framework for the Planning Inspectorate and the Secretary of State for considering applications for proposed developments of geological disposal infrastructure. The AoS assesses the potential socio-economic and environmental impacts of the draft National Policy Statement and the HRA is an assessment of whether there are any 'likely significant effects' on any European conservation sites. The full set of consultation questions is detailed in the table below.

Draft National Policy Statement

1. Chapter 3 - Does the draft NPS provide suitable direction to the Planning Inspectorate and Secretary of State on the need for geological disposal infrastructure?
2. Chapter 4 - Do the assessment criteria adequately address the principles that the developer, the Planning Inspectorate and the Secretary of State should take into account in an application for development consent? If not, what further information on the assessment criteria is required?
3. Chapter 5 - Does the draft NPS appropriately cover the impacts of geological disposal infrastructure and potential options to mitigate those impacts? Please provide reasons to support your answer.

Appraisal of Sustainability; Habitats Regulations Assessment

4. Chapter 5 - Do you agree with the findings (of 'likely significant effects') from the Appraisal of Sustainability Report and the recommendations for enhancing the positive effects of the draft NPS? Please provide reasons to support your answer.
5. Chapter 6 - Do you agree with the conclusions of the Appraisal of Sustainability Report? If not, please explain why.
6. Do you agree with the findings from the Habitats Regulations Assessment Report for the draft NPS? Please provide reasons to support your answer.

All Documents

7. Do you have any other comments on the draft NPS and the accompanying documents (Appraisal of Sustainability, Habitats Regulations Assessment)?

A summary of the questions and discussions from the national combined workshops and the technical NPS workshop is given below. See also Section 3 above for a summary of themes which cut across both consultations.

5.2 – Questions of clarification

There were a number of questions of clarification including:

- The different roles in the process including who is the applicant under the DCO process and who will grant planning permission for the boreholes and GDF.
- How the breadth/depth of study required for an NPS differs to any other major planning application.
- What alternatives to an NPS have been considered.
- The timescales and process for designation of the NPS, and how it can be legally challenged [see Section 7].
- The relationship between the Working with Communities policy and the draft NPS, including how the NSIP planning regime will work alongside the GDF siting process [see also Section 3.1].
- How the NPS links with other policy/infrastructure and consultations e.g. fracking, the 25-year Environment Plan, the National Policy Planning Framework and other nuclear-related consultations.
- How lessons learned from previous NPSs have been taken into account.

5.3 – Development of the NPS

In response to a number of questions about different aspects of the siting, permitting and planning application processes and how they inter-relate, BEIS advised that in developing the NPS, they have tried not to duplicate work that the Planning Inspectorate and other parties such as the regulators will carry out, but have instead described the different regimes (e.g. regulatory permitting/licencing) and explained the links between them. It was suggested that the way in which all of the processes inter-relate could be better illustrated.

There were also a number of questions about how the NPS policy will be open to revision over the timescales of a GDF and, given possible changes in government policy, how secure or definitive it can be over the projected timescales. BEIS confirmed that no specific review period has been built in, however the NPS can be reviewed over time, and the Secretary of State is required to carry out a review if there is any material change that affects it.

5.4 – Consideration of the long-term nature and integrity of a GDF

Issues relating to the long-term nature of geological disposal and the fact that a GDF is expected to operate for 100+ years were raised consistently. There was a strong emphasis on the need for the NPS to take into account the uncertainties that are associated with such a long-term project, and to focus on an approach that enables managed adaptation.

Concerns about the long-term integrity of the GDF that were highlighted included potential impacts – both during operation *and* post-closure – of climate and geological change (e.g. the potential for sea level rises, coastal flooding and earthquakes) as well as longer-term effects such as glaciation, reactivation of dead faults and societal changes. In relation to this it was suggested that it should be specified in the NPS that the GDF needs to function for 100,000 years.

The Environment Agency advised that they require an environmental safety case that will cover protection of the environment during operation *and* post-closure. Once the facility has had all of the waste emplaced in it there are several requirements regarding how safety will be assessed over time, and RWM will have to convince the regulators that the GDF design will ensure that no amount of radioactivity will ever reach the surface. The Environment Agency's Guidance on Requirements for Authorisation (GRA) sets out the Agency's requirements, and there are various principles and requirements (e.g. a multiple-factor safety case, the multi-barrier approach etc.) which are all designed to provide containment in the long term.

In response to a point raised about the need for monitoring, RWM confirmed that monitoring would take place during the operational phase, but that it is not required post-closure as the system is intended to go into passive safety.

Whilst it was acknowledged that the safety case is a good vehicle for continually managing safety and making decisions over time, it was also felt that the long-term safety of a GDF is reliant on the prediction of future events, and there is a great deal of scientific uncertainty. Whilst it was acknowledged that the NPS does take into account the current worst-case climate change predictions, concerns were expressed about what is understood about the scientific evidence that is already available, and the fact that new information is coming out all of the time. Issues of public trust in scientific information were also highlighted.

Concerns were also expressed about the fact that the NPS does not specifically include radioactive contamination as one of the risks associated with a GDF. In response it was reiterated that BEIS are trying not to duplicate work streams, and the Environment Agency will consider contamination to land, air and water as part of their permitting process. The Environment Agency confirmed that they will examine the potential for post-closure radiation releases over time, including an assessment of the impact that any such release would have on the surface.

Issues relating to institutional control over the projected timescales for a GDF were also discussed, and BEIS were asked how they intend to factor this into the process in the face of political instability and increasing risks of terrorist attacks and environmental threats.

5.5 – 'Associated Developments'

There were a number of questions relating to what is classed as an 'Associated Development', including e.g. other local/national infrastructure and transport improvements required to waste from existing sites to the GDF. BEIS confirmed that this needs further clarification, but it was suggested by other participants who have been involved with NSIPs that only development that is required *specifically* for the GDF would be classed as an Associated Development.

It was also noted at several workshops that there is no mention in the NPS of an encapsulation plant to package the waste ready to go into a GDF, and questions were asked about how the impacts of such a facility would be assessed, and whether it should be part of the NPS process. BEIS/RWM were asked to confirm whether they have moved away from this as an option as it also impacts on employment levels and the site footprint etc. RWM confirmed that whilst an encapsulation plant is not included in their baseline plan, that does not foreclose it as an option for the host community. There is a lot of flexibility in working

with a Community Partnership and additional developments such as research centres and packaging plants could be considered for inclusion as part of the above-ground facilities. Some participants expressed concerns that having the option to add in extra facilities that are not part of the NPS adds a layer of complication and that it could become a legal issue. BEIS advised that the NPS does say that there may be some development that would come under local planning, but it was also agreed that this needs further clarification.

5.6 – Need for geological disposal infrastructure

Consultation question 1 asks: *Does the draft NPS provide suitable direction to the Planning Inspectorate and Secretary of State on the need for geological disposal infrastructure?*

Although there were some views that the NPS should do more to justify geological disposal as the chosen approach for dealing with higher activity radioactive waste, BEIS advised that in writing the draft NPS and Working with Communities policies, they regarded that geological disposal is settled policy because of the previous work done by CoRWM, and previous commitments by the Government in their 2008 and 2014 White Papers. BEIS have therefore cross-referenced CoRWM's work and the international conventions that support geological disposal, but have not tried to 'unpick' this work or duplicate it in its entirety.

Other comments and suggestions included:

- Explain the need for a GDF better than last time.
- Include arguments for what will happen if a GDF is not built.
- Provide a comparison of the costs for long-term surface storage vs geological disposal.
- The ethics section needs to do more to address a perceived difference between the ethics of legacy waste and creating new waste from the nuclear new-build programme.
- Include more information on:
 - The different types of waste.
 - The different containers and routes of disposal.
 - Nuclear medicine – including its benefits and continuing need.

5.7 – Impacts

Chapter 5 of the draft NPS covers the impacts of geological disposal infrastructure (e.g. excavated rock, traffic, transport and security risks) and potential options to mitigate those impacts. BEIS were keen to hear stakeholders' views on the extent to which the impacts are appropriately covered, and whether there are any other impacts that should be added.

There were some questions about how environmental and social impacts will be covered, and other comments and suggestions included:

- Identification of impacts is important but so is having a process to identify impacts – including non-routine impacts) that were unforeseen so they can be managed.
- There needs to be a greater emphasis on transport and construction impacts, including impacts on the environment of taking the waste from the point of storage to the disposal site, and impacts on communities on the transport route.
- A Community Impact Assessment should also be carried out – this will include social aspects like division/conflict, the influx of construction workers, pressure on services etc.

- Need to include the impact of people’s perceptions of the landscape, particularly in relation to protected/designated landscapes where there could be a public perception of the landscape being ‘spoilt’ or ‘tainted’ by the presence of a GDF [see also Section 3.9].
- Need to ensure that qualitative/non-quantifiable impacts are taken into account (e.g. perceptions, psychological impacts, stigmatisation etc.) *[It was noted by BEIS that non-physical impacts such as what people think, perceptions, perceived risk etc. are covered to an extent in the socio-economic section of the AoS, however further input on this aspect is welcome.]*
- Include more detail on the management of material arising from excavations [see also 5.10 below].
- Include more detail on mitigation and compensation for the community.

5.8 – Appraisal of Sustainability and Habitats Regulations Assessment

As outlined above, the AoS assesses the potential socio-economic and environmental impacts of the draft National Policy Statement, and the HRA is an assessment of whether there are any ‘likely significant effects’ on any European conservation sites. Consultation questions 4 to 6 asked for views on the extent to which stakeholders agree with the findings and conclusions of the two reports. It was reiterated by BEIS that these reports are generic as opposed to site-specific, and that site-specific appraisals/assessments would be carried out at a later stage when a potential host community(ies) has been identified.

5.8.1 – Appraisal of Sustainability

It was reiterated that the appraisal is of the NPS framework and not of the GDF. Questions and comments relating to this included:

- The need for a sustainability appraisal of the communities on the transport routes to the GDF [see Section 3.8 in ‘Cross-cutting themes’ above].
- Consideration of long-term monitoring after the facility has been sealed over [see 5.4 above].
- What consideration has been given to ‘non-normal’ operation (i.e. the consequences of a nuclear accident) in drawing up the documents [BEIS confirmed that this type of accident has not been taken into account in the NPS and associated assessments].
- Arguments for the NPS/AoS to be supported by a Health Impact Assessment (HIA) [it was noted that a HIA is not required for the NPS but one is often carried out at project stage].
- The need for contingency measures for potential environment/safety problems.
- Concerns as to whether it is sufficient to leave the ‘safety case’ until later.

It was also suggested that due to the unique nature of this NPS, there is an opportunity to be more visionary about the opportunities that it can provide. Instead of using the standard ‘boiler plate’ NPS template and aiming at compliance with legislation, it was suggested that the AoS should be aiming for optimal/exemplar standards and should go beyond the minimum requirements e.g. aim to exceed air quality standards, and include activities that provide economic/other benefits.

5.8.2 – Habitats Regulations Assessment

A question was asked about the extent to which the HRA sets the context for project-level HRAs e.g. does it provide assessment criteria and indications of the sorts of effects that should be considered. BEIS confirmed that this is a consideration once the stage of a

project-level HRA is reached. Sections 4.5 to 4.9 of the HRA identify the sorts of generic issues that should be considered at the project level, and also make the point that the NPS should be seen as separate from the HRA but project-level mitigation opportunities are referred back to. The participant who asked the question noted that there could be more in the NPS/HRA to help people dealing with the project stage, and they were encouraged by BEIS to specify the aspects that should be considered in more detail.

5.8.3 – Reasonable alternatives vs alternative solutions

Questions were asked as to why the HRA considers three alternatives and the AoS only two, and why the AoS has an alternative that is related to specific sites and the HRA does not. It was explained that this is due to the context of different pieces of legislation and the different legal tests that are required by them. The SEA directive requires the consideration of *reasonable alternatives*. The AoS therefore sets out the frameworks to define what a reasonable alternative is, and one of the alternatives considered is that a site-specific NPS is identified. With HRA when you get to the point of considering alternatives it considers *alternative solutions*. It was acknowledged that whilst there is a certain degree of flexibility in the interpretation, the different approaches and terminology are likely to cause confusion and will need careful explanation.

5.8.4 – Exclusionary criteria approach

BEIS were asked, if they were to be persuaded to switch to the exclusionary criteria model, how would they go about considering what the criteria were and whether that would be a material change that would prompt another consultation. BEIS confirmed that this depends on how the exclusionary criteria were determined; if the criteria changed and they had not already been assessed, there may be a need to re-consult and carry out further assessment.

Some concerns were expressed about the fact that selection of the approach is up to the Government, and that the two parts of the process have been conflated. I.e. Wood PLC have carried out the assessment of the likely significant effects of the draft NPS (and the alternatives to the draft NPS) in Chapter 5 of the AoS, and the Government's decision on its preferred approach is given in Chapter 6 of the AoS. It was suggested the AoS should make a recommendation based on the exclusion criteria and the Government should separately make a decision based on that, and these should be separate (and in separate documents). Others, however, felt that the the AoS is meant to appraise the NPS and the reasonable alternatives to it, and it is therefore perfectly acceptable for the AoS to include this information on discarding the reasonable alternatives and the selection of the preferred approach.

It was noted that the discussions about the reasoning behind the decision *not* to adopt exclusionary criteria as the preferred approach had been useful and it was suggested that BEIS should provide more information to the wider public about how this decision has been taken.

5.9 – Impact of Brexit

There were a number of questions about how Brexit might affect the draft NPS and what assumptions are being made about regulatory regimes/standards post-Brexit. BEIS confirmed that EU regulations are currently transposed to UK law, and the AoS and HRA requirements are therefore enshrined in law. The current assumption is that there will be regulatory continuity and the same levels of assessment will apply, unless a future

government decides to change that. There is a requirement to review the NPS if there are any material changes which affect it in the future.

5.10 – Other

Perceptions re a conflict of interest – Some concerns were expressed about the fact that the Government will be acting as both the DCO applicant (RWM) and the decision-maker (the Secretary of State). Whilst it was acknowledged that there is no way round this, it was noted that this will need to be clearly explained and that there should be an emphasis on the external controls that are in place.

Future classification of waste – It was noted that reprocessing of spent fuel has contributed to the large volume of waste being stored at Sellafield, and it was suggested that as the majority of waste will be from new nuclear plants in the future, future siting criteria should be based on radioactive inventory instead of bulk/volume.

Presentation of information – There were some suggestions for improvements to the way the information is presented (e.g. adding information about who needs to provide information to the Assessment Principles table on page 29).

Inclusion of overseas waste – It was suggested that the NPS should specify that overseas waste will not be placed in the GDF.

Site-specific NPS – In response to questions about why it is not better to wait until the outcome of the siting process to develop a site-specific NPS instead of the generic NPS (as for EN-6), BEIS advised that as the process requires site characterisation to find a site and deep boreholes are needed to do this site characterisation, the generic NPS needs to be in place first as the NPS covers deep boreholes as well as the GDF.

Material arising from the construction of a GDF – There was a suggestion that the material arising from construction of the GDF (and/or as a result of material coming from existing sites) has a resource value that could be exploited. There were mixed views on the potential impacts of this with some participants highlighting the potential of this material as an asset (e.g. as a building resource, for use as sea defences etc.), and others expressing concerns about the negative environmental/transport impacts. It was suggested that more could be included in the mitigation section of the waste management section of the NPS to build on potential options for using the spoil, as well as the need to add more information on the negative impacts.

Environmental ‘net gain’ – A question was asked about how environmental ‘net gain’ is going to be embedded into the NPS in light of the National Policy Planning Framework (NPPF) and the 25 year Environment Plan. BEIS advised that the NPPF – the over-arching framework on planning – is referenced in the NPS documents in places, and that revisions to the NPPF are being consulted on at the moment. DEFRA have also have brought out a 25-year plan Environment Plan, however as both of these came out after the NPS documents were produced, the post-adoption plans will take account of them going forwards. Further assurance was given that the DCLG and DEFRA are both involved in the scrutiny process for the development of the NPS.

Section 6 – Other comments

This section contains a summary of other issues discussed at the workshops that fell outside the scope of the two consultations.

6.1 – ‘Depoliticising’ the process

There were a number of questions about the degree of cross-party support for geological disposal, and discussions focused on how secure or definitive the NPS can be over the projected timescales, and how the siting process can be ‘depoliticised’ in the face of changes in government.

BEIS reiterated that the underlying GDF policy has remained in place under Labour, Coalition and Conservative governments, and that Labour and the Liberal Democrats support geological disposal of radioactive waste. The NPS and other frameworks are there to provide clarity and consistency of approach, and in developing the draft NPS, BEIS have tried to cover various timescales/eventualities and to anticipate how things might change. It was, however, also acknowledged that there are limits as to what can be considered over these kinds of timescales, and political changes and the potential impacts of Brexit [see also 5.9 above] were amongst a number of themes that relate to ‘what ifs’ and uncertainties that could impact the process.

6.2 – Financial risk/liability

Questions and concerns about the financial aspects of building and operating a GDF included: how the long-term financial risk/liability will be dealt with; what safeguards can be put in place to make sure that the money that is required to ensure safety in the long-term can be managed; and who will pay for any associated infrastructure that is required at a distance from the GDF (e.g. to transport waste to the GDF).

With regards to the financing of the GDF itself, it was confirmed that there is an element of both public and private funding. The level of public funding has already been calculated and allocated, and operators of new nuclear power stations are required to allocate a proportion of their budget/costs to decommissioning and the costs of geological disposal as part of the funding decommissioning programme. Concerns about the longer-term liability, and the potential for costs to be higher than anticipated remained, but it was acknowledged that whilst these issues are relevant to the issues under discussion, they fall outside the scope of the consultations.

Section 7 – Next steps

Working with Communities consultation

The Government will consider all comments received and publish a written response to the consultation setting out their final policy decision. Radioactive Waste Management, the delivery body for a geological disposal facility, will then produce more detailed guidance as to how the siting process will work in practice.

It is currently envisaged that the policy for the siting process will be finalised towards the end of 2018, and the siting process will then be launched by RWM.

Draft National Policy Statement consultation

The draft National Policy Statement (NPS) will be subject to Parliamentary scrutiny, including consideration by the BEIS Select Committee and possible parliamentary debates, as is required for all draft National Policy Statements. The draft NPS will then be revised, taking into account the responses to the public consultation and any recommendations from the Parliamentary scrutiny process. The Government then plans to lay the final NPS in Parliament so that it can be approved/‘designated’ and also publish a ‘post adoption statement’ setting out how the outcome of the public consultation and parliamentary scrutiny have been taken into account in the final document.

The NPS is currently expected to be designated early in 2019. As is required for all NPSs, once it has been laid in Parliament there will be a statutory 6 week period where the Secretary of State can be challenged on the decision. After that stage there is a requirement to review if there is a ‘material’ change that affects the NPS. A decision by the Secretary of State to review (or not) can also be challenged.

For further information, including a summary of the responses to the formal consultations, see the [BEIS website](#) or contact BEIS via the following email addresses:

- GDF Programme – GDFprogramme@beis.gov.uk
- GDF Land Use Planning – GDFlanduseplanning@beis.gov.uk
- GDF Working with Communities – GDF-WWC@beis.gov.uk

Appendix 1 – Summary workshop agendas

National combined workshops

Workshop Purpose:

To enable participants to make a well-informed and timely submission to the BEIS public consultations on the draft National Policy Statement and draft policy on Working with Communities, after the workshops.

Objectives:

1. To update stakeholders on the history, context and current proposals regarding geological and specifically the National Policy Statement and Working with Communities draft policies.
2. To allow participants to explore and understand the implications of the draft policies for themselves and other stakeholders by raising questions and taking part in discussions.
3. For BEIS to understand common issues and questions arising from stakeholders' questions and discussions

Agenda

Time	Details
09.45 – 10.15	Registration and arrivals (coffee and tea available, and a further opportunity to watch the induction video)
10.15 – 10.30	Workshop start Introductions and overview of the day including an update on the context and emphasis of both consultations.
10.30 – 11.00	Draft policy on Working with Communities Generation of questions and themes for small group and/or plenary discussions, prioritised and categorised into the following headings: <ul style="list-style-type: none"> • Formative engagement • Constructive engagement • Test of public support and right of withdrawal • Other
11.00 – 12.30	Working with Communities discussion sessions Participants to be split into groups to take part in discussion sessions focusing on each of the headings above. These sessions to continue after lunch – each participant will be able to take part in discussions on all four areas. <i>[NB workshops with lower attendance will hold discussions in plenary]</i>
12.30 – 13.15	Break for lunch (including opportunity for informal discussions)
13.15 – 13.45	Continuation of Working with Communities discussion sessions
13.45 – 14.05	Draft National Policy Statement Presentation on the draft NPS, followed by the generation of questions and topics for discussion under the following headings: <ul style="list-style-type: none"> • Need for a GDF • Impacts of a GDF • Other – including Appraisal of Sustainability and Habitats Regulations Assessment

14.05 – 15.15	National Policy Statement discussion sessions To be held in sub-groups or plenary as appropriate on the day.
15.15 – 15.30	Break
15.30 – 16.00	Continuation of National Policy Statement discussion sessions
16.00 – 16.30	Final session Including: <ul style="list-style-type: none"> • Any final questions/issues for discussion • Next steps in the consultation process • Evaluation forms
16.30	Close (plus further opportunity for informal discussions with representatives from BEIS and RWM)

Technical National Policy Statement workshop

Workshop Purpose:

To enable participants to make a well-informed and timely submission to the BEIS public consultation on the draft National Policy Statement for Geological Disposal Infrastructure after the workshop.

Objectives:

1. To update participants on the history, context and current proposals in the National Policy Statement.
2. To allow participants to explore and understand the implications of the National Policy Statement (for themselves and other stakeholders) and raise questions and take part in discussions.
3. For BEIS to understand common issues and questions on the National Policy Statement arising from any discussions following this session

Agenda

Time	Details
09.45 – 10.15	Registration and arrivals (coffee and tea available)
10.15 – 10.30	Workshop start – introductions & overview of the day
10.30 – 11.15	<p>Draft National Policy Statement Presentation on the draft NPS and accompanying documents (Appraisal of Sustainability and Habitats Regulations Assessment), followed by generation of questions and topics for discussion categorised under the following headings:</p> <ul style="list-style-type: none"> • NPS and its development • Appraisal of Sustainability: General (approach to its development) • Appraisal of Sustainability: Likely significant effects identified (Chapter 5) • Appraisal of Sustainability: Conclusions (Chapter 6) • Habitats Regulations Assessment: General • Other
11.15 – 13.00	Plenary discussions on the above topics
13.00 – 13.45	Break for lunch
13.45 – 16.00	Continuation of discussions (including a break)
16.00 – 16.30	<p>Final session Including:</p> <ul style="list-style-type: none"> • Any final questions/issues for discussion • Next steps • Evaluation forms
16.30	Close (plus further opportunity for informal discussions with representatives from BEIS and Wood PLC)

Appendix 2 – Catalogue of consultation questions

Working with Communities consultation questions

1. Do you agree with this approach of identifying communities? Do you have any other suggestions that we should consider?
2. Do you agree with the approach of formative engagement? Do you support the use of a formative engagement team to carry out information gathering activities? Are there any other approaches we should consider?
3. Do you agree with this approach to forming a Community Partnership? Are there other approaches we should consider?
4. Do you agree with the approach to engaging people more widely in the community through a Community Stakeholder Forum? Are there other approaches we should consider?
5. Do you agree with the proposal for a Community Agreement and what it could potentially include?
6. Do you agree with the proposed approach to the way community investment funding would be provided? Are there alternatives that we should consider?
7. Do you agree with the proposed process for the right of withdrawal? Do you have views on how else this could be decided? Are there alternatives that we should consider?
8. Do you agree with the approach to the test of public support? Do you agree that the Community Partnership should decide how and when the test of public support should be carried out? Do you have views on how else this could be decided? Are there alternatives that we should consider?
9. Do you feel this process provides suitably defined roles for local authorities in the siting process? Are there alternatives that we should consider?
10. Do you have any other views on the matters presented in this consultation?

National Policy Statement consultation questions

Draft National Policy Statement

1. Chapter 3 - Does the draft NPS provide suitable direction to the Planning Inspectorate and Secretary of State on the need for geological disposal infrastructure?
2. Chapter 4 - Do the assessment criteria adequately address the principles that the developer, the Planning Inspectorate and the Secretary of State should take into account in an application for development consent? If not, what further information on the assessment criteria is required?
3. Chapter 5 - Does the draft NPS appropriately cover the impacts of geological disposal infrastructure and potential options to mitigate those impacts? Please provide reasons to support your answer.

Appraisal of Sustainability; Habitats Regulations Assessment

4. Chapter 5 - Do you agree with the findings (of 'likely significant effects') from the Appraisal of Sustainability Report and the recommendations for enhancing the positive effects of the draft NPS? Please provide reasons to support your answer.
5. Chapter 6 - Do you agree with the conclusions of the Appraisal of Sustainability Report? If not, please explain why.
6. Do you agree with the findings from the Habitats Regulations Assessment Report for the draft NPS? Please provide reasons to support your answer.

All Documents

7. Do you have any other comments on the draft NPS and the accompanying documents (Appraisal of Sustainability, Habitats Regulations Assessment)?

Appendix 3 – Workshop attendance lists

Attendance List: London – 22nd February 2018

Organisation
AECOM
Atkins
BAM Nuttall Ltd
Bradwell LCLC
Campaign for National Parks
CLA
Connery Kane Ltd
Dungeness Site Stakeholder Group
EDF Energy
EEF
Hinkley Point Site Stakeholder Group
Imperial College London
Institution of Mechanical Engineers
Nuclear Industry Association
NuLeAF (Nuclear Legacy Advisory Forum) [x 2 attendees]
Shepway District Council [x 2 attendees]
Suffolk County Council
The Geological Society [x 2 attendees]
VolkerStevin Ltd
Woodland Trust
GDFWatch
UNITE
Individuals x 2

Total participants: 27

Supported by BEIS, RWM, the Environment Agency, the Office for Nuclear Regulation and CoRWM.

Attendance List: Birmingham – 27th February 2018

Organisation
University of Sheffield
South Oxfordshire District Council
University of Manchester
Groundwork UK
Copeland Borough Council
National Trust
Balfour Beatty
University of Exeter
Oxfordshire County Council
Insite Hydro

Total participants: 10

Supported by BEIS, RWM, the Environment Agency and CoRWM.

Attendance List: Bristol – 1st March 2018

Attendance at this workshop was affected by severe weather conditions – the offer of a teleconference and/or attendance at an alternative workshop (including an additional date in London on 22nd March) was made to all participants who had registered to attend.

Organisation
White Ox Ltd
BAM Ritchies
Copeland Borough Council
West Somerset Council
Berkeley Site Stakeholders Group
National Nuclear Laboratory

Total participants: 6

Supported by BEIS, RWM, the Environment Agency and CoRWM.

Attendance List: Darlington – 6th March 2018

Organisation
Copeland Borough Council [x 2 attendees]
Cumbria Association of Local Councils
EDF Energy [x 2 attendees]
Durham University
Scottish Government
Individual x 1

Total participants: 8

Supported by BEIS, RWM, the Environment Agency and CoRWM.

Attendance List: Lancaster – 20th March 2018

Organisation
Allerdale Borough Council
Chartered Institute of Building (CIOB)
Civil Nuclear Constabulary
CORE
Cumbria Association of Local Councils
Cumbria County Council [x 2 attendees]
Cumbria Trust
Dalton Nuclear Institute
DEMAND Centre
EDF Energy
Friends of the Lake District
Lancashire County Council
Lancaster University [x 3 attendees]
Morgan Sindall Construction & Infrastructure Ltd
NuGen
NuLeAF (Nuclear Legacy Advisory Forum)
The Coal Authority
UK Community Foundation
University of Edinburgh [x 2 attendees]
University of Manchester [x 2 attendees]
Individuals x 3

Total participants: 28

Supported by BEIS, RWM, the Environment Agency and CoRWM.

Attendance List: Additional WWC workshop in London – 22nd March 2018

This meeting was scheduled as an extra session after bad weather affected attendance at other national workshops (particularly Bristol and Darlington).

Organisation
3G International Limited
EDF Energy
Somerset County Council
Stroud District Council

Total participants: 4

Supported by BEIS, RWM and the Environment Agency

Attendance List: Technical NPS Workshop – London 22nd March 2018

Organisation
Advisory Council on Radioactive Waste Management
BAM Nuttall Ltd
Cumbria County Council [x 2 attendees]
Environment Agency
Essex County Council
GDFWatch
Institution of Mechanical Engineers
MN Solutions
Natural England
Natural Resources Wales
NuLeAF (Nuclear Legacy Advisory Forum)
Public Health England
Suffolk County Council
White Ox Ltd
Individuals x 2

Total participants: 17

Supported by BEIS, Wood PLC, RWM and CoRWM

Appendix 4 – Glossary

The definitions of terms below are taken from the combined glossary sections of the Working with Communities and draft National Policy Statement consultation documents.

Appraisal of Sustainability (AoS)

An appraisal of the sustainability of the policy set out in a National Policy Statement, as required by section 5(3) of the Planning Act 2008.

Barrier

A physical or chemical means of preventing or inhibiting the movement of radionuclides.

Borehole

A borehole is the generalised term for any cylindrical excavation into the ground made by a drilling device for purposes such as site investigation, testing and monitoring. Deep investigative boreholes are necessary to characterise and assess potential sites and will be an integral part of the process for developing a geological disposal facility.

City-Region Mayors

City-Region Mayors are directly elected mayors (elected by the public) and are chairs of their area's combined authority. The mayor, in partnership with the combined authority, exercises the powers and functions devolved from Government, set out in the local area's devolution deal. They are responsible for the day-to-day running of local services included in most of the devolution deals, focusing on housing, skills and transport.

Committee on Radioactive Waste Management (CoRWM)

The Committee on Radioactive Waste Management provide independent scrutiny and advice to the Government and devolved administrations on the long-term management of higher activity radioactive wastes. They are an advisory non-departmental public body, sponsored by the Department for Business, Energy and Industrial Strategy (BEIS).

Community Agreement

An agreement signed by the Community Partnership. The agreement will set out what is expected of the Community Partnership in providing information and engaging with the people more widely in the community over the course of the siting process.

Community investment funding

The funding that will become available to a community once they enter into constructive engagement with the delivery body. This will be up to £1 million per community, per year in the early part of the siting process, rising to up to £2.5 million per community, per year for communities that progress to deep investigative boreholes that are needed to assess the potential suitability of sites. A community investment panel would consider applications for the funding to be released to appropriate community projects.

Community Partnership

This is the partnership between members of the community and the delivery body. It is designed to facilitate discussions with people more widely in the community and identify relevant information that they need in relation to the siting process.

Community Representation Working Group

The group which was set up as a result of a recommendation of the 2014 White Paper. They were convened to help develop practical processes for how community representation, the test of public support, and community investment will operate throughout the siting process for a geological disposal facility. The group had a core membership of other relevant government departments and voluntary representatives with skills and expertise in local government issues, the delivery of large infrastructure projects and academia.

Constructive engagement

Formalisation of the community engagement process involving the formation of a Community Partnership and a Community Agreement that is signed by the Partnership.

Development Consent Order (DCO)

The planning consent in England given by a minister (relevant Secretary of State) for a nationally significant infrastructure project.

Devolved administrations

Collective term for the Scottish Government, Welsh Assembly Government and in Northern Ireland, the Department of the Environment.

Disposal

In the context of solid waste, disposal is the emplacement of waste in a suitable facility without intent to retrieve it at a later date. Retrieval may be possible but, if intended, the appropriate term is storage.

Electoral ward

An electoral district at a sub-national level in the United Kingdom, represented by one or more councillors. It is the primary unity of electoral geography for civil parishes, and borough and district councils.

Engagement funding

This is the funding that will be made available by the delivery body to facilitate public discussions and facilitate information gathering and exchange. It will be provided to cover the costs of project management and administration associated with the community partnership and community investment funding. This may include booking rooms for meetings, copying documents or general administration. It may also cover the cost of travel and arrangements for appropriate site visits, or advice from external people.

Environment Agency

The environmental regulator for England. The Agency's role is the enforcement of specified laws and regulations aimed at protecting the environment, in the context of sustainable development, predominantly by authorising and controlling radioactive discharges and waste disposal to air, water and land. The Environment Agency regulates nuclear sites under the Environmental Permitting Regulations, and issues consents for non-radioactive discharges.

Environmental Impact Assessment (EIA)

A legal requirement under EU Directive 2011/92/EU (as amended) for certain types of project, including various categories of radioactive waste management project. It requires

information on the environmental impacts of a project proposal to be submitted by the developer and evaluated by the relevant competent authority.

Environmental permit

Permission granted by the environmental regulator in England to allow an operator to carry out certain activities, subject to conditions and limits on discharges to the environment.

Environmental Permitting (England and Wales) Regulations 2016 (EPR2016)

These regulations provide a consolidated system of permitting regimes for waste facilities in England and Wales including the disposal of radioactive waste.

European sites

This includes designated European conservation areas that include candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017.

Formative engagement:

This is when the formal siting process begins and interested parties are ready to publicly discuss their interest in the geological disposal facility siting process and open up the discussion within their community. A formative engagement team will be established to help build confidence in the community engagement process and to start to understand and answer questions the community may have.

Geological disposal

A long-term management option involving the emplacement of radioactive waste in an engineered underground geological disposal facility or repository, where the geology (rock structure) provides a barrier against the escape of radioactivity and there is no intention to retrieve the waste once the facility is closed.

Geological disposal facility (GDF)

A geological disposal facility is a highly-engineered facility capable of isolating radioactive waste within multiple protective barriers, deep underground, to ensure that no harmful quantities of radioactivity ever reach the surface environment. The development of a geological disposal facility will be a major infrastructure project of national significance. It will provide a permanent solution for the UK's existing higher activity radioactive waste (including anticipated waste from new nuclear power stations).

Geological disposal infrastructure

Geological disposal infrastructure includes:

- Any deep geological facility for disposing of the waste - geological disposal facilities. A geological disposal facility is expected to be constructed at a depth of at least 200 metres beneath the surface of the ground or seabed:
- The deep investigative boreholes necessary to characterise the geology at a particular site to enable its suitability as a site for a geological disposal facility to be considered. The deep investigative boreholes are expected to be constructed to a depth of at least 150 metres beneath the surface of the ground or seabed.

Habitats Regulations Assessment (HRA)

A report to support the Secretary of State in making planning decisions in compliance with the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

Higher activity radioactive waste (HAW)

Includes the following categories of radioactive waste: high level waste, intermediate level waste, a small fraction of low level waste with a concentration of specific radionuclides sufficient to prevent its disposal as low level waste.

High level waste (HLW)

Radioactive wastes that generate heat as a result of their radioactivity, so this factor has to be taken into account in the design of storage or disposal facilities.

Interested Parties

An individual or organisation with an interest in the geological disposal facility siting process and what it might mean for their area

Intermediate level waste (ILW)

Radioactive wastes exceeding the upper activity boundaries for low level waste but which do not need heat to be taken into account in the design of storage or disposal facilities.

Legacy waste

Radioactive waste which already exists or will be produced in the future by the operation of an existing nuclear power plant.

Local authority

Local government tier which is responsible for local facilities and services in a certain area.

Local enterprise partnerships

Voluntary partnerships between local authorities and businesses to help determine local priorities and promote economic growth and job creation within the local area.

Low level waste (LLW)

Radioactive wastes not exceeding specified levels of radioactivity. Overall, the major components of low level waste are building rubble, soil and steel items from the dismantling and demolition of nuclear reactors and other nuclear facilities and the clean-up of nuclear sites.

National Policy Statement (NPS)

A statement that provides guidance to the Planning Inspectorate and Secretary of State on assessing and making a decision on development consent applications for a particular type of infrastructure.

Nationally significant infrastructure project (NSIP)

A project of a type and scale in England defined under the Planning Act 2008 and by order of the Secretary of State relating to energy, transport, water, waste water and waste generally.

Nuclear Decommissioning Authority (NDA)

A non-departmental public body created through the Energy Act 2004. The Nuclear Decommissioning Authority is a strategic authority that owns 19 UK sites and the associated civil nuclear liabilities and assets of the public sector. It reports to the Department of Business, Energy and Industrial Strategy (BEIS); for some aspects of its functions in Scotland, it is responsible to Scottish Ministers.

Nuclear Safeguards

Nuclear Safeguards are reporting and verification processes by which states demonstrate to the international community that civil nuclear material is not diverted into military or weapons programmes. Nuclear safeguards measures can include reporting on civil nuclear material holdings and development plans, inspections of nuclear facilities by international inspectors and monitoring, including cameras in selected facilities.

Office for Nuclear Regulation (ONR)

The Office for Nuclear Regulation independently regulates nuclear safety and security at 36 nuclear licensed sites in Great Britain. It also regulates the transport of radioactive materials and plays a key role in ensuring that the UK's safeguards obligations are met. The Office for Nuclear Regulation operates a goal-setting regime setting out its regulatory expectations, and requiring licensees to determine and justify how best to achieve them. The Office for Nuclear Regulation has 36 conditions attached to each nuclear site licence within which the licensees are expected to operate. A combination of the Office for Nuclear Regulation's assessment and inspection functions allow the Office for Nuclear Regulation to judge whether licensees are meeting their legal obligations.

Operational lifetime

This refers to the period of construction (including pre-construction works) and operation of the facility (or boreholes), up to and including closure.

Planning Act 2008

Planning legislation in England for nationally significant infrastructure projects, under which applications are made to the Planning Inspectorate and then the decision made by the relevant Secretary of State. This is separate to the Town and Country Planning Act 1990, under which planning applications for other forms of development are made to the local authority.

Potential Host Community

The community around the proposed sites, once specific sites are identified within the Search Area. It will potentially contain the geological disposal facility surface and underground facilities and all the associated construction and operational impacts, and hence 'host' the geological disposal facility.

Principal Local Authorities

Principal authorities comprise of county councils, unitary authorities (or metropolitan boroughs) and district councils. These represent the upper, single and lower tiers of principal local authorities, respectively.

Radioactive waste

Any material contaminated by or incorporating radioactivity above certain thresholds defined in legislation, and for which no further use is envisaged, is known as radioactive waste.

Radioactive Waste Management Limited (RWM)

A wholly owned subsidiary of the Nuclear Decommissioning Authority (NDA), a non-departmental public body. It is responsible for implementing a safe, sustainable, publicly acceptable geological disposal programme.

Radioactivity

Atoms undergoing spontaneous random disintegration, usually accompanied by the emission of radiation.

Reprocessing

A physical or chemical separation operation, the purpose of which is to extract uranium or plutonium for re-use from spent fuel.

Right of withdrawal

The ability for a community or the delivery body to withdraw from the siting process. In the case of the community, the right can be exercised at any time before the test of public support is carried out.

Safety case

A set of documents that describe arguments and evidence in support of the safety of a facility or activity. This will normally include the findings of a safety assessment and a statement of confidence in these findings. For a geological disposal facility, there will be a number of safety cases required covering nuclear safety, environmental safety, and transport. A safety case may also relate to a given stage of development (e.g. site investigations, commissioning, operations, closure, post-closure, etc.).

Search Area

The initial geographical area within which the delivery body will need to engage with communities. This area will be identified using local authority boundaries. The area may be quite large to start with and will be where site assessment and investigation (including deep investigative boreholes) could be carried out. The people in the Search Area will be eligible for community investment funding.

Site licence

A nuclear site licence is a legal document granted by the Office for Nuclear Regulation. It contains site-specific information and defines the number and type of installations permitted. It controls the safety and security levels that must be maintained on site.

Spent fuel

Nuclear fuel removed from a reactor following irradiation that is no longer usable in its present form because of depletion of fissile material, poison build-up or radiation damage.

Storage

The emplacement of waste in a suitable facility with the intent to retrieve it at a later date.

Strategic Environmental Assessment (SEA)

An iterative process for gathering information and evidence, assessing effects, developing mitigation and enhancement measures and making recommendations to refine a plan or programme in view of its predicted environmental effects. It is a statutory requirement for certain plans and programmes under the Strategic Environmental Assessment Directive (Directive 2001/42/EC) and UK Strategic Environmental Assessment Regulations (SI 2004/1633, SI 2004/1656, SR 2004/280).

Test of public support

A mechanism to establish whether members of the host community support the development of a geological disposal facility or are against it. It will be applied late in the siting process when the relevant community/ies have had the opportunity to discuss their concerns and have their questions answered, but in advance of the delivery body making applications to construct a geological disposal facility.