

PROPOSALS FOR 'SITING' PARTNERSHIPS

Briefing Paper 2
October 06



Introduction

CoRWM's recommendations embrace the concept of partnership as a central feature of a siting process for long-term management facilities:

Community involvement should be achieved through the development of a partnership approach, based on an open and equal relationship between potential host communities and those responsible for implementation.¹

This recommendation aligns with NuLeAF policy, as set out in its statement of 23 June 06². That statement acknowledges that further work is required to identify appropriate models of local partnership, including their relationship to local authority decision-making.

The purpose of this briefing paper is to provide a basis for that further work, by reviewing existing information and identifying the key issues and questions for further discussion.

CoRWM's Proposals

CoRWM bases its support for the concept of partnership on the experience of the Local Partnerships that were established in Belgium to progress the siting of low level waste facilities³.

CoRWM argues that one of the advantages of the partnership approach is that it achieves an environment in which host communities can engage with an implementing body without feeling victimised by a national process over which they ultimately have little control.

¹ CoRWM, 'CoRWM's recommendations to Government', Doc 700, July 2006.

² NuLeAF, 'Implementing Policy on the Long-Term Management of Radioactive Wastes', 23 June 2006.

³ Bergmans A, 'Engaging Local Partners to Escape Decision-Making Deadlock in Nuclear Waste Management: the Local Partnership Methodology', Presentation to the NEA Forum on Stakeholder Confidence Workshop, 18 November, 2003, and Hooft E, 'Towards a Participative Management of Radioactive Waste, ONDRAF/NIRAS paper to the IBC Conference on Radioactive Waste Management, June 06.

The Committee points out that the principle of equity requires that the process of establishing and supporting partnerships should not favour or disadvantage any type of community. It argues that to avoid this, the basis of the involvement should be framed and agreed on a national basis, in a consultation involving the public and all relevant stakeholders. Although the framework should be established nationally, CoRWM stress that it must be flexible enough to accommodate the requirements of local communities.

For CoRWM, a key issue is who should represent community interests in the partnership? It argues that the partnership should include a wide representation within the community and reflect the full range of interests as far as practicable, including those whose interests embrace a wider area.

The Committee goes on to say that whoever represents the community, the decision to participate and subsequent proposals developed through partnership must be ratified by the appropriate elected representative body/bodies. It adds, however, that in some parts of the UK, the areas covered by local authorities are so large that it may prove difficult to resolve conflicts between potential host communities and the wider area. In such cases, CoRWM states, special arrangements for the ratification of partnership proposals may be necessary.

The Committee has subsequently considered a discussion paper⁴ on partnerships that makes the following points:

- The purpose of the partnership is to agree the conditions that would ensure that all the concerns of the potential host community and other affected communities are addressed and that the well-being of the potential host community would be enhanced.
- The UK radioactive waste and materials inventory is such that the technical complexity of the repository and waste packaging will be much greater than was considered in the Belgian experience.
- The local authority/ies should be sufficiently represented within the partnership so that their views can be expressed, local political realities are recognised and there are no surprises when proposals are presented for ratification.
- 'Social mapping' of the potential host community should be carried out to help inform decisions about representation in the partnership.

NuLeAF Policy

NuLeAF's policy statement envisages a central role for local authorities in partnership arrangements:

⁴ Dutton M, 'The Nature of Partnership for the Implementation of Facilities for the Long-Term Management of Radioactive Waste in the UK', CoRWM Document 1870, 12 September 06.

'Siting' Partnerships, NuLeAF Briefing Paper 2, p2

In order to ensure effective involvement of local communities, bodies and organisations, local authorities participating in a siting process should take steps to form appropriate local partnerships.

The role of a local partnership would be to engage fully in the siting process, undertaking the necessary scrutiny, research, consultation and negotiation on behalf of its members. In essence, local partnerships would advise and recommend, but the appropriate local authority/ies covering the area of interest would take major decisions, for example, exercising the right of withdrawal.

There needs to be flexibility in the geographic scope and membership of a local partnership to take account of local circumstances. The make up of partnerships should be a matter of local decision. Members might include county and district authorities containing the location of the potential site, Parish/Town Councils containing or neighbouring the potential site, neighbouring local authorities, and representatives from local stakeholder organisations.

This position accords with the type of Local Partnerships developed in Belgium, where membership consists of councillors, representatives of community groups and other interested parties⁵. The Belgian partnerships have been empowered to identify preferred sites and facility designs, and to propose the economic and social benefits and conditions under which a facility might be publicly acceptable. The local authorities in the area of potential sites are the local decision-makers in the process, advised by the partnership, in which they participate⁶.

COWAM's 'Roadmap for Local Committee Construction'

The European Community Waste Management (COWAM) project has also been addressing ways of involving local communities in decision-making and has produced a draft 'roadmap for local committee construction'⁷.

The roadmap is the product of collaboration between stakeholders from 8 European countries, including councillors, community representatives and researchers, and aims to "share our basic knowledge about committee building".

COWAM's roadmap contains much useful guidance of relevance to developing arrangements for partnership in the UK. In particular, it discusses:

- What is meant by 'local' (the administrative units directly affected, the geographic area in which residents feel affected, or the geographic area that will see

⁵ Enviro, 'The Implementation of a National Radioactive Waste Management Programme in the UK: Implications for Local Communities and Local Authorities', Report for NuLeAF, June 2006 p9 and p26.

⁶ In the successful partnerships at Mol and Dessel, leading members from the local council participated in the partnership. The failure of the Fleurus-Farcienne partnership is thought to have arisen because of the lack of involvement of local council members.

⁷ COWAM, 'Roadmap for Local Committee Construction', Draft, June 2006.

impacts). The roadmap notes that “the scale of what is local should be defined by the people themselves”.

- The mission, mandate and role of a local committee (for example, to gather information, undertake research, give advice and, potentially, take decisions). The roadmap advises that these should be defined and negotiated from the start of the process.
- Legitimacy, composition and representativeness (legitimacy can derive from having a statutory basis or being seen to represent community values and diversity). The roadmap advises that membership should be chosen to enable the partnership to fulfill its mission, mandate and roles.
- Funding and resources (to develop sufficient competencies and provide the tools for meaningful participation). The roadmap advises that a dedicated budget should be available, constructed in a way that guarantees independence from the implementer (involving external audit and transparent management).
- Organisation and procedures (to consider the power of the Chair and Executive Committee, the procedures for meetings, the role of working groups, the link to decision-makers and the mechanisms for wider consultation and engagement). The roadmap highlights that organisation and procedures must be geared to delivery of the committee’s mission, mandate and roles.
- Information, expertise and knowledge (to ensure pluralism of views and cross-disciplinary cooperation). The roadmap advises that the committee will need to draw on different types of expertise, including counter-expertise and citizens’ knowledge, and develop procedures to sort information, evaluate knowledge, use knowledge and share it.
- Product, output and added value (to identify desired products and outputs, what is appropriate and what is feasible). The roadmap advises that explicit consideration be given to these issues so that the local committee will be viewed as “an extra tool for local democracy”.
- External communications (to inform local people about its role, work and conclusions, including points of consensus and debate at a scientific level). The roadmap stresses the importance of developing a communication plan and getting feedback on what the community thinks.
- Evaluation (to learn from experience and identify recommendations for reinforcing efficiency and legitimacy). The roadmap advises that a sub-group be set up to plan the evaluation.

The roadmap points out that one the most successful models is that of the Belgian Local Partnerships. It points out that although final decision power rests with the local councils and national authorities, the strong identity and role of the Local Partnerships are clear to all these decision-makers.

UK Experience of Local Strategic Partnerships

Proposals for a partnership approach to siting long-term radioactive waste management facilities should also take into account local UK experiences derived from Local Strategic Partnerships (LSPs), which are designed to link service providers, councillors and community and voluntary sectors and provide opportunity for partners to influence each others’ work.

‘Siting’ Partnerships, NuLeAF Briefing Paper 2, p4

Although there are important differences in the missions and roles of LSPs and proposed 'siting' partnerships, there are also likely to be some significant similarities and overlaps. In particular:

- overlap in membership;
- shared interest in the socio-economic well-being of the area and initiatives to enhance well-being; and
- shared concern to engage widely with community representatives, voluntary groups and neighbourhood residents.

In addition, the experience of partners and stakeholders in or with LSPs will influence their views on arrangements for 'siting' partnerships.

A significant literature has begun to emerge that reviews and evaluates these experiences. Findings are set out in the Annex. Key points to highlight include:

- Shared vision: there needs to be early clarity and agreement about mission, objectives, representation, roles and outputs. Local discussion and negotiation of a pre-partnership agreement could provide opportunity for an appropriate shared vision to be developed.
- Representation: transparent and consistent procedures should be used to recruit and appoint representatives to the partnership.
- Training and skills: there needs to be early investment in training and skills to help participants fulfill their roles. This could include leadership development, partnership-working skills, external communication and community engagement.
- Funding and resources: there needs to be adequate resourcing to develop competencies, ensure meaningful participation and engagement, and obtain, evaluate, use and share information.
- Timescales: sufficient time needs to be allowed to develop a shared vision, develop relationships and ways of working, and undertake training and development of skills.

The recent review by the Improvement and Development Agency⁸ concludes that policy makers might benefit from seeing partnership working as highly specialised and resource intensive, requiring certain conditions to be met for effective working.

Key Issues and Questions

There is a significant amount of international and UK experience that can be drawn upon in developing appropriate models for local 'siting' partnerships.

As CoRWM recommends, a national framework should be established to guide and facilitate partnership formation in areas that may be willing to host a geological disposal facility. That framework must be sufficiently flexible to enable local

⁸ I&DeA, 'Making it real: a report of the pilot partnership improvement programme with voluntary and community organisations and local authorities', June 2006.

circumstances to be taken fully into account in shaping the partnerships that are created. This is particularly important when it comes to the definition of what is meant by local, for decisions about local representation and for taking into account the history of local relationships between stakeholders.

COWAM's 'roadmap' for local committee construction provides an important source of advice for development of that framework and for local stakeholders.

UK experience of LSPs also provides important learning, including the need for a shared vision, transparent and consistent procedures for recruitment, early investment in training and skills development, adequate resourcing to develop competencies and sufficient time to allow these requirements to be met.

International and UK experience also highlights the central importance of local government to successful partnership working. It is anticipated that the local authority would take a lead role in initiating local discussions to develop a 'siting' partnership.

In terms of a way forward, there is a need for wider discussions involving those in local government with experience of partnership working. Key questions to address include:

- What should be included within the scope of a national framework?
- What aspects of a 'siting' partnership should be a matter for local decision?
- Should a 'siting' partnership be part of the structure of LSPs, or separate to them?
- To what extent can a pre-partnership agreement contribute to the development of an effective partnership?
- What procedures should be used to recruit and appoint representatives to the partnership?
- What are the early requirements for training and skills development for members of the partnership?
- What level of resourcing is required for local authorities to contribute effectively to the setting up and functioning of a 'siting' partnership?

ANNEX: UK EXPERIENCE OF LOCAL STRATEGIC PARTNERSHIPS

National Audit Office 2004 review of community participation in neighbourhood renewal⁹

The NAO studied the single Community Programme that provided resources to local community and voluntary organisations to support representation on LSPs.

The NAO concluded that:

- Community Empowerment Networks (CEN) have begun to establish themselves, but the extent of their representation on LSPs and influence on service providers varies considerably. Tensions between the role of elected councillors and community members of Partnerships need to be managed.
- CENs are exerting influence by establishing links with service providers at a neighbourhood level, complementing their wider work with LSPs.

The NAO also set out a set of principles for developing effective community participation:

- Know and understand the communities being served
- Help to build the confidence of communities
- Take active steps to involve communities as widely as possible (to involve the diversity of communities)
- Ensure no sector or group dominates
- Make sure procedures for ensuring representation are transparent
- Provide practical assistance
- Demonstrate positive support for community engagement

Office of the Deputy Prime Minister 2006 Evaluation of Local Strategic Partnerships¹⁰

The ODPM's evaluation focussed on processes and policy development, rather than impacts as it considered that LSPs would need more time to bed down and implement their strategies. The report points out that "effective partnership working can take a considerable time to become embedded".

Findings of the evaluation focus on governance and delivery issues. On governance:

- There are important differences in the extent to which LSPs have established robust and sustainable governance arrangements. The extent to which the LSP has been able to draw on a positive history of partnership working in each locality and whether it was set up relatively early or late are major factors.

⁹ Comptroller and Auditor General, 'Getting Citizens Involved: Community Participation in Neighbourhood Renewal', HC 1070, October 2004

¹⁰ ODPM, 'National Evaluation of Local Strategic Partnerships: Formative Evaluation and Action Research Programme 2002-2005', January 2006.

- The strategic capacity of the board or executive is important. This in turn relates to issues of membership, leadership and a clear understanding of the role and purpose of the partnership.
- The exercise of leadership is extremely challenging, implying the need of further support for leadership development.
- Little progress has been made on rationalising overlapping patterns of partnerships at local level. There has been more progress with rationalising processes through use of protocols, coordination and better ways of working.
- For many LSPs, accountability needs strengthening, for example, accountability of the LSP to partners and vice versa. A key issue is the relationship of the LSP to local democratic processes. Effective partnership working should result in considerable scrutiny of individual agencies' actions and resources.
- There are questions about the capacity of LSPs eg how far structures and processes make it possible to take hard decisions, for example, resolving tensions between conservation and development.
- The extent to which LSPs have been successful in engaging partners and stakeholders varies greatly. For some LSPs, fundamental processes of engagement such as understanding partners' priorities and sharing information still remain largely on the 'to do' list.
- Many public sector partners are making a strong contribution, but this needs to be translated into securing change within partner organisations in line with LSP priorities.
- As non-statutory, non-executive, organisations, there are questions about how far LSPs can performance manage its partners.
- There are specific issues in two-tier areas. County and district LSPs must be understood as complementary and underpinned by a common understanding and agreement about their respective roles and strengths. This implies the fuller engagement of district representation in county LSPs in order to engage and legitimise a bottom-up input to strategic thinking.

On delivery issues:

- There is a clear relationship between the 'maturity' of the LSP partnership and the amount of progress made.
- LSPs have become involved in addressing a wide range of issues, including crime, education, health, economic development, employment, substance abuse, housing, the environment, young people, accessibility, transport, and sustainability.
- LSPs face a number of tensions in developing activity across a broad front, including tensions between government and local agendas, the level at which to act, the extent of engagement of both agencies and communities and what activity should be undertaken by the LSP, sub-partnerships or by partners.
- The development of a collective vision and coordinated strategy stands out as the predominant issue on which major progress is claimed by LSPs. Many LSPs also claim to have made some progress on other issues, including understanding partners' priorities, building a stronger and more united local voice, sharing data and information and widening the range of interests involved in local decision-making.

- There are some positive examples of ‘strategic mainstreaming’, where partner programmes and funding are re-focused onto targets that are agreed and shared by local partners.

New Local Government Network Review of Local-Regional Partnerships¹¹

The NLGN review was based on case study research of successful sub-regional partnerships between local authorities, RDAs and others.

The review identifies the following “building blocks” for successful partnerships:

- Local authorities have a key role in articulating a vision for the development of their community. It is vital that partnerships make use of councillor’s knowledge of local peoples’ issues. Real political skills are required to deal with a high level of negotiation, liaison and diplomacy with partners and a greater level of community engagement.
- Successful problem-solving within a partnership depends on individuals being willing to take ownership of problems. This requires a shift of loyalty from the partner organisations to the partnership.
- Agreeing a shared vision of what the partnership should aim to achieve is vital to success.
- If formal structures are set up for legal and financial accountability, ways must be found of ensuring that financial risk remains with those organisations able and willing to take it on.
- Individuals are fundamental to the functioning of partnerships. Ways of enhancing partners’ capacity for partnership working need to be developed.

Improvement and Development Agency 2006 Partnership Improvement Programme¹²

This programme focused on partnership working between local authorities and voluntary and community organisations (VCOs) and was based on a cross-sectoral approach that sought to discuss a partnership improvement action plan.

The programme highlighted the “complexity and difficulty of partnership working” and identified the following lessons:

- Numerous practical problems stand in the way of effective partnership working: insufficient resources, lack of appropriate skills or personnel, and unrealistic agendas and timescales. Policy makers need to take much greater account of the actual experience of cross-sector partnerships.
- Guidelines and toolkits are not enough. Local solutions need to be found to the challenges of cross-sector working. These solutions will be influenced by the local history of cross-sector relationships, the attitudes of key personnel within

¹¹ NLGN, ‘Local-Regional Partnerships: Lessons for the Next Generation’. Not dated.

¹² I&DeA, ‘Making it real: a report of the pilot partnership improvement programme with voluntary and community organisations and local authorities’, June 2006.

the local authority, relationships within the voluntary and community sector, and whether there are people with capacity (time, resources and skills) to work together.

- There are profound mismatches of expectations, resources, power and influence between local authorities and VCOs. Preparation for partnership working is very important. Purpose and roles can be addressed in pre-partnership agreements. These can help ensure a more consensual approach, greater consistency of expectations, transparency around accountability, and more focus on practical outcomes.
- There can be a range of problems around the VCO role as interface between the state and citizen, including fractious relationships between VCOs and tensions between service providers and more traditional community based organisations. Problems can be addressed by having a VCO 'champion' within the local authority, recognising the distinctive features and independence of VCOs, having transparent models for recruitment and selection of individuals to act as partners, and adequate investment in VCO participation costs.

Overall, the programme concludes that policy makers might benefit from seeing partnership working as a highly specialised and resource intensive method of working which requires certain conditions to be met for effective working. These include:

- Appropriate governance arrangements (including adequate preparation for all participants)
- Mutual understanding and acceptance of differences
- Investment in time, money and skills development
- Transparent and consistent arrangements for the identification and selection of all participants.