

# Nuclear Legacy Advisory Forum

## The Local Government Association Special Interest Group on Radioactive Waste Management & Nuclear Decommissioning

Civic Offices, West Berkshire Council, Newbury  
Thursday 26 January 2006, 10.00 am

Present:

Cllr Geoff Blackwell, Copeland Borough Council  
Cllr Julian Swainson, Suffolk County Council  
Cllr Bill Risby, Manchester City Council  
John Hetherington, Cumbria County Council  
Cllr Alan Matthews, Bury MBC  
Sandy Taylor, Argyll & Bute Council  
Bill Murphy, Kent County Council  
Phil Richardson, Enviros Consulting  
John Dalton, Nirex UK Ltd.

David Davies, Copeland Borough Council  
Cllr Jonathan Glen, Hampshire County Council  
Stewart Kemp, Manchester City Council  
Sue Crisp, Cumbria County Council  
Betty Matthews, observer  
Adrian Hurst, Hartlepool Borough Council  
John Parfitt, West Berkshire Council  
Bill Miller, Enviros Consulting  
Elizabeth Atherton, Nirex UK Ltd.

		Action
1	<b>WELCOME</b>	
1.1	John Parfitt, Head of Public Protection at West Berkshire Council, welcomed everyone to Newbury and went through fire drill and other housekeeping procedures. Then the Chair, Geoff Blackwell, welcomed everyone and began introductions around the table.	
2	<b>APOLOGIES</b>	
2.1	Apologies were received from:  David Martin, <b>Allerdale Borough Council</b> ; Fergus McMorrow, <b>Copeland Borough Council</b> ; Cllr Tim Knowles and Cllr Tim Heslop, <b>Cumbria County Council</b> ; Tony Wolfe, <b>Lake District National Park Authority</b> ; Cllr Don Yates, <b>Lancashire County Council</b> ; Kevin Thomas, <b>North Ayrshire Council</b> ; Jamie Woolley, <b>Nuclear Free Local Authorities</b> ; John Dinsdale, <b>Oldham Metropolitan Borough Council</b> .	
3	<b>MINUTES OF THE MEETING ON 13 OCTOBER 2005</b>	
3.1	The minutes were accepted as a true record once the word 'legacy' had been inserted into 1.1 to read "...CoSLA nuclear legacy Special Interest Group".	
3.2	(a) Bill Risby raised some issues about the CARL Workshop he had attended. Firstly, he thought it important that NuLeAF representatives at other conferences did not express their own views, but reflected NuLeAF views. After some discussion this was agreed as a principle that everyone should follow. (b) Secondly, he felt that, as a Councillor, it was embarrassing to receive a cheque from Nirex for his expenses claim - could it be done through the NuLeAF Secretariat and he would receive reimbursement from them? Again, after discussion, it was agreed that officers or members would claim through NuLeAF from Nirex, NDA, etc.	
4	<b>NuLeAF FUNDING UPDATE</b>	
4.1	Stewart gave a progress report on the expenditure paper, dated 9 December 2005. There had been some room bookings and small expenses since, but the balance was very close to	

that tabled. The money being held at the moment needed to be committed through the posts of the new Executive Director and his PA.

- 4.2 All those authorities that had contributed to NuLeAF last year were invoiced – all were positive again this year, so he had received around £10, 000, which was half the target funding sought via members.

## **5 NuLeAF EXECUTIVE DIRECTOR POST**

- 5.1 Geoff explained that the post had been appointed from a strong panel of candidates, and a thankyou letter would be sent to them all. The successful applicant was Fred Barker – he was tied up with CoRWM work today but would come to the meeting on 6 April in Irvine to introduce himself. John Hetherington added that Fred had substantial past local government service and had been an independent consultant on nuclear issues since the 1990s. He was now a key member of CoRWM and had respect for both nuclear and environmental issues. Fred would work from home (Hebden Bridge) but would travel extensively in the UK, though his employment base would be provided by Suffolk County Council. The NDA and others expressed pleasure at the establishment of a single point of contact for NuLeAF and its members. A press release would be issued in April.

## **6 MEMBERSHIP DEVELOPMENT**

- 6.1 Stewart had circulated the most up-to-date list with the previous minutes – NuLeAF now has 95 members. Additional members had resulted from the Chair's letter to all England and Wales Local Authorities – Hampshire County Council, Vale of the White Horse District Council, Taunton Deane Borough Council, London Borough of Newham Council, Rutland County Council, Penwith District Council, Sedgefield Borough Council, Fylde District Council, Wansbeck District Council and the Greater London Assembly. Argyll and Bute Council had decided to become contributing members, instead of corresponding. It would be part of the Executive Director's role to increase members and financial support.

## **7 REPRESENTATION AT LGA ANNUAL CONFERENCE 2006**

- 7.1 Stewart explained that NuLeAF had successfully attended the Conference in Harrogate last year. This year was to be in Bournemouth at the beginning of July. He had provisionally booked the Gladstone Suite in the Bath Hotel for an evening event (7.00 – 9.00pm) on Wednesday 5 July. This would cost around £300 plus catering.

## **8 NUCLEAR DECOMMISSIONING AUTHORITY**

- 8.1 John Hetherington talked about the NDA National Stakeholder Group (NSG) meeting that he had attended. This was a meeting of Site Stakeholder Group (SSG) Chairs plus representatives from other key groups – NuLeAF, NFLA, etc. Around 150 people attended this event. Dialogue was facilitated by The Environmental Council, but they didn't get down to real business at this first meeting. They did break out to consider and reflect issues, which resulted in the setting up of 2 working groups, about 25 people in each, with NuLeAF representatives on both.
- Waste Issues Group – direct role on LLW, some input on ILW and HLW
  - Materials Group – plutonium, etc., for which the future is not properly defined
- The Working Groups would not produce their own reports, but would act as a 'scrutiny panel' of the NDAs analysis.
- 8.2 Sue spoke about the paper that was being prepared, looking at the transition of Local Liaison Committees (LLCs) to Site Stakeholder Groups. It was noted that some clarification was needed on the NDAs expectation of the SSG role - the SSG is not comprised of elected members like a Council, but the NDA see them as decision makers

for the entire county/authority. For the draft NDA Strategy consultation, the SSGs were the main consultees, but they may not be the best target. It was felt important that NuLeAF should produce a checklist of criteria for an SSG – this would highlight which SSGs may have problems of representation.

SAC +  
Fred

John Parfitt added that the SSGs at public sites are very different to the MoD LLCs, such as that at Aldermaston in West Berkshire. There was no public attendance and no local representation; the Chair was always provided by the organisation, so was not independent.

- 8.3 Stewart said that the NuLeAF Secretariat had agreed that it ought to submit a response to the Trade & Industry Select Committee on their consultation about the NDA. However, the deadline for submission was the next day. It was agreed that John H would contact the clerk and say that we would send a response early next week. He also agreed to ‘top and tail’ the NuLeAF response to the NDA Strategy consultation, adding in some of the discussion on the interface between local government, SSGs and the NDA (planning, community leadership, representation, etc.).

JGH

## 9 COMMITTEE on RADIOACTIVE WASTE MANAGEMENT

- 9.1 John H had attended the CoRWM National Stakeholder Forum. He said that it had been a very interesting meeting and there was much information relevant to NuLeAF. The attendees, which included Regulators, LAs and environmental groups, undertook a test run of the weighting process on CoRWMs options. It was explained what happens next in the CoRWM process;

- at the end of March and during April, CoRWM would hold 3 meetings in public, at which they would consider the Multi-Criteria Decision Analysis process, the holistic view and their draft recommendations
- in May, for one month only, CoRWM would consult with people willing to attend meetings or respond online, and collect their views
- finished CoRWM report to Government in mid-July (so one week of Parliament left before the summer recess)
- in the autumn, the Government would issue a way forward statement on the recommendations (part of the Managing Radioactive Waste Safely process) – to look at the implementation issues/who/how/etc
- 3 month period of response

It was agreed that NuLeAF would ensure that there would be member attendance at the 3 important CoRWM meetings. Stewart would circulate the dates and venues, asking for volunteers to attend and report back.

SK

## 10 ISOLUS PROGRAMME

- 10.1 Stewart tabled a paper concerning the Interim Storage Of Laid-up Submarines (ISOLUS) programme. They had decided to wait for CoRWM to report before undertaking any other actions. They still needed to decide whether to cut up the submarine reactors or to store them intact. There would be no more work to identify sites at present.

## 11 EUROPEAN & INTERNATIONAL PROGRAMMES

- 11.1 Bill Risby had attended the CARL Workshop in Antwerp at the end of November/beginning December 2005. He said that there was ongoing discussion on host communities and veto, volunteerism, etc. David Davies had also attended and added that the workshop theme had been local empowerment. He explained that there are some fundamental differences, such as the UK having more layers of government than Europe, plus stakeholder engagement is funded by central government in Europe. However, other than Canada, all countries (Finland, Sweden, Belgium, etc.) seem to have followed similar processes when looking at implementation issues.

11.2	Stewart informed everyone that the next CARL workshop would be held in Glasgow (specifically in Troon) on 29/30 November 2006. He agreed to put out an e-mail appeal to members, asking if anyone wished to attend. Replies should go to Sue or him.	SK
11.3	John H spoke about the VALDOR (Values and Decisions) event that would occur in May of this year. This is an international event, to be held in Stockholm. It coincides with the CARL Steering Group meeting in Stockholm, at which Cllr Tim Knowles of Cumbria County Council usually represented NuLeAF. It was agreed that Tim should go, but with officer attendance. David was happy to go, but would check his diary; if he was unable to attend, he would ensure an officer was identified.	DD
11.4	John H was going to the COWAM2 meeting in Paris on 13/14 February. The closure of COWAM2 would be in the autumn, but funding for COWAM3 had been agreed.	
11.5	John H explained that the Group of Municipalities with nuclear Facilities (GMF) were keen to extend their network into the UK. At present, Copeland Borough Council and Cumbria County Council attended their meetings, to exchange best practice and lessons learned. GMF also provided input to some of the other European programmes, such as DG TREN and IGNA. Several GMF members were visiting Cumbria on 28 March, and would be happy to meet with other nuclear facility LAs. It was agreed that an e-mail be circulated, asking if any other members wished to attend the meeting and Sellafield site visits.	SAC
11.6	John H had attended the European Association of Local Liaison Committees (EUROCLI) meeting in Paris. He gave them a presentation, trying to explain the different approach in the UK and how NuLeAF and the SSGs worked. He felt that this was an organisation to watch, as it may turn out to be influential. Geoff cautioned that there was a need to look at the outputs of all the European groups, to see what 'value added' emerged for NuLeAF, as participation was stretched.	
<b>12</b>	<b>HSE CRITERIA FOR DELICENSING NUCLEAR SITES</b>	
	Stewart tabled a letter from HSE, that was in response to NuLeAFs comments on their consultation. It was disappointing that they had ignored NuLeAFs advice. It was agreed that we would write again, explaining that we want on record that this is an unsatisfactory position.	SK
<b>13</b>	<b>COMMUNITY BENEFIT: RESEARCH PROGRESS</b>	
	It was decided that this item would be covered by the afternoon's presentation from the consultants who had carried out this study for NuLeAF.	
<b>14</b>	<b>ANY OTHER BUSINESS</b>	
14.1	(a) Stewart spoke about the consultation being carried out by the DTI, concerning the draft Nuclear Industries Security (Amendment) Regulations. The deadline for response was 17 March. It was agreed that this was an issue for NuLeAF, so John H and Sue would comment on NuLeAF's behalf, asking Jamie for a legal view.	JGH + SAC
	(b) Stewart reported on the development of the Convention of Scottish Local Authorities (CoSLA) parallel nuclear legacy issues group. Tomorrow there would be a meeting of the Scottish LAs political group leaders, to agree the establishment of the 'Scottish NuLeAF'. It was agreed that Geoff should formally write to them with an invitation to the April NuLeAF meeting in Irvine. Stewart agreed to seek further information on the group.	GB + SK
	(c) Geoff reported that a group of citizens from Oskarshamn in Sweden were visiting Sellafield and exchanging information with the Local Authorities. Copeland Borough	

Council were to give a presentation on NuLeAF.

**15 FUTURE BUSINESS MEETINGS**

Proposed future meeting dates:

6 April 2006 Civic offices, North Ayrshire Council, Irvine

22 June 2006 LGA House, London

12 October 2006 northern venue (including 2006 AGM)

# ENVIROS PRESENTATION

## Implementation of a National Radioactive Waste Management Programme

Phil Richardson, one of the Enviros consultants who carried out the study, explained that this was a timely study with so many processes going on at present;

- CoRWM
  - NDA (draft) Strategy
  - DEFRA LLW Policy review
- LAs will have an integral role with what happens
- Why Nirex failed before
- lack of stakeholder consultation
  - mismatch between planning system +Nirex procedures
  - breakdown of trust
- Initial experience
- most countries that are successful, adopt a stepwise approach that involves stakeholders; volunteers with power of veto; community benefits.
  - no country has established a HLW repository, though some sites have been identified as preferred, e.g. Okiluoto, Finland
  - L/ILW repositories established (USA, Sweden) though not by volunteers
- Object of study to refer to international best practice and to say how the site planning, stakeholder engagement, etc., can be improved and say what are the implications for local communities and main roles and responsibilities of LAs.
- Approach = literature review; identify key issues; develop implementation scenarios (what could be done); develop implementation models (how it could be done); look at need for new legislative tools or amendment of existing ones, then draw up a suite of recommendations and conclusions for NuLeAF to consider.
- The nature of community;
- geography
  - psychology
  - culture
  - community of interest or influence
  - waste origin community – corridor of transport communities – repository community
- Focussed on local ‘host’ community of interest, but
- who should have the power of veto/volunteer
  - who should receive benefits
- Volunteerism doesn’t always work, because the site may not be suitable, though it may be used to weed out and whittle down.
- Benefits;
- incentive to take part
  - reward for being chosen
- Who can volunteer, on behalf of whom, when?
- Veto possible at different levels of authority/government.
- Local vs national interest important
- Veto possible at different stages of process – must be set out at the beginning
- Benefits;
- cash, tax (breaks/changes), infrastructure(additions/changes)
  - most successful programmes have community benefits
  - paid to the final host community
  - should be set out at the beginning

- Process issues;
  - role and representations of different players
    - decision makers, implementers, independent oversight
    - operator (contractor?). LA, local organisations
  - future-proofing and independence
  - community engagement and trust
  - links to planning process and planning decisions
  - links to licensing process (EA, SEPA, NII) and regulators
  - fund management

Bill Miller, the other consultant, then spoke about implementation scenarios

1. Stepwise, consultative siting scenario that's characterised by a national stepwise, deliberate approach – this is the most different to the current situation
2. Fast track siting scenario, focussed on existing nuclear licensed sites
3. Business as usual scenario - maintains existing policies

### SCENARIO 1

- Requires an independent (of Government and Treasury) implementing agency to oversee
  - either brand new
  - or existing (Nirex or NDA with expanded scope)
- Agency need to draw up list of site screening criteria and a map of suitable areas, e.g.
  - geology
  - proximity to waste
  - population
  - transport
  - coastal erosion/sea level rise
- Communities in suitable areas (nuclear & non-nuclear) are given the opportunity to volunteer, not individuals, but elected officials, though need to consult with the broader community.
- Local liaison committee needs to be set up at each volunteer community to take charge of discussions and negotiations with the agency
  - may be existing SSG, amended SSG or new group
  - relationship with LA needs clarifying, plus roles and responsibilities
  - elected or nominated?
- Communities have power of veto to withdraw once they understand advantages and disadvantages (within limits, i.e. cannot veto all the way through, need to spell out where limit lies)
- Local partnership company develops the facility at the preferred site (example in Switzerland, though not built eventually)
- May take 20 years to get to preferred site.
- To make it work, need to build in incentives to participate
  - a non-refundable grant payable to local community organisations and LA to cover full costs of engagement process
  - modest local infrastructure to facilitate the engagement (e.g. internet suite), not rail or airport
- When host chosen, compensation for real or perceived impacts to be paid as mitigation – to promote a “sustainable community” (see ODPM website for list)
- Need ring-fenced implementation fund set up by Government to ensure continuity of the process in the long-term
- Various decisions need to be made and different organisations involved
  - planning (planning authority/Secretary of State)
  - environmental/radioactive waste disposal (Environment agencies)
  - H&S (HSE/NII)
  - stakeholder engagement
  - local community veto decision
- Recommending a new streamlined approach that ties together all of these into one coherent decision framework

- New primary legislation needed
  - implementation fund
  - implementation agency
  - long term community benefits
- Need independent mediator
- Need expert committee, like RWMAC

### **SCENARIO 2**

- May arise if Government want to get facility up and running ASAP
  - NDA? via provisions in the Energy Act, or NIREX?
  - focus only on communities that are already nuclear
- this scenario shortens the period of screening criteria and desk study – overall 13 years to get preferred site

### **SCENARIO 3**

- May arise if status quo maintained or siting process fails
  - waste continues in temporary storage at current sites
  - no volunteers, no veto
  - no benefits
- No win for anybody

### ➤ Preliminary conclusions

- Scenario 3 no good
- Scenario 1 most open and transparent and democratic; but slow and expensive; would a non-nuclear community ever volunteer?
- Scenario 2 quicker and may lead to same conclusion as 1, but lack of stakeholder engagement and trust
- In all scenarios, LAs have key role to play
- Maybe best for LAs, is combination of 1 and 2 – what is the middle ground?