

Meeting:	NuLeAF Annual General Meeting, 20 October 2010
Agenda Item:	4
Subject:	Strategic Objectives for 2011
Author:	Fred Barker
Purpose:	To recommend NuLeAF strategic objectives for 2011

Introduction

This note provides a tabular review of the strategic objectives adopted at the AGM in 2009 and proposes objectives for 2011.

The table covers the following topics:

- NDA strategy and operations
- Low Level Waste (LLW) strategy
- Geological Disposal Facility (GDF) siting
- Legacy management implications of potential new build
- Submarine Dismantling Project
- Community funds and socio-economic support
- Local engagement arrangements

For each topic, the tabular review consists of the following columns:

- Issue as understood at the 2009 AGM
- Objective agreed at the 2009 AGM for 2010
- Subsequent actions and developments
- Comments relevant to the objective
- Proposed objective for 2011.

The style of font indicates whether or not it is proposed that an objective remain the same, be changed or added: the standard font represents no change; italic text shows where a change is proposed; and bold text indicates a new objective.

The AGM's attention is drawn to:

- proposed significant changes to objectives 2 (implications of the outcome of the Comprehensive Spending Review), 3 (framework for handling new developments) and 8 (strategic approach to LLW management facilities); and
- the proposed new objective 16 (liaise and assist local authorities considering the radioactive waste management implications of new build).

Recommendations

It is recommended that the AGM:

- 1 Adopt the strategic objectives outlined in this report
- 2 Agree to publish the review and objectives as a NuLeAF Policy Statement

TOPIC	ISSUE [as at AGM 09]	2010 OBJECTIVE	ACTIONS AND DEVELOPMENTS	COMMENT	PROPOSED 2011 OBJECTIVE
NDA Strategy and Operations	Government review of NDA funding model was underway. There were indications that some Parent Body Organisations (PBOs) were prepared to take on risks and part-fund development of radwaste facilities on NDA land (potentially offering a fee-based service to other sites/sectors).	1 Encourage development of funding models for NDA, and specific radioactive waste management projects, that enable progress to be made in legacy management (dependent upon openness and transparency, effective engagement, robust regulation and due regard to the long term)	In preparation for the Comprehensive Spending Review (CSR), NDA engaged with Government as part of its 'Public Value Programme' (PVP) to identify options for "improving effectiveness and affordability". At the March 2010 National Stakeholder Group (NSG) the CEO reported that the 'broad headlines' of the NDA PVP submission were that there were some proposed programme deletions, but that the main emphasis was on being more efficient. In July, the Executive Directive (ED) wrote to the NDA to ask for an update and to point out that NuLeAF supports innovative funding approaches, where consistent with its other objectives.	The outcome of the CSR will be known shortly after the AGM. This will determine whether the NDA will be funded in accordance with its PVP submission, or have to make further savings. The implications should become clear during discussion of NDA's draft Business Plan towards the end of the year. This may provide further opportunity to encourage innovative funding approaches where consistent with other objectives. It is appropriate to retain the objective.	1 Encourage development of funding models for NDA, and specific radioactive waste management projects, that enable progress to be made in legacy management (dependent upon openness and transparency, effective engagement, robust regulation and due regard to the long term)
	NDA had developed a set of tools (the 'Value Framework') to inform decisions about priorities and funding. The SG took the view that more information was needed to generate confidence in the approach.	2 Encourage NDA to explain to stakeholders its assessment processes and decisions about: priorities for spending; project business cases; and its next funding bid to Government as part of CSR.	NuLeAF comments on the NDA's draft Business Plan (2010-13) highlighted the need to provide further explanation of the processes and reasons for spending proposals and decisions. A very high level explanation was included in the final version of the Business Plan	A change of emphasis in the objective is required to reflect the need for NDA to explain the implications of the outcome of the CSR and the basis for subsequent decision-making about priorities for NDA spending.	2 Encourage NDA to explain to stakeholders <i>the implications of the outcome of the CSR for nuclear legacy management, and the basis for its resultant decisions about priorities for spending.</i>
	The issue of potential consolidation of facilities at a smaller number of nuclear sites had been rumbling away for several years without coming to a head. It was not clear whether the issue would re-emerge in 2010.	3 Encourage regional approaches where they are supported by affected LAs in light of overall balance of benefits and disadvantages	The proposed NDA Strategy highlights that centralised and multi-site approaches should be considered where they are advantageous. It states that NDA will investigate opportunities to share waste management infrastructure across the estate and with other waste producers and engage with interested parties from an early stage. Prior to consultation on the proposed strategy, the ED had written to the NDA about the need to develop appropriate implementation strategies (May) and take account of the requirements of the Aarhus Convention (July). The NDA has subsequently prepared a draft 'framework for handling new developments', which was discussed at the NSG in September. At the time of writing it is not clear how discussion about the proposed framework will be taken forward.	The NDA intends the framework for handling new developments to cover consolidation of facilities and new projects (see next row). It will be important to ensure that the framework includes appropriate reference to: local authority involvement in option assessments; early discussion with Waste Planning Authorities to ensure conformity of proposals with planning requirements; and local community benefits. Amendments to the objective are required to reflect (a) the need for an appropriate framework and (b) the NDA's terminology of "centralised and multi-site" approaches, rather than "regional approaches".	3 Encourage <i>development of (a) an appropriate framework for handling new developments and (b) centralised and multi-site approaches where they are supported by affected LAs in light of overall balance of benefits and disadvantages.</i>

	<p>The drive to reduce costs, and find ways of moving forward at lower hazard sites, was leading NDA and industry to adopt or assess “simpler, faster and cheaper” projects. Examples include the use of off-site landfill for VLLW and the possible use of alternative disposal concepts for some ILW</p>	<p>4 Seek to ensure that proposals for new projects that may be simpler, faster or cheaper than current practices can be convincingly demonstrated to be the best practicable, taking into account a full range of life cycle, safety, environmental and socio-economic factors, and stakeholder views.</p>	<p>In addition to the examples in the 2nd column, the proposed NDA Strategy highlights that NDA is exploring the possibilities of developing alternative waste treatment capabilities for higher activity wastes. The ED has commented to the NDA that an important aspect of a framework for handling new developments is that potentially affected local authorities are involved in a timely way in option assessments. (For developments on LLW disposal to landfill see the next section).</p>	<p>It is suggested that it is appropriate to retain the objective.</p> <p>The proposed framework for handling new developments should promote local authority involvement in option assessments. This should help ensure the appropriateness of new projects.</p>	<p>4 Seek to ensure that proposals for new projects that may be simpler, faster or cheaper than current practices can be convincingly demonstrated to be the best practicable, taking into account a full range of life cycle, safety, environmental and socio-economic factors, and stakeholder views.</p>
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TOPIC	ISSUE [as at 09 AGM]	2010 OBJECTIVE	ACTIONS AND DEVELOPMENTS	COMMENT	PROPOSED 2011 OBJECTIVE
LLW Strategy	NuLeAF comments (September 09) on proposed LLW strategy had highlighted various concerns, including: emphasis on the role of the supply chain and off-site solutions; the need for early engagement with local authorities and involvement in option assessments; the need to address the regional dimension; and the need to provide further guidance for planners.	5 Seek to ensure that LLW strategy is implemented in ways that can inspire local authority and public confidence.	<p>LLW Strategy published in August 2010 states that a high standard of public acceptability is central to implementation, and highlights the availability of a guide on ‘pointers to good practice on stakeholder engagement’.</p> <p>Planning permission for LLW disposal to landfill at King’s Cliffe in Northamptonshire was refused in March. The reasons for refusal include that the “perception of harm from the proposed development held by a significant number of local residents is a significant material consideration sufficient to justify refusal.” The decision is subject to appeal and will be considered at a public inquiry starting in late October.</p>	<p>Although the LLW strategy provides a welcome focus on the need for early and pro-active stakeholder engagement, it does not elaborate on what should be considered to constitute a high standard of public acceptability, or how one might identify whether it has been achieved. Instead the strategy states that it is for the developer and the local authority to reach appropriate agreement on the acceptability of any new proposals.</p> <p>The outcome of the appeal process on the King’s Cliffe application will set an important precedent.</p> <p>It is appropriate to retain the existing objective.</p>	5 Seek to ensure that LLW strategy is implemented in ways that can inspire local authority and public confidence.
		6 Encourage and assist the NDA, SLCs and the supply chain to take full account of the role and needs of the LA planning system in the implementation of LLW strategy.	The NDA responded positively to NuLeAF’s suggestions about the need to provide guidance to planners. The LLW Strategy includes a series of welcome points about interactions with planning authorities. A presentation on planning was also made to the NDA’s LLW Strategy Group (July).	Although the LLW Strategy provides a welcome focus on the role and needs of the LA planning system, there is a need for further dialogue on this issue, for example, through the discussion of case studies. It is therefore appropriate to retain the objective.	6 Encourage and assist the NDA, SLCs and the supply chain to take full account of the role and needs of the LA planning system in the implementation of LLW strategy
		7 Encourage WPAs to develop policy in MWDFs on the management of LLW (and VLLW)	The secretariat has continued to encourage WPAs. A Briefing Paper on LLW Strategy has been prepared which contains a section on the implications for local authority plans. A seminar is planned for March 2011 to present and discuss case studies.	Progress is being made, particularly by WPAs involved in NuLeAF’s Radioactive Waste Planning Group (RWPG). Further progress can be made by promoting good practice and providing opportunities for discussion. The objective is still relevant and appropriate.	7 Encourage WPAs to develop policy in MWDFs on the management of LLW (and VLLW).
		8 Encourage regional bodies to develop policy in Regional Strategies on the management of radioactive wastes.	Prior to the demise of regional strategies and bodies, the secretariat had met with RTAB Chairs and subsequently the NDA to identify a way forward. It was agreed that improved regional evidence bases were needed. This agreement is reflected in LLW Strategy.	There is still a clear need for improved evidence bases, in part because of the likely emergence of joint local authority arrangements to address ‘across boundary’ planning issues, but also to inform the preparation of MWDFs. In addition, the emphasis in LLW Strategy is on the use of existing waste management capacity, with a ‘green light’ for that capacity to take on,	8 Encourage <i>NDA to provide sufficient evidence base information and to engage in discussion about the potential for a more strategic approach to the siting of LLW management facilities.</i>

			<p>The coalition government has announced that responsibility for strategic planning will now lie with local authorities who will decide how they will work together on planning issues that cross administrative boundaries.</p>	<p>where practicable, a regional or national role. Rather than facilities taking on such roles 'by default', it would be desirable for NDA to look more strategically at what facilities are required and, in discussion with WPAs, where they might be located. An amended objective is required to address these points.</p>	
		<p>9 Subject to site suitability and local community views, encourage development of local or regional LLW management facilities at existing nuclear sites, rather than at non-nuclear sites</p>	<p>LLW Strategy states that it does not wish to prescribe whether disposal options on, adjacent to, or away from existing nuclear sites are preferred. However, this is undermined by commitments to early solutions and affordability, and the emphasis on the use of existing waste management capacity. These perspectives strongly suggest a preference for the use of existing landfill sites, rather than the development of new facilities whether on, adjacent or away from existing nuclear sites.</p>	<p>Against this background, local authorities should seek to ensure that proper consideration is given to all potential disposal options, including the potential advantages of developing facilities on or adjacent to existing nuclear sites (for example, stronger adherence to the proximity principle and greater potential, at some sites, for public acceptability arising from the development of purpose-designed facilities under the supervision of nuclear site management). It should be noted, however, that NDA has acknowledged that "it is likely that a national preference for on-site disposal could be reached if some of the economies of scale from multi-site use could be employed, but in reality it would seem that this approach would be unpopular with local stakeholders and therefore likely to impact on issues around planning and development of such facilities".</p> <p>Small amendments to the objective are required to reflect current terminology and the possibility of siting LLW facilities adjacent to existing nuclear sites.</p>	<p>9 Subject to site suitability and local community views, encourage development of local or <i>multi-site</i> LLW management facilities at <i>or adjacent to</i> existing nuclear sites, rather than at non-nuclear sites.</p>

TOPIC	ISSUE [as at 09 AGM]	2010 OBJECTIVE	ACTIONS AND DEVELOPMENTS	COMMENT	PROPOSED 2011 OBJECTIVE
GDF Siting	Siting process launched. Expressions of Interest from Copeland BC, Allerdale BC and Cumbria CC. Some discussion in other areas, but no EoIs. EoI process open for foreseeable future.	10 Liaise effectively with any LA that may wish to consider, or makes, an expression of interest in GDF siting process and to provide assistance as appropriate.	Participating in West Cumbria MRWS Partnership. ED assisting with formulation of PSE programmes and preparing discussion papers on key topics (definition of 'credible support, principles for community involvement in the siting process, and inventory principles). As far as is known there has been no further interest from LAs in other areas.	Continued progress is being made in West Cumbria. A substantial programme of work leading up to a decision about participation is being undertaken. PSE1 has been completed and the start of PSE2 is imminent (as is publication of the findings of initial high level geological screening). It is anticipated that continued assistance will be provided through participation in the Partnership. The secretariat will also respond to any request for advice or assistance from other local authorities. Objective still relevant and appropriate.	10 Liaise effectively with any LA that may wish to consider, or makes, an expression of interest in GDF siting process and to provide assistance as appropriate.
		11 Work with Government, the NDA, CoRWM, regulators and member authorities to help ensure that the approach based on voluntarism and partnership works successfully in practice.	Liaison meetings with Govt and NDA being held once every three months. Participating in Regulatory Interface Management meetings. Liaison with CoRWM continues. Raising issues as appropriate in accordance with objective. Note also that the Government is revamping its Geological Disposal Implementation Board (GDIB) with the objective of providing Ministerial oversight of the implementation programme as well as enabling local communities, CoRWM, key waste consignors and green NGO's to provide direct input to, or to have direct observation of, the programme.	There is a continued need to input as outlined. Objective still relevant and appropriate.	11 Work with Government, the NDA, CoRWM, regulators and member authorities to help ensure that the approach based on voluntarism and partnership works successfully in practice.
		12 Ensure member authorities are briefed and up-to-date on developments in the GDF siting process.	Progress reported regularly to SG and in e-bulletin. Case study on West Cumbria MRWS Partnership published (Nov 09). GDF section on NuLeAF website kept up to date.	Objective still relevant and appropriate.	12 Ensure member authorities are briefed and up-to-date on developments in the GDF siting process.

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Legacy Management Implications of Potential New Build	<p>NuLeAF's remit enables it to consider the radioactive waste management implications of potential new build, particularly for nuclear legacy management.</p> <p>At the time of the 09 AGM, consultation on the draft Nuclear National Policy Statement (NPS) was anticipated and early discussions had taken place on the radioactive waste management aspects of potential new build.</p>	<p>13 If Government continues to encourage the building of new nuclear power stations, to seek to ensure that its National Policy Statement is open and transparent about the interactions between new nuclear build and nuclear legacy management.</p>	<p>NuLeAF submitted comments on the Draft Nuclear NPS in February 2010. These comments included the need: to clarify that the IPC will consider radioactive waste management issues identified in Local Impact Reports; and for Government to take steps to ensure that the prospects for effective radioactive waste management are maintained.</p> <p>Because of issues associated with the Sustainability Appraisal of the over-arching energy NPS, the Government is re-consulting on the draft NPSs between October and January.</p>	<p>It is likely that NuLeAF should comment on the revised draft NPSs.</p> <p>A small amendment to the objective is required to accommodate the scope of NuLeAF's interest in the radioactive waste management implications of new build.</p>	<p>13 If Government continues to encourage the building of new nuclear power stations, to seek to ensure that its <i>Nuclear National Policy Statement adequately addresses radioactive waste management</i>, and is open and transparent about the interactions between new nuclear build and nuclear legacy management.</p>
		<p>14 Seek to ensure that proposals for radioactive waste management and decommissioning of new nuclear power stations do not prejudice effective management of the nuclear legacy</p>	<p>Initiatives have included responding to consultations on DECC's proposals for a Fixed Unit Price in the funded decommissioning programme (June 2010) and the proposed justification decision on new build (Feb 2010).</p> <p>On behalf of the new build utilities, the Nuclear Industry Association has commissioned NDA to look at spent fuel management options, including the case for centralised or multi-site spent fuel encapsulation and storage.</p>	<p>A small amendment to the objective is required to accommodate the scope of NuLeAF's interest in the radioactive waste management implications of new build.</p>	<p>14 Seek to ensure that proposals for radioactive waste management and decommissioning of new nuclear power stations <i>are appropriate and</i> do not prejudice effective management of the nuclear legacy</p>
		<p>15 If proposals for new nuclear build continue to move forward, promote debate and thinking about the ways in which this could be done to the benefit of nuclear legacy management and in accordance with the Polluter Pays Principle, including how a more coordinated 'across site' approach could be taken in locations that have or are proposed to have multiple</p>	<p>Proposed NDA Strategy states that with Government agreement NDA will supply advice and information to utilities to further integrate the UK approach to radioactive waste management. It also states that NDA will develop commercial opportunities to deploy existing facilities and resources to its advantage. It states that some of these opportunities may arise from the UK's new reactor programme.</p>	<p>There is a need for further public discussion and debate about the extent to which, and ways in which, it might be appropriate to exploit the potential synergies between new build and nuclear legacy management. The existing objective is still relevant and appropriate.</p>	<p>15 If proposals for new nuclear build continue to move forward, promote debate and thinking about the ways in which this could be done to the benefit of nuclear legacy management and in accordance with the Polluter Pays Principle, including how a more coordinated 'across site' approach could be taken in locations that have or are proposed to have multiple licensed nuclear sites.</p>

		licensed nuclear sites.			
		NA	<p>Discussions have taken place with officers from Somerset CC about a NuLeAF input to a potential work programme on the radioactive waste management aspects of proposals to develop a new nuclear station at Hinkley Point. A topic paper is to suggest that NuLeAF fulfil an advisory and peer review role. If accepted, a work programme will be developed.</p> <p>The New Nuclear Local Authorities Group (NNLAG) has been formally established as a Special Interest Group of the LGA, with Somerset County Council in a lead role. NuLeAF has been represented at meetings leading to the setting up of the group, and is establishing a good working relationship with its secretariat.</p>	<p>A new objective is required that addresses the need for NuLeAF to (a) liaise effectively with NNLAG and with local authorities addressing the radioactive waste management implications of new build and (b) provide assistance as appropriate.</p>	<p>16 Liaise effectively with the New Nuclear Local Authorities Group and with local authorities addressing the radioactive waste management implications of new build and provide assistance as appropriate</p>

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Submarine Dismantling Project	Consultation on a proposed way forward was scheduled for Spring 2010	16 Encourage any member authority that may be affected by the management of the radioactive wastes from laid up nuclear submarines to participate in consultation on the proposed way forward	The consultation is not now anticipated until sometime in 2011. Pre-consultation engagement with potential affected local authorities is anticipated.	The consultation is likely to raise issues around 'waste imports' to an existing licensed nuclear site. See also 3 rd row under NDA strategy and operations. Objective still relevant and appropriate	17 Encourage any member authority that may be affected by the management of the radioactive wastes from laid up nuclear submarines to participate in consultation on the proposed way forward
		17 Encourage MoD to adopt clear objectives and good practices in the consultation on options for managing radioactive wastes from the Submarine Dismantling Project	The ED has been participating in MoD SEA and Consultation sub-groups to further this objective.	Participation in the sub-groups has provided good opportunity to influence the form of future engagement. The objective is still relevant and appropriate.	18 Encourage MoD to adopt clear objectives and good practices in the consultation on options for managing radioactive wastes from the Submarine Dismantling Project
		18 Seek to ensure that the approach taken to the implementation of the ISOLUS Project is consistent with developments in the civil nuclear industry	MoD is liaising with NDA who are examining the potential use of sites within their estate.	Objective still relevant and appropriate	19 Seek to ensure that the approach taken to the implementation of the Submarine Dismantling Project is consistent with developments in the civil nuclear industry

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Community Funds and Socio Economic Support	<p>A paper had been produced for discussion with Govt, but officials had not been persuaded to adopt a framework for community funds. Instead, reliance was to be placed on s106 agreements, on a case by case basis. A Briefing Paper (BP) and Case Studies (CS) had been produced to ensure understanding and awareness of the s106 approach. Consultation was also impending on proposals for a Community Infrastructure Levy (CIL).</p>	<p>19 Seek to ensure that a consistent, proportionate and transparent approach can be taken to the establishment of Community Funds associated with key radioactive waste management facilities.</p>	<p>NuLeAF commented on the CIL proposals in October 09. Government published an overview of how the CIL is intended to operate and consulted on a new policy document for planning obligations. As anticipated, three Circular 5/05 planning obligation tests were subsequently put on a statutory basis. At the time of writing, an announcement on the future of the CIL is awaited from the Government.</p> <p>Discussions have also been taking place about the case for a Fund to be established in association with the proposed Sizewell B spent fuel store.</p> <p>The potential NDA 'Framework for handling new developments' (see row 3 under NDA strategy and operations), is likely to include a section on the s106 approach.</p>	<p>There will be a need to review and revise the May 2009 Briefing Paper in the light of any Government announcement on the future of the CIL and other relevant developments.</p> <p>The objective is still relevant and appropriate.</p>	<p>20 Seek to ensure that a consistent, proportionate and transparent approach can be taken to the establishment of Community Funds associated with key radioactive waste management facilities.</p>
	<p>NDA had had a couple of years of experience of funding projects under its socio-economic policy. The SG had agreed that a BP should be produced with information and advice that draws on this experience. A CS had been published re Chapelcross socio-economic support.</p>	<p>20 To promote good practices in applications to NDA for socio-economic funding.</p>	<p>The NuLeAF BP on applications to the NDA socio-economic fund was published in October 09.</p> <p>The NDA's 2010-13 business plan reported that total spend on socio-economic projects would be up to a maximum of £10 million per annum, subject to the quality of projects submitted.</p> <p>The proposed NDA Strategy confirms that its current approach is "mature", but reports that NDA plans to explore with the SLCs a new approach to delivering their socio-economic agenda.</p>	<p>It is understood that the new approach may involve NDA moving to a more strategic role and the SLCs taking on more operational and delivery responsibilities. There will continue to be central funding, but the scale will not be known until the outcome of CSR. Details of the new approach are still being thought through, including refining the criteria used to judge applications.</p> <p>The need for an updated NuLeAF BP will be reviewed as more detail becomes available.</p> <p>The current objective is still appropriate and relevant.</p>	<p>21 To promote good practices in applications to NDA for socio-economic funding.</p>
Local Engagement Arrangements	<p>During the NDA review of arrangements in 2007-8, NuLeAF encouraged more effective relationships between Site Stakeholder</p>	<p>21 Encourage member authorities with licensed nuclear sites to ensure that effective engagement arrangements with SLCs</p>	<p>NDA has recently reviewed its arrangements for national engagement, but arrangements for local engagement remain unchanged.</p>	<p>As reported to the October meeting of the Steering Group, there is a need for improved local engagement arrangements so that the relevant local authorities are more closely involved in discussion about</p>	<p>22 Encourage member authorities with licensed nuclear sites to ensure that effective engagement arrangements with SLCs and</p>

	Groups (SSGs) and LAs, and a BP was published (Jan 08). New NDA guidance for SSGs came into effect in April 09.	and NDA are in place, either through the SSG or direct engagement.	NuLeAF has had early discussions about the potential need for enhanced local 'partnering arrangements'.	site restoration issues. Consideration is being given to the role that NuLeAF might play in facilitating these arrangements. The current objective is still appropriate and relevant.	NDA are in place, either through the SSG or direct engagement.
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