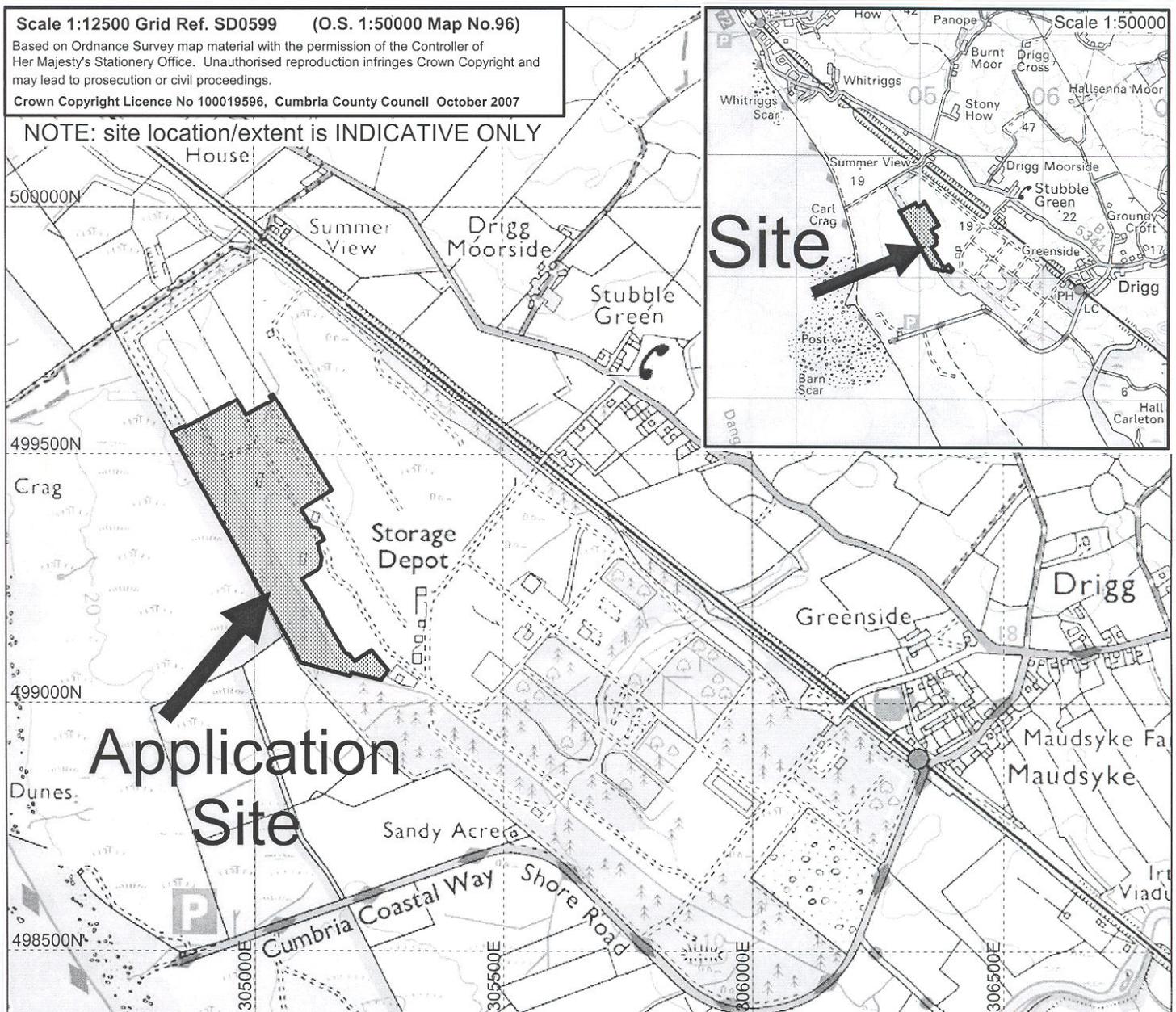


DEVELOPMENT CONTROL AND REGULATION COMMITTEE
22 January 2008
A Report by the Head of Environment

Application No	4/07/9010	District	Copeland
Applicant	LLW Repository Ltd (previously BNG Sellafield Ltd) near Drigg	Parish	Drigg and Carleton
		Date of Receipt	3 July 2007 (Revised proposals received 19 and 28 September)

PROPOSAL Construction and operation of storage vault for low level radioactive wastes and ancillary works, as amended by applicant's letters dated 19, 25 and 26 September 2007 and 5 December 2007 and email dated 21 December 2007;
 Low Level Waste Repository, near Drigg,, Holmrook.



1 RECOMMENDATION

- 1.1 That, having regard to the environmental information, permission is GRANTED subject to the conditions in Appendix 2.
- 1.2 That the planning assessment in Section 4 provides the basis of the statement required under Regulation 21 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999.

2 THE PROPOSAL

- 2.1 It is proposed to construct a new vault (Vault 9) within which Low Level Radioactive Waste would be stored. The planning application details have been substantially amended since it was submitted in response to issues raised by officers and consultees.
- 2.2 The vault would be an open topped concrete box approximately 185 metres long by 137 m wide, an area of around 2.5 ha, with walls up to 5.3 metres high. It would have a useable capacity of around 110,000 cubic metres, sufficient for 5,500 of the half-height ISO steel containers within which the waste is placed at the present time. These are proposed to be stacked four high. The maximum weight of these containers, when full, would be limited to 35 tonnes to ensure they are able to be transported to an alternative location for final disposal, if required.
- 2.3 The applicant estimates that LLW arisings over the next 5 to 10 years will be equivalent to 700 half-height ISO containers/year. This implies an operational life of around 8 years for the new vault. The predicted sources of the waste are :

Sellafield	66%
MoD Faslane, Aldermaston, Devonport	14%
Nuclear Power Stations	8%
Hospitals, universities, oil industry	5%
Radio isotope manufacturing sites eg GE Healthcare	4%
Other British Nuclear Group sites	3%

- 2.4 At our request the planning application is for storage of the waste, and not for disposal. The planning application includes a retrievability strategy to maintain the ability to remove wastes from the site. The vault has, however, been designed as a containment cell that would be suitable for waste disposal. It is anticipated that an application for disposal will be made in the future, subject to the outcome of the Post Closure Safety Case. The concrete base would be made

highly impermeable by composite liners of Bentonite Enriched Soil and High Density Poly-Ethylene geomembranes. The walls on three sides would have Bentonite Enriched Soil liners, continuous with the base liner, sandwiched between two reinforced concrete walls. The wall on the north east side would be a permeable piled wall, where it abuts the former disposal trenches. This is so that groundwater flows from them, into the containment system, would not be obstructed.

- 2.5 The impermeable barriers under the floor slab would be separated by a free-draining, leachate leak detection and collection layer. Leachate would be actively removed from the vault by pumping into the existing leachate drainage system. Any water that enters the leak detection/collection layer would drain to sumps, be monitored and then pumped into the leachate drainage system. That system discharges, via holding tanks, to the existing marine outfall pipeline.
- 2.6 The ancillary works include site offices, a contractor's compound, piling rigs, floodlights, a screening mound, soil storage mound, temporary settlement ponds for the construction area and two batching plants for concrete and for Bentonite.
- 2.7 It is proposed to bring the maximum practicable amounts of construction materials and Low Level Waste in by rail. The submitted details show that there would need to be 131 rail deliveries to bring in over 185,000 tonnes of materials for constructing Vault 9. In addition 48 deliveries will be necessary for the 63,000 tonnes of aggregates needed for void filling and drainage works in Vault 8. Direct Rail Services have six available paths/day on the rail line into the LLWR and seven/day for the return journey. Not all of these paths could be used because it would take 4 to 5 hours to offload the trains. The applicant proposes there would be two trains/day and that this would be well within the available capacity.
- 2.8 Further details about traffic will be required by the Traffic Management Scheme, if planning permission is granted. Heavy items of construction plant would have to be brought in by road. The applicant estimates that 8 to 10 lorries would be needed to bring in site cabins, 4 for a crane, 5 to bring in the batching plant, 10 for piling rigs and associated equipment and 12 for excavators and site transport equipment.
- 2.9 An Environmental Management Plan is proposed which would set out levels of environmental performance and responsibilities for achieving them.
- 2.10 The proposed hours for construction works are 0730 to 1800 hours Monday to Friday and 0800 to 1300 Saturdays. Saturday working would not involve any import of materials by road. Operational working hours would be within 0630 to 2300 hours although in recent years only one shift/day has been worked. There is an agreement in place with the local community that no lorries associated with the Repository will travel through the village between 07.30 and 09.00 and 15.30 and 16.30 to avoid school traffic.
- 2.11 Currently 132 people are employed at the LLWR, 78 of these live in Copeland and 35 in Allerdale, only 10 live outside Cumbria.
- 2.12 The planning application is supported by a unilateral undertaking provided by the

Nuclear Decommissioning Authority to offset the social, economic and environmental impacts of the development on the Copeland community.

3 CONSULTATIONS AND REPRESENTATIONS

3.1 Copeland Borough Council. No objections subject to an acceptable community compensation package being agreed.

3.2 Drigg and Carleton Parish Council. Has an overriding concern to minimise the inconvenience and disruption to the parish from this major project, particularly during the site preparation and construction phases. Welcomes the strategy to make maximum use of rail transport but wishes to see an assurance that the target number of trains/day can be achieved within the proposed operating hours.

3.3 The Parish Council strongly disagrees with the applicant's conclusion that no mitigation measures are needed for the highway network. Believes that a Traffic Management Plan should be prepared. Considers that noise and dust should be constantly monitored and reported as a condition of planning. Opposes working outside weekdays. Also makes comments about the overlap of construction activities with those for the new rail siding (*the applicant now proposes that those works will be delayed and may not be needed*) and criticises the applicant's Stakeholder consultation process.

3.4 Seascale Parish Council. Fully supports the planning application.

3.5 The Highway Authority. Has no objections subject to a traffic management plan being secured and that the mitigation measures with respect to use of rail transport, working hours, wheel washing and road sweeping are required by condition.

3.6 Emergency Planning. No comments

3.7 Environment Agency.

Waste management aspects. The Agency is the regulator for disposals but not for storage (for storage it is the Nuclear Installations Inspectorate) but requested further information with regard to the management of the waste. That information has now been provided and the Agency has no objections to the development proceeding. Some of the drainage aspects of the proposals may need licensing by the Agency.

Wildlife aspects. The Agency also submitted representations about wildlife matters but now has no objections on those grounds to the revised proposals.

3.8 Nuclear Installations Inspectorate. Has confirmed that it will continue to regulate any new developments as set out in the conditions of its nuclear site licence and other health and safety legislation. An adequate safety case will need to be demonstrated before the vault is constructed and operated.

3.9 Natural England. Objected to the original proposals but raises no objections to the revised scheme. It considers that it should be possible to resolve outstanding concerns about mitigation and enhancement measures for reptiles. Licenses, from Natural England, may be required for some operations.

- 3.10 Highways Agency. No objections but offers advice on measures to minimise potential traffic.
- 3.11 North West Regional Assembly. RSS policy is broadly supportive of the proposed development in principle.
- 3.12 Network Rail. No objection in principle.
- 3.13 Government Office for the North West. Wishes to be informed of the Council's decision.
- 3.14 Local Member Ms S E Brown has been notified.
- 3.15 Six letters of representation have been received, all of these support the proposal. Five of them are from companies that currently send Low Level Waste to the site. Copies of the letters will be available at the Committee meeting or will be sent to Members on request.

4 PLANNING ASSESSMENT

- 4.1 This is the first opportunity that the planning authority has had for fifty years to consider the principle of the use of this site for storing radioactive wastes. The history of the Repository is summarised in Appendix 1, which explains that the use of its existing facilities as the UK's national repository happened over a number of years. National policy requires the Nuclear Decommissioning Authority (NDA) to secure optimal use of the Low Level Waste Repository. The current planning application proposals are being considered, by coincidence, at the same time as a new management regime is being introduced following the "competing" of the site by the Nuclear Decommissioning Authority.
- 4.2 There is no doubt that additional capacity is needed urgently for managing the low level radioactive wastes (LLW) that arise within the county and elsewhere within the UK. Such waste is inevitably produced by hospitals, the healthcare industry and others and will increase as nuclear facilities are decommissioned.
- 4.3 At our request, the application is for storage and not disposal of the wastes. This is because of our outstanding concerns relating to the radiological capacity of the site, the legacy of wastes that were tipped in the former trenches and about the impact of climate change, sea level rise and coastal erosion on the long term integrity of the site. These matters are being addressed in detail for the site's Post Closure Safety Case and a better understanding should be available later this year. The proposals would extend the operational life of the site for receiving wastes by about eight years, to 2016. This would be at the applicant's anticipated rate of waste input and using the existing storage methods. Both of these are liable to change, as explained below.
- 4.4 Annual consignments to the Repository between 2002/3 and 2006/7 ranged from 569 to 710 containers/year, but are understood to be only 466 this year. The rate of input will be affected by the speed of decommissioning of nuclear facilities, which will depend, in part, on resource decisions made by the Nuclear Decommissioning Authority. Those decisions would take into account, among other things, the Integrated Waste Strategies that each nuclear site is preparing.
- 4.5 The volumes and numbers of consignments will also be affected by new

initiatives that are being pursued by the NDA and the new site licence company to substantially reduce the volumes of waste that were projected to be sent to the Repository. New contracts, that are currently being negotiated with waste consignors, will give increased incentives for minimising waste and put greater emphasis on demonstrating that only those wastes, that require the type of facilities that the Repository has, will be sent there. This takes into account that there are alternative ways of managing a large proportion of the other wastes. Measures have been set out that will divert waste streams from the Repository by storage/disposal at source and by waste minimisation, reuse and recycling and volume reduction.

- 4.6 New methods of storing those wastes that are accepted at the Repository are likely to be introduced by the new operator of the site. These will be based on experience in other countries. They would enable the proposed capacity of Vault 9, and perhaps the existing facilities in Vault 8, to be used much more efficiently. This would extend the operational life of the proposed new vault and of the site. The inefficiency of the present method of storage has been a concern for a number of years and, in principle, I consider a changed method should be welcomed, subject to our approval of the details.
- 4.7 The new site management company has submitted a statement that its proposals specifically addressed the potential for the Vault 9 development and confirming that the application should be considered on its own merits without regard to the new company's proposals. It has also developed a plan that includes partnering with consignors and the supply chain to open additional fit-for-purpose waste management and disposal options.
- 4.8 Any development involving waste management is likely to raise issues of traffic and other environmental impacts. When the waste is radioactive, as in this planning application, there are additional issues focused on safety, economic and social impacts and inter-generational equity. These issues are discussed in the following sections.

The Development Plan

- 4.9 The Structure Plan and the Minerals and Waste Local Plan include policies relating to the usual environmental impacts of developments, including landscape, visual impact, traffic, noise and dust. I consider that these have all been addressed satisfactorily in the planning application or can be covered by conditions on a permission. In addition there are development plan policies that relate specifically to this type of development and these are set out in Appendix 4.
- 4.10 The most relevant Structure Plan Policy is ST4: Major development proposals. Among other things, this requires that the total benefits of the development clearly outweigh total detrimental effects and that, where appropriate, provision is made to meet local community needs. Minerals and Waste Local Plan Policy 23 seeks to balance the net local and economic benefits against any adverse effects of waste proposals on local communities or the environment. The Minerals and Waste Local Plan does not include policies specifically for radioactive wastes because no requirements for additional provision were anticipated by the end of its plan period to 2006.

- 4.11 The response by the Borough Council is in accordance with the policies of the Copeland Local Plan, which are also included in Appendix 4. Policies NUC 1: Radioactive Waste Storage and Disposal; NUC 4: Drigg Disposal Site; NUC 5: transport of Materials to Drigg Disposal Site; DEV 8: Planning Conditions and Obligations and DEV 9: Major Development, have informed the response and their wording is self-explanatory. These are up to date policies, because the plan was adopted only last year following public examination and the Inspector's Report.
- 4.12 The County Council's policies have been further developed for the Cumbria Minerals and Waste Development Framework (MWDF) although they cannot be given much weight at this stage of the plan preparation process. The consultation period for the most recent document, which is the Proposed Changes to the Preferred Options Core Strategy, was from 1 November to 14 December 2007.
- 4.13 Draft MWDF Core Strategy Policy 16 proposed that capacity should be identified for Cumbria's Low Level radioactive wastes. It also recognised the difficulties that small users of the Repository face in managing their wastes and proposed that provision should continue to be made for such wastes from elsewhere in the UK. In addition, it proposed that, in the short term (up to five years), the wider national role of the Repository should also be accepted.
- 4.14 The NDA has objected to that policy stating that it would not be in accordance with national policy which requires that optimal use is made of the Repository. The NDA has given a detailed presentation about what such optimal use would be and the measures that are being pursued to secure it. A National Low Level Waste Strategy Group is being established, on which the County Council will be represented. This Group will develop a UK LLW Management Plan and promote innovation and the implementation of the waste hierarchy. The opportunities for alternative management/disposal are estimated to have the potential for a five-fold reduction in the projections of waste that could have been directed to the LLWR. Reference has been made in paragraphs 4.4 to 4.7 to the negotiations of new contracts with consignors,
- 4.15 In my opinion, the NDA and the new site operator have demonstrated that a new regime is in place, which will prevent the rather profligate use of the site's capacity that we have seen in the past. This related to the nature of the wastes that were accepted and the method of storing/disposing of them. They have also shown how the new initiatives would mean that only 43% of the site's long term physical capacity would be needed for Sellafield's wastes. Previously we had understood that another Repository would be needed just for those wastes.
- 4.16 I consider that our draft policy should now be reconsidered in the light of the NDA's plan and strategy. This would be in the context of the measures that will be taken to ensure that additional capacity would only be used for wastes that, by their nature and characteristics, have to be stored in a multi-barrier engineered containment facility. This would tie in with the aim of demonstrating that West Cumbria is the centre of excellence for radioactive waste management. It is also relevant that this planning application is only for a limited period of storage and I am recommending that temporary planning permission is granted. This would be subject to regular reporting of progress with the waste minimisation and waste diversion initiatives (please see recommended Condition 3).

- 4.17 Draft MWDF Core Strategy Policy 6 relates to community benefits packages being provided to help to offset the impacts of hosting large national or regional facilities, particularly for the nuclear industry.
- 4.18 Regional Spatial Strategy (RSS) Policy will be clarified once Government Office has published its proposed changes to the draft RSS following the public examination and Panel Report earlier this year.
- 4.19 In addition to the development plan policies there is also the approach to future developments at the Repository that full County Council adopted at its meeting on 17 November 2005 (set out in Appendix 4). This included paying due regard to their implications in terms of their impact on the local community and West Cumbria generally, with appropriate agreements entered into to mitigate these impacts. For substantial applications for long term storage or disposal, agreements and the benefits they bring should reflect the role played in meeting national LLW requirements. With regard to the investigation into the contents of the trenches, this is now at an advanced stage and will provide information relating to the radiological capacity of the site. The issues about sea level rise and coastal erosion relate to the long term integrity of the site and not to this planning application for temporary storage. A better understanding will be provided later this year in the information that is being prepared for the site's Post Closure Safety Case.

Alternative sites.

- 4.20 One of the County Council's continuing concerns has been the apparent slow progress being made to search for an alternative site(s) for a repository. The Council has consistently been arguing the case that more LLW should be stored where it arises and required the planning application to address alternatives. Sellafield is by far the largest source of the waste but storage there is argued not to be viable because of competing demands on space, the focus on clean-up operations and safety considerations. Work is continuing to identify an area of land at the Sellafield site for storing, or disposing of, decommissioning wastes, including contaminated soil.
- 4.21 The Magnox South nuclear power stations (Dungeness, Hinkley Point A, Sizewell A and Bradwell) have commenced an initiative to investigate and consult upon on-site disposal. If successful this could reduce wastes intended for the Repository. A similar exercise, if initiated at the MoD sites, could yield similar results. It seems unlikely that small users of the Repository such as hospitals, research establishments and industries would be able to provide suitable storage or disposal at source.
- 4.22 The other main alternative is to develop a new Repository, the applicant and the NDA estimate that this would be likely to take around 15 years.

Community Benefits

- 4.23 One of the main planning policy issues is the consequences for the West Cumbria community of continuing to host radioactive waste facilities. It is clear that their presence has adverse impacts on the area, mainly through perceptions of what they are and what implications they may have locally. The County Council has been liaising closely with Copeland Borough Council members and

officers over the issue of a community benefits package to offset the adverse impacts and stigma caused by hosting this unique Low Level Waste Repository. This is a material consideration for this planning application and is a requirement of current and evolving development plan policy as set out in paragraphs 4.9 to 4.18.

- 4.24 Following a community engagement process on this issue, that the Nuclear Decommissioning Authority has undertaken, and prolonged negotiations with the Department of Business, Enterprise and Regulatory Reform and other Government departments, agreement has now been reached about the Community Fund that will be provided. A summary of the case for the Fund is included in Appendix 5.
- 4.25 The basic principle is that it will be mainly an endowment fund managed by an organisation on which the two local authorities would be represented. Annual payments of £1.5M will be made whilst waste is being brought into the Repository and an up-front payment of £10M will be made to kick start the Fund.
- 4.26 The Fund's purpose would be to support projects that would help to overcome the impacts of this type of facility within Copeland. It would be aimed at diversifying the local economy and making the area a more attractive place to live, work and invest. These aims would align with the NDA's strategy and socio-economic policy (please see Appendix 5), the West Cumbria Spatial Masterplan, the Community Strategies and the development plan for the area.
- 4.27 The details of the community fund are set out in a Unilateral Undertaking which the NDA has offered under Section 106 of the Town and Country Planning Act 1990 (as amended). Copies of the undertaking and accompanying letter will be available at the committee meeting. The NDA's powers to support the community in this way are given by Sections 7 and 10 of the Energy Act 2004.
- 4.28 ODPM (now DCLG) Circular 5/2005 sets out advice on five tests for S.106 obligations that the local planning authority should have regard to in assessing their acceptability in policy terms.
- 4.29 With regard to these tests the undertaking is directly relevant to planning, in particular to the development plan policies that have been described above, and which are set out in Appendix 4. Planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The undertaking is necessary for the proposed development to be in accordance with these development plan policies.
- 4.30 I consider that the details of the undertaking are fairly and reasonably related in scale and kind to the proposed development. The existing storage/disposal facilities at the Repository have reached the end of their operational life because Vault 8 is full. This is a proposal to provide new, additional facilities that would extend the operational life of the Repository. As the fund would be used mainly as an endowment, a substantial capital sum is needed. With regard to the sums involved, I am not aware of any relevant precedents elsewhere within the UK that could be used as comparators because the Repository is unique. We have, therefore, taken account of international examples of similar community packages, including Japan, France, South Korea and Spain.

- 4.31 The proposal that the County Council and Copeland Borough Council put forward to the NDA and to Government, and which has been agreed with them, is based on careful consideration of those international examples. The case that we made for the community fund is summarised in Appendix 5 together with a summary of the NDA's socio-economic policy and examples of the types of project that may be supported by the Fund. Taking all of these matters into account I consider that the details of the fund are proportionate to the proposed development. I consider that the undertaking is reasonable in all other respects. I would also point out that it was the Government that proposed that a Section 106 should be used, that the Department of Communities has been involved in the negotiations at Government level and has not raised any issues about the acceptability of the Section 106.
- 4.32 Ultimately it is for the local planning authority to give such weight to the proposed Section 106 undertaking as it considers appropriate in all the circumstances. The establishment of the proposed community fund, by whatever mechanism, would in my view clearly promote the economic and social well being of the area.

Safety

- 4.33 Safety is obviously a major concern for anything that involves radioactive materials. Detailed safety issues are the responsibility of the other regulators, the Environment Agency and Nuclear Installations Inspectorate. The Environmental Statement includes detailed "worst case" assessments of radiological effects from different sources over periods of time during and after the operational life of the vault. The assessments are based on the proposed method of storing the wastes and may need to be reviewed for any proposed changes in methods. The conclusion is that there is, and will continue to be, minimal exposure to the general public.
- 4.34 One of the main points of the assessments is that radioactive discharges from the Repository are dominated by those from the old trenches. The assessments have, generally, had to be for the whole site and not for the proposed vault alone. With regard to the trenches, Members will recall being given an assurance, in 2005, that there would be a fast tracked investigation of the waste that is in them. That investigation is understood to be near its conclusions and we will be given details in a few months time.
- 4.35 There are several possible discharge routes for radiation and pollutants. Monitoring of the leachate management system that is in place for Vault 8 shows no evidence of radionuclide release from the waste in that vault to the Drigg Stream or to the marine outfall. The assessment of the groundwater impacts of Vault 9 also shows insignificant doses from storage of wastes and that there are no known significant uses of water in the area down the hydraulic gradient from the site. Because of this, and the planning application's proposals for a leachate control and management system, it is considered unlikely that there would be any significant discharges from a new vault. The assessment of discharges to air is that the maximum predicted doses, nearest to the site boundary, mainly from eating food, are all significantly less than the statutory guidance limit of 300 micro-Sieverts/year. The "worst case" assessment of the impact of external irradiation on people is based on the unlikely event of a pedestrian spending 1000 hours/year at the perimeter of the site.

- 4.36 Because of the difficulty in understanding what information about radiation doses means in everyday terms we asked the applicant to compare them to what would be experienced on a holiday flight :-

Assessed yearly exposure in 2015 as a % of the radiological dose due to cosmic radiation (20 micro-Sieverts) that would be experienced on a flight from the UK to Spain (this dose is also equivalent to a chest x-ray).		
Source	Receptor	% of 20 micro-sieverts/year
Drigg Stream	An infant consuming milk from cows drinking from the stream (Note : wholly attributable to the trenches).	14%
Marine discharge	Adults consuming a high proportion of local seafood (Note : but discharges from the vaults likely to be negligible)	0.02%
Discharge to air	An infant living next to the site	0.03%.
Contaminated groundwater		0.000007%.
External radiation	Pedestrians spending 1000 hours/year at the site boundary	400%

Notes :

- a) The UK legal limit for radiation exposure to the public is 1000 micro-sieverts/year.
- b) For 2005 the UK annual average radiation exposure from all sources (natural and artificial) was 2700 micro-Sieverts. (Health Protection Agency); external background radiation in Cornwall is 7800 micro-sieverts per year.
- 4.37 There is already a wide range of radiological monitoring at the Repository, it is proposed that additional supplementary monitoring will be undertaken during the construction and operational phases. These monitoring arrangements are mostly matters for the other regulators but I am proposing that they should be reported to the Council if requested by us (please see recommended Condition 7). With the focus on using the vault only for those wastes that require such an engineered facility it is likely that the radioactivity levels by volume or weight of waste could increase. I am, therefore, also recommending that Condition 3 requires annual reporting of the volumes and total activity levels of wastes emplaced in the vault.

Economic impact.

- 4.38 This is the first planning application for which we have requested an Economic Impact Report. This is because the proposals could be regarded as a major public infrastructure project, for which the Secretary of State expects such a Report to be provided.

- 4.39 The report refers to the UK nuclear industry being embedded within the local community with the nucleus of it being in West Cumbria and providing a significant proportion of the jobs in the area. Two initiatives are highlighted – firstly the West Cumbria Strategic Forum set up by central Government in 2004 in response to the potential future impact of decommissioning and related activities and secondly the requirement for the new site management company to develop a socio-economic plan with stakeholders.
- 4.40 Specific conclusions of the Report are that the Vault 9 development is unlikely to make any significant contribution to help local housing needs; that it will contribute, indirectly, to education and training/retraining; some contribution to the healthcare agenda is envisaged. Measures to help improve the quality of life for local residents are envisaged through the site socio-economic plan; as a key component of the industry in West Cumbria it will make a contribution to the local sense of place. The 132 jobs at the Repository are relatively highly paid and have an impact over a wide area, more than half the employees live in Copeland. Although the number of jobs is anticipated to fall there would be an increase in construction jobs; reference is made to economic knock-on effect of these jobs with an average multiplier of 1.22 (ie for every job created in the nuclear sector 0.22 of a job is created in a related sector. The estimated operational costs of the Repository range from £13.4M to £40.7M during the period 2007 to 2014 with an average of around £27M/year.
- 4.41 In none of its assessments does the report identify any negative contributions that would be made by the Vault 9 development. Whilst not disputing the factual information that is included in the Economic Impact Report, the view of the County and Borough Councils is that perceptions about radioactive waste management and other aspects of the industry have adverse social, economic and environmental impacts and are a stigma upon the local area and its communities.

Waste hierarchy

- 4.42 As the planning authority we are charged with securing measures that accord with the waste hierarchy. The top priority of this, for any waste stream, is waste minimisation. With regard to wastes that would be placed in the vault the Nuclear Decommissioning Authority places the responsibility and incentives for reducing wastes on the consignors. I consider it is reasonable that the planning authority should be made aware of the steps that consignors have adopted to achieve reductions. I am, therefore, recommending a condition that requires regular reporting to us of the measures that have been secured for minimising wastes and moving their management up the waste hierarchy.

Wildlife

- 4.43 The Repository is in a very sensitive area for wildlife, it has a 700 metre common boundary with the Drigg Coast European Wildlife Site and there are European protected wildlife species present within the site. To date it has been possible not only to avoid adverse impacts on these by planning application proposals but to secure measures that should enhance the wildlife interests of the site. With the current proposal, the original design for the vault has been revised to avoid the need to divert part of the Drigg Stream and the loss of part of the perimeter tree screen. Measures have also been suggested for enhancing habitats along the

stream. It is appropriate that these measures should be incorporated into the Landscape and Wildlife Management Plan for the Repository which is a requirement of earlier planning permissions. I am recommending a condition that would secure this. At the more detailed level, a condition would require approval of the details of grass seed and hydro-seeding mixes and additional planting proposals.

Conclusions.

- 4.44 There is a demonstrated need for additional facilities for managing the low level radioactive wastes (LLW) that arise within Cumbria and elsewhere within the UK. The LLW Repository has a crucial role in the continued management of such wastes, particularly in the medium term, until alternatives can be provided.
- 4.45 I do not consider it is sustainable, or practicable, for this site to continue to fulfil a national role in the manner it has been used to date. However, that is going to change, for the better, as a result of the initiatives being introduced by the NDA and the new site operating company. These will minimise waste production, move wastes higher up the waste hierarchy and find alternative routes for storing/disposing of some waste streams. The Repository should, in future, only be used for those wastes that require such an engineered facility. This accords with national policy which requires the optimal use to be made of the LLWR site. The offset package of community benefits related to this, which is required by development plan policies, has been provided.
- 4.46 In these circumstances, and subject to regular reporting of the track record of the initiatives to reduce and divert wastes, I consider that the reduced national role should be accepted.
- 4.47 Because of the outstanding questions about the long term capacity and integrity of the site we had asked that the planning application should be for storing the wastes and not for disposing of them. The planning application anticipates that the capacity provided would last nearly eight years. However, I consider that permission for longer than that length of time is appropriate. This is because new, more efficient, methods of storing the waste are likely to be introduced and the planning permission should not set a limit which could be seen to encourage more rapid use of the facilities than is necessary.
- 4.48 I am, therefore, recommending temporary permission for ten years with a further five years for wastes to be removed for disposal elsewhere if necessary. Subject to the Post Closure Safety Case, I anticipate that a planning application will be submitted for disposal of the wastes rather than storage. That application would have to be considered on its merits and would be subject to the details of work that is being undertaken for the site's Post Closure Safety Case (please see paragraph 4.3). It would need to provide satisfactory answers to the questions about the site's radiological capacity, its long term integrity with regard to sea level rise and provide for an acceptable continuing community benefits package.

Human Rights Act 1998

- 4.49 The proposal will have a limited direct impact on the environmental amenities of the area. Any impacts on the rights of local property owners to a private and

family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) are considered to be proportionate to the wider social and economic interests of the community.

- 4.50 The off-set package of community benefits that has been agreed, is considered to be proportionate to the social, environmental and economic impacts on the Copeland area caused by the presence, stigma and perceptions of hosting radioactive waste facilities.

Shaun Gorman
Head of Environment

Contact

Richard Evans, Kendal, tel. 01539 773425

Background Papers

Planning Application Files Reference Nos. 4/07/9010, 4/04/9018 (Higher stacking); 4/99/9030 (PCM retrievals); 4/87/1136 (Landscaping of trenches) and MIA 525 (Storage of radioactive wastes).

Electoral Division Identification

Ms S E Brown

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Background to the Low Level Waste Repository.

1. The Repository site near Drigg covers an area of 110 ha which was developed in 1939 as a Royal Ordnance factory. In 1957 unconditional planning permission was granted, by Millom Rural District Council, for a proposal to store radioactive wastes from Windscale on 36 hectares in the north east of the site. The use made of the site has far exceeded that which had been proposed because over the years it received waste from all parts of the UK.
2. 800,000 cubic metres of waste were tumble tipped into seven trenches from 1959 until 1995. A new method of storing the waste in Vault 8 commenced in 1988. This vault is, in effect, a 4.5 ha open concrete box within which ISO containers are stacked, these are mostly half-height containers. Low Level radioactive waste (LLW) is grouted into the containers to ensure its long term stability. Large items of uncompactable wastes are cemented directly into the vault.
3. The County Council gave a formal opinion when Vault 8 was constructed that it, and the deposit of LLW below ground level, did not require planning permission. This was because the vault was within the area of the 1957 planning permission and considered to be granted by that permission.
4. In 1988 the County Council granted planning permission for a landscaped mound to cover the vault and the nearby seven trenches that were being used for storing LLW. The mound was proposed to be constructed of soils excavated from within the site covered with a layer of pvc followed by topsoil. This mound over the seven trenches was completed several years ago.
5. More recently, it has been indicated by British Nuclear Group and the Environment Agency that the approved landscaped dome should be regarded as only an interim capping layer. An engineered, much higher, final cap is likely to be a regulatory requirement for the Agency's Post-closure Safety Case. Closure of the LLW site has been anticipated by Sellafield Ltd to be in 2050 to 2070. No proposals have been submitted for the final cap and I do not regard it as a material planning consideration for this planning application for storing waste.
6. In 2006 the County Council granted planning permission for the temporary higher stacking of up to 950 half-height ISO containers above Vault 8. That permission requires them to be progressively removed after 2010. One of the main considerations was that the higher stacking would "buy time" for alternative sites for a Repository(ies) to be investigated. We have expressed our concern at the slow progress with the search for alternative site(s). From April 2008 it will be a responsibility of the new site operator, UK Nuclear Waste Management Ltd.

Recommended conditions

The development

- 1 This permission is to store the majority of the Low Level Waste in ISO containers. The waste is to be stacked no higher than the equivalent of four half-height ISO containers (5.4 metres), as proposed in the planning application. Any uncontainerised waste must be shown to be retrievable prior to acceptance at the Repository. No change to the methods shall be implemented without the further approval in writing of the local planning authority.

Reason: To avoid doubt and because it is understood that a change in the method of storage is likely to be proposed in the near future.

Temporary permission

- 2 This permission is for a temporary period only. No waste shall be placed in the vault after 31 December 2018, unless a further permission for storage or disposal is sought and planning permission obtained. After that date the containers shall, if necessary, be progressively removed to an alternative site as quickly as reasonably practicable and removal shall be completed no later than 31 December 2023.

Reason: In accordance with the planning application's proposal for storage, not disposal, its details of the operational life of the vault and that the vault is proposed to be available for use from the end of 2008. In accordance with Structure Plan Policies ST4 and R 51 and Minerals and Waste Local Plan Policy 64.

Waste minimisation

- 3 No later than 28 February each year, starting in the year following the commencement of development, a report shall be submitted to the local planning authority that sets out the previous calendar year's performance in delivering waste management improvements across the consignors, including compliance with waste hierarchy objectives. This will include details of the volumes of waste emplaced in the vault, the total activity levels of that waste, the outcomes that have been achieved with regard to minimising consignors' waste arisings, increasing the rates of recycling and re-use and diverting wastes from the Repository, in accordance with the Nuclear Decommissioning Authority's strategy and proposals. The report shall describe year on year performance together with a proposed action plan for improvement where required. When it has been agreed that action plan shall be implemented.
(Note : To avoid misunderstanding, it is recognised that these improvements may not lead to an actual decrease in a consignor's waste arisings, for example because of the decommissioning process, the annual reports are expected to show how any increase has been minimised.)

Reason: In accordance with the waste hierarchy and with Minerals and Waste Local

Traffic management scheme

4 No deliveries of construction materials to the site shall be commenced until a Traffic Management Scheme for the construction and operational phases of the new vault has been submitted to, and approved, by the local planning authority. Once the Scheme has been approved traffic shall be managed in accordance with the approved details. The Scheme shall minimise the use of road transport and shall :-

- incorporate the measures set out in paragraphs 418 to 426 in the Environmental Statement, as amended by applicant's letters dated 26 September 2007 and email dated 21 December 2007,
- set out the measures that will be adopted should abnormal loads have to be brought to the site by road.
- set out a programme for reviewing the effectiveness of the traffic calming scheme between the site entrances and the A 595 and for carrying out any improvements that the review identifies. The review shall include an assessment of the adequacy of the existing road signs and road markings.
- provide for records to be maintained of all lorries entering the site which are associated with the construction and operation of the vault and for these records to be made available to the waste planning authority on request.
- provide for the removal of containers from Vault. 9, if necessary in accordance with Condition 2, by rail.

Reason: In the interests of road safety and residential amenity in accordance with MWLP Policy 1 and Structure Plan Policies ST2, ST4 and R 51 and Minerals and Waste Local Plan Policy 1.

Safeguarding protected species

5 Prior to the commencement of development, the application site shall be checked by an appropriately licensed ecologist for the presence of Great Crested Newts, Natterjack Toads and reptiles. Any which are found shall be removed to a predetermined suitable location before any works commence.

Reason: To secure the protection of the wildlife interests of the site in accordance with Minerals and Waste Local Plan Policies 15 and 18.

Safeguarding of Watercourses and Drainage

6 Throughout the periods of construction, operation, decommissioning, restoration and aftercare, provision shall be made for the collection, treatment and disposal of all surface water entering or arising from the development site to ensure there shall be no pollution of watercourses or adverse impacts on the wildlife habitats of the various water bodies within, or adjacent to, the Low Level Waste Repository.

Reason: To avoid pollution of watercourses and to protect wildlife habitats in

accordance with Minerals and Waste Local Plan Policies 15 and 18.

Radiological monitoring

- 7 No waste shall be placed in the vault until the supplementary radiological monitoring measures that are proposed in paragraphs 352 to 355 of the Environmental Statement are in place. Details of the monitoring results and the interpretation of them shall be made available to the local planning authority on request.

Reason: In the interests of reassurance about the safety of the site.

Access

- 8 The only access into the site for vehicles shall be the main entrance from Old Shore Road, or in exceptional circumstances where large loads have to be brought in and in accordance with the Traffic Management Scheme, from the Shore Road access to the old landfill site.

Reason: In the interests of road safety and local amenity in accordance with Minerals and Waste Local Plan Policy 1 and Structure Plan Policy ST2.

Working hours

- 9 Except with the prior written approval of the local planning authority, or for essential safety work, no work shall take place outside the following times:-
- on the construction of the vault outside the hours of 0730 and 1800 weekdays and 0800 and 1300 hours on Saturdays.
 - no lorries associated with the construction and operation of the vault shall travel through Drigg or Holmrook villages between the hours of 0730 and 0900 and 1530 and 1630 on weekdays or at any time on Saturdays and Sundays or public holidays.
 - no activities associated with stacking or moving containers, within or to/from Vault 9, shall take place outside daylight hours between 0630 and 2300 on weekdays only. There shall be no operations on Saturdays and Sundays or on public holidays.
 - there shall be no lorry movements taking containers to or from Vault 9 along the perimeter track outside daylight hours within the hours of 0730 to 2000 weekdays only.

Reason: As proposed in the planning application and in the interests of residential amenity and road safety in accordance with adopted Structure Plan Policies ST3 , ST4 and R 51 and Minerals and Waste Local Plan Policy 64.

Noise levels

- 10 a) Construction works.
A scheme of noise monitoring shall be submitted to and approved by the local planning authority before the commencement of development and shall identify the monitoring locations and set out the monitoring programme.

Noise levels at the nearest residential properties, attributed to the construction of the vault, shall not exceed 60 dB(A) Leq(1 hour).

b) Operational works.

Noise levels attributed to the operation of the vault, shall not exceed 40dB(A) Leq (1 hour) measured at any of the houses at Summer View or an alternative location agreed with the waste planning authority. Noise levels from lorries using the perimeter access track to and from the vault shall not exceed 43 dB(A) Leq (1 hour) at any of the houses at Summer View.

In addition to measurements for dB(A) Leq (1 hour) levels throughout the working day the monitoring scheme shall provide for the monitoring of maximum noise levels (dB(A) L max) experienced between 0630 and 07.30. If these noise levels exceed 50 dB(A) Lmax the operational practices shall be reviewed and all practicable measures taken to reduce the maximum noise levels.

The results of the noise monitoring shall be made available to the waste planning authority on request.

Reason: As assessed in the planning application and in the interests of local amenity in accordance with Structure Plan Policies ST3, ST4 and R 51 and Minerals and Waste Local Plan Policies 2 and 64.

Reversing alarms

- 11 The type of reversing warning systems to be used on mobile plant shall be agreed by the Local Planning Authority in advance of their use and shall be reviewed at least once each year.

Reason: To minimise the noise generated by the reversing alarms and to review the effectiveness of the proposed measures to minimise noise in accordance with Structure Plan Policies ST3, ST4 and R 51 and Minerals and Waste Local Plan Policies 2, 18 and 64.

Dust suppression

- 12 A dust suppression scheme shall be used at all times during the construction and operation of the vault in working areas and along the perimeter access track. No operations or vehicle movements shall take place which cause dust outside the site boundaries.

Reason: In the interests of local amenity in accordance with Structure Plan Policy 57 and Minerals and Waste Local Plan Policy 4.

Vehicle cleaning

- 13 No vehicle shall leave the site unless it is in a clean condition so that no mud or other material from the site is deposited on to Old Shore Road or Station Road/Shore Road. Adequate drainage shall be provided to ensure that dirty water from any vehicle wash does not cause pollution of watercourses.

Reason: To prevent vehicles carrying material onto the public highway in the interests of highway safety and local amenity and to protect water quality and wildlife interests, in accordance with Structure Plan Policies ST4, E35 and R 51 and Minerals and Waste Local Plan Policies 1, 4 and 18.

Settlement ponds

- 14 No work shall be commenced on the proposed settlement ponds unless details of them have been submitted to and approved by the local planning authority. When approved the ponds shall be constructed in accordance with the approved details.

Reason: In the interests of the wildlife interests of the site and as proposed in the planning application, in accordance with Structure Plan Policy E35 and Minerals and Waste Local Plan Policy 18.

Lighting

- 15 Measures shall be adopted, as described in the Environmental Statement, to reduce the visibility of additional lighting outside the boundaries of the Low Level Waste Repository site. Lights shall be switched off when not needed and outside the approved working hours. Details of any lights, associated with the development, which need to be kept on for security reasons shall be submitted to and approved by the local planning authority before they are brought into use.

Reason: In the interests of amenity

Seed mixes and planting

- 16 No seeding, hydroseeding or planting of additional vegetation, as proposed on Drawing 1 BE 2560591 Revision B, shall take place unless details of the seed mixes and plant species that will be used have been submitted to and agreed by the local planning authority.

Reason: In the interests of the wildlife interests of the site and as proposed in the planning application, in accordance with Structure Plan Policy E35 and Minerals and Waste Local Plan Policy 18.

Landscape and Wildlife Management Scheme

- 17 Within six months of the date of the commencement of development a review of the Repository's existing Landscape and Wildlife Management Scheme shall be submitted to the local planning authority for approval. The review shall include a programme of measures for enhancing the wildlife interests of the Repository, including those related to the Drigg Stream that are referred to in applicant's email dated 21 December 2007 and for aftercare management. It shall also take account of the loss of trees caused by the storms in January 2005 and shall assess the need for any further replacement planting along the boundaries of the repository. Aftercare management shall continue in accordance with the approved review Scheme commencing no later than the 2008/9 planting season. The Landscape and Wildlife Management Scheme shall be further reviewed at least once every five years commencing September 2013.

Reason: In the interests of visual amenity and the wildlife interests of the site in accordance with Structure Plan Policies ST4, E34, E35 and R 51 and Minerals and Waste Local Plan Policies 7, and 64.

Environmental Management Plan

- 18 No later than 31 January each year, commencing in the year following the commencement of development, a report shall be submitted to the local planning authority that sets out the outcomes of the monitoring and review of the Environmental Management Plan's performance targets and of the actions taken to secure compliance with them in accordance with paragraphs 991 to 1000 and Table 16.2-1 of the Environmental Statement. If the report shows regular difficulties in achieving compliance then contingency measures shall be agreed with the waste planning authority and implemented.

Reason : In the interest of local amenity in accordance with Structure Plan Policies E34 and E35 and Minerals and Waste Local Plan Policies 1, 2, 4 and 5.

Restoration and Aftercare

- 19 No later than 31 December 2018, schemes and programmes for the restoration and aftercare of the sites of the vault and ancillary developments, once waste has been removed from the vault in accordance with Condition 2, shall be submitted to the local planning authority for approval, unless a further permission for storage or disposal is sought and planning permission has been obtained,. The aftercare scheme shall provide for the management of the land for a period of five years after restoration. These schemes and programmes shall take account of the Landscape and Wildlife Management Scheme required by Condition 17. When approved these schemes and programmes shall be carried out in accordance with their approved details.

Reason: To secure the proper restoration and aftercare of the site in accordance with Minerals and Waste Local Plan Policies 21 and 22.

- 20 At least once each year during the aftercare period there shall be a formal review meeting to consider the operations which have taken place and to agree a programme of aftercare management for the coming year. The parties invited to attend this review shall include LLW Repository Ltd, the Nuclear Decommissioning Authority, the local planning authority and Natural England.

Reason: To secure the proper aftercare of the restored sites in accordance with Minerals and Waste Local Plan Policy 22.

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995 (AS AMENDED)**

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
2. The key development plan policies taken into account by the County Council before granting permission are those set out in: Appendix 4.
3. In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

DEVELOPMENT PLAN POLICIES

Joint Structure Plan

Policy ST2: Assessing impact on sustainability

Development or land use change affecting important environmental, social and economic assets should be assessed in terms of benefits and disbenefits. Where appropriate this will require transport, environmental and other impact assessments to assess the full effect of new development and identify the need for any mitigation.

Policy ST4: Major development proposals

Major development will only be permitted where:

1. the total benefit clearly outweighs the total detrimental effects,
2. the proposal complies with national standards and best practice for environment, safety and security, and where appropriate is independently reviewed; and
3. alternative locations and methods giving rise to less harm have been fully considered and rejected.
4. In addition, in the case of the Lake District National Park and AONBs:
 - a. there are no alternative sites available outside the designated areas,
 - b. the need for the development cannot be met in any other way,
 - c. the development has a proven case in the public interest,
 - d. the development is designed and carried out to cause least practicable harm, and
 - e. the development has no overall adverse impacts on the local economy.

Permission will be granted only on condition that:

- I. all possible measures are taken to minimise the adverse effects of development and associated infrastructure, and where appropriate,
- II. provision is made to meet local community needs,
- III. acceptable measures are secured for decommissioning and site restoration, and

- IV. arrangements are made for suitable local community involvement during the development, decommissioning and restoration.

For the purposes of this policy 'major development' is defined as development that has significant environmental effects and is more than local in character.

Policy R51: Residual waste and landfill

Proposals for the disposal of waste to landfill will not be permitted in the Lake District National Park and AONBs. Outside these areas, proposals for the disposal of Residual Waste will only be permitted when all the following requirements are met:

1. there is a demonstrable need for additional landfill capacity,
2. there are no significant adverse effects on landscape character, conservation interests, environmental infrastructure, transport and local communities,
3. measures are included to reduce any adverse impact,
4. the infill and restoration of existing sites would not be seriously prejudiced, and
5. all practical measures are taken to allow landfill gas to be utilised as an energy resource.

Where it is demonstrated that there is a lack of available mineral voids and that transferring waste to distant sites does not comply with the decision making principles, then landraise may be permitted.

Priority will be given to proposals that contribute to meeting landfill restoration requirements.

Minerals and Waste Local Plan

POLICY 23

In assessing the extent to which proposals for minerals and waste development meet the social and economic needs of the County's population and help maintain rural communities, the following will be taken into account:

- i. the number, type and duration of direct and indirect jobs to be generated or maintained and how many will be or are occupied by local people; and
- ii. the opportunities for the development of skills of locally employed people; and
- iii. the level and nature of investment in the local economy from wages and use of local businesses; and
- iv. the impact on economic development initiatives and neighbouring businesses, including tourism.

Copeland Local Plan Policies

Policy NUC 1 : Radioactive Waste Storage and Disposal

The Council will only support a proposal for disposal or long term storage of radioactive waste where it meets the requirements set out in Structure Plan Policy ST 4 and Local Plan Policy DEV 9 and in addition has:

1. Involved and secured the support of the local Copeland community in the development and subsequent implementation of such proposals
2. Included measures to meet local community needs and to mitigate the adverse effects of the proposals on the social and economic well being of the community.

POLICY NUC 4: Drigg Disposal Site

The Council when consulted on development proposals at the Drigg Disposal Site will seek to resist any proposal for an extension to the existing consented area for the disposal of low level waste or for the introduction of processing operations associated with disposal.

POLICY DEV 8: Planning Conditions and Obligations

When granting planning permission conditions will be imposed as necessary to ensure that the development meets the policy aims of the Plan. Where there are planning objections to a development the developer may be required to submit proposals for mitigation measures to deal with adverse impacts. These can include additions or improvements to direct physical community or economic infrastructure or a proportional contribution to address the cumulative impact of the development. In such cases Planning Obligations or other forms of agreement will be sought to secure the measures.

POLICY DEV 9: Major Development

Proposals for major development will be considered in relation to JSP Policy ST 4. Where there is a significant adverse social, economic or environmental cost or effect arising directly from the development a Planning Obligation to address this cost or effect will be expected. Provision secured by this means will be commensurate with the scale, nature and location of the individual development.

Resolution made by Full County Council 17 November 2005

Council resolved that, in determining any planning applications, due regard should be given to the need for adequate technical information and for answers to, (or a key path for delivery of solutions to), three key matters of concern :-

- The nature and radiological content of the wastes that were tumble-tipped in Trenches 1 to 7 and appropriate remedial measures.
- The implications of climate change, sea level rise and coastal erosion on the long term integrity of the site.

- The radiological capacity of the site.

In addition Council drew to the attention of Development Control and Regulation Committee :-

- The need to take a clear view on what wastes should be stored at, or disposed of, on the site;
- The benefits of a major inquiry addressing all the issues, including implementation issues;
- The site's role in providing a home for waste arising on Sellafield and from small users and hospitals.

Summary of the Case for a Community Fund for the Low Level Waste Repository near Drigg, Cumbria

1. This is a summary of the background to the Community Fund that is required to address direct and indirect impacts arising from the operation and continued presence of the Low Level Waste Repository near Drigg. Relevant impacts include those directly related to the operation and long term management of the Repository and also the perceived impacts, which may significantly harm the local economy. The Fund would provide a secure funding stream, principally through an endowment, to support actions to offset all the negative intergenerational impacts on the Copeland community related to the proposed Vault 9 development and to legacy waste.

2. The requirement for the Fund derives from development plan policies relating to the significant long term negative impacts of the Repository. The Fund would provide positive financial support for social and economic projects to help counter-balance these impacts and alter the negative perception within the community of the continued long term presence of LLW. It would recognise:
 - the unique receiver service provided by the LLWR site in Cumbria

 - the presence of a Low Level Waste facility within the community which will not achieve ‘no danger’ as defined in the Nuclear Installations Act 1965 within the next 300 years.

 - the role that the LLWR has performed in accommodating both Sellafield and wider UK decommissioning and operational waste

 - the, in principle, recognition by Government of community benefits packages as necessary to secure disposal of intermediate and high level radioactive waste under the MRWS process

 - local and waste planning policy requiring community benefits packages.

 - the Government’s acknowledgment that the nuclear sector is unique

3. The primary impacts of the site on Copeland arise from public and business community perception, as well as actual localised impacts, illustrated by:
 - the reaction to developments associated with the nuclear industry; demonstrated by major public protests in the UK into earlier radioactive waste disposal facility proposals in the 1980’s and 1990’s relating to both low and intermediate level waste proposals, put forward in a “decide-announce-defend” manner.

 - previous adverse nearby business response to nuclear facilities by existing industry even in a “nuclear community”– reducing investment in an economically disadvantaged area.

- perceived health and environmental hazards affecting the sense of wellbeing of local people and responses of people from other areas to them.
- the site and Sellafield deterring the potential for tourism growth on the Cumbrian coast.

4. The need for a Fund to deal with community costs is established from international and UK precedent:

Conclusion

5. A clear undertaking to provide an appropriate level of community support is a necessary step in securing continued support for the operation of the LLWR near Drigg. There are international and UK precedents for the provision of such funding by Government directly or through the NDA.

Criteria for supporting projects and proposals.

6. The NDA's socio-economic policy document sets out the criteria for evaluating proposals :-

- Does the proposal address a specific issue of deprivation, local community priority or economic opportunity?
- Is the proposal aligned with NDA's priorities?
- Is the proposal widely supported by local partners?
- Are good governance arrangements in place?
- Have attempts been made to maximize the impact of any potential NDA funding?
- Is there an opportunity for any return on investment?
- Is the proposal sustainable post-NDA funding?
- Is it an invest-to-save bid?
- Are expected outcomes clear?

Examples of the types of projects that could be supported

7. The following are examples of the types of projects that could be supported, subject to their business cases and financial viability checks.

Employment

- Community based employment advice and training centres - Provide assistance to individuals facing redundancy and/or seeking employment.
- Support for the development of social enterprise - seed corn funding to assist social enterprise establishment, support could be either revenue or capital support.
- Business support funding to Small and Medium size Enterprises to encourage innovation and research and development.

Skills

- Projects to assist skills development in the local workforce to ensure they are able to take advantage of emerging job opportunities.
- Support for business to provide "on the job" training and reskilling.

Infrastructure

- Employment site infrastructure provision.
- Development and operation of managed workspace premises - to provide temporary accommodation and back office support for business start ups.
- Financial assistance to help the development of tourism and heritage facilities.
- Community resource centres.