

NuLeAF Radioactive Waste Planning Group

Note of the meeting held on 12 December, 2012 at University of London.

1. Attendance:

Peter Day	Oxfordshire County Council
Catherine Draper	NuLeAF
Gillian Ellis-King	South Gloucestershire Council
Richard Evans	Cumbria County Council
Denice Gallen	Copeland Borough Council
Mike Garrity	Dorset County Council
Lillian Harrison	Kent County Council
Stewart Kemp	NuLeAF
Philip Matthews	NuLeAF
Louise Nurser	Lancashire County Council
David Palk	Suffolk County Council
Guy Robinson	Somerset County Council
Phil Watson	Northamptonshire County Council
Dr Juliet Long	Environment Agency

Apologies:

Doug Bamsey & Kerry Rickards	Sedgemoor District Council
Bob Chamberlain	Suffolk Coastal District Council
Robin Graham	South Ribble Borough Council
Dave Illsley	Shepway District Council
Paul Prowting & Emily Howbrook	Hampshire County Council
Phillip Rowson	Maldon District Council
Andrew C Smith	Lancashire County Council

2. Note of the meeting of 25 September, 2012

Two amendments are necessary:

6.3 LLWR developments – work on the planning application is on hold until issues on Environmental Safety Case are resolved.

6.4 South Gloucestershire – qualify last sentence as examination process not yet completed.

Subject to these two amendments being made the note of the meeting was agreed as correct and would be posted on the website.

Action: CD

3. Matters Arising

All matters arising are covered within the meeting.

4. Presentation by Juliet Long, Senior Adviser – Radioactive Substances, Environment Agency

4.1 A presentation was given by Dr Juliet Long of the Environment Agency (EA) on the regulators role in planning and permitting. Key areas covered were:

- EA guidance for developments requiring planning permission and environmental permits, including roles and responsibilities and additional guidance for radioactive waste developments;
- EA consultation on Waste Management Plans, including national waste strategy and planning; and
- opportunities for going forward, including a review of principals, the enabling of systematic consideration of options and a review of those parties who could usefully work together to improve the system.

The presentation can be found at Annex A on page 8 of these notes.

4.2 Points made during discussion were:

Planning and permitting

- EA and WPAs need to understand who is dealing with what issues. This would clarify the role and responsibilities of each, and lessen the potential for issues to 'fall through the cracks'.
- There is a lack of understanding by developers that they require both planning and permitting permissions.
- A generic Briefing Note produced by EA and WPAs would be beneficial for stakeholders. This could then be customised to meet specific requirements, but the aims, purpose and intended audience of the Note must be clear.
- Does there need to be supplementary guidance dealing with radioactive waste issues which would sit underneath the guidance published by EA in October 2012 (Guidance for developments which require planning and permits).
- Public perception is an issue because they do not understand the responsibilities, liabilities and constraints of EA and WPAs.
- Waste consignors are not carrying out local consultations as directed by LLW strategy and policy, especially at receiving sites.
- It would be beneficial to involve public health representatives, ONR, SEPA and SCCORS in any discussions on a way forward.

Waste Local Plans

- NuLeAF to copy MWDF overview to JL when completed.
- The lack of HAW strategy is a hindrance.
- EA will lobby for all Waste Local Plans to address radioactive waste issues.

National Waste Strategy

- NDA should be encouraging the supply chain to come forward with solutions. Can NuLeAF/EA drive this issue forward?

- The issue of public perception needs to be addressed. There is a lack of evidence about how radioactive waste facilities impact upon local communities.
- There needs to be a joined up strategy for all radioactive wastes.

Actions: PM and JL will coordinate plans for a workshop to scope Briefing Note.

JL will produce supplementary guidance for radioactive waste.

CD will approach Rob Murfin and Deborah Sacks for update on status of MWDFs and will share information on local authority Local Plan consultations with EA.

5. NuLeAF Spring Seminar and Waste Management Plan for England

5.1 It was suggested that presentation and discussion on the proposed Waste Management Plan for England would be of interest and speakers should be sought from central and local government. The group endorsed the suggestion and that MP should be asked to address how the different government departments involved were working together. Approaches would be made to Mark Plummer, DCLG and Rob Murfin, Derbyshire CC.

Action:DP

5.2 GEK suggested that, as part of the invitation process, all WPAs should be asked for a status update on their Waste Local Plans and a compendium included in the papers for the seminar.

Action: CD

6. Update on national developments in radioactive waste management

6.1 A paper was circulated prior to the meeting which covered:

- a report on the NDA National Stakeholder meeting;
- LLWR draft LALLW capacity assessment;
- National Waste Plan (WMPE) update;
- an update on NDA engagement plans;
- next use of NDA sites;
- an update on MRWS process in West Cumbria; and
- progress on Parent Body Organisation (PBO) competition process

6.2 The gist and content of the proposed letter to Defra re the omission of radioactive waste from the Waste Management Plan for England was generally endorsed. It was felt that there were too many bodies generating too many plans and a single consolidated plan would be more effective. RE commented that it was inequitable that NDA strategy should become de facto government policy. The letter would be sent to Defra and copied to DECC and DCLG. GR would make the necessary amendments and the letter would be sent early in the new year.

Action: GR

6.3 SK will ascertain timing of NDA stakeholder survey and advise the group accordingly. It is unclear whether NDA engagement plans consider issues raised by new nuclear build.

Action: SK

6.4 SK asked the group to review the 'Next uses for NDA sites' paper and return any feedback to him by 21 December.

Action: All

7. Draft planning advice paper

7.1 A paper was circulated prior to the meeting which covered:

- developments in the government's approach to spatial planning:
 - National Planning Policy Framework and radioactive waste
 - Duty to Cooperate
 - Waste Management Plan for England
 - NDA strategy
 - LLWR draft LALLW capacity assessment;
- the current situation in preparation and adoption of planning policies on radioactive waste; and
- NuLeAF's advice on radioactive waste planning:
 - how should local authorities address radioactive waste issues;
 - how should the duty to cooperate be addressed;
 - the role of NDA and SLCs; and
 - Sustainability Appraisal and SEA.

7.2 Comments on the content of the paper included:

GEK suggested that the paper should be broadened to address approaches to legacy waste and radioactive waste management so that it would cover site restoration and decommissioning. This suggestion was accepted.

LN – need to reflect that the Duty to Cooperate requires engagement with organisations other than neighbouring local authorities and with remote sites (i.e. Cumbria CC)

RE – need to include LLW policy as well as strategy.

GEK – relevant policies need not be restricted to the Waste Local Plan, but also can be included in the Core Strategy. There is also a need to include on-site treatment and storage of waste which will require planning permission.

LN – should indicate that the LLWR capacity gap analysis has not been consulted upon.

LH – it would be helpful to clarify the purpose of the paper.

RE – terminology should be changed to reflect the current use of LALLW.

GEK – South Gloucestershire policy can be added to the Appendix.

LN – section on cross boundary imports can be deleted as this wouldn't be included in policies.

Action: PM

7.3 Any further comments or suggestions should be sent to PM at members earliest convenience. PM will then prepare a revised version.

Action: All

8. Site specific updates

8.1 **Oxfordshire** – Waste Core Strategy was submitted at the end of October, hearings expected to take place in May 2013. The Inspector has queried the evidence base. Planning application has been submitted for the ILW store at Harwell. It will take waste from Harwell, Culham and Winfrith. Little outside interest to date.

8.2 **Lancashire** – Examination has concluded. The Inspector has suggested the addition of a Supplementary Planning Document to the Hazardous Waste Policy.

8.3 **Suffolk** – A start will be made this week on the preparatory works for the Sizewell B Dry Fuel Store. Stage 1 consultation on Sizewell C is under way. There is little information on waste management in the documentation.

8.4 **Kent** – LH attended the local Site Stakeholder Group meeting in October to give a presentation on plan making. This has resulted in a meeting with Magnox where there were positive discussions about their waste management aspirations and how policies can be adapted to facilitate these. Minerals and Waste consultation expected early June 2013.

8.5 **Northants** – Hearings on the King's Cliffe DCO completed last week. Members of the community had suggested a vastly increased S106 payment to the community per tonne, but this was unlikely to be accepted by Auegan. Although the examination process is still open there is little further to be done.

8.6 **Cumbria** – Regulation 19 consultation on Minerals and Waste Plan anticipated in first week of February 2013. No development on the LLWR planning application.

8.7 **Copeland** – Core Strategy consultation anticipated end February 2013.

9. Date of next meeting

The next meeting will be held on 5 June, 2013 at Local Government House, Smith Square, London

10. AOB

There was no further business.

Annex A

Presentation by Dr Juliet Long



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ACTIONS FROM RWPG, 12 December 2012			
Agenda item	Action	By	Status
2	Amend Note of Meeting, 25 September and post on website	CD	Done
4.2	Produce brief for workshop	JL/PM	
4.2	Produce supplementary guidance on radioactive waste issues	JL	
4.2	Approach Rob Murfin and Deborah Sacks for update on MWDFs	CD	
4.2	Share MWDF overview with EA	CD	Done
5.1	Contact Mark Plummer and Rob Murfin re seminar.	DP/CD	Both have agreed to speak.
5.2	Survey WPA seminar invitees re status of Waste Local Plans	CD	Done. Minimal response.
6.2	Amend draft letter to reflect comments prior to submission. Submit on return from Christmas break.	GR / CD	Done. Response in RWPG papers for 5 June meeting.
6.3	Ascertain timings for NDA stakeholder survey	SK	Online survey 14 Dec to 1 Feb. Hyperlink circulated to group and in newsletter.
6.4	Review and feedback on 'Next uses for NDA sites' paper to SK by 21 December	All	Document circulated 14 December.
7.2	Amend Planning Briefing Paper to reflect comments	PM	Done. Revised draft re-circulated.
7.3	Send any further comments on Planning Briefing Paper to PM asap	All	See above.
ACTIONS FROM RWPG, 25 September 2012			
Agenda item	Action	By	Status
4	Circulate for comment draft paper on planning 'weaknesses' for EA	PM	
4	Provide document being prepared by Northants on planning and permitting	PW	Now received.

4	Circulate feedback from Site Restoration TOG	SK	
ACTIONS FROM RWPG, 31 May 2012			
Agenda item	Action	By	Status
5	PM to update PW on outcome of IWM TOG	PM	To do