

NuLeAF: NUCLEAR LEGACY ADVISORY FORUM

LGA SPECIAL INTEREST GROUP ON RADIOACTIVE WASTE MANAGEMENT AND NUCLEAR DECOMMISSIONING

Minutes of the Steering Group meeting held on 3rd September 2019 at Leaf, 113 Portland Street, Manchester

Present:

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| Cllr David Moore | Copeland District Council (Vice-Chair) |
| Cllr Eddy Newman | Manchester City Council (Vice-Chair NFLA) |
| Cllr David Southward | Cumbria County Council |
| Cllr David Godfrey | Folkestone & Hythe District Council |
| Cllr David Wimble | Folkestone & Hythe District Council |
| Cllr Mike Caswell | Sedgemoor District Council |
| Cllr Richard Smith | Suffolk County Council |
| Steve Smith | Copeland Borough Council |
| Rachel Whaley | Cumbria County Council |
| Terry Burns | Essex County Council |
| Sean Morris | Manchester City Council |
| Louise Martin | Somerset County Council |
| John Burton | Somerset West & Taunton Council |
| Gillian Ellis-King | South Gloucestershire Council |
| Cameron Clow | Suffolk County Council |
| Dylan Llewelyn Jones | Ynys Mon County Council |
| Philip Matthews | NuLeAF |
| Catherine Draper | NuLeAF |
| Keith Duncan | BEIS |
| Patrick Whitby | Avison Young |
| Matt Verlander | Avison Young |
| Jack Nield | Avison Young |
| Frank Wigley | NDA |
| Tony Smithers | NDA |
| Michael Hughes | NDA |

| | WELCOME AND APOLOGIES | ACTION |
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| | <p>Cllr David Moore, who was in the Chair as Cllr Riddle was unable to attend, welcomed everyone to the meeting and round the table introductions were made.</p> <p>Apologies were received from: Cllr Iain Greaney & Richard Griffin – Allerdale Borough Council, Cllr Craig Rivett & Lisa Chandler – East Suffolk Council, Cllr David Monk & Graham Hammond – Folkestone & Hythe District Council, Linda Townsend – Gloucestershire County Council, Nia Swann Boden – Gwynedd County Council, Cllr Sean Chaytor – Hull City Council, Cllr Michael Green – Lancashire County Council, Lucy Atkinson – Merseyside Environmental Advisory Service, Doug Bamsey – Sedgemoor District Council, Cllr Chris Morgan – Somerset West & Taunton Council, Cllr Matthew Riddle – South Gloucestershire Council, Jon Beckett – Stroud District Council, Cllr Carwyn Jones & Dylan Williams – Ynys Mon County Council.</p> | |

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| 2. | DISCUSSION ON NDA TRANSPORT STRATEGY WITH TONY SMITHERS, HEAD OF PROPERTY, NDA | |
| 2.1 | The Chair welcomed Tony Smithers (TS) to the meeting. The invitation to attend had been extended following correspondence with NDA regarding the development of a Transport Strategy. NuLeAF had expressed members concerns including that the strategy failed to address movement of people. | |
| 2.2 | TS advised the meeting that NDA is developing a Group Accommodation Strategy, which includes considerations around travel to work and the use of land and accommodation. Strategy 4 (2021-26) is also in development and will include strategic consideration of the transport of nuclear materials. | |
| 2.3 | TS is looking to work with Andrew van der Lem and John McNamara on how NDA can drive effective efficiency in accommodation, transport and logistics. Discussions have already taken place with Craig Lester at BEIS, and also with Copeland BC and Allerdale BC in West Cumbria, with Horizon on Anglesey, and EDF at Sizewell. Further engagement will be carried out over the next 6-12 months. TS welcomed the opportunity to engage with local authorities through NuLeAF. | |
| 2.4 | The meeting opened up to questions. | |
| 2.4.1 | <p><i>Q: Could you explain what relevance this approach will have to sites where decommissioning is not being accelerated?</i></p> <p>A: Each site is different, and we need to understand what each needs or has to offer. There may be opportunities for using land differently, and we would welcome the involvement of local communities to help us identify those opportunities.</p> | |
| 2.4.2 | <p><i>Q: Does NDA recognise that there is a 'golden thread' linking through the NDA to the SLCs on the movement of people?</i></p> <p>A: Yes, and NDA is working with Sellafield on the development of their transport strategy.</p> | |
| 2.4.3 | <p><i>Q: Will you be contacting individual local authorities to ask them what opportunities there may be in their area for alternative uses for land?</i></p> <p>A: Now that we have gathered the base data on what we have, we are discussing with SLCs what they will need to carry out decommissioning. We are starting to develop a pro-active approach but would welcome local authority engagement whilst this is in development. Contact should be made with Tony Smithers (tony.smithers@nda.gov.uk)</p> | |
| 2.4.4 | <p><i>Q: With regard to alternative uses of land it can be difficult to get commitment from SLCs, and to know whom to talk to about development opportunities.</i></p> <p>A: SLCs cannot commit to projects as they need NDA and then government sign off. We would like to set up meetings at board level with all decision makers around the table.</p> | |

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| 2.4.5 | <p><i>Q: What plans are there for consultation on the accommodation strategy?</i></p> <p>A: Some aspects will be addressed through the Theme Overview Groups. Consultation requirements will be set by the NDA Executive.</p> | |
| 2.4.6 | <p><i>Q: The lack of a staff travel strategy for the Sellafield site has led you to be in breach of planning conditions. What actions are you taking to address this?</i></p> <p>A: The accommodation, people, places and transport strategy will deal with these issues.</p> | |
| 2.4.7 | <p><i>Q: One topic of interest to NuLeAF members is the socio-economic impact of your operations. The development of this strategy and resolution of the problems we have highlighted to you, may help alleviate some of the adverse impacts.</i></p> <p>A: As part of the One NDA initiative we are going to bring together all those who draw up plans so there can be a more co-ordinated approach and learn from each other.</p> | |
| 2.4.8 | <p><i>Q: Following on from the previous comment, you need to remember that we are plan making authorities and your planners need to be briefed to engage with us.</i></p> <p>A: We are looking to improve our engagement, and approach you earlier in the process.</p> | |
| 2.5 | <p>Concerns were expressed that there had been no discussion on the transportation of nuclear materials and asked that the secretariat arrange for an opportunity for this at a future meeting.</p> | PM/CD |
| 2.6 | <p>The Chair thanks Mr Smithers for his presentation and looked forward to engaging with NDA further on this in the future</p> | |
| 3. | PRESENTATION AND DISCUSSION ON ON-SITE DISPOSAL OF RADIOACTIVE WASTE BY BEIS AND AVISON YOUNG | |
| 3.1 | <p>The Chair welcomed Keith Duncan, BEIS, Patrick Whitby, Matt Verlander, Jack Nield, Avison Young and Frank Wigley, NDA to the meeting.</p> | |
| 3.2 | <p>Keith Duncan gave a brief resume of the background to the development of the guidance document. In 2016, NDA strategy highlighted that the organisation was considering alternative ways of managing Low Level Waste including on-site disposal. Such action would require legislative change and to support this the Government (BEIS) has been taking forward work on Proportionate Regulatory Control (PRC) to amend the regulatory framework. This work is also supported by the Nuclear Sector Deal and Industrial Strategy. Consultation on PRC was completed in 2018 and included in feedback was the need for guidance on the planning process. That planning guidance is one of five or six PRC workstreams. There are also plans to amend current decommissioning policy, which was last updated</p> | |

in 2004, to support new legislation on PRC. However, the current political climate makes it difficult to be give a definite timeframe for the work to be completed. The aim is to complete it in 2020.

3.3 Patrick Whitby, Avison Young (AY), set out the context for their work for BEIS. AY has been holding initial discussions on the guidance over the past few weeks, and they hope to hold further discussions in September. These conversations have given AY an opportunity to discuss what the planning guidance could look like, what they think will be included, how to make it concise but also informative and which planning authorities would find it a useful tool in determining planning applications over next 10-15 years as decommissioning programme evolves. AY is here to gather questions which they will take back to BEIS, NDA and Site License Companies and are also happy to meet individual local authorities on a one to one basis. After all such conversations are complete AY will draft the planning guidance.

3.4 Matt Verlander outlined the contents of the guidance:

- Scene setting - Types of waste management options, advantages and disadvantages to on-site disposal, context regarding the planning requirements for waste disposal.
- Roles and responsibilities Clearly identify the responsibilities of government, regulators, site operators and planning officers.
- Making it clear that regulators will provide the permitting decision and that it is separate from planning decisions.
- When is planning permission required - Route Map which identifies the point at which a planning application would be made to the local authority.
- Process - Relationship to other permitting requirements (including timings of planning applications within the overall consenting process), What information is to be submitted with a planning application.
- Case Studies - Generic case studies which link back to different types of sites and types of on-site disposals. Pro-forma style – 2 sides A4 max.

3.4.1 AY would hope to come back to NuLeAF with a draft copy of the guidance for comment later in the year.

3.4.2 AY is meeting with MHCLG next week, as they need to be comfortable with what is being proposed. The guidance is not policy but will sit side by side with policy. It would be a material consideration for planning officers to consider, but it does not tell them how to consider an application. There will be an addendum for each of the devolved administrations.

3.4.3 AY would like to understand how useful NuLeAF members think the guidance will be?

3.5 The meeting opened up to questions

- 3.5.1 *Q: How does what you are describing differ from the work being undertaken by the NDA Theme Overview Group (TOG)?*
A: The NDA TOG, in co-operation with EA, SEPA and ONR, is preparing a national narrative, which will help inform local authorities, regulators and communities on the options for the management of Low Level Waste. The Planning Guidance will be the primary document, and the aim of the national narrative is to help communicate the concepts behind the guidance. At present, work on the national narrative is suspended while the guidance is being prepared. What work has been completed so far on the national narrative has been supplied to Avison Young for their information. The two documents will be released at the same time.
- 3.5.2 *Q: What is the thinking behind the approach? Is it because of the volume of graphite which needs to be managed? Are you suggesting that one of ways might be to bury graphite on site?*
A: The guidance relates to Very Low Level Waste such as concrete rubble from demolition and not to issues such as the management of graphite. It will try to address the advantages and disadvantages of disposing of material in-situ or on site. The document will be neutral and will not favour on or off-site disposal. It is there to help planning officers understand the issues if an application is made.
- 3.5.3 *Q: Will the guidance stop short of dealing with materials that will go to a geological disposal facility?*
A: The types of material are those which would not even be sent to Drigg. This is primarily VLLW. It includes demolition wastes but also foundations and other structures which might be left on site due to the challenges of removing them. All such materials must be able to meet EA requirements and will not prevent sites being made available for next planned use, although some areas of a site may have limitations placed on the way they can be used until the site is fully out of scope. Where questions have been raised about the approach on A&B station sites, Avison Young has taken this back to BEIS for consideration. NDA is asking Site License Companies to set up meetings to discuss site end states – they are aware that there have been societal and legislative changes since this was last done.
- 3.5.4 *Q: Can you tell us more about what the situation will be in Wales?*
A: BEIS has been in discussion with the Welsh and Scottish governments. There will be an addendum to the document for each country. NDA indicated that they would be happy to discuss the details further outside the meeting.
- 3.5.5 *Q: Could you please clarify what you mean about this document being a 'material consideration'.*
A: It is designed to be a helpful reference document.
- 3.5.6 *Q: How will the guidance engage with local planning policy.*
A: It will be a guide that will assist in the preparation of appropriate planning policies.

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| 3.5.7 | <p><i>Q: On-site disposal has been ruled out of designation as an NSIP, why is this?</i></p> <p>A: This was advice given by NDA and BEIS.</p> | |
| 3.5.8 | <p><i>Q: Will there be consultation on the draft guidance once it has been produced?</i></p> <p>A: Avison Young is tasked with delivering to BEIS. BEIS is still in discussion with MHCLG about what process for producing the guidance will be. AY is happy to share a draft for comment with NuLeAF before submitting to BEIS.</p> | Avison Young/ NuLeAF |
| 3.5.9 | <p><i>Q: What plans do you have for engaging with younger people. This is an important issue which will affect them.</i></p> <p>A: NDA is considering how it can broaden the range of groups it engages with. At present it doesn't have a formal plan.</p> | |
| 3.6 | Additional comments made include: | |
| 3.6.1 | We would like to see on-site disposal taken into consideration as part of determining interim and end-states in order to avoid on-site disposal preventing beneficial use of a site. We would recommend a masterplan approach, like that undertaken at Winfrith. If this doesn't happen, there is a risk that it won't be addressed in planning policies. | |
| 3.6.2 | There is no mention of community in the document. This is waste material which will need regulating, so there is a need for community benefit in the same way that the site to which it would have gone (e.g. King's Cliffe) receives community now for the waste it takes. | |
| 3.6.3 | We note that the document includes the disposal of mixed waste including asbestos. | |
| 3.6.4 | The document refers frequently to social and environmental benefits, but economic benefits are also there. If on-site disposal is a benefit to public purse, that needs to be reflected to on the ground for the community. | |
| 3.6.5 | There are resourcing implications for local authorities and the document should address planning performance agreements for engaging in the process and any on-going monitoring required. | |
| 3.7 | The Chair thanked the presenters for attending. | |
| 4. | MINUTES OF THE MEETING HELD ON 12th JUNE 2019 | |
| 4.1 | The Minutes were approved as a true record and will be posted on the NuLeAF website. | CD |
| 5. | MATTERS ARISING FROM THE PREVIOUS MINUTES | |
| 5.1 | Regarding the disposal of non-core assets and consultation with the local community (10.4.7), Tony Smithers had advised that he was looking to work with Andrew van der Lem and his team to | |

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| 5.2 | <p>see what benefit non-core assets which were designated for disposal could provide to local communities.</p> <p>As Tony Smithers had not been in a position to discuss the transport of nuclear materials, it was agreed that the secretariat would approach NDA to ask that someone come along to address this topic at a future meeting.</p> | PM |
| 6. | UPDATE ON GEOLOGICAL DISPOSAL FACILITY (GDF) SITING PROCESS | |
| 6.1 | <p>A report providing updates on the Geological Disposal Facility siting process had been circulated prior to the meeting. It covered:</p> <ul style="list-style-type: none"> • Publication of the National Policy Statement on Geological Disposal; • Publication of NuLeAF Policy Statement and Briefing Papers on Geological Disposal; • Update on RWM Ltd; • Update on RWM funding for NuLeAF; and • Updates on international activities. <p>6.2 Cllr David Wimble provided a verbal report on his trip to Bure in France to view the underground research facility. He felt that the development had been good for the community there providing jobs and a higher level of community benefit than was received in the UK. An English language website had been recently launched which provided useful information on the project and on the community benefits. https://international.andra.fr/projects/solutions-low-level-long-lived-waste-ll-lw</p> <p>6.3 Members noted that fact finding trips for local authorities to such facilities as Bure and Olkiluoto in Finland would be very beneficial but that the lack of external funding was a real barrier. They felt it would also be politically useful for NuLeAF to organise such trips as opposed to individual councils. It was agreed that NuLeAF would continue to press RWM for financial support for such visits.</p> <p>6.4 It was proposed that RWM be invited to return to present to the Steering Group at an appropriate point to provide an update on their activities. The secretariat would keep this under review.</p> <p>6.5 The Group expressed their concern at the continued lack of clarity regarding RWM's financial support for NuLeAF and hoped that this could be positively resolved in the near future.</p> | PM |
| 7. | UPDATE ON NATIONAL DEVELOPMENTS IN RADIOACTIVE WASTE MANAGEMENT | |
| 7.1 | <p>A report had been circulated prior to the meeting which provided updates on:</p> <ul style="list-style-type: none"> • Discussions at NDA Theme Overview Group meetings; • NDA; and • BEIS. | |

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| 7.2 | Keith Duncan, BEIS, advised the meeting that they hoped to carry out a consultation on the review of policy for decommissioning and Higher Activity Waste management in the first half of next year. | |
| 7.3 | Concerns were raised that there was a lack of clarity about arrangements following the withdrawal from the Euratom Treaty in of the event of the UK leaving the EU with no deal. Keith Duncan said he could make enquiries and provide an update for circulation to NuLeAF members. | KD/CD |
| 7.4 | The meeting asked the secretariat to circulate a link to the NDA Mission Progress Report and this will be included in the next edition of the e-bulletin. | CD |
| 7.5 | A brief discussion was held regarding the format and content of the NDA Stakeholder Summit. It was agreed that the secretariat would write to John McNamara providing feedback and asking to engage on the format of the next event. | PM |
| 8 | DATE OF NEXT MEETING | |
| 8.1 | The next meeting will be held at 18 Smith Square, London on 11 th December, 2019, 11.00 – 15.00. | |
| 9 | ANY OTHER BUSINESS | |
| 9.1 | It was agreed that the secretariat would review its engagement with NDA on community benefits. PM notified the group that Briefing Paper 16, on Community Benefits, was in the process of being reviewed as were all other NuLeAF Briefings. | PM |

ACTION LIST

| <i>3rd September 2019</i> | | | |
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| 2.5 | Arrange for discussion on transport of nuclear materials at future SG meeting. | PM/CD | Phil Edge will attend March Steering Group meeting. |
| 3.5.8 | Share draft of Planning Guidance with NuLeAF for comment | Avison Young | Done. Comments sent to BEIS. |
| 4.1 | Post Minutes of Meeting on 12 th June on NuLeAF website | CD | Done |
| 6.4 | Invite RWM to present on their activities at an appropriate point | PM | RWM attending March meeting to discuss Site Evaluation. |
| 7.3 | Update NuLeAF on plans for Euratom exit in event of a no deal. Information to be circulated | KD/CD | Circulated 6 September |
| 7.4 | Include link to NDA Mission Report in E-bulletin | CD | Done. |

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| 7.5 | Provide feedback on NDA Stakeholder Summit format and content to John McNamara | PM | Letter sent and teleconference held with John McNamara to discuss format and content for 2020. |
| 9.1 | Re-engage with NDA re community benefits and revise BP 16 | PM | Draft revised Briefing Paper and Policy Statement circulated to members for comment. Finalised BP and PS presented to January meeting for agreement. |
| 12th June 2019 | | | |
| 10.4.4 | Feedback to NDA need to engage with other energy sector companies especially in terms of socio-economic impact. | JM | Awaiting update. |
| 20th March 2019 | | | |
| 3.1 | Seek further response from RWM regarding business rates | PM | This issue is raised with RWM in ongoing discussions on socio-economics. |
| 4.6 | Write to NDA regarding reporting on socio-economic activity | PM | Letter sent. |
| 4.10 | Liaise with GMF re international comparison of community benefits | PM | Ongoing |
| 4.11 | Write to NDA regarding unspent socio-economic funds | PM | Funds are not formally carried over, but where contracts permit it can be carried forward. |
| 12th September, 2018 | | | |
| 9.10 | Provide feedback to NDA/NuLeAF on what topics local authorities wish to see covered in combined outcomes report. | All | Awaiting clarification from NDA and will then consult members. |
| 6th June, 2018 | | | |
| 3.3 | Follow up with Mike Caswell re meeting | DB | Email sent 21 June and MC said he would follow this up with Aled Morris Jones. |
| 9.13 | Raise issue of need for Magnox to communicate with sites receiving Magnox waste. | PM | To be done once new Magnox structure in place post September. |