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Dear Sir/Madam,

Draft NDA Business Plan 2023-26 Consultation: Response from Nuleaf

1. Introduction

Nuleaf (the Nuclear Legacy Advisory Forum) is the Local Government Association (LGA) representative body on legacy wastes and decommissioning. We are directly supported by over 100 local authorities and national park authorities across England and Wales and speak on these issues for the wider local government community. Nuleaf has a remit encompassing all aspects of the management of the UK's nuclear waste legacy. Our primary objectives are:

- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.



Engagement with local government is critical to the success of the NDA mission:

- Our member councils are the democratic voice of nuclear communities and significant stakeholders for NDA under the 2004 Energy Act.
- We are important partners in the delivery of the NDA's objectives. Local authorities bring a range of expertise in relation to socio-economics, climate change, sustainable development, planning, transportation, education and skills. Over the last year we have been active in engaging with NDA around the implementation of Strategy 4; Magnox optimised decommissioning; integrated waste management; plans for AGR decommissioning; and socio-economics, social value and sustainability.
- Local planning authorities fulfil a regulatory function. Through Nuleaf our members are able to provide expert advice on land use and waste planning. They are enablers of decommissioning and the management of NDA sites including moves to next planned use.
- Local authorities have a clear and significant role in the Geological Disposal Facility (GDF) siting process. Without their support the NDA and NWS will not be able to deliver this critically important facility.
- Nuleaf is active in shaping future policy for the NDA. We sit on the UK Government's Radioactive Substances Policy Group (RSPG) and have been active in developing the proposed UK Policy on Nuclear Decommissioning and Radioactive Substances, due for consultation in 2023.

Nuleaf is funded by NDA Group and our member authorities. We sit on a range of NDA Theme Overview Groups (TOGs) and other fora. Through our meetings we provide an opportunity for the NDA Group to engage with and discuss policy, strategy and practice with the local government community.

2. General Comments

This Business Plan has been developed at a time of change:

- Strategy 4 has been published and will guide the NDA's work over the next few years. The Strategy makes a clearer commitment to the delivery of social value, sustainability and net zero carbon than previous iterations.



- A new NDA structure has been put in place. Magnox will merge with Dounreay in 2023 and continues to develop its plans to decommission the Advanced Gas Cooled reactors (AGRs) following defueling by EDF. At the same time Nuclear Waste Services is developing an integrated approach to waste management. This may include new options such as a Near Surface Disposal facility.
- Reprocessing has ended at Sellafield and waste retrievals from the Magnox Swarf Storage Silo have begun.
- Four Community Partnerships have been established, representing a significant step forward in the search for a suitable site for a Geological Disposal Facility (GDF).
- The wider nuclear landscape in the UK is evolving with interest in developing new Small Modular Reactors (SMRs) at a number of locations. The NDA has signed a Memorandum of Understanding with Cwmni Eginio and has signalled that it will support new nuclear development at other sites, as reflected in the Magnox 'Key activities' listing on page 38.
- Public spending pressures are significant and there are wider challenges for the UK and global economy.

Given this context, and the range and complexity of work the NDA is engaged in, it is essential that this Business Plan provides a clear and accessible explanation of activities. This will ensure that local authorities and communities understand the NDA mission nationally and in their local area.

We are therefore pleased to see that this Plan continues the approach adopted in the last Business Plan, with a greater focus on short term actions and impacts. Of particular value are the sections on **Work featuring in 2022-25, Critical Enablers** and **Sustainability**. The inclusion of specific examples of recent and current work is useful, helping to enhance understanding to a non-technical audience.

We offer the following comments on some cross-cutting and strategic issues:

i. Social Value and Sustainability

In this Business Plan and elsewhere, the NDA uses terms such as Socio-economics, Social Value and Sustainability. A clear definition of what each means within an NDA context should be provided.



As the Business Plan notes, the NDA employs almost 17,000 people and spends over £4bn a year. The Energy Act 2004 requires the NDA to act to enhance the well-being of nuclear communities. It is therefore encouraging that the Authority made a clearer commitment to this agenda in Strategy 4.

The Business Plan 2023-26 states that the NDA and its operating companies must meet the requirements of 9 group-wide policy statements, including on Ethics, Sustainability, Socio-economics and the Environment. This is positive, and we hope it will ensure a consistent approach that properly integrates wider economic, social and environmental concerns. The test will be whether the NDA is able to demonstrate that this new framework does result in real change.

We note that a policy statement on Value for Money (VfM) is in development. This should be based on a definition of VfM that requires wider Social Value to be considered in all spending decisions.

Delivering the NDA's sustainability goals requires engagement with local government at every stage. This will ensure that opportunities to align site level activities with local strategies and plans are not missed. In particular:

- Our members regularly highlight the need for engagement to help maximise the development of suitable interim uses for NDA land that will be in quiescence for long periods of time.
- Continued dialogue is required around local authority plans, particularly around socio-economics and in relation to Climate Emergency and Nature Emergency/recovery strategies and actions plans.
- The current process of local government reorganisation will lead to the establishment of the Cumberland, Westmoreland and Furness and Somerset Councils from April 2023. It is vital that the NDA is able to engage effectively with these new authorities as they develop their new plans and strategies.

The Business Plan should set out a clear requirement for engagement on these and other local authority plans.

At a broader scale, the NDA's commitment to the workforce, communities and the environment must be supported by effective and accessible reporting. We call on the NDA to work with local authorities and other stakeholders to define



a set of public-facing targets and outcomes that enable transparent reporting of progress on these issues.

ii. Community Benefits

We continue to advocate the development by NDA of a comprehensive approach to Community Benefits, covering decommissioning, long term storage and waste management and disposal across the estate. We would like to see more on this topic in the final iteration of the Business Plan.

Nuclear sites have, and will continue to play, a key role in interim storage until Higher Activity Waste can be transferred to the final disposal site. In addition, it is being increasingly proposed that communities will host the permanent disposal of lower-level wastes on site where previously such materials were to be removed. In recognition of the constraint/burden and disturbance borne by local communities, adequate funds should be available for all areas impacted by radioactive waste.

The NDA is also considering taking forward the Near Surface Disposal (NSD) of some of the HAW inventory at one or more sites. Any such process will require close engagement with potential host authorities. We believe that significant community benefits should be provided for any area within which such a facility is located.

Recent research commissioned by Nuleaf on support for nuclear communities¹ has highlighted the approach used in Spain, where the waste management organisation provides community benefits to municipalities that host radioactive waste stores. The allocation of resources is calculated using an agreed formula, to ensure fairness for all. It is an approach the NDA should consider emulating.

iii. Waste management

We support the NDA's strategic commitment to optimise the lifecycle of both radioactive and non-radioactive wastes and to apply the Waste Hierarchy more widely. Proper engagement with waste planning authorities will help the NDA deliver on these aspirations.

¹ <https://www.nuleaf.org.uk/steering-group-meeting-15th-december-2022/>



iv. Stakeholder and community engagement

We have been unable to find an overarching commitment in the Business Plan to community engagement on the future of sites. We suggest that the Business Plan should provide this commitment, to give host communities assurance that appropriate opportunities will be provided for their voices to be heard in the NDA's formulation of proposals for the future of each and every site.

The NDA should maintain a clear narrative with the local community. Stakeholders have a lot of information to consider, much of which is highly technical. Clear information, accessible literature (with project-focused webpages), and continued dialogue are needed for stakeholders to engage meaningfully and have the opportunity to influence and inform the decisions taken.

The Business Plan should promote diversity of participation in SSG's so that they better reflect the makeup of their community. We support the use of both in person and online engagement to allow stakeholders the greatest potential to participate according to their individual needs. More engagement with young people and hard to reach groups would also be welcome.

3. Funding and Expenditure

The Business Plan notes that expenditure in 2023/24 will be £4.13 Bn. This represents a welcome increase on the current year, although with the caveat that costs are also rising significantly at present.

We are pleased that Government funding for 2024/25 is agreed and will remain broadly the same, while income is predicted to rise. Given the pressures on public finances, we hope that Government support and overall funding will be maintained or grow in future years. The nuclear legacy should be dealt with in an efficient and timely manner so that safety is assured, and beneficial future uses are brought forward. Local authorities that host NDA sites will continue to act as advocates for continued Government support for the NDA Group mission.



One issue we have repeatedly highlighted is that we would like to see a more detailed itemisation of expenditure, with separate figures for socio-economics, skills, R&D and knowledge management. This Business Plan does not address this, with budget lines provided only for 'Critical Enablers' and 'Other Central Spend'.

Without itemised information it is not possible to fully see whether the NDA's stated ambition to make a step change in performance on Sustainability, Net Zero Carbon and Social Value is being supported by enhanced funding. If the Business Plan is not an appropriate place for that level of detail, then we would request that NDA provides these figures to Nuleaf and other interested stakeholders.

Regarding the appropriate level of funding for socio-economics, we understand that in the previous year this was around 1% of the NDA's budget. Recent independent research commissioned by Nuleaf² has found that comparable organisations in other countries spend a greater proportion of their budget on socio-economics (e.g. 2% in Bulgaria).

4. Comments on NDA Group activities

NDA Corporate Centre We welcome the commitment to embed the Sustainability Strategy/net zero commitments and to support the maintenance of sustainable local economies. However, while these are highlighted as 'important milestones for 2023-26' there is no clarity as to how progress will be measured or reported. Our members' challenge to the NDA is therefore 'how can you demonstrate you have met these milestones?' The final Business Plan should explain how this is to be achieved.

We are disappointed that the third bullet on page 31, is again on only the **economy** of host communities. We suggest that this commitment should be broadened to cover social issues and the health and wellbeing of local communities. STEM, education, training and skills opportunities for local people are of particular importance.

² <https://www.nuleaf.org.uk/steering-group-meeting-15th-december-2022/>



One of the 'Critical Enablers' is to review ways of working including the Value Framework. Nuleaf participated in a recent review of the Value Framework and we are surprised that it is to be reviewed again. More information on the rationale for this should be provided.

It is notable how many of the Key Activities for NDA Corporate Centre require effective engagement with Nuleaf and local authorities for their delivery. Engagement with local government must therefore be integrated into NDA workplans, particularly in relation to the Key Activities noted under Integrated Waste Management and Site Decommissioning and Remediation; and on many of the Critical Enablers.

In terms of the People Critical Enabler (page 27), we welcome the graduate program. However, we believe that the NDA Business Plan should promote earlier interventions on each site via STEM outreach. This will inspire young people's interests in relevant fields (cyber, robotics etc) and boost the pipeline of apprenticeships and graduates.

As an example, Nuleaf recently heard a fantastic presentation from the Site Director at Hinkley A about their apprenticeship programme reaching directly into local schools. We hoped, given the potential socio-economic benefits to host communities, that this programme would be included in the NDA Business Plan for wider application and roll out across the estate. STEM outreach would be likely to support the diversity objectives of the NDA including improving gender balance. The scheme would also have benefits to NDA in addressing the skills shortage identified in the Business Plan.

Sellafield Ltd We welcome the progress that is being made in addressing the high hazard facilities, particularly the retrievals of material from the Magnox Swarf Storage Silo (MSSS) and the First-Generation Magnox Storage Pond (FGMSP). We are also pleased to see that the post-operational clean out (POCO) of the Magnox Reprocessing Plant is set to commence in 2023/24.

The Business Plan notes that Sellafield will receive all spent fuels from the UK's Advanced Gas Cooled Reactors (AGRs) and that this will constitute a revenue stream for the NDA. The role of Sellafield in managing spent fuel and future decommissioning wastes from the AGR fleet is significant. We therefore believe that engagement on the strategy for the management of AGR wastes



should fully involve the West Cumbrian community as well as those communities that host the AGR stations.

Under Critical Enablers, there are commitment to enhance socio-economic impacts, for example through increasing overall spend on SMEs and embedding a partnership with the supply chain. Recent research for Nuleaf by Assystem³ highlighted that the Gross Value Added (GVA) of Sellafield to the local economy has halved in recent years even though overall GVA increased. We want to see action taken to understand and then reverse the decline in local GVA.

Magnox Ltd The Business Plan confirms the change to an approach to decommissioning based on Site Specific Strategies (SSS). It commits to supporting economic growth through short terms plans with clear milestones; and the identification of long-term options for sites.

The provision of best current estimates for the achievement of end states at each site is welcome, as is the information on what activities will be undertaken at each site between now and 2026. It would be helpful to understand what specific site by site criteria have determined the End State dates. We are also not clear if the Site-Specific Strategies replace Lifetime Plans (LTPs) and would welcome clarification of this.

Looking forward, more detailed information on the decommissioning strategy and associated timelines will be essential so that councils are able to consider the implications of this in their own forward plans.

It is also important that Magnox develops an optimal approach to its engagement with Local Planning Authorities and local communities based around strategic or master planning. Nuleaf is in dialogue with the NDA on this at a strategic level, but an effective approach must be developed around each site, including where appropriate consideration of infrastructure that may be available for reuse in association with other developments such as new nuclear.

Finally, the agreement reached on the decommissioning of the AGR stations has significant implications for Magnox and the wider NDA Group. In May

³ <https://www.nuleaf.org.uk/steering-group-meeting-15th-december-2022/>



in which SMR promoters are showing active interest. It would also be helpful, if possible, for each site profile page to identify the area required for decommissioning purposes.

At **Oldbury**, Magnox are actively investigating the restoration of Lagoon 3 to habitat suitable for birds associated with the Severn Estuary, in line with a previous NDA commitment. This has not yet been delivered, and we therefore question why this is not stated in the site profile page. It would be very helpful to the forward planning being undertaken by the host local authority if this could be made explicit in the Business Plan site specific commitments.

Regarding **Hinkley A**, the end state is expected to be in the 2060's. While the announcement on expected end state dates is welcome, the Business Plan indicates there may be further change to these estimates as the NDA seeks to integrate and optimise Magnox plans with those of the AGRs. We would therefore expect the NDA to engage with local government in Somerset to discuss what this might mean for HPA and HPB. This would ensure it is considered during the preparation of local plans and strategies.

Nuclear Waste Services (NWS)

The management and disposal of all materials arising from the NDA mission will impact on host communities and the wider environment. NWS has taken over responsibility for the operations of LLWR and RWM, two organisations that had very different areas of focus and ways of working. A central challenge will be to ensure that the new organisation is able to demonstrate a coherent approach based on the best principles of stakeholder engagement and community support.

A number of the Key Activities will require continued and effective dialogue with local government, particularly in relation to the developing work on asbestos and that on Near Surface Disposal (NSD). On the latter we note that there is a commitment, by 2026, to '*Deliver initial NSD capability subject to appropriate Government policy.*' We assume this refers to a decision to enable the disposal of some material currently destined for a GDF to the LLWR facility in Cumbria. If so, extensive engagement with the host community will be required.



Finally, we are surprised by the limited reference to the GDF programme within the Key Activities. More information on specific objectives to be delivered would be welcome, for example on seismic surveys.

I hope these comments are helpful.

Yours faithfully,

Philip Matthews
Executive Director