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Dear Sir/Madam,

## **Draft NDA Business Plan 2024-27 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.



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

Local government and Nuleaf are critical to the success of the NDA Group 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 wealth of expertise in relation to socio-economics, climate change, sustainable development, planning, transportation, education and skills.
- Local Planning Authorities (LPAs) fulfil a regulatory function. They are enablers of decommissioning and the management of NDA sites including moves to next planned use. Through Nuleaf our members are able to provide expert advice on land use and waste planning. We are actively engaged with NDA Group and Government on issues including Master-planning, Planning Performance Agreements (PPAs), Permitted Development Rights (PDR) and reform of EIA/EIADR.
- Councils have a 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 holds quarterly meetings for the local authorities involved in the siting process and supports the process in a variety of ways.
- 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 engaged in developing the new policy on Nuclear Decommissioning and Radioactive Substances.

Delivering the NDA's sustainability goals requires dialogue 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 can support the development of suitable interim uses for NDA land.
- Local authority plans, particularly around socio-economics and in relation to Climate Emergency and Nature Emergency/recovery strategies and actions plans can be aligned with those of the NDA Group.



Finally, through local government reorganisation the landscape for stakeholder engagement continues to evolve. Last year saw the formation of Cumberland, Westmorland & Furness and Somerset Councils, all important hosts of the NDA Mission. Nuleaf can help the NDA Group develop its connections with these authorities and with other new councils that arise in future.

## 2. The consultation

The relatively short consultation period, straddling the Christmas and New Year break, has presented challenges to both Nuleaf and individual local authorities.

As a member organisation, we seek feedback on our draft response but were not able to offer our members as much time as we would have liked to review our draft and comment on it. Local authorities can be required to circulate papers to a number of parties before responding. We understand the requirement for this Plan to be in place by April but would propose that the consultation avoids the Christmas break in future or is extended.

Our members take different views on the desirability of new nuclear power but recognise the need for any new nuclear facility to be built with decommissioning in mind and for the NDA to facilitate the transition to next planned use, whatever that may be. We therefore welcome the commitment (page 35) to provide support for nuclear new build decommissioning plans.

We note the **Civil Nuclear Roadmap to 2050**, published 11 January 2024, which has much to say about decommissioning and waste management and the role of the NDA as well as priorities for new nuclear.

The Roadmap commits NDA to periodically publishing a prospectus stating which of its land holdings will become available for reuse including prioritising, where feasible, new nuclear projects (Roadmap page 32). For communities and Councils that host NDA sites AND designed National Policy Statement EN-6 sites for new nuclear this is a live issue that affects NDA assets include water intakes and outfalls, tidal reservoirs, grid connections and associated infrastructure, sewerage facilities and other land or buildings. These may not



be needed for decommissioning but could be beneficially and sustainably reused as a part of new nuclear development.

We propose therefore that the NDA Business Plan is reviewed to:

- Ensure overall alignment with the Roadmap;
- Improve clarification and explanation of the NDA role and priorities in supporting new nuclear, including prioritisation of the production of a NDA prospectus.
- Address the Roadmap's stated priority that available NDA land should where feasible go FIRST to new nuclear projects 'as opposed to other commercial uses' (Roadmap page 32). This is different to the open commitment in the Business Plan to '*...pursu(ing) all commercial opportunities using our existing (NDA) assets...*'.

### 3. Overview

This Business Plan sits within a wider context:

- Strategy 4 made a clearer commitment to the delivery of social value, sustainability and net zero carbon than previous iterations. The process of developing Strategy 5 is now underway and should build on this further.
- A new NDA structure has been largely finalised with the recent launch of Nuclear Restoration Services (NRS). The rebranding reflects the wider remit of the organisation and the potential for future growth.
- Three Community Partnerships and one Working Group are active within the Geological Disposal Facility (GDF) siting process.
- Great British Nuclear (GBN) has been launched with a remit to promote a variety of new nuclear technologies, while the UK Government is consulting on the approach to the siting of new reactors. This has implications for the NDA estate and the local authorities and communities that host sites.
- 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, the Business Plan should provide an accessible explanation of activities. This will ensure that local authorities and communities can understand the NDA mission nationally and in terms of effects on and implications for their



local area. The interconnections between different NDA companies and aspects of the NDA mission should be set out as clearly as possible.

We are therefore pleased to see that this Plan continues the approach adopted in the last iteration, with a greater focus on short term actions and impacts over the period the Plan covers, while set within the context of long-term objectives. Many stakeholders find an explanation of shorter-term actions more illuminating in understanding how sites and operations impact on them.

The **Work featuring in 2024-27** section is useful in detailing the activities recently undertaken or planned under each Strategic Theme. Also useful is the indication of how each Strategic Theme helps alignment with the UN Sustainable Development Goals.

The section on **Critical Enablers** is also welcome. These themes, particularly Socio-economics, Sustainability, Supply Chain, Asset Management and People, are of great importance to host communities. Again, information on actual activities being driven forward at a national or local level is of value in bringing to life NDA Group impacts.

Other comments:

### **One NDA**

In general our members welcome the change in ownership model and the aspiration that the organisation works in alignment between NDA core and the 4 operating companies. That said, there is work to do in delivering effective integration both within the new operating companies and between NDA and the companies. We would like to see specific actions listed to ensure further progress towards this goal.

The plan provides information on the total number of employees in the wider NDA group (17,000) and in NDA central (380). It would be helpful if the plan could also detail the number of employees in the other component parts of the group – Sellafield, Nuclear Restoration Services (NRS), Nuclear Transport Services (NTS) and Nuclear Waste Services (NWS). This would provide useful context and will be increasingly helpful as the NDA group expands with the transition of the AGR sites and employees from EDF to NRS.



## **Engagement**

The NDA's commitment to the workforce, communities and the environment must be supported by effective and accessible engagement and reporting. We therefore call on the NDA to work with Nuleaf and other stakeholders to define a set of public-facing targets and outcomes that enable transparent reporting of progress.

## **Heritage Strategy**

It is unclear whether this covers the physical form of the power stations and their associated landscapes, some of which are iconic and/or highly valued by local communities. It is suggested that NDA should consider that they are custodians not only of landmark structures, but also of robust landscape infrastructure (sometimes designed by eminent landscape architects), that are of high value to local communities. Examples of the latter are the orchards, hay meadows and permissive public paths that enable access to these assets and also to the estuary at Oldbury.

## **4. Funding and Expenditure**

The Business Plan notes that expenditure in 2024/25 will be £4.1 Bn, a modest reduction on the previous year. It is disappointing that no figures for funding past the current year are available. We would expect Government to be able to provide at least a three-year funding horizon. Local authorities will continue to act as advocates for continued Government support to the NDA Group mission and to press for at least 3-year funding commitments.

For 24/25, there is a slight decline in income from commercial activities, the result of a large fall in income by INS Transport. We would welcome an explanation of the reasons for this. The maintenance and growing of income from all sources will be important over coming years.

We have repeatedly called for more detail in terms of the breakdown of funding as this helps stakeholders understand how money is being spent across the NDA Group. In particular, we would like to see itemisation of expenditure, with separate figures for socio-economics, skills, R&D and knowledge management. The Business Plan does not address this, with budget lines provided only for 'Critical Enablers' and 'Other Central Spend'.



Without a clearer breakdown it is impossible to understand the true picture. However, the figures available show a significant fall in 'Other Central Spend' which we assume covers socio-economics and sustainability. This is concerning and seems to run against the NDA's stated ambition to deliver a step change in performance on Sustainability, Net Zero Carbon and Social Value.

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. Independent research commissioned by Nuleaf<sup>1</sup> has found that comparable organisations in other countries spend a greater proportion of their budget on socio-economics (e.g. 2% in Bulgaria).

Priorities for socio-economic funding are set out in the draft **Social Impact and Communities Strategy**, which Nuleaf will be commenting on separately. The NDA Business Plan should underpin this Strategy and require that the spend for socio-economics should reflect and respond to the particular social as well as the economic needs of each of the NDA's host communities.

## 5. Comments on NDA Group activities

### a. NDA Corporate Centre

It is notable how many of the Key Activities for NDA Corporate Centre require engagement with Nuleaf and local authorities.

Engagement must therefore be fully 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 preparing our Nuleaf Service Plan 24/25 we will work with NDA to develop appropriate engagement for all relevant strands of work.

Under Critical Enablers we note some new areas of work that we would welcome engagement on. These are:

- The commitment to build on the natural capital baseline assessment.

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



- Participation in the Government's Energy Security Plan and the provision of support on nuclear new build decommissioning plans.
- Development of a group wide accommodation strategy.

We support the commitment to undertake work on the maintenance of sustainable local economies. We believe that this 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. There are good examples of this within NDA, for example Hinkley A's apprenticeship scheme and related STEM outreach into local schools. Strategic level support for such initiatives should be provided by the Business Plan, with an action for roll this out to all NDA sites across the fleet.

Finally, we note the commitment to *'provide opportunities for the public and stakeholders to better understand our mission.'* We believe that it is timely to consider how engagement could be enhanced through the use of new methods and a more effective reach out to communities and individuals that are not currently part of the conversation. Nuleaf intends to commission work on this topic in the coming months. We will use the results of this to help inform our ongoing discussions with NDA Group.

#### **b. Sellafield Ltd.**

We note that the Critical Enablers highlight the local, regional and national significance of Sellafield. This is a two-way process:

- The scale of Sellafield operations and the large spend means that it supports the regional and national economy as well as the local one.
- Dealing with the high hazard facilities should be a priority for everyone, not just those living in proximity to the site.
- The Sellafield site is important to each of the NDA's key strategic themes and is where spent fuel from across the UK is managed. This will continue through AGR decommissioning and beyond. The nearby Low Level waste Repository (LLWR) plays a similarly important role in the NDA's integrated waste management programme. Activities elsewhere in the NDA estate therefore impact on the community and local authority hosting the site.

Given this, the NDA and Sellafield Ltd must recognise their local, regional and national footprint and use this to guide engagement. Nuleaf offers a channel



for this and over the coming year we will look to extend our direct engagement with Sellafield.

There is particular concern among our members about the high hazard facilities and a recognition of the need to drive forward action to remediate these as rapidly as is possible and practicable. The leak of radioactive liquid from the Magnox Swarf Storage Silo (MSSS) is a particular concern.

We are therefore pleased to see progress with the retrievals of material from the MSSS and the First-Generation Magnox Storage Pond (FGMSP) and that the post-operational clean out (POCO) of the Magnox Reprocessing Plant has begun. This action must be maintained and if possible, speeded up.

Under Critical Enablers we would comment on the following:

- The Enablers include commitments to support SMEs and the supply chain. Research for Nuleaf by Assystem<sup>2</sup> 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 reverse the decline in local GVA.
- We welcome the commitment to progress and embed sustainability and to support this locally, regionally and nationally. Nuleaf provides an ideal forum for discussion of the local to national aspects of sustainability.

### **c. Nuclear Restoration Services (NRS)**

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 up to 2027.

The Plan notes the move 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. It would be helpful if NDA could confirm whether the SSS's will replace the previously envisaged Lifetime Plans for individual sites.

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



Site Specific Strategies will be important in building host Council and community understanding of plans and also be helpful in informing the development of strategies and plans for the future of the wider areas. Clear timeframes for development and delivery of the SSS's is required. Rapid progress will be needed if the potential reuse of NDA assets for new nuclear is to be realised – particularly for any sites prioritised by Great British Nuclear (GBN) for delivery.

### **Masterplanning**

We strongly support the development of strategic masterplans for each site. These set out the spatial requirements of decommissioning and environmental protection as well as highlighting areas, infrastructure or land that may be released for beneficial interim uses or freed up for use by others in the longer term.

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. NDA Strategy and Business Plans should set out a requirement that this approach be developed for each site, underpinned by appropriate engagement with host Councils and communities.

### **Other issues**

Other issues for our members include the need to demonstrate integrated working where an A and B site are being decommissioned in the same location; co-ordination with planned new nuclear development; and the development of effective engagement with the local authority and community around sites such as Heysham and Hartlepool that are not currently part of the NDA estate.

### **Comments on specific site plans**

We suggest that each site profile should consider infrastructure that the site operator does not need/could be shared or that may have the potential for interim or long-term reuse or redevelopment. This would have benefits to the NDA in enabling the reuse or redevelopment of existing infrastructure or previously developed land etc, and thereby also reducing NDA's liabilities going forward. It would also be helpful, if possible, for each site profile page to identify the area required for decommissioning purposes.



Given that all currently available EN-6 sites will be required to deliver the Government commitment to 24GW electricity by 2050, the NDA Business Plan should include reference to this designation in the relevant site-specific plans.

#### **d. 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.

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). There will also be a need for continued and effective dialogue with local government in relation to In-Situ Disposal although this has not been specifically referenced in the draft business plan. Waste Planning Authorities will need to ensure that their plan-making processes take account of these activities. It is unclear what implications there may be for local/regional sites licenced to manage/dispose these hazardous waste streams.

Regarding the Geological Disposal Facility (GDF) we note the commitment to establish a Development Consent Order (DCO) and environmental permits for deep boreholes and to proceed towards borehole investigation. This is a critical step in the GDF siting process and will require extensive engagement with host local authorities and communities.

Under Critical Enablers we would also highlight the following as areas we would welcome engagement on:

- The development and implementation of a Sustainability Strategy
- The implementation of a NWS Lifetime Plan.

I hope these comments are helpful.

Yours faithfully,

**Philip Matthews**  
Executive Director