

Nuclear Free Local Authorities

briefing



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No.156

Subject: Nuclear Site Stakeholder Groups and Local Liaison Committees – are they fit for purpose? And how should wider nuclear policy stakeholder management improve?

1. Overview of report

This report has been developed by the NFLA Secretary on the request of the NFLA Steering Committee. It has involved a detailed survey of civil society non-governmental organisations (NGOs) and a number of councillors and council officers who attend and directly raise issues at the local level with the operation of civil and military nuclear sites around England, Scotland and Wales. The report comes out of observations from these representatives over the effectiveness of Site Stakeholder Groups (SSGs) in the civil sector and Local Liaison Committees (LLCs) (Torness, Hartlepool and Heysham are classed as LLCs as there are no current NDA facilities there) in the defence sector. Concerns remain that such groups are inconsistent in keeping the nuclear site licensee in check and that their membership is not sufficiently broad enough. The survey allowed such groups and member councils to freely put forward their views on such matters.

The report also looks at stakeholder management in the nuclear sector more broadly. The NFLA prides itself on seeking to represent its member authorities in all relevant nuclear policy stakeholder networks. It attends on behalf of its member authorities exhaustive stakeholder meetings with the UK Government, Scottish Government, Welsh Government, Republic of Ireland Government, Nuclear Decommissioning Authority, Office of Nuclear Regulation, the environmental agencies in England, Scotland and Wales, the Irish Environment Protection Agency and the local government groups NuLEAF (Nuclear Legacy Advisory Forum) and SCCORS (Scottish Councils Committee on Radioactive Substances). It also interacts at the international level in the European Union and the United Nations, through its cooperation with CNFE and the Mayors for Peace. (1)

Experience in all of these forums is inconsistent and can at times be highly frustrating in attempting to influence policy and putting forward legitimate concerns that should be acted upon. A considerable number of these stakeholder events can be heavily unrepresentative and often do not allow for adequate, real and deep engagement on important parts of nuclear policy to initiate change. For example, a useful summary on the views of anti-nuclear groups on nuclear policy stakeholder engagement has recently been made by Professor Andy Blowers:

“It needs to be said that the NGOs are experiencing considerable disillusion and frustration at the present time and a deep sense that their views and arguments are unheeded and routinely evaded as of little importance. Indeed, some NGOs question the purpose of engagement which sometimes seems more a process of legitimisation through consultation than one of interactive and open-minded engagement. Its significance lies more in the exchange of information and identifying areas of disagreement than in a more purposeful and mutual effort to understand, learn and review positions. There is a danger that the BEIS NGO Forum (as an example) becomes a ‘dialogue of the deaf’ rather than an arena for the development of consensus and cooperation or constructive disagreement as was originally intended.” (2)

Professor Andy Blowers, BEIS NGO Forum Co-Chair, December 2016

THE LOCAL GOVERNMENT VOICE ON NUCLEAR ISSUES

2. The role of Site Stakeholder Groups

There are Site Stakeholder Groups (SSGs) at all civil nuclear sites managed by the NDA in England, Scotland and Wales. They were established by the Nuclear Decommissioning Authority (NDA) shortly after its formation in 2005. It would appear they were last fully reviewed by the NDA in 2008. The NFLA understands the NDA plans to review the remit, focus, representation and effectiveness of SSGs in 2017, and this briefing therefore gives an early opportunity to engage with the NDA from the focus of more critical observers like the NFLA.

According to the NDA in its 2009 guidance briefing to Site Stakeholder Groups:

“The SSG is a standing forum for communications between the NDA, site operators and the local community. It has the overarching aim of ensuring that decisions taken by the NDA or operators that affect NDA sites are informed by the local community's views”. (3)

The primary objectives of each SSG are (4):

No.	Objective	Examples of how this could be delivered
1.	To provide an opportunity for questioning the operators, NDA and regulators on behalf of the community	<ul style="list-style-type: none"> • Info circulated by operators or NDA on local or national issues • Presentations, briefing papers and structured questioning time
2.	To receive and comment on progress reports and forward plans for the sites	<ul style="list-style-type: none"> • Receive updates on site progress • Request updates on issues of interest
3.	To represent the views of the local community through the provision of timely advice to NDA, operators and regulators	<ul style="list-style-type: none"> • Represent local views at local and national level e.g. National Stakeholder Group meetings, SSG Chairs' Forum, as well as SSG meetings • Raising issues of local concern • Responding to NDA consultations • Input on site socio-economic fund applications

As noted in the 2009 guidance briefing, the NDA advised that SSGs were **not** to be decision-making bodies, but were encouraged to submit views to relevant consultations on policy raised by either the NDA or the Site Licensing Company (SLC). The NDA also stated that the central remit of the SSG was to focus on the activity of the NDA site. Other issues, like new nuclear build, could be briefly noted, but should not take up time on the SSG meeting agenda. This issue comes up in the survey, where a number of respondents are critical that it dilutes and weakens the scrutiny role of the group.

The 2009 guidance note also said that SSG membership “should reflect the local community and its interests, as well as the operational status of the site and needs of the NDA”. As such therefore representation should include local elected representatives and politicians at all levels (councillors, MPs); local community groups with an interest in the site, including environmental groups; and other local interests such as businesses and the voluntary sector.

The guidance note also suggested that, playing an advisory role to the SSG, should include appointed representatives like the nuclear (Office for Nuclear Regulation) and environmental regulators (Environment Agency, Scottish Environmental Protection Agency, Natural Resources Wales), local trade union representatives, emergency and health services representatives, a representative of the NDA - normally the Site Programme Manager (or their deputy), representatives of the site operators (normally the Site Managing Director or his deputy) and council officers from the local councils at County, District and Parish level in England or Community Councils in Scotland and Wales. One of the issues coming from survey respondents is whether such groups are (or should be) full members of the SSG or just ‘advisors’ to the group.

The wider general public and the local media are permitted to attend SSG meetings and ask relevant questions **at the discretion of the SSG Chair**.

The guidance note outlines that representatives should put forward the issues and concerns of their own constituency and extensively report back before and after SSG meetings. It stated that the groups should only look to vote on issues relating to changes to its constitution, website and an election for the Chair / Deputy Chair and not on specific decision-making on site, which would be made by the regulators in consultation with the site operators and the NDA.

The Chair / Deputy Chair are given quite specific mandates and are supposed to be independent of the site operator and the NDA. They are expected to represent the SSG at NDA national / regional events and other stakeholder engagement processes as is deemed appropriate. As such Chairs are entitled to claim £5,000 and Deputy Chairs £1,500 on a per annum basis to fulfil their role. Other SSG members are allowed to claim from the NDA for 'out of pocket' expenses 'using the principle of best value'.

Reviews of the SSG are expected to be made at least every 5 years, when elections for a new Chair and Deputy Chair are made. The results of each review should be placed on individual SSG websites.

At present there are 14 NDA funded and operated SSGs:

- Berkeley SSG in Gloucestershire
- Bradwell Local Communities Liaison Council in Essex
- Chapelcross SSG in Dumfries and Galloway
- Dungeness Local Communities Liaison Council in Kent
- Harwell Stakeholder Group in Oxfordshire
- Hinkley Point A Site Stakeholder Group in Somerset
- Oldbury SSG in Gloucestershire
- Sizewell A Site Stakeholder Group in Suffolk
- Trawsfynydd Site Stakeholder Group in Gwynedd
- West Cumbria Site Stakeholder Group which covers Sellafield, Calder Hall and the Low Level Waste Repository at Drigg
- Winfrith Site Stakeholder Group in Dorset
- Wylfa A Site Stakeholder Group in Anglesey

The NDA advocate in their guidance note that each group should have a website, but there is real inconsistency in this area, which increases for sites where there are decommissioned 'A' and operating 'B' reactors, as noted in section 3. Most of the links from the UK Government webpage on SSGs takes the general reader to the Magnox generic website for each site, and not to a specific SSG website. To highlight further this inconsistency, the sites of Harwell and Winfrith have a combined SSG website, and the West Cumbria SSG also has its own dedicated website. Finding specific minutes, reports and so forth for each SSG can be a real challenge due to this inconsistent approach.

3. EDF / DSRL operating stations and stakeholder liaison

A further issue of inconsistency arises for those sites which have a legacy 'A' site being decommissioned and an additional generating 'B' reactor site. At the EDF sites at Hunterston, Hinkley Point, and Sizewell the activities of the generating 'B' stations are considered in conjunction with the decommissioned 'A' sites at their respective SSGs. It appears that the NDA services these groups and it is not clear whether EDF provides any specific funding for the operation of the SSGs, or if NDA funds them entirely. Such meetings appear to be divided into discussions on the generating station and then on the decommissioning work to the different managements – EDF for the former and Magnox / Cavendish Flour for the latter. (5)

At Heysham, Hartlepool and Torness, where there remain generating reactors and at present no decommissioned reactors, EDF hosts and funds Local Communities Liaison Councils (LCLCs) instead of SSGs. In the case of Heysham and Hartlepool the EDF website notes that 'a number' of LCLC meetings are held in a year. The NFLA Secretariat can only find 'glossy' EDF meeting reports for both sites rather than a detailed set of minutes with a list of attendees and discussion

points. (6) In the example of Torness, the site actually replicates the model of defence Local Liaison Committees noted below in having just one meeting a year, though it has been agreed now that this will be increased to two, with one being public and the other being 'behind closed doors'. (7) NFLA representatives from Edinburgh City Council and Midlothian Council attend these meetings, and their comments on these more limited arrangements are included in the survey noted in Appendix 1.

The Dounreay site is perhaps the most unique of all the stakeholder groups in that it covers the decommissioning of the civil test reactor site as well as the Ministry of Defence Vulcan test reactor, and it perhaps straddles the SSG / LLC stakeholder engagement discussion. Considering its terms of reference, its SSG is reflective of the same format as other NDA decommissioned sites and it meets quarterly. It invites civil and defence nuclear staff to its meetings and it appears to be fully funded by the NDA. Comments on the operation of this SSG are also made within the survey by an independent community representative. (8)

The Ramsden Dock Stakeholder Group is a further quite unique stakeholder group. It covers the activity of the dockyard close by, which is operated by INS Ltd, a subsidiary of the NDA, who own the PNTL and NDA ships transporting nuclear materials around the British Isles and globally. It appears to meet generally every six months and it has a dedicated webpage on the PNTL website. Their meetings are made open to the public, NGOs and the media. (9)

Before going into the detail of the survey on SSGs it is immediately apparent that there is real inconsistency with the operation of these groups. Some just meet annually, while others meet on a regular basis. NFLA note the significant payments to the Chair and Vice Chair. NFLA is aware that a number of SSG Chairs are either councillors of generally supportive Councils or former employees who have often worked within the nuclear industry. Our survey has shown other members, who receive no financial reimbursement, often struggle to get travel and overnight expenses paid. Finding the minutes of meetings from some of the SSGs is often problematical, and there is no consistency at all with the websites of these groups. Some, like the West Cumbria SSG, the Winfrith and Harwell SSG and the Dounreay are quite informative, whilst others appear to not have any obvious web presence, being supported by Magnox with limited NDA involvement. The survey results picks up some of these points, but it is important to note them here.

4. The role of Local Liaison Committees

Local stakeholder engagement in the defence nuclear sector is, in the NFLA's view, more limited in comparison to the civil sector. This can be partially understood due to the sensitivity of the activity at many defence nuclear sites, but most of the issues relating to LLC business relate to legitimate matters of community interest, such as safety, emergency planning and environmental discharges. There is no indication that members of any MOD LLC have security clearance to allow them to discuss sensitive material and NFLA argue that the limited engagement within the LLC remains more to do with the lack of openness and transparency in the culture of the Ministry of Defence (MOD), which is much more reticent to stakeholder engagement. This is despite the meaningful and positive interaction that was recently developed in the Submarine Dismantling Project (SDP). (10)

There are defence site Local Liaison Committees at the two submarine sites at Devonport and Rosyth. There is also a joint LLC for the Aldermaston and Burghfield sites in West Berkshire and a joint LLC for the Trident submarine facilities at Faslane and Coulport in Argyll and Bute. The BAE facility at Barrow has its own LLC as well.

In addition, though predominantly a civil nuclear facility, the Capenhurst site is fairly unique as a uranium enrichment facility managed by Urenco, with affiliated sites in the Netherlands, Germany and the United States, providing assistance to the civil and defence sector. Its role is likely to change somewhat as it has been designated as the site to shortly receive intermediate level waste materials from dismantled submarines currently located at Rosyth and Devonport. The site appears to follow the example of the MOD LLC model. NFLA notes that the Urenco website makes much of its community and stakeholder engagement, but it can find no minutes or terms

of reference for the LLC on the Urenco website. The Office for Nuclear Regulation (ONR) does note annually on its website its specific interaction with the Capenhurst LLC.

For the AWE sites at Aldermaston and Burghfield, AWE Management Ltd – a consortium made up of representatives from its three core shareholders Jacobs Engineering Group, Lockheed Martin Corporation and Serco Group that manages the site on behalf of the MOD – provide information on their website about their LLC.

The website notes:

“We place great importance on our links with the communities on our doorstep. AWE’s Local Liaison Committee is a vital communications forum as well as a focus for holding us to account for operating safely, securely and with due care for the environment.” (11)

The LLC meets quarterly, providing the opportunity to discuss matters of particular interest to local people and routinely covers:

- An overview of company activity and progress that is of interest and relevance to LLC members (this issue tends to dominate meetings and usually promotes the site in a positive light).
- Updates on emergency planning arrangements.
- Updates on company performance in environment, safety and health.
- Updates on AWE’s community outreach programme.

In its 11 page terms of reference and code of conduct, AWE notes it invites 31 representatives from the Borough Councils and Town Councils in the surrounding areas of Berkshire and Hampshire. LLC members are encouraged to submit agenda topics for discussion of interest to their local communities, although it is not clear to what extent they do this. However, the UK Government’s nuclear deterrence policy and associated scientific and technical operational matters “fall outside the scope of the LLC agenda. As a government-owned, contractor-operated organisation, AWE’s role is to carry out government policy effectively, efficiently, safely and securely. Nuclear defence policy issues are a matter for the Ministry of Defence.” (12)

The LLC is seen by AWE ML as a two-way conduit for information sharing, and ***is not a decision-making body***. The LLC is chaired by the AWE ML Managing Director or his nominated representative. The Committee also has a nominated Members Liaison Officer who will be an elected member representative who will act as a conduit of the whole committee between the quarterly meetings. That representative will be independent of AWE and agreed by the committee for a term of five years to provide support to the Chair.

Membership of the committee is restricted to councillors and MPs only (though at present local MPs rarely attend). The Committee gives equal representation to 22 Parish Councils close to the sites, as well as Reading Borough Council, Basingstoke and Deane Borough Council, West Berkshire District Council, Hampshire County Council and Wokingham Unitary Authority. The Borough, District, County and Unitary Authorities are entitled to two representatives on the LLC, with West Berkshire Council permitted three given its role in putting together the offsite emergency plan. Regulatory bodies and local emergency and health agencies are invited to be LLC Advisory Members. All meetings are held at either site and a website publishes minutes and other relevant ‘unclassified’ documents. AWE ML provides the Secretariat for meetings and senior staff attend meetings. Local NGOs, members of the public and the local media are presently not invited to AWE LLC meetings, which for NFLA is unacceptable for proper and active stakeholder engagement. In addition, a reading of the minutes of meetings by the NFLA suggest that the group has a very narrow remit with little critical discussion when serious safety issues or incidents take place. Its remit also means it is controlled tightly by the site licensee with the primary function to provide the committee only with the information it wishes them to see.

It is difficult to make a major assessment of other LLCs as there is little information on them in the public realm. Rosyth and Devonport LLCs appear to be structured in a similar fashion to the AWE LLC, though they do not meet as regularly, just once or twice a year, hardly adequate for meaningful discussion and engagement. The site operator Babcock Cavendish administers the

group, which is again made up of Council representatives, who within the survey are broadly content with the operation of the LLC. They are supposed to publish minutes and membership of their meetings. The Devonport LLC has recently started inviting members of the public and local groups to the meetings, and at its last meeting even allowed the BBC to film a part of its meeting for the local 'Sunday Politics' programme. (13) In contrast, the Rosyth LLC does not appear to be as publicly focused and does not have a webpage. At present, though they invite local council representations from Fife and Edinburgh they do not invite local NGOs, members of the public or the local media to their meetings.

The Clyde LLC appears to have even less of a public profile than the AWE, Rosyth or Aldermaston LLCs, as the survey suggests. It does invite local councillors including from Argyll and Bute and West Dunbartonshire but does not invite the public or interested NGOs. The NFLA cannot find any evidence of minutes, terms of reference, LLC membership or related matters on the web or for the public.

BAE Systems hosts an annual LLC meeting to cover the operations of the facility that builds and maintains Trident submarines. It also appears to invite local councillors, regulators, health and emergency services representatives. NFLA has found some of its minutes on the Barrow Council website, though there does not appear to be a dedicated LLC website. The minutes suggests it looks merely at local safety matters and emergency planning matters, but no issues about Trident itself. It appears members of the public and local NGOs are not invited to it.

Therefore, as with SSGs a sense of inconsistency in the operation of LLCs also pervades with even tighter control of the agenda. A more detailed consideration of the other issues around LLCs is noted below in the extensive case study of the AWE LLC by NIS.

5. The NFLA survey of SSGs, EDF stakeholder groups and defence LLCs

The NFLA has developed this survey as it has heard of real concerns from a number of like-minded groups on one side, and a discussion made within the NuLEAF (Nuclear Legacy Advisory Forum) group on its engagement with the NDA and SSGs. At the NuLEAF meeting a number of council representatives commented that such stakeholder groups are not providing the more intensive and meaningful discussion required for local authorities. NFLA has also been made aware of real frustration from NGOs with a lack of openness and transparency of defence LLCs. For example, a number of recent issues raised under the Freedom of Information Act around the level and quality of policing at the AWE Burghfield site (12), have not been considered by the LLC. Above all, NFLA are concerned that all of these stakeholder groups are not providing an effective scrutiny role of the activities of the NDA, Site Licence Companies, EDF and the MOD respectively to a standard it would wish to see.

Late in 2016 the NFLA Secretariat sent a series of questions to a range of councillors and council officers it is in contact with who attend SSGs, EDF SGs and LLCs. It was also in touch with a broad range of local NGOs who either attend or observe such meetings. The aim of the survey was to elucidate comments from those who are generally more sceptical of nuclear power or nuclear weapons and who are often usually in a minority – or unrepresented at all - on such stakeholder groups. Through additional contacts provided by some of these groups and those member authorities with the NFLA Secretariat, the survey allowed for additional contact with some representatives who may take a more neutral or supportive view of nuclear issues.

The NFLA Secretary, as Manchester City Council's officer representative to NuLEAF, took part in a group discussion with the Stakeholder Communications Manager of the NDA over local authority engagement with the organisation, and the Council officers / elected members views of SSGs. This discussion led to comments that while the SSGs can provide some useful overviews of site activity, local authorities need broader and bilateral discussion with the NDA. There remained concerns that the NDA and certain Site Licensing Companies (SLCs) are still not active enough in engagement on more contentious issues. At this meeting the NDA officer noted that the comments would help in an internal review on stakeholder engagement. (13)

The NFLA survey therefore follows on this discussion, and widens it out to include the defence sector. The survey asked the following questions:

- *How easy is it for your group / Council to formally join the SSG / LCLC / LLC?*
- *Are you allowed to put forward your group's viewpoints or concerns on relevant issues?*
- *Does the constitution of the group allow for full, free and fair discussion and voting?*
- *What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?*
- *Is the membership of the group a correct representation of relevant local communities?*
- *What role should the NDA have in the operation of the SSGs?*
- *Are you satisfied with the nuclear regulators who attend the SSGs?*
- *Should the NDA run and fund the SSGs? If not, who should? Would it be good if they were made more independent of the industry?*
- *With MOD LLCs, how can they become more transparent and open to the wider community?*
- *What other views do you have on the future operation of SSGs / LCLCs / LLCs?*

The organisations or Councils that have contributed to this survey (it was made clear to them that individual names would not be made known and that they spoke on behalf of their organisation) are:

- A member of the local NGO Bradwell Against New Nuclear Group (BANNG) who attend the Bradwell LCLC.
- A member of the local NGO Cumbrians Opposed to a Radioactive Environment (CORE) who attend the West Cumbria SSG and the Ramsden Dock LLC.
- An independent member of the Sizewell Stakeholder Group.
- A member of the local NGO Together Against Sizewell C who attend the Sizewell SSG.
- A co-opted local member of the Dounreay SSG.
- An independent member of the Hunterston SSG.
- A member of the local NGO Stop Hinkley (SH) who attends the Hinkley Point SSG.
- A councillor who is a nominated representative to the Torness LCLC.
- A council officer who is a nominated representative on the Rosyth LLC.
- An independent co-opted member of the Devonport LLC.
- A member of the NGO Nuclear Submarines Forum on their observations of the Clyde Sites LLC.
- A parish councillor who is a member of the AWE Sites LLC.

The NFLA Secretariat would have liked to have got views from all sites, but the survey does give a useful cross-section of opinion at a wide variety of sites. The unedited comments of each representative is attached at Appendix 1. The NFLA Secretariat sincerely thanks all of those who have given their time to take part in the survey.

6. Key points from the survey

There was a divergence of opinions on the effectiveness of nuclear site stakeholder engagement groups. This depended somewhat with the level of membership on the group. Council representatives were more broadly happy with the operation of the groups and being kept informed. Many of the NGO representatives were much more critical, either on the remit of the group, the opportunity for more detailed discussion and the allowing of independent experts to speak at the meetings.

A number of respondents noted that their relevant group was largely reactive in style and was not pro-active in raising wider issues and concerns of local community groups. There were a number of comments considering the participation of representatives, suggesting both a wider remit for discussion and a broader membership for more critical voices. There were also some comments made at those sites which had both decommissioned and generating reactors that the SSG should be more fully involved with and formally encompass equal discussion on both, so that legacy and operating reactor (and future new build) issues are discussed with equal value.

It is noted by a number of representatives that the agenda of meetings is often tightly controlled by the Chair and / or the funding organisations of the stakeholder group. Contributions from the public are often seen as a privilege not a right, whilst it can be difficult for external contributors to

get relevant issues on to the agenda of the group. An 'over cosy' relationship between the industry and the committee, and a general lack of challenge, is made a number of times by some of those surveyed. It was also noted that, though made up of local elected representatives, the groups are not pro-active in consulting with the local community or feeding back to them, and depend very much on interest groups and interested members of the community 'coming to them'. In this sense, does the NDA, EDF or the MOD really get to understand all of the local concerns of the community if they are not pro-actively going out to look for them?

There was a better response from some stakeholder groups when respondents said the balance of membership was good. In other cases, there was considerable frustration that the stakeholder group was not adequately taking on board NGO or community concerns due to their unbalanced nature.

There was a view that the NDA should have a more pro-active role on SSGs and not be so 'arms length' in its approach. The interface between policy and its implementation is not always obvious. There were a number of comments made on the need for a strong, independent chair to ensure full, free and fair discussion. In a similar vein, support for an independent Secretariat was also advocated.

There was support for seeing more Council officers attending, such as emergency planning officers and environmental health officers, and for such officers giving specific presentations of relevance to the meetings.

A number of respondents call for the NDA / MOD to fund independent experts to speak on technical matters to both educate the group and provide more detail on important issues of local / regional concern. This is also an issue with recompense for payment of expenses for community representatives who come from a longer distance away to attend stakeholder meetings. Similarly meeting times do not assist for members of the public who are working or are coming from longer distances. Some venues have been criticised for lack of microphones or looking too adversarial in layout.

Some respondents suggested the membership of the group should come from a larger geographical area, because of issues like transportation of materials and the NDA pushing more regional strategies in areas such as the storage of waste.

With LLCs, there was a clear request to the MOD to widen their membership to environmental, community and non-governmental groups to encourage greater openness and transparency.

There are a number of points over the lack of meetings held by LLCs, some as few as one a year. It is felt this is completely inadequate to allow for greater scrutiny or when an incident or issue occurs on the site, or is covered more directly in the media.

The Devonport LLC got a favourable response from a number of respondents where it appears the current MOD Naval Base Commander is supportive of more open stakeholder engagement. It appears difficult, if not impossible, for NGOs to join the Rosyth and Clyde LLCs.

The AWE LLC was seen as adequate by the parish councillor who responded to the survey but quite unsatisfactory by NGOs with an interest on the site.

A respondent who attends the Ramsden Dock LLC argued that the group, which runs under quite different terms of reference to the West Cumbria civic nuclear SSG, felt it should be incorporated into this group, in a similar manner as occurs with the Dounreay civil and defence nuclear sites. The respondent suggests scrutiny at the LLC level is not as deep as with the SSG.

7. NIS detailed study of AWE LLC's

There has been comparatively little independent analysis done of the progress and performance of either civil nuclear SSGs or defence nuclear LLCs, which is telling in itself.

An excellent survey, which remains just as relevant today, was a 2012 study undertaken by the Nuclear Information Service (NIS) of community liaison by AWE. This undertook a survey of members of the AWE LLC for Aldermaston and Burghfield, and an additional survey of local residents. The report did lead to some unacknowledged improvements, such as developing a constitution similar in style to the NDA SSGs, and the publication of more information about the LLC on the AWE website. (14)

The survey considered the effectiveness of the LLC in terms of representation, communication, transparency and governance in comparison with NDA SSGs using a 'traffic light' scorecard. The survey found that the LLC had a 'red' rating in the areas of representation and governance and an 'amber' rating in the areas of communication and transparency.

Some of the headline issues from that report relevant to the present situation include:

- Whilst there are sensitive issues with the work of the Atomic Weapons Establishment, they should not present insuperable issues to good community engagement. Local residents should expect the same level of engagement as at civil nuclear sites.
- It is unrealistic to expect members of the LLC to provide a role in communicating with the public on behalf of AWE about site issues.
- Although AWE is in many ways a leader and an innovator in developing best practice, the company is being let down by poor efforts to engage with local communities.
- Two out of three local residents feel that independent local groups, who are currently not permitted to attend LLC meetings, should be represented on the Committee. "Inclusion of such groups would address a notable shortfall in AWE's community involvement process".

The report makes some useful, general recommendations, including:

- The Office for Nuclear Regulation should publish a mandatory code of practice for the conduct of SSGs and LLCs. Following the introduction of such a code of practice, sites which do not meet the specified standards should have a period of one year to introduce the necessary improvements.
- AWE should clearly indicate that it wishes to adopt best practice in community engagement and adopt standards as least as good as its NDA SSG equivalent. It should engage with an experienced stakeholder engagement consultant to review the operation of LLCs.
- The Ministry of Defence should indicate as departmental policy that it expects the highest standards of stakeholder engagement in the operation of LLCs, comparative to the civil sector. LLCs need to also be adequately funded.

The NFLA survey, where it applies to LLCs, has shown real inconsistencies in the operations of each different groups. It is still very disappointing and against the spirit of good stakeholder engagement that local community groups and independent NGOs are not allowed to attend the LLCs. In the example of the Devonport LLC it appears a local community group has been invited, which has led to a greater level of support for the operation of the group.

NFLA supports the issues and recommendations from the NIS report and, though some improvements have occurred like the development of a constitution similar to SSGs, there still remain significant improvements to be made by the MOD. NFLA is also interested in the potential role of the ONR to be a 'watchdog' on the operation of stakeholder groups. One of the particular areas of concern that has come out of the survey as a whole is the great lack of consistency in the operation of such groups. The need for them to be reviewed by an independent body would be one way of improving openness and transparency. NFLA also argue that the ONR, perhaps with the cooperation of the environmental regulators, consider putting together a set of good practice guidelines for the operation of such groups.

8. Wider issues on nuclear policy stakeholder engagement management

Whilst this report has largely been about seeking independent views on the operation of SSGs and LLCs, NFLA wants to also make some wider points about stakeholder engagement in the nuclear sector, which at times leave much to be desired.

The NFLA Secretariat, as well as NFLA member and officer representatives, attend a wide range of stakeholder meetings in the nuclear sector. NFLA see this as one of its core activities to represent an important section of local government concerned with the operation of the nuclear sector.

In the past year, as an example, these include:

- The BEIS NGO Nuclear Policy Stakeholder Forum.
- The ONR NGO Nuclear Policy Stakeholder Forum.
- The NDA National Stakeholder Dialogue.
- A RWM Stakeholder Dialogue on its plans to progress a 'Generic Disposal Facility'.
- A stakeholder meeting held by the Environment Agency / Natural Resource Wales (with assistance from the ONR) on the Generic Design Assessment for the ABWR design.
- A Welsh Government stakeholder engagement on its radioactive waste policy.
- A Scottish Government Project Board on implementing its radioactive waste policy.
- The completion of the MOD Submarine Dismantling Project Advisory Group process.
- A joint regulators and UK Government series of stakeholder meetings on the process for completing the decommissioning of nuclear site and passing regulation on to other agencies.
- The Irish Environment Protection Agency Radiation Issues Committee.

The wide variety of such groups immediately shows the fragmented approach to public engagement in the nuclear sector and the lack of any real consistency between the various organisations. It should be compared with the Government's Nuclear Industry Council which brings all the core companies and industry groups supportive of new nuclear build together "to tackle long-term challenges facing the industry and to help realise future opportunities through strategic decision making". The NIC is co-chaired by Lord Hutton, Chairman of the Nuclear Industry Association and Jesse Norman, Parliamentary Under-Secretary of State, Department for Business, Energy & Industrial Strategy. The NFLA is fully aware the industry is given much more support of its needs by government than those more critical of the nuclear industry. (15)

Whilst looking at some good experiences of stakeholder engagement in the next section, it is important to note a number of increased frustrations with many of these stakeholder forums. In a large number of them, the NFLA and others are often in a small minority of 'nuclear concerned' organisations and largely out-numbered by groups with a clear stake in the industry – site employees, nuclear sector organisations, nuclear site trade unions and suchlike. In most cases there has been little dialogue and genuine mutual engagement, rather lots of presentations and 'talking at' the audience. In comparison to past processes, few of the meetings are co-ordinated by independent organisations – for example the NDA National Stakeholder Dialogue used to be facilitated by the Environment Council. In most cases as well it appears little effort has been made in recruiting a wider representation of stakeholders. It is often considered that the 'job has been done' if the local SSG Chair is at the meeting and he or she is an adequate representative of the local community.

In the BEIS and the ONR Forums, which are quite different to the others noted above in that there is an express membership of local and national NGOs, there has been some attempt to listen to the NGO representatives, but a real frustration remains that policy rarely, if ever, actually changes with few meaningful actions implemented as a result of meetings. The very close relationship between government and the nuclear sector and the desire to develop new nuclear reactors lies at the heart of this issue, as stakeholder engagements have moved away from more consensual operations between both sides of the debate, into a more polarised fashion. In the area of regulators, concern remains that regulators have an overly cosy relationship to the industry. Professor Andy Blowers gives a useful explanation of this paradigm, attached as Appendix 2, of some of these frustrations.

It has been noticeable that neither the NDA, EDF, nor the MOD, has sought to develop such a Forum with NGOs, and has often seen its SSG / LLC model as sufficient for local stakeholder engagement. The survey clearly notes some deep frustration with such a model from groups

concerned about NDA / EDF / MOD nuclear activity. Various suggestions for improvement contained within the responses and in the recommendations of this report should be looked at carefully by these agencies.

One excellent point made in the survey comes from the Bradwell Against New Nuclear Group: “However, the LCLC does not engage in participative democracy. There is little evidence that it consults its constituents (though the regulators and operator are expected to consult and do so though their effectiveness may be questioned). Groups such as BANNG effectively are representing the public in a participative sense. We are a special interest group focused on and knowledgeable about the nuclear industry and, therefore, able to challenge and criticise and protest when necessary. ‘Correct’ representation must include those who are capable of reaching the public and capable of deploying expertise in deliberative forums”.

Such a point is illustrative of all such groups who want to be both consulted, but are also allowed to be more effectively involved in nuclear site discussion and engagement. In groups where there is seen as an ‘independent’ chair not closely linked to the nuclear industry (for example at Sizewell and Hunterston), there are more positive comments made, but even here real frustrations remain.

To try and give some examples of what have been seen as effective stakeholder engagement that the NFLA has been involved in, and why it has been seen in that way, four have been put forward – the former BNFL Stakeholder Dialogue, the first Committee on Radioactive Waste Management and its initial findings, the Ministry of Defence’s Submarine Dismantling Advisory Group and the Irish Environment Protection Agency’s Radiation Issues Committee. The following section will briefly explain some of the reasons why they were / are seen as good examples of stakeholder engagement.

9. Four good examples of nuclear policy stakeholder engagement

i) BNFL Stakeholder Dialogue

The BNFL Stakeholder Dialogue came out of an exhaustive amount of challenge by stakeholders of British Nuclear Fuels (BNFL) Ltd up to the point its role was subsumed by the NDA. It came out of exploratory discussion between BNFL, the Environment Council and a number of key identified stakeholders (national NGOs like Greenpeace, independent consultants and groups like the NFLA) in the late 1990s. This led to a stakeholder workshop in 1998, to which over 100 invited stakeholder were invited to attend. As the independent report of this process noted: “One outcome from the workshop was a willingness from all present to commit their organisations to an ongoing dialogue between BNFL and stakeholders around the aim of: ‘informing BNFL’s decision making process to the improvement of their environmental performance in the context of their overall development’ ”. (16)

The dialogue led to the creation of 9 Working Groups across all aspects of BNFL operations – overall co-ordination, radioactive waste, spent fuel management, plutonium, business futures, security, discharges, socio-economic development and evaluation of overall activity. Each group made recommendations, which were all publicised widely on the Environment Council website.

The Dialogue operated through ‘maintaining and developing clarity about the role of the players within it’. To do this each group had ‘process managers’, ‘conveners’ and ‘independent facilitators’. BNFL was seen as the ‘problem holder’ and the sponsor of the dialogue. Stakeholders were drawn from 8 constituencies – local communities, customers, other NGOs, regulators, the company, environmental NGOs, government and the workforce.

Throughout the Dialogue, the process was one of learning and a range of tools, frameworks and methods were developed, reviewed and revised. These included an evolving set of ground rules, an ongoing discussion on the aim of the Dialogue, clear objectives and a terms of reference for the working groups, the use of scenario development and decision making tools and ensuring an adequate level of record-keeping.

The evaluation of the Dialogue concluded that a key part of its success was the real effort to ensure legitimacy was gained by all those who were involved within it. The use of ‘reflectors’

(reflector is a term commonly in use in participative processes - here it is used to describe a Dialogue stakeholder who participates in the Dialogue without a clear mandate or association in order to present the general views of a sector) was widely welcomed by environmental groups.

Collaborative negotiation and structured decision making were also valuable in bringing genuine discussion. A constant review of stakeholder representation assisted greatly and a careful management of stakeholder expectation improved policy processes. As a result the development of 'trust' – so often lacking in today's nuclear policy debate – and working together effectively grew. Recompense for time and expenses was also made. Real effort was also made to take on board all viewpoints. Real improvements to the culture of BNFL and on actual policy processes of the company were made at the time.

Extensive information on this process remains available from the Environment Council, and the NFLA encourages the NDA, MOD, ONR and other organisations conducting nuclear stakeholder policy engagement to consult with it. What was disappointing for many involved with this policy process is the recommendations that were made have largely been ignored since BNFL was subsumed under the Nuclear Decommissioning Authority.

ii) CORWM 1 2003 - 2007

The first incarnation of the Committee on Radioactive Waste Management (CORWM) was as an independent committee with the singular objective of recommending the options, or combination of options, that could provide a long-term solution of managing radioactive waste whilst protecting the public and the environment. Unlike subsequent memberships of the committee, its initial invite included experts from across a wide level of academic disciplines and with the broad support of NGOs and groups like the NFLA. CORWM's remit was to be confined to the UK's existing inventory of radioactive legacy wastes, with no consideration given to nuclear new build.

As one of its members, Professor Andy Blowers, notes in the recently published book 'The Legacy of Nuclear Power', CORWM developed four knowledge streams which were brought together into an integrated report with recommendations. This included a scientific knowledge stream using Multi-Criteria Decision Making (also used in the Submarine Dismantling Project below). An extensive "...Public and Stakeholder Engagement (PSE) programme involving around 5,000 citizens in forums, open meetings, round tables, workshops and projects of various kinds. This amounted to a prodigious effort to distil the multifarious perspectives, values and preferences into a coherent, consensual set of 'common judgements on common interests founded on reason and argument'". An innovative ethical knowledge stream considered issues of fairness, intergenerational and intra-generational equity, procedural fairness, responsibility and democratic decision-making. The fourth stream looked at the international experience.

Whilst recommending a deep underground radioactive waste repository and a robust programme of interim storage, CORWM 1 also recommended research and development into the long-term safety of geological disposal and the possibility that 'alternative long-term management options might emerge' should be left open as an option.

As Professor Blowers notes: "CORWM's implementation report was a paean to all the principles of the discourse of Consensus and Cooperation covering openness, transparency, deliberation, ethics, integration of knowledge and democratic decision making." Principles of volunteerism, partnership and community benefit packages to facilitate participation and acceptability were all set out and are still part of the policy discourse to the present day. (17)

Though NFLA may disagree with the concept of deep geological disposal as being the appropriate long-term solution for radioactive waste management – it would consider the alternative pursued by the Scottish Government as more suitable – it does see many of the stakeholder engagement exercises developed by the CORWM 1 process as providing a blueprint for the nuclear sector. Sadly, the sector has not moved in this direction as government and the industry 'cherry-picked' the areas that suited them from its recommendations. It also added in the potential for a repository to be used to encourage the development of new nuclear reactors and new forms of radioactive waste.

iii) Ministry of Defence Submarine Dismantling Project

For many years, the Ministry of Defence's attempts to get stakeholder engagement and consent for what action it should take to dismantle over 25 redundant nuclear powered submarines based at Rosyth and Devonport was a classic example of a frustrating stakeholder policy process. NFLA was involved in this process from its very outset, when it was called the ISOLUS (Interim Storage of Laid-up Submarines) Project. This early stage of the project involved extensive stakeholder engagement, but much of it was difficult, at times involved rancour and was eventually deferred by the creation of the Committee on Radioactive Waste Management, so as to seek their views on interim radioactive waste storage.

With a new independent facilitator, the Submarine Dismantling Project Advisory Group, as it became known, slowly moved forward with finding solutions. What greatly improved the development of trust was the creation of a small sub-group of the Advisory Group established to move the project forward by allowing the Ministry of Defence (MOD) to talk in a more open fashion. The sub-group was made up of independent nuclear policy consultants, a nominated and respected representative from the NGO movement, the local authority nuclear policy groups (NFLA, NuLEAF and SCCORS), and an industry representative. All agreed to sign a non-disclosure agreement to allow the MOD to share more sensitive information and their plans for moving the project forward. Over a period of around 2 years the advice from the sub-group enabled two largely successful stakeholder meetings and national level public consultations over how submarines would be dismantled and to determine the final site for interim storage of reactor pressure vessels containing intermediate level radioactive waste. The group allowed for full and frank discussion and for the MOD Project Team to more fully understand the perspectives of each stakeholder constituency. Key decisions of the sub-group were transmitted regularly by email by the independent Chairperson and at the full Advisory Group meetings.

As a result the final decisions of this long engagement process received a greater level of stakeholder consent and more importantly engendered a level of trust between the MOD, regulators and its stakeholders. It remains disappointing the MOD does not develop similar processes for other parts of its nuclear policy, but it has been noticeable that the process has somewhat influenced the improvement of local engagement with the development of a long-term solution to deal with radioactive materials on the coastline at Dalgety Bay, Fife. In this case, NFLA has played a supportive and advisory role to Fife Council. NFLA remains concerned similar problems could exist at other former and existing MOD facilities. (18).

iv) Irish Environmental Protection Agency Radiological Protection Advisory Committee

NFLA has consistently taken an interest in whether exposure to low levels of radiation has an impact on human health. It regularly responds to reports and consultations in this area and often commissions independent consultant experts to provide research and presentations on the subject matter. For a number of years it has cooperated with KIMO International to raise issues over marine radiation discharges with the OSPAR Inter-governmental Commission. (19) NFLA has also actively supported the production of a series of Low Level Radiation and Health Conferences. In March 2016 it brought together a number of independent radiation health specialists together at a special conference, 'Beyond Nuclear', to look at long-term health issues from the Chernobyl and Fukushima nuclear disasters. (20)

Effective stakeholder dialogue on this matter in the UK with the independent COMARE (Committee on Medical Aspects of Radiation in the Environment), and internationally with the World Health Organisation and the UN body UNSCEAR (United Nations Scientific Committee on the Effects of Atomic Radiation), has proved very difficult, and at times impossible. Through the DECC (now BEIS) NGO Forum a one-off meeting with COMARE was organised, but it has proven very difficult to get a follow-up meeting and ongoing critical engagement with COMARE simply has not been able to take place. A new proposal from NGOs to government is attempting to move that log-jam.

In 2015, the NFLA Secretariat was contacted by the newly formed Secretariat of the Irish Environmental Protection Agency (EPA) to nominate a representative to join a Radiation Protection Advisory Committee. To be asked by a government agency to join a stakeholder nuclear policy group is to be welcomed, and its early progress has been encouraging.

The Committee is made up of twelve members nominated by organisations with expertise relevant to the radiological protection functions of the EPA. The NFLA nominated Dr Paul Dorfman, Honorary Senior Research Associate at the UCL Energy Institute, as their representative. The Committee has responded to NFLA's concerns about the potential impact of radioactive pollution from operations at Sellafield on Ireland by commissioning two independent studies. The first detailed the economic costs of a major accident, the second attempted to quantify the health impact of such an accident. The economic study clearly laid out the clear and present danger that UK nuclear presents to Ireland, stating that a major accident would essentially bankrupt the Irish State. However, the health impact study was more equivocal, even less rigorous, as it was only based on probabilistic risk assessment data from Sellafield itself. The study did not take into consideration the key issue: the so-called 'Beyond design-based cascading accidents' - involved in all major nuclear accidents so far. NFLA are seeking to challenge this report at the Committee's upcoming meeting. (21)

It has been a welcome development to see this committee established and it has significantly improved the NFLA All Ireland Forum's interaction with the Irish Government on radiation safety matters. In this area, the NFLA are being seen as a legitimate stakeholder whose involvement can benefit Irish radiation safety policy. As its work develops, NFLA hope it can positively influence policy in this important area, and would like to see an equivalent body established in the UK. NFLA also welcome that the EPA pays full travel and accommodation expenses for its representative. It would welcome it considering a further payment for its representative's time at, and preparing for, these meetings. It will make that follow-up request shortly.

10. International stakeholder engagement – a different way to improve policy processes

At a recent national stakeholder meeting organised by Radioactive Waste Management (RWM) Ltd (at which just the NFLA and Nuclear Waste Advisory Associates were the only anti-nuclear representatives invited in audience of over 100 people), much was made of their engagement with Swedish and Finnish equivalent bodies who have progressed national projects for managing their radioactive waste stocks. (22)

NFLA would welcome UK nuclear industry organisations and the UK Government seriously looking at the Swedish and Finnish model for nuclear policy stakeholder engagement. In the Swedish example, the Swedish state and its radiation waste body has actively funded an exhaustive level of grass-roots stakeholder engagement to find a location for storage of Swedish higher and intermediate level waste. It has even established a Nuclear Waste Fund that helped Swedish environmental NGOs to establish a fully resourced independent organisation, MKG, to provide specialist challenge to the industry and government on radioactive waste management policy. MKG is made up of a coalition of groups including Nature and Youth Sweden, the Swedish Society for Nature Conservation in the county of Kalmar, Öst – the local public opinion group for safe storage of radioactive waste, and the Swedish National Society for Nature Conservation.

As its website notes: "MKG is an environmental NGO primarily funded by the Swedish Nuclear Waste Fund. We represent an unbiased voice of reason in a debate where a specific method of disposing our nuclear waste is being presented as a definitive solution, despite the fact that recent scientific studies suggest that the method is seriously flawed...For obvious reasons, it is our firm belief that the process of deciding on a final repository for our spent nuclear fuel should not be about saving face. It should be about admitting when one is wrong, and proceeding accordingly". (23)

NFLA understands that MKG's budget is sufficient to allow it to play an active role in the Swedish radioactive waste debate and its independence is guaranteed, despite considerable central government funding for it. NFLA is fully aware it and many UK and Irish-based nuclear policy and environmental NGOs are at present poorly financed and 'stakeholder fatigue' grows due to this general lack of resource. It encourages the UK Government, the Irish Government, devolved governments in Wales, Scotland and Northern Ireland, the NDA, RWM and nuclear regulators to consider how much more the positive stakeholder engagement in Scandinavia can be replicated in the UK and Ireland. Resource is clearly a part of that success.

11. Conclusions and recommendations

This Policy Briefing, and the survey of a range of representatives attending civil and defence nuclear site stakeholder groups, suggests there is an urgent need for considerable review and reform of such groups. It also suggests there is a parallel need for some kind of independent regulation or review of such groups to make them more representative, participative and effective. The comments made by the individuals noted in Appendix 1 should be read carefully by the NDA, MOD, RWM and nuclear regulatory agencies, as well as by government who should actively consider this within a wider discussion on the effectiveness of nuclear policy stakeholder engagement. The NFLA Secretariat also recommends that all of these organisations should engage with the comments made by the BEIS NGO Forum Co-Chair Professor Andy Blowers noted in Appendix 2 and in his recently published study of international stakeholder engagement at the sites Hanford, Sellafield, Cap de la Hague and Gorleben. (24) An extensive engagement with the Swedish and Finnish stakeholder management processes, and an active support of all sides of the discussion, is also beneficial and a practical example of good practice in this area.

Much of the decline in the quality of stakeholder engagement comes out of the UK Government's dedicated (and in the NFLA's view, misguided) policy to build new nuclear power stations, which has damaged previous consensus on nuclear legacy matters and politicised the debate between jobs, energy security and alternatives to nuclear power and fossil fuels. That has often seen stakeholder engagement being seen as playing 'lip service' and 'box ticking exercises' from those with genuine and well researched concerns across all constituencies of interest. All agencies involved in nuclear policy stakeholder processes should review their engagement strategies and not see the anti-nuclear movement as an enemy to be resisted at all times but in many areas as a 'critical friend' with many valid points to make and to be listened to. NFLA has worked consistently to be such a body, and is getting increasingly frustrated at the poor level of engagement that is often provided by the nuclear sector.

Specific recommendations NFLA take out of this survey and its experience of stakeholder engagement include:

- There needs to be greater consistency in the operation of NDA SSGs, EDF LCLCs and also on nuclear legacy and nuclear new build discussions with overall decision-making.
- The representation of civil and defence nuclear stakeholder groups should be reviewed by the MOD, the NDA, Magnox sites run by Cavendish Flour and EDF Energy. There needs to be dedicated and consistent websites publishing meeting minutes, a regular schedule of meetings and a consideration of widening the scope of discussion in civil and defence nuclear site stakeholder groups.
- ONR should convene a working group, with balanced membership from industry, local authorities, and NGOs, to prepare a set of good practice guidelines for the operation of SSGs / LLCs / LCLCs.
- The generous funding of the Chair and Vice Chair of stakeholder groups should be reviewed in parallel with paying appropriate expenses for individual members. Considering membership on a wider regional rather than just local basis should be looked at as well.
- A more participative approach to all nuclear stakeholder meetings should be welcomed and encouraged.
- Nuclear regulators should review their role on such groups and reflect on the comments made by survey respondents.
- MOD LLCs and EDF LCLCs should be made fully open to the public to attend and relevant NGOs should be allowed to be members of them. All meetings should be held at times to allow for the public to attend them.

This report will be sent by the NFLA Secretariat to all agencies involved in nuclear policy stakeholder engagement, to NFLA member authorities, to the Secretariats of NuLEAF and SCORRS, to the respondents of the survey and nuclear policy / environmental NGOs, and to the UK, Irish, and devolved Governments in Scotland, Wales and Northern Ireland. It is hoped all agencies will engage with it and seek the improvements which will enhance and improve all aspects of effective nuclear policy development.

NFLA believe it is imperative to improve nuclear policy stakeholder engagement and sees this report as a way to try and shift the mind sets of the agencies it engages with.

12. References

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<https://www.niauk.org/wp-content/uploads/2017/03/The-Nuclear-Industry-Council.pdf>
- (16) CAG Consultants Ltd, 'An Evaluation of the BNFL Stakeholder Dialogue', July 2004. The report was provided to the NFLA Secretariat by the NFLA Scotland Policy Advisor, who was involved in the Dialogue whilst working for Greenpeace. The documents should still be available from the Environment Council and the NDA, who took over nuclear facilities from BNFL. The NFLA still has access to many of these documents which have been archived.
- (17) Andrew Blowers, 'The Legacy of Nuclear Power, Routledge, 2017.
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- (18) NFLA Radioactive Waste Policy Briefing 42, 'The Radium Legacy and other contamination problems', October 2013
http://www.nuclearpolicy.info/docs/radwaste/Rad_Waste_Brfg_42_Dalgety_Bay_%26_the_wider_radium_legacy.pdf
- (19) NFLA has presented its concerns to a number of OSPAR Radiation Substances Committee. These can be found in the NFLA website 'Policy Briefings Archive'. The most recent being NFLA Policy Briefing 94
http://www.nuclearpolicy.info/docs/briefings/NFLA_Briefing_94_OSPAR_RSC.pdf
- (20) All the presentations from the March 2016 Beyond Nuclear presentations, including video clips of speakers can be found at <http://www.nuclearpolicy.info/category/presentations> and scrolling down to it.
- (21) Information provided to the NFLA Secretariat by Dr Paul Dorfman. A PowerPoint presentation which provides further background is available by emailing the NFLA Secretary – s.morris4@manchester.gov.uk
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NFLA Survey of Site Stakeholder Groups and Local Liaison Committees

This survey of the work of SSGs and LLCs has involved contacting either NGO representatives from local groups who monitor the activity of nuclear sites across England or Wales. In a number of cases the comments given are by a councillor or council officer. Individual names have not been mentioned in the survey to ensure confidentiality, but the group or Council they represent has been noted where relevant. An attempt has been made to try and get comments from as many of the stakeholder groups as possible, but in some cases the NFLA Secretariat has not been able to establish an independent contact. The list though gives a good representative flavour of most nuclear site liaison groups.

Civil nuclear sector Site Stakeholder Groups

1. *Bradwell Local Communities Liaison Council – the views of the Blackwater Against New Nuclear Group (BANNG), which scrutinises the decommissioned Bradwell Magnox nuclear power station and developments for a new Chinese-led nuclear reactor*

i. Introduction

BANNG's comments reflect its experience of the SSG for Bradwell which is called the Bradwell Local Communities Liaison Council (LCLC). The LCLC is a local authority based group, not a stakeholder based group. Therefore our comments apply to groups with a similar constitution although we also make some reflections and recommendations capable of broader application.

It would be fair to say that BANNG finds the organisation and processes of the LCLC unsatisfactory. Although we have access to meetings and maintain correspondence, we find the procedures exclusive and generally unfriendly to a citizens based organisation such as ours. Furthermore, we consider the LCLC does not properly fulfil its remit as representative of the communities around the Blackwater estuary. Little effort is made to acquire the views of the communities and the LCLC tends to adopt an uncritical and supine position with respect to Magnox, the company responsible for decommissioning the Bradwell site. The LCLC leadership tends to be responsive to the nuclear industry and regulators but fails to attend to the criticisms raised by us or to deliberate issues which we believe to be of public concern. In short, from our perspective, the LCLC has become unrepresentative, unhelpful and narrow in its present form. At a time when Bradwell is in process of moving from decommissioning to care and maintenance a review of the LCLC is both necessary and timely. BANNG believes there is a continuing function for a community liaison group so long as there is a radioactive presence on the site. But, the composition of the group must be widened and its remit broadened to incorporate the neighbouring site presently in the ownership of EDF, one of the sites identified in the National Policy Statement for Nuclear Energy as potentially suitable for the deployment of new nuclear power reactors.

Q1 How easy is it for your group to formally join the LCLC?

The LCLC is composed of local councillors (County, District, Parish) covering a wide area within Maldon, Colchester and Tendring district councils. Members of the public are able to attend and may be permitted to contribute. They may raise issues but do not have voting rights. There seems to be no provision for a group such as BANNG to be a formal member of the LCLC.

Q2 Are you allowed to put forward your group's viewpoints or concerns on relevant issues?

BANNG is given the opportunity to speak to matters on the Agenda and does use this facility to raise other issues. However, it can prove difficult to raise matters not formally on the Agenda and contributions are not always welcomed. The distinction between members and public is made clear. Contributions from the public are, therefore, a privilege rather than a right.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

Voting is restricted to members of the LCLC. Participation of non-members is at the discretion of the Chair who emphasises his role in this regard. Although a degree of freedom is allowed, discussions are apt to be curtailed or forestalled if they are deemed to be unhelpful. A major problem is the nature of the Agenda which consists primarily of reports from regulators, operators and the NDA. This encourages long presentations followed by friendly and unchallenging comments and questions. There is a somewhat incestuous and cosy relationship between the industry and committee with the public kept somewhat at arms' length. It does not work well as a deliberative engagement where a more challenging, even oppositional approach might be encouraged. There is little opportunity for more general and wide-ranging discussions. As a forum for community representation, the LCLC fails in that it makes almost no effort to consult or engage with the wider public it is supposed to serve.

Q4. What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

See above Q3. It may be added that BANNG's experience is that any challenge tends to come from ourselves or other members of the public. There is a tendency on the part of LCLC members to defer to and defend the operators and regulators rather than extend and probe. They are normally satisfied with reports and presentations and any criticism tends to be put in a deferential fashion. There is sometimes an impression that the operators would welcome challenge and a more open and contentious debate on some matters. Certainly that is what they get when they undertake public consultations elsewhere, notably on Mersea Island.

Q5. Is the membership of the group a correct representation of relevant local communities?

The LCLC is established as a democratically representative forum composed of elected representatives nominated by local authorities and parish councils. They operate according to council style protocols (reports, discussion and then decision). Political representatives represent the interests of their communities but, as members of councils and the LCLC, must represent the wider community also. They are generalists, not specifically selected for knowledge or interest of nuclear matters. The area covered by the Bradwell LCLC is sufficiently spread to encompass the geographical territory affected by Bradwell in terms of employment and environmental impact (though this is a debatable matter given the transboundary character of nuclear risk). In general, it is fair to say the LCLC is representative of relevant local authority interests.

However, the LCLC does not engage in participative democracy. There is little evidence that it consults its constituents (though the regulators and operator are expected to consult and do so though their effectiveness may be questioned). Groups such as BANNG effectively are representing the public in a participative sense. We are a special interest group focused on and knowledgeable about the nuclear industry and, therefore, able to challenge and criticise and protest when necessary. 'Correct' representation must include those who are capable of reaching the public and capable of deploying expertise in deliberative forums.

Q6. What role should the NDA have in the operation of the SSGs?

At present the NDA is somewhat arms' length in its relationship to SSGs. Its public face is more often the site operator rather than the NDA itself. Policy for decommissioning, clean up and care and maintenance is determined by the NDA and implemented by, in our case, Magnox. There is a crucial interface between policy and implementation and the operator and the NDA each has a critical position and not always, we suggest, in agreement. For instance, Magnox has carried out dissolution of FED and discharge into the Blackwater estuary which is highly contentious. It is Magnox that ostensibly carries the responsibility with the local public though it is the NDA that has introduced the policy. This seems at variance with its stated policy that unnecessary introduction of radioactivity into the environment is undesirable and supports a policy of 'dilute and disperse' in preference to 'concentrate and contain' which could be achieved by on-site storage. Similarly, the NDA has developed a policy of regional stores, Bradwell being one, for the interim management of ILW which we are currently challenging. We believe the NDA should be more directly accountable for its actions to local communities.

Q7. Are you satisfied with the nuclear regulators who attend the SSGs?

It is not clear if this question relates to satisfaction with the regulators *qua* regulators or with those who appear at the LCLC meetings. Both the ONR and the EA produce detailed reports and send senior representatives to LCLC meetings. It is evident they take their role seriously, at least in terms of setting out what they are doing. However, some of the regulatory work is contentious, for instance permits for discharge into an estuary. The nature of the LCLC as set out above is not an adequate forum for full discussion and disagreement over some issues. Indeed, such debate is sometimes discouraged as unnecessary and unwelcome since it challenges expert opinion. Therefore, regulators attending these meetings are constrained in what they discuss. To be fair, at least to the EA, they attempt wider public consultation and senior officials have met with BANNG to discuss discharge permits and other matters.

Q8. Should the NDA run and fund the SSGs? If not, who should? Would it be good if they were made more independent of the industry?

This is a difficult question. At first sight it seems obvious; of course SSGs should be independent of industry. On the other hand, industry is responsible and needs to be called to account and so should be expected to fund (if not run) consultative processes. The problem of independence is more cultural than structural. In principle, SSGs provide for an independent and representative check. They are an integral part of a legitimisation process. In practice a culture of interdependence develops whereby SSGs suffer role conflict inherent in both criticising and defending the industry. There are also conflicts of interest. Industry acts in the role of developer requiring permits and permissions and SSGs that are local authority based have a role in granting them.

The regulators perform a more independent function although there has been recent criticism of their role. Although they must give priority to safety and public protection this is open to interpretation becoming a relative not an absolute concept. Principles such as ALARA, dilute and disperse, concentrate and contain etc. take into account a need to balance maximum risk reduction against cost of actions.

Given that both SSG members and regulators are, to an extent, compromised in their independence, it might help if SSGs contained members of protest and action groups as well as members of the public (whatever they might be). Although such groups are not strictly independent and have an agenda to follow they would intensify the challenge and criticism that is missing from the somewhat cosy, implicitly pro-nuclear culture of the LCLC (and possibly other SSGs).

The model would be more adversarial than consensual but this is how local democracy tends to function. BANNG does not believe a model based around facilitation would necessarily be helpful since some key issues are divisive and must be resolved by decision rather than agreement on all sides.

Whatever model is preferred, we consider funding should come from the industry as it does now. It is in the interests of industry to ensure sufficient funding for effective consultation and engagement. To ensure independence, funds should be devolved for distribution by the SSGs. It needs to be emphasised that funds from the NDA are, in effect, taxpayers' money and provided to support the public interest.

Q.9 With LLCs how can they become more transparent and open to the wider community?

BANNG has no knowledge of the operation of LLCs which affect MOD sites and, therefore, we have no comment on this question.

Q.10 What other views do you have on the future operation of SSGs?

A detailed answer to this question can be derived from our answers to the questions above. In sum, BANNG considers the present model for the LCLC of which it has experience is no longer functional for the purposes it should serve. It is an exclusive model based on representation of elected local authorities. Public interest groups and the public may attend and participate by invitation but their role is clearly subservient. The process at meetings tends to be presentation of reports (from relevant authorities) and response, rather than issues and debate. Meetings tend to be formal rather than deliberative. However, the meetings are relatively open and detailed minutes are provided and available to the public.

BANNG believes SSGs should be reviewed and reformed. A new model should have the following characteristics: continue and develop openness and transparency; extend membership to include groups from civil society and interested public; operate in a deliberative but decisive mode of discussion; extend remit to include new build operations where appropriate; establish a set of principles and terms of reference to reflect the aims and purpose of the organisation.

2. West Cumbria Site Stakeholder Group (covers Sellafield and Drigg) / also comments on Ramsden Dock (BAE Barrow) Local Liaison Committee – views of the local pressure group Cumbrians Opposed to a Radioactive Environment (CORE)

i. Introduction

CORE has attended the various forms of Sellafield stakeholder meetings since 1989. The current version - West Cumbria Sites Stakeholder Group WCSSG (which includes Drigg) holds two 'Main Group' meetings per year which are designated as Scrutiny meetings. Two further (non-scrutiny) meetings (on random issues) are held between the Main scrutiny meetings. The old sub-committees are now titled as Working Groups (not sure why) and comprise Groups on Environmental Health, Risk, Hazard Reduction & Waste, Spent Fuel Management & Nuclear Materials, Emergency Planning and the Low Level Waste Repository at Drigg. When necessary a new working group is set up (on a temporary basis) to deal with any new issue arising. These Working Groups are held 3-4 times a year and a summary of the 'work' by the respective Groups is presented to the two Main Group meetings.

All meetings are open to the public. At main group scrutiny meetings CORE is usually the only public attendee with other seats occupied by a handful of NDA/industry personnel. Other than CORE, no member of the public ever attends the working group meetings

CORE routinely attends the Main Group meetings, the Environmental Health and Spent Fuel Management working groups – as observers. All meetings are held at Cleator Moor on weekday afternoons. As can be seen from WCSSG's official constitution (attached), one seat on the main and working group 'committees' is reserved for 1 NGO rep. CORE has been asked several times to take up that place but has always declined on the basis that (a) we would always be out-voted (by the pro-nuclear/union component of the committees) and b) because we believe we can be more effective working 'outside' the committees.

There has been some progress in improving the 'quality' of the meetings since 1989 when observers were not allowed to ask questions. Largely from CORE pressure, this was subsequently amended to allow questions to be submitted in writing to the Chairman in advance of the meetings – and since 2005 (when NDA was established) to raise questions on and cross examine each presentation to the Committee. The current format of the Main Group meetings allows for four initial presentations – Sellafield Ltd, NDA, EA and ONR – with a Q&A session at the end of the last presentation. Further presentations are then made by Drigg + regulators on Drigg, working group updates + a further Q&A session, and AOB.

The one exception to the above is the Ramsden Dock Local Liaison Committee which meets in Barrow-in-Furness twice a year to hear the shipping (INS) and rail (DRS) news relating to events at the Ramsden Dock nuclear terminal. Run by Barrow Borough Council, the LLC operates under a set of rules that differ from those of WCSSG. CORE has attended these meetings since 1989 – usually as the sole member of the public – and, given the importance of nuclear transports and the major role they play in Sellafield's commercial operations, has consistently requested that it should become part of the wider WCSSG system and operate under the same rules. Other than the infrequent appearance/presentation by INS to WCSSG's spent fuel management working group, the LLC remains the odd man out and independent of the general WCSSG loop.

Specific answers to NFLA's questions:

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

As per above, there is an open invitation to CORE to join

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

Yes and on a couple of occasions, at the request of committees have provided presentations. Questions that presenters are unable to answer at the time are subsequently answered by email or, very occasionally, via a specially convened one to one meeting when commercial/security issues are involved. As the transcripts show, CORE's questioning is a routinely dominant part of the proceedings.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

Generally yes, though no committee member is likely to cast an anti-nuke vote

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

Not much, and when they do it is usually on supply chain issues rather than operational issues. With some exceptions councillors rarely or never say or question anything and have a surprisingly poor grasp of Sellafield operations and nuclear events around the world.

Q5 Is the membership of the group a correct representation of relevant local communities?

Just about.

Q6 What role should the NDA have in the operation of the SSGs?

A more positive, transparent and inclusive role than it has currently.

Q7 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

Generally yes. No complaints about the EA. ONR has a large turnover of reps resulting in a certain lack of continuity and still comes across as being rather too close to the industry.

Q8 Should the NDA run and fund SSGs? If not, who should?

Yes, as there appears to be no other entity capable or willing to take on the role.

Q9 Would it be good if they were made more independent of the industry?

Yes.

Q10 With LLCs, how can they become more transparent and open to the wider community?

With some difficulty! Other than NGO's with a vested interest in local nuclear issues, the meetings are viewed by the wider public as being either too technical or incredibly boring.

Q11 What other useful views do you have to the future operation of SSGs / LLCs?

The current WCSSG system falls down on the following:

- Meetings are not routinely advertised in the local press as per the Groups constitution.
- There is seldom any press interest in the Main Group scrutiny meetings – and none in the working groups. When articles are published they are generally confined reflect social & economic or supply chain issues rather than commercial operation matters and are usually devoid of any CORE input to the meetings.
- Whilst officially independent of the industry, WCSSG's chairman is ardently pro-nuclear/pro Sellafield. This has been par for the course over the years for successive Group Chairs and Vice-Chairs.
- Provided by Sellafield Ltd, the WCSSG secretariat does a reasonably good job with the exception of i) the failure sometimes to get the presentation documents up on the WCSSG website in advance of the meetings as per the constitution and ii) to get the meeting transcript on the website within the stipulated time.
- Other than that relating to the Main Group, transcripts of the working group meetings are virtually non-existent – replaced by brief summaries of the proceedings which leave large gaps in the dialogue – so pretty useless as an archive.
- A microphone system is used only at Main Group meetings which are held in the large hall at Cleator Moor. Working group meetings are held in a smaller side-room where, without microphones, the seating arrangements (committee around the table, public along the walls) make it almost impossible to hear the presentations clearly.

Overall view of CORE: Could do better.

3. Sizewell Stakeholder Group – views of a councillor representative and separately of the local group TASC (Together Against Sizewell C) who attend the SSG

a) Views of a councillor representative on the SSG –

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

The SSG at Sizewell is made up of elected representatives from Parish councils in geographic areas (those closest having one person, then sharing between two or three further away) with one rep from the District and one from the County Council, and members from various organisations – to apply they contact the Chair and now there is no vote to approve/deny membership so all are welcomed...previously a vote would take place and unfortunately some groups were not successful in their application. The 'local government model – of elected representatives speaking on behalf of the public' does provide a good foundation for the SSG but needs to be balanced with direct public representation/attendance. For example; our MP attends but represents the National Government viewpoint, not the views of all constituents.

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

Members can ask questions or comments on all matters on the agenda and can share views of those they represent. I am going to introduce a new item where Members can also share reports or bring matters not on the agenda for discussion. Members of the public are welcome to attend and we have a public forum/time for questions specifically from the public at the start of each meeting, they can also ask questions during the meeting of all speakers/reports. All meetings are held in public, in neutral community venues which are accessible and not private/not on site.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

We do not vote, discussion is open, and respect for all views is encouraged. See above for more information. Only problem is that NDA has refused previously for the SSG to pay for a speaker (from their own budget) to help us understand a technical issue (related to stem venting at Sizewell B) because the speaker was perceived by them as anti-nuclear, they said we should rely on the independent regulator to assist us, and that they 'would not pay' for the independent regulator to be challenged in this way. We have also been asked to seek approval for any additional meetings we wish to hold (on specific topics of public concern) and that if approval is not given they would not allow us to use our budget to pay for venue etc. It feels inappropriate that the NDA should seek to control the work of the SSG whose remit is as a conduit of information between the industry and the public. A strong independent Chair is needed to ensure full, free and fair discussion, and should be encouraged at all SSGs.

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

Both District and County Council representatives are generally perceived as encouraging the industry to develop for jobs/economy, and that they rarely ask questions or push for the community interest. For example - When Sizewell B EDF built a new Dry Fuel Store the District Council were not even going to ask for compensation under section 106 agreement. Their attendance is also not as consistent as we would wish. Officers from both councils do attend regularly and have been very helpful in progressing issues such as Local Emergency planning. Members are expected to provide information to/from the people they represent and we provide an Executive summary of the Minutes, as well as the Minutes to enable this transfer of information – there have been occasions when Members have not fed back to their organisation and I have had to contact the organisation direct.

Q5 Is the membership of the group a correct representation of relevant local communities?

We could do better, need to represent the views of young people, ethnic minority groups. We previously sent out an annual newsletter – cuts by Magnox/CFP have meant this type of additional outreach work has ceased. I would like to do more if resources were available to support us. We have tried to secure representatives from local schools, GPs, businesses but this is hard to do as

volunteers. If we were able to discuss new build and act as the Forum for this debate we would be able to attract relevant representation, and many issues are cross-cutting.

Q5 What role should the NDA have in the operation of the SSGs?

The NDA should take a role to enable discussions related to new build. The Sizewell C Forum is facilitated by EDF and Chaired by a person they selected/pay – it is not independent, regulators and NDA do not attend it is EDF presenting to the representatives from local Councils and some organisations only. EDF determine the agenda, the frequency and length of meetings. There is no government body to assist the public/councils to participate in this Forum. The NDA should also facilitate SSGs for generating sites not just decommissioning sites.

Q6 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

EA and ONR attend regularly and they are always willing to take actions, provide information to assist. Individual Inspectors are very open and transparent, taking time to explain technical details etc. however, when responses have been required from a National level this has been more challenging to achieve. Public Health England have been very difficult to engage with.

Q7 Should the NDA run and fund SSGs? If not, who should? Would it be good if they were made more independent of the industry?

Our SSG is independent of the industry. It should remain independent and not run by the NDA. The Secretariat should be paid for by the industry and NDA but provided/commissioned directly by SSGs independently of the NDA/Industry – because of the issues we have experienced previously regarding access to 'our budget'.

Q8 With LLCs, how can they become more transparent and open to the wider community?

Follow the model of SSGs.

Q9 What other useful views do you have to the future operation of SSGs / LLCs?

Incorporate potential new build discussion/consultation within existing SSGs not via a separate Forum (which is less experienced and not made up of members who can provide adequate challenge and not independently Chaired). Include representatives from further away - for example I have raised with RWM the need to communicate with areas with no nuclear power station who are affected by transport of waste etc. to any potential GDF. It would help if SSGs met on a regional basis and could include an invitation out to a wider geographic area. Sizewell is potentially sending ILW to Bradwell we should meet together and debate issues/impact. Chairs of each Magnox site meet together for mutual support and to discuss issues. The general public should be able to influence whether their council is a member of NuLEAF, NFLA or other organisations etc. Provide more independent Secretariat support – not from the Industry to enable an SSG to grow and attract wider/more effective representation and successful conduit of information.

b) Comments from a former council member of the SSG and a current member of TASC

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

Friends of the Earth applied and were granted membership, Shut down Sizewell applied and were refused in the past. TASC applied and were refused on the grounds that they were against Sizewell C and this was not a forum for new build. Individual members with an interest are encouraged to come forward and apply and have been enabled to attend. All councils contiguous to Sizewell are permitted to send a representative, others by application.

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

Yes, but the exclusion of issues to do with new build, in my opinion, makes no sense as there is no independent forum available to debate and discuss any new build concerns. The local authorities recently confirmed they will not take any expert advice or debate outstanding issues which are not related to planning. This leaves a gap and excludes the wide knowledge base of the SSG, and consequently the wider community, from being automatically involved at the onset of any new build proposal. Considering that the regulators nuclear site licencing is only looked at coincidental to a Development Consent Order application this leaves a dangerous lack of involvement from concerned individuals and groups. As an example the Sizewell EDF community forum is full of

people who are not minded to probe and question the project and is considered far too large to allow proper debate. Another example was that the villages around Otterhampton/ Combswich near Hinkley were so disillusioned after EDF consultations that they issued a 93 page critique of the process. This also flagged up the issue of flood risk which does not appear to have been addressed properly at Hinkley. PCAH concerns around Hinkley also appear to be routinely ignored.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

Sizewell SSG upholds the current NDA site stakeholder constitution LARS3 and has agreed that it does not vote. The site constitution is reviewed at the annual AGM.

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

County and District Councils usually have members and officers nominated to attend. Their attendance is patchy, they rarely ask questions and as a policy now do not have a forum to discuss the power stations generally on any issues. However they are both members of NULEAF and New Nuclear Local Authorities Group, where do they get their advice from? In the past I was a member of Suffolk Coastal District Council and we discussed all nuclear regulatory changes and debated them at length and independent advice was sought. We also had a Sizewell C sub-committee which met in the public domain. The attendance of representatives from smaller parishes is generally quite good. The local MP and other MPs are members but now do not even bother to apologise or send substitutes.

Q5 Is the membership of the group a correct representation of relevant local communities?

Yes it would appear so.

Q6 What role should the NDA have in the operation of the SSGs?

Since Cavendish Fluor took over the contract and we lost our local secretariat officer from Sizewell A the service has deteriorated to an extent where the chair has had to spend their own time sorting out issues. Access to emails and the website is also limited. The website access to stakeholder groups is also poor. NDA have allowed this situation to happen and have not ensured that other SSGs have upheld the LARS3 constitution, including no voting, whilst apparently allowing the Magnox contractor to give a worse service. Hopefully they have now recognised this, but whether NDA, ONR, the new successor to DECC or even EDF should facilitate SSGs I cannot say. EDF at Sizewell B following concerns raised by Sizewell SSG did I understand give an amount per annum to help fund SSG but the budget is not in the hands of the chair. The chair has no ability to act independently, on behalf of the SSG, in using the site budget. Facilitating of engagement of expert advice to the group has in the past been denied. In the case of Sizewell which as the only PWR in the country has unique issues, it has not been possible to engage independent advice. However it is quite clear that most other SSGs have to be encouraged to take the role of representing communities seriously. For example would the Sellafield situation and the state of some AGRs be better with proper scrutiny?

Q7 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

Generally yes, but they do tend to hide behind some of the contentious limits and regulation which I believe should be discussed, debated and understood more openly in a national forum. E.g. no safe dose, emergency planning, waste management. Dubious claims about new build cannot be countered or properly debated and understood. One is always aware that our regulators are not truly independent and seem bound to err on the side of industry and not essentially public protection. This seems contrary to the spirit of EU directives which UK should be signed up to. Particularly Basic Safety Standards EU Directive 2014/87. Having had the opportunity to meet many individual officers of our regulators over the years I generally have trust in them, but I fear this places great strain across the organisations when this lack of independence clashes with commercial and Government expediency. Individuals from all the regulators have encouraged us to keep asking questions of the industry.

Q8 Should the NDA run and fund SSGs? If not, who should? Would it be good if they were made more independent of the industry?

There appears a need for a truly independent regulator who as of right should run the Stakeholder Groups and other organisations, funded by the industry including NDA by statute. Whether this should be part of a reorganised ONR incorporating EA and other experts is debatable. Government keeps repeating the mantra we have the best regulators in the world, well maybe we have some really good experts but let us give them the independence to prove it.

Q9 With LLCs, how can they become more transparent and open to the wider community?

We have no experience of LLCs but they should be open to all with an interest.

4. Dounreay Site Stakeholder Group – view of a community co-opted member of the SSG (who is also a member of the local group Highland Against Nuclear Transport - HANT)

The Dounreay Stakeholder Group also covers activities at HMS Vulcan where they test nuclear submarine reactors - this facility is also being decommissioned so there will be spent fuel being sent to Sellafield from there in future - all by rail I think

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

Not easy as I do not think HANT could become a Member as places are all allocated to specific agencies (SEPA, ONR, Highland Council, all Islands Councils, Chamber of Commerce, Caithness & North Sutherland Regeneration Partnership etc.) and only 3 places for Community Members who have to be individuals as far as I know

So I and the other 2 Community Members responded to an advertisement in local papers asking for people to apply - applications were then scrutinised by the Business Committee before we were formally accepted as Community members

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

As I am not there as a HANT representative I have to be careful not to speak as a HANT spokesman. I think I have managed this OK as I can refer to general concerns or reports I can refer to from the press and articles etc. This includes briefings from NFLA & the very useful dialogue we have and information NFLA provides.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

I have looked at the terms of reference in some detail and I would say that generally members don't challenge much and do not really fulfil the remit of scrutinising all actions on site.

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

Not effective as they are pro-nuclear - mainly because of the employment it brings - and some of them are ex-nuclear employees.

Q5 Is the Membership of the group a correct representation of relevant local communities?

I would argue not as the site, and in particular the transport of nuclear waste affects a much wider area than the immediate site area.

Apart from representatives of agencies (SEPA etc.), I am the only Member that travels into the area for meetings. There should at the very least be places for say representatives from Sutherland and Ross-shire - the 2 neighbouring areas.

Q6 What role should the NDA have in the operation of the SSGs?

In my view they have too many people at meetings and it is not clear why they are there and what they do when they are not there.

We know they have a socio-economic role but I would have thought having a staff member with a particular remit to liaise with concerned environmental and anti-nuclear groups to create a meaningful and cordial dialogue.

Q7 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

Again there input, apart from referring to or reading from official reports is minimal. When asked a specific question they will answer but the vibes that come back suggest they are uncomfortable with questions that are not pre-submitted.

Q8 Should the NDA run and fund SSGs? If not, who should? Would it be good if they were made more independent of the industry?

I think there is an inevitable conflict of interests which could be resolved by having the meetings run by an outside facilitator who could manage the whole process of meetings etc. and be independent of NDA but working to an agreed NDA-Stakeholder Group joint working agreement. Funding could still come from NDA but handled by the independent organisation / facilitator.

The SSG should definitely be more independent of the industry to avoid conflicts of interest. An arbitration system should be in place to arbitrate where the NDA and SSG cannot agree.

Q9 With LLCs, how can they become more transparent and open to the wider community?

By widening their membership to environmental and anti-nuclear groups & individuals they could become more transparent & open to the wider community

The NDA Stakeholder Relations staff act more in a PR capacity and appear to have very little knowledge of how to work with local organisations - including ones who may not be pro-nuclear

Q10 What other useful views do you have to the future operation of SSGs / LLCs?

I have mentioned to NFLA before the anomaly in DSG of only paying expenses for travel outside Caithness to NDA arranged events & visits. So no reimbursement for my travel or overnight accommodation which is essential because there is no public transport back to my home after DSG meetings which are always held in the evenings. So my expenses amounting to approx. £90 per meeting have to be paid from my own pocket or reimbursed by other organisations with whom I can share information and take their views to the meetings. For the same reason I am unable to participate in the Sub Groups as this would also incur expenses which I could not claim back. I believe the Chair gets an honorarium of £500 p.a. and Vice Chair and Chair of Sub Groups also get honorariums.

Meeting times could be made more user friendly to allow more public to attend and also to reduce costs for people in my position

The meeting room is not conducive to dialogue and looks more like the configurational setting of the House of Commons. I have argued for an alternative venue but this has been rejected

5. Hunterston Site Stakeholder Group – general comments from a community councillor representative of the SSG

Representation - Hunterston SSG is made up of 5 elected North Ayrshire Councillors all of whom reside in the North Coast Area of the county where the two Nuclear Power Stations are. - 1 Conservative, 2 independents, 1 Labour and 1 SNP representative. The five immediate Community Councils also each have a representative (although 1 CC is not functioning just now). The Hunterston Estate who own adjacent land have 1 representative. Each of the two power stations have a union representative and the National Farmers Union send a local representative. Those are the voting members. An ONR inspector, one from the A and one from the B station attend along with SEPA reps for each station. There is a report given at each meeting by each Site Director (i.e. EDF) at Hunterston B and the Closure Director at Hunterston A.

Reports and discussion - ONR and SEPA give their Quarterly reports at the meetings and members of the SSG put questions to them. There is a Q&A session for members of the public after the B station report and another after the A station report. NDA also give an update (usually the Stakeholder Relations Manager) and the Scottish Government send an official to give an update on Scottish Government radioactive waste management policies. There are also questions from SSG and members of the public for them.

The A station closure director meets with the chair and vice chair (both are Community Councillors) every month for an update. The Chair and Vice Chair recently went onto the A site to see progress on the encapsulation plant, look around and talk to the operators in the ILW retrieval building and in the Wet Intermediate level Waste retrieval plant. The Civil Nuclear Police send a representative to meetings to answer any questions for them. Police, Health Board and the Scottish Fire Brigade have seats on the SSG but very rarely attend. Health board person did attend initially but seemed uncomfortable being asked questions by the members of the group.

We are lucky to also have quarterly meetings with the Scottish Government's Radiation Team and these are attended by all the Scottish Civil and MOD sites. Each gives a report and is questioned on it. The Chair and Vice Chair were also included in discussions on Scottish HAW Policy and its implementation. The setting up of SSG's by the NDA has been very positive for us. Nobody to date has tried to control our agenda or stop questions being asked. All people on the SSG are interested in safe clean up and safety and security at both sites. There is real concern about nuclear waste and "assets" being transported between sites and about the ageing reactor and nuclear plant in general.

Issues between nuclear legacy and nuclear new build - I think it is more difficult for SSG's who have new build sites being proposed alongside their decommissioning and old generating stations. Glad it is not us (due to Scottish Government policy). If I lived at Bradwell I would find it intolerable that I would not be able to be a SSG member and I never understood why NDA have done nothing to remedy this. I think apart from Hunterston, Hinkley and Sizewell most SSG's do not have balanced representation and are not prepared to change this situation and take sites to task.

We do not discuss nuclear new build although a few of the voting members of the SSG would like to promote it. All SSG members are expected to update their relevant groups and communities about the content and actions of the SSG meeting.

6. Hinkley Point Site Stakeholder Group – general comments from a co-opted local member of the Hinkley Point SSG and a member of the Stop Hinkley group, who are an appointed member of the SSG with voting rights

Stop Hinkley has an official SSG representative, with voting rights since 2010. The Stop Hinkley representative usually sends the SSG minutes of Stop Hinkley meetings and discusses points raised during its monthly meetings. The representative is well known to keep asking a range of questions at the meetings.

I first went to a SSG Hinkley meeting a few years ago to ask why Hinkley B had not had the tertiary, and final safety system, Boron Beads, been installed? It had been on the plans for Hinkley and had been built into Hunterston, the sister reactor. It was difficult for the EDF representative to explain. He tried to explain about the liquid nitrogen final safety systems were going to be installed. Since then, especially after Fukushima, EDF has discussed in detail about liquid nitrogen injection, final safety systems. They have since been installed, whether this is equally as safe is another matter.

I attend the SSG meetings separately to the Stop Hinkley representative on behalf of the Bridgwater and West Somerset Green Party, for the last 3 years, and am also a voting member.

Each group has just one representative; therefore I am a second member of Stop Hinkley at the meetings, though there is also a member from the Forum 21 group, along with a local sympathetic parish councillor. The majority of the rest of the representatives are Conservative Parish, District and County councillors, (and one Labour Town councillor), who do their duty in attending the SSG, and send the minutes of the meeting back to their councils.

Most SSG members are happy to let myself and the formal Stop Hinkley representative to keep asking what we would call "difficult" questions. Many of these SSG members have a number of their constituents who have lived with the old power stations, supplying jobs and local income for decades, and some actually worked in the old stations, and they do not want to upset the pro-nuclear line. Some old station workers do ask some useful questions about new methods and practices used by EDF, though most are happy to listen to the reports from the specialists, the

station managers, and the ONR, the NDA and the EA. The most common questions are about traffic issues, such as site workers going too fast through the villages.

The possibility of importing nuclear waste from other stations always causes some interest and this will be reappearing in the new year. Myself and the formal Stop Hinkley representative have recently brought up the problems of the cracking of the safety core in the B station, and they brought in a demonstration graphite core blocks to try and explain. Of course, these blocks had not been exposed to 40 years of nuclear fission! But it did show they were trying to be transparent, most of the speakers try to be as helpful as they can, within their limitations.

A leading Hinkley Point SSG representative has suggested to me that the Hinkley group is one of the best working SSG groups. There is open discussion about our feelings, and encouragement is made by the NDA and EDF to elected member representatives to visit the stations so that they can see what is going on to report back to their own groups. I have been around the sites and spoken with the B station manager, and the ONR inspector was also helpful in explaining procedures, and answering questions, in the limited time available. Sometimes there are not enough representatives taking up the visiting opportunity. The last site visit was in summer 2016 and SSG members were kitted out and tried to separate out the nimonic springs in the Hinkley A, FED Intermediate Level waste facility.

As a result of a follow up to directly meeting the Environment Agency after an SSG meeting, the Stop Hinkley group has had further meetings, which led to some further additional, but limited radioactive samplings, twice during the year, of the sediments along the River Parrett. Stop Hinkley is awaiting the final results from the EA and will decide if local samples, which we have done separately and have frozen; need further analysis after a discussion with our independent marine radioactivity specialist.

A recently re-enforced decision of the SSG is that, for a local group to become a member of the SSG, they must show they have a constitution and can prove they have regular meetings open to the public.

The meeting is chaired usually by a local district councillor, and the deputy chair is also a councillor, both have had the posts for several years. They followed on this role from a previous chair who was an ex-Hinkley A worker and local councillor. The Chair allows representatives to ask questions after each latest report, sometimes they have to be restricted in number, because of the time schedule.

Stop Hinkley representatives are well known to have plenty of questions, and sometimes have to take our questions to the speakers at the end of the meeting over lunch. The SSG takes a whole morning, and consists of up to 8 reports so there is a lot of factual information to take in. The directors' reports and those of the ONR, EA and NDA are usually sent to members before the meeting, or just after, a few printed copies are sometimes available at the meeting, minutes are sent by e-mail later.

As for voting, each meeting starts with a check on quorum numbers, in case there is a vote. Voting is only used quite occasionally, most often has been for re-electing the Chair and Vice Chair. Usually there are no other volunteers to take on the posts, so the Chair and Vice Chair get unanimously re-elected each year.

If you are going to change this situation you will need people who are willing to give the time and effort to do the jobs.

Occasionally there is a vote if the group would like to hear from a specialist speaker. For example, in the summer meeting the Chair asked if the SSG would like a speaker to talk about the emergency evacuation zones. Following a positive response it was arranged for an emergency planning officer from Somerset County Council to come and speak. He explained about the emergency evacuation zone of 2.5 km around the A station, where residents were being checked, to update their Iodine tablets and calendars. When asked about what the public should do about a radioactive release, he referred to the council website. Basically if there is an accidental radioactive release, EDF will inform the emergency services and local councils. The message would be to 'Go In, Stay In, Tune In' to the local radio and await for any information on what to do. A local councillor pointed out at the SSG that

two villages were half in and half out of the emergency zone! There is a lot more room for more public knowledge of what to do in emergencies! Especially when in Belgium the public health authorities are considering iodine tablets available for the whole country, after the terrorist attempts on the nuclear reactor.

Any questions we raise on radioactive emissions and health effects, can never be properly answered at the SSG meetings. Any questions on emissions are referred to the annual report, produced by EDF, who always note they are well within the authorised safety levels. Slight variations of the limited number of samples taken, are sometimes explained as changes of work practice at the stations, which are understandable, but a very petty document of graphs of the different levels of radioactive isotopes, using many different scales and units of radioactivity, means very little and can be very misleading to general members of the public, who just trust the experts in this area of specialised knowledge.

Similarly, the effects of low levels of radiation on the public can be equally difficult for most to understand. The health effects of low levels of radiation take many years to show up and our bodies cannot sense ionising radiation if we absorb it into our bodies. Scientists seem to disagree on the health effects. What chance do the general public have in recognising that illnesses such as cancer may have come from radiation absorbed into the body many years ago? Not only this confusion but as Public Health England is a newly formed body it means it is difficult to follow and track information with a constant turnover of staff and working systems.

This leads to a fundamental problem for anti-nuclear groups like Stop Hinkley. I usually find the representatives of EDF, the ONR, the EA and the NDA at these meetings trying to be as helpful as possible, but they are bound by their job codes, rules and financial limitations, along with wider political and commercial pressures, on their finances and jobs. In many cases our anti-nuclear issues are not about the workers in these organisations, but the rules and regulations that they have to work within, which come from the laws passed by the politicians in Parliament and the international standards on health and emissions that were set by the IAEA. These are better approached with specialist NGO's meeting the heads of these organisations.

Before this October's Hinkley SSG, I was invited to a subcommittee pre-meeting about the next stage of dealing with the Intermediate Level Waste at Hinkley A. The building of the waste store for ILW and what will go into it, and the next planning applications have been submitted by Magnox and the NDA.

The SSG meetings are a useful means of making contact, with EDF, Magnox, the ONR, the EA, and the NDA. We need more groups and willing volunteers to take part. One final note. The Hinkley SSG takes place over 3 mornings a year - February, June and October - during the working week, which can be difficult for members of the public of volunteers in community groups to attend.

7. Torness Local Liaison Committee – views of a co-opted councillor representative

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

Don't know – Edinburgh has had representation on the LLC for as long as I've been a councillor (2012) and I don't know what happened before then.

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

We're allowed to ask questions and to put our point of view, yes. Those views are sometimes given short shrift.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

I don't recall ever seeing a written constitution, and I don't recall a vote ever having taken place. I certainly don't feel inhibited about putting my views across, however.

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

I certainly try to do this myself, and find that some of the other members do this quite well. Obviously I represent a local authority some distance from the power station, which is also a member of NFLA and I'm personally opposed to nuclear power so I come from a very clear position. Other representatives and groups, particularly those representing areas closer to the station that may include many nuclear workers, take a more nuanced or conflicted position.

Q5 Is the membership of the group a correct representation of relevant local communities?

Not sure about this. The geographical area covered by the local authorities represented at the LLC is quite large.

Q6 What role should the NDA have in the operation of the SSGs?

Don't know.

Q7 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

Generally yes. If they don't know the answer to a question immediately, they are usually pretty good about getting back by email fairly promptly with information requested.

Q8 Should the NDA run and fund SSGs? If not, who should? Would it be good if they were made more independent of the industry?

Don't know.

Q9 With LLCs, how can they become more transparent and open to the wider community?

Hold meetings in public. Torness has started to have one public meeting each year in addition to the invite-only LLC. I wasn't able to make the first one unfortunately, but it's a small step forward in terms of transparency. Publishing the papers online would help as well – at present the papers are only sent out in paper form to those on the LLC, which is not particularly transparent.

Q10 What other useful views do you have to the future operation of SSGs / LLCs?

There is only one LLC meeting a year of the Torness LLC. I've raised the lack of meetings many time with the operators of the group, and they reply there's been 'no demand' for more meetings. Yet they're now moving from one meeting a year to two. It's tricky to effectively scrutinise them when they only hold one meeting a year.

Military sector Local Liaison Committees

1. Rosyth Local Liaison Committee – views of a co-opted Council officer representative that attends the LLC

Q1 How easy is it for your group / Council to formally join a SSG / LLC?

It has been not an issue as my Council have been part of the LLC for many years.

Q2 Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

Yes, although the Community Council are not directly represented. Council Officers – usually senior environmental health officers – and elected members attend if available.

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

Yes – discussion and questions from the floor which are either answered directly or a response provided later. There has been no voting on issues in my time on the LLC.

Q4 What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

It is a good opportunity for the Council to speak or formally questions SEPA, ONR and DIO / MOD.

Q5 Is the Membership of the group a correct representation of relevant local communities?

Would suggest including Local Community Council Chair, which is not currently covered in the historical terms of agreement.

Q6 What role should the NDA have in the operation of the SSGs?

Not applicable.

Q7 Are you satisfied with the role of nuclear regulators who attend the SSGs / LLCs?

On the whole it seems to be positive and information they provide is made available, though it may take some time to be published after the meeting.

Q8 Should the NDA run and fund SSGs? If not, who should? Would it be good if they were made more independent of the industry?

Not applicable.

Q9 With LLCs, how can they become more transparent and open to the wider community?

Possibly a requirement for the LLC to publish its minutes more widely locally. To be honest most of the settled community appear to be fairly relaxed with the current situation at Rosyth.

Q10 What other useful views do you have to the future operation of SSGs / LLCs?

It seems to work at the moment while not being really high profile. With only one meeting a year it acts as an opportunity at the time to catch up with current issues. It does tend to take months before information is published on the website. In regulatory

2. Plymouth Devonport LLC – general comments from a co-opted community representative to the LLC

- The membership of the LLC is set by the constitution and I do not recall any new actual members joining. Interested parties can attend including the public, NGOs etc. but have no voting rights.
- I should point out that the conduct of the Devonport LLC has improved greatly recently with non-members getting the opportunity to ask questions following elected members. Whereas in the past they have been held back to the very end of the presentation. This may be down to the MOD Naval Base Commanders view and is not necessarily in the constitution, and therefore there is a risk that the position may revert on a change of personnel. A change in the constitution to reflect the current operation would be worth considering. Another recent change has been to agree the forward two dates of the meeting whereas it was only advertised in the local press close to the date and difficult to find on the Babcock site owner web site.
- Non-members must give notice of issues they wish to be on the agenda but can ask questions during any presentation. Views can be expressed but only during questioning of presentations. It is fair to say that the LLC chairs do give a fair amount of flexibility for public comment.
- The LLC works mainly to share information in public. Presentations are given by Babcock, MOD and regulators on performance and issues with questions during and at the end of meetings. I do not recall any vote being taken and no major decisions are taken e.g. a formal response to the Submarine Dismantling Project proposal in Devonport.
- Local Authority representatives do not regularly attend LLC and I get the impression that the majority do not see its relevance or its importance. There are a few notable exceptions that regularly attend and ask probing questions. Representatives from Plymouth, Devon, Cornwall and the surrounding District Councils are all members on the LLC but usually only two or three members attend.
- The membership reflects the mainly statutory representatives for the communities and not smaller community group representatives. Therefore ability to speak at the meetings is vital.
- The chair rotates between MOD and Babcock at each meeting. MOD should administer LLC and coordinate questions or response to questions outside of the meeting as well.
- The nuclear regulators (ONR, EA and DNSR) attend and give their reports of inspections, issues, notices, compliance and answer questions. These reports work well.
- For future transparency I would like to see the constitution amended to reflect its current operation for non-members. Press releases of key issues covered would be helpful as would easy access to its minutes via the internet. Local Authority members need to improve their understanding and performance of the LLC.

3. Clyde Faslane / Coulport LLC – comments from a member of the Nuclear Submarine Forum

How easy is it for your group / Council to formally join a SSG / LLC?

It has proved impossible. I went to a Helensburgh Community Council meeting after a story in the local paper about radioactive discharges from Faslane. An Argyll & Bute councillor had attended the HM Naval Base Clyde Local Liaison committee and was surprised that the community council did not know about them. He subsequently arranged for them to attend. Community Council members suggested that Helensburgh CND should also be invited but nothing further has been heard. I have been told that the LLC meets annually.

Are you allowed the opportunity to put forward your group / community / Council's viewpoints or concerns on relevant issues?

No as we don't know when they meet.

Does the constitution of the group allow for full, free and fair discussion and voting?

Do not know given the above.

What is your view of the role of Council representatives on such groups? Do they scrutinise and challenge the site operators and regulators enough?

There is no information about the Clyde naval base LLC on Argyll & Bute Councils website. West Dunbartonshire says that they have two reps & names them. There are no publically available minutes from the meetings so we have no idea about scrutiny.

Is the membership of the group a correct representation of relevant local communities?

No

Any other comments?

The Rosyth LLC also meets once a year and is not open to the public. A Fife NFLA officer representative who attends the LLC sent me the minutes from the last LLC meeting. There seems to be no online information about this LLC which we can find.

Babcock's website (the site owner for these sites) has a page on community:

<https://www.babcockinternational.com/About/Sustainability/Community/>

Their approach to local liaison seems to be very different in Plymouth than at Rosyth and Faslane. Whether this is due to the work of the local group CANSAR, who, although very critical of the dockyard from a public health perspective do not necessarily oppose the work they do on principle.

4. Aldermaston and Burghfield – views of a Parish Councillor representative to the joint committee.

Q1 How easy is it for the Council to formally join the LLC?

My appointment (by my parish Council) on the LLC was to a vacancy when a previous colleague left the area but I do not think there is a problem as this Parish Council area falls within the DEPZ for Aldermaston and is even nearer Burghfield.

Q2 Are you allowed the opportunity to put forward your Council's viewpoints or concerns on relevant issues?

Yes, either verbally at meetings or in writing to the Chair of the meetings

Q3 Does the constitution of the group allow for full, free and fair discussion and voting?

Open discussions but have never had a vote in my time on the LLC

Q4 What is your view of the role of Council representatives on such groups? Are they allowed to scrutinise and challenge the site operators and regulators enough?

Yes to all of this question – it does happen

Q5 Is the membership of the group a correct representation of relevant local communities?

As there is a fairly wide representation from around the two sites I have to assume that it is fair. The LLC has attempted to interest local MPs in attending and there are representatives from the Local Councils

Q7 Are you satisfied with the role of nuclear regulators who attend the LLCs?

In as much as they present their findings of visits etc. and are frequently questioned on them, I think it is satisfactory.

Q9 Would it be good if they were made more independent of the site operator?

Not sure that there is much to be gained as looking on from the outside they appear to be fairly If not totally independent already

Q10 With LLCs, how can they become more transparent and open to the wider community?

The company do produce newsletters etc. for the local community outlining their role, they also contribute to local charities and take stands at local events to promote their presence. The minutes of LLC meetings are public records and there is no problem introducing them to Parish Council meetings.

Q11 What other useful views do you have to the future operation of LLCs?

Not sure I have any more ideas for widening the remit/operation of LLCs. There is a finite amount of time that representatives can give to such meetings alongside their existing commitments.

**The state of nuclear stakeholder engagement -
A case study of the BEIS NGO Nuclear Policy Forum**

BEIS NGO Nuclear Policy Forum – Looking back and moving forward

A note for the meeting of 19 December 2016 by Prof. Andy Blowers, Forum (NGO) Co-Chair

The Forum last met in March 2016. The intervening nine months have witnessed major political changes with a new Government and the vote to leave the EU. In terms of nuclear strategy there has been the review and reconfirmation of the Hinkley Point project together with a reaffirmation of the commitment to a programme of new nuclear power stations, including the controversial involvement of Chinese investment in sensitive British infrastructure. Among other developments has been the conclusion of the review of the siting process for a GDF and the revised process will be launched with consultation on Implementing Geological Disposal in the New Year. The Forum has been unable to comment on any of these developments. Meanwhile, other areas of concern to the Forum such as radiation and health, nuclear security, emergency planning, plutonium disposition and radioactive waste storage strategy have received little attention during the long interregnum.

At the governmental level there have been important political and administrative changes. These include: the appointment of a new Minister with responsibility for nuclear issues who will attend today's meeting; the transfer of the functions of the former DECC into BEIS; the appointment of a new Co-Chair of the Forum from the government side in succession to Lee McDonagh as well as changes in the Secretariat. The NGO side hopes that the new team will continue an open and responsive approach to the discussions and viewpoints of the NGOs. In turn the NGOs will endeavour to provide a pertinent, robust and challenging approach to engagement fortified by their expert knowledge of the issues and reflection of the views of the nuclear communities they represent.

It needs to be said that the NGOs are experiencing considerable disillusion and frustration at the present time and a deep sense that their views and arguments are unheeded and routinely evaded as of little importance. Indeed, some NGOs question the purpose of engagement which sometimes seems more a process of legitimisation through consultation than one of interactive and open-minded engagement. Its significance lies more in the exchange of information and identifying areas of disagreement than in a more purposeful and mutual effort to understand, learn and review positions. There is a danger that the Forum becomes a dialogue of the deaf rather than an arena for the development of consensus and cooperation or constructive disagreement as was originally intended.

The disappointment is, perhaps, created by an over optimistic expectation of outcomes which is unrealistic when the differences over fundamental policy issues are so profound. Nevertheless, the purpose of dialogue is to encourage exchange of views and to encourage explanation, criticism and reasoned defence of positions. All too often, it seems, the interaction consists of stated positions and repetition of entrenched positions rather than openness to alternative perspectives. The NGOs frustration is not that policy is unwavering but that it appears unquestioning and insensitive to criticism.

The point may be illustrated by reference to some examples of recent issues covered by the Forum.

New build strategy and the National Policy Statements. The NGOs have repeatedly and in some depth sought to demonstrate that the NPSs are founded on principles, criteria and circumstances which have altogether changed. Consequently, the NGOs have argued that the Secretary of State is obliged to undertake a thorough review of the NPSs notably EN-6 on Nuclear Energy. Not only has the need for review been resisted but also the case for inaction has not been revealed.

Radiation and health. This issue has been on the Forum's agenda for several years. Over that time little progress has been made beyond one meeting with COMARE. NGOs case for a joint review of the scientific evidence on the relationship between nuclear facilities and health effects has met with procrastination and diversion. The matter is once again on today's Agenda and it is to be hoped that more progress can be made.

Radioactive waste management. Although NGOs have broadly supported a policy of voluntarism and partnership with respect to defining and siting a GDF they have consistently questioned the timing of implementation and the relative neglect of long term storage as an integrated aspect of policy. Specifically, NGOs regard the emphasis on GDF as a means to legitimate a new build strategy rather than developing a measured and integrated approach to long term management. NGOs consider the development of a GDF is provisional and not the definitive solution to the problem as the government claims.

The NGOs recognise that they have a part to play in ensuring the dialogue with government is more productive and useful to both sides. NGOs can sometimes prove obdurate and unwavering in promulgating their stated positions. But, the opportunity to engage with government has been welcomed by most NGOs and it would be a pity if the detectable resentment at the lack of mutual understanding were to end in mutual recrimination. The Forum has offered a means whereby irreconcilable views can be exchanged in a reasoned engagement with the hope that, occasionally views will be both heard and heeded.

12 December 2016