

Community Siting Partnership Roles and Tasks in a possible Stage 4

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1 - This paper is for discussion, and aims to inform the Partnership's Final Report. The paper sets out:

- The possible role of a Community Siting Partnership (CSP), and the Decision-Making Bodies (DMBs), during Stage 4
- An indicative schedule of work for a CSP during Stage 4
- Tasks in the schedule, listed by stage and topic
- Appendix of extracts that inform the schedule

The paper draws from various sources including: the White Paper, DECC's Stage 4 Framework, the Partnership's PSE3 Consultation document, and agreements made since the consultation has finished.

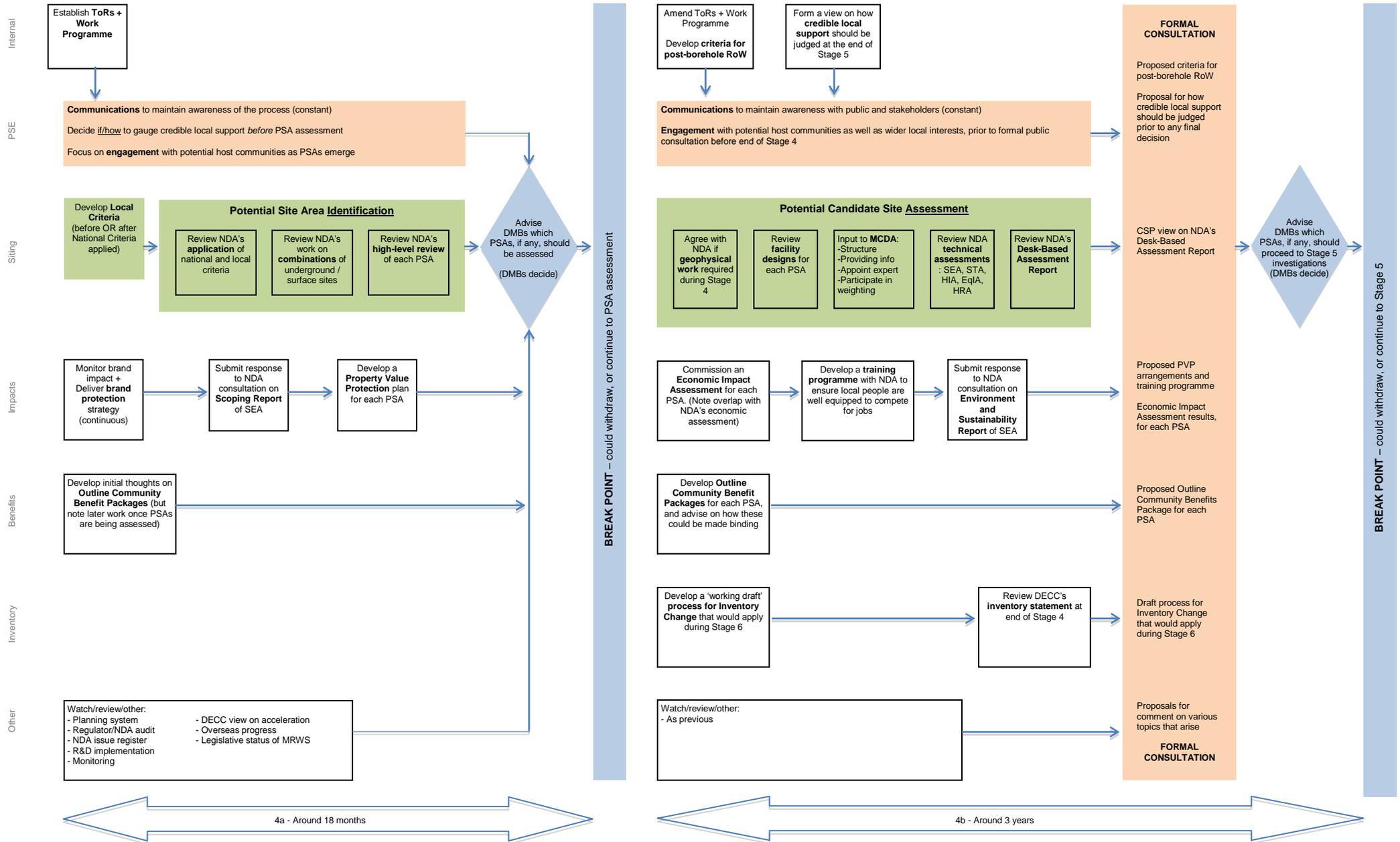
2 - The role of a Community Siting Partnership during Stage 4 is to:
Advise the DMBs on their continued involvement in the Government's process to find a site for a repository for higher activity radioactive waste. Specifically the partnership should:

- ***Independently review*** the NDA's work to identify and assess potential siting areas via desk-based studies
- ***Secure agreements*** from Government and others to address community concerns
- ***Engage*** the public and stakeholders, to keep them up to date and seek their views at key points
- ***Report*** to the DMBs at the end of Stage 4, including advice on entry into Stage 5 and the use of the Right of Withdrawal

3 - The role of DMBs during Stage 4 is to:

- *Set up a CSP, and provide appropriate officer and member support*
- *Take formal decisions on continuation or otherwise in the MRWS process*

Indicative Schedule for a Community Siting Partnership during Stage 4



4 - Tasks in the Schedule: a breakdown

At the end of **Stage 4a**, the CSP should report to the DMBs to advise them on which, if any, of the identified PSAs should be assessed by the NDA. In doing so, the CSP will have:

Internal

- Established its ToRs
- Agreed a Work Programme
- Reviewed its ToRs and Work Programme after 18 months

PSE

- Communicated the set-up of the CSP to residents and stakeholders
- Engaged potential host communities as PSAs emerge
- Decided how and when it is going to gauge credible support
- Gauged credible support, as appropriate

Siting

- Decided whether to ask NDA to apply national criteria before developing local criteria
- Developed local criteria
- Reviewed NDA's application of both national and local criteria
- Reviewed the NDA's work on potential combinations of surface sites and underground sites
- Reviewed NDA's high-level review of each PSA
- Taken a view on NDA's overall site identification process to date, and advise the DMBs accordingly

Impacts

- Monitored the impact on the area's brand
- Delivered the brand protection strategy
- Developed a Property Value Protection plan for each PSA
- Planned how the CSP will influence and review the NDA's impact assessments in Stage 4b, including responding to the NDA's Scoping Report consultation as part of their SEA process

Benefits

- Developed *initial* thoughts on Outline Community Benefit Packages for each PSA (but note the later and more detailed work to follow when potential host communities are involved during Stage 4b). Each would *start* to set out possible governance arrangements, investments, scale and distribution. It should also take a view on when and how agreements on benefits should be made binding.

Inventory

- No work planned for Stage 4a: deferred until Stage 4b

Other

- Reviewed changes to the planning system, and taken a view on the implications for the MRWS process

- Reviewed developments in the regulators processes, including potentially commissioning an independent audit of the regulators' capacity and independence
- Engaged with the NDA to influence its Issue Management system so it reflects community concerns
- Engaged with the NDA and CoRWM to stay up to date with research in the field and the implications for the local MRWS process, including on alternative options for waste disposal or management
- Engaged with the NDA to understand the techniques for monitoring waste in a GDF, potentially via the MoDeRN project
- Reviewed DECC's position on acceleration, and advise the DMBs accordingly
- Engaged with the NDA to stay up to date with overseas progress

At the end of **Stage 4b**, the CSP should report to the DMBs to advise them on which, if any, of the PSAs should proceed to Stage 5 for borehole investigation and other tests. In doing so, the CSP will have:

Internal

- Amended its ToRs and Work Programme
- Developed and agreed with Government a set of criteria for post-borehole RoW
- Taken a view on when and how credible support should be judged prior to any final decision to accept a repository

PSE

- Communicated to residents and stakeholders to maintain awareness
- Engaged potential host communities and wider local interests at key points, prior to a formal consultation at the end of Stage 4
- Carried out a formal public consultation, including the gauging of credible support prior to advising the DMBs on continuing to Stage 5

Siting

- Overseen and independently reviewed various aspects of NDA's site assessment process (see more detail in the chart)
- Taken a view on NDA's overall site identification process to date, and advise the DMBs accordingly

Impacts

- Monitored the impact on the area's brand, and delivered the brand protection strategy
- Implemented the Property Value Protection plans as required
- Influencing the NDA's impact assessments, including responding to the NDA's Environment and Sustainability Report as part of their SEA process
- Commissioned a full economic impact assessment for each PSA (note the overlap with NDA's economic assessment)

- Developed a training programme with NDA to ensure local people are well equipped to compete for jobs arising in Stage 5

Benefits

- Refined and agreed with Government an Outline Community Benefit Package for each PSA that may proceed to Stage 5. Each would set out possible governance arrangements, investments, scale and distribution. It should also have taken a view on when and how agreements on benefits should be made binding.

Inventory

- Developed and agreed a 'working draft' inventory change control procedure that would be implemented in Stage 6, including the circumstances under which a community veto could be used (even after the full RoW is lost).
- Reviewed and commented on an updated inventory statement from Government.

Other

- Continued to keep a watching brief on all the 'other' issues above

By the end of **Stage 5**, a CSP is expected to have:

- Refined and agreed the criteria for post-borehole RoW
- Refined and agreed the inventory change control procedure that would be implemented in Stage 6, including the circumstances under which a community veto could be used (even after the full RoW is lost).
- Agreed a detailed Community Benefit Package with Government, including how it will be made binding.
- Overseen and independently reviewed the NDA's geological investigations, as well as other technical assessments completed during the stage.
- Continually kept residents and stakeholders updated, and sought their views at key points.
- Publicly consulted on its findings, including gauging whether credible support exists, prior to the final planning application being submitted.
- Reported to the DMBs prior to them taking a final decision.

Appendix – Extracts that inform the schedule

Derived from White Paper

- Establish Terms of Reference such as those in Annex C, guided by paragraphs 6.27-6.37
- Develop and agree with DECC a set of criteria for a post-borehole RoW (paragraphs 6.40-6.45)

Derived from DECC's Framework

Overall:

- Oversee the NDA's desk-based studies to identify and assess Potential Candidate Sites, and make recommendations on which, if any, should go forward to Stage 5 of the MRWS process (physical investigations)

Identification:

- Develop local criteria for site identification and assessment, if needed (3.22-3.24). This will in part involve deciding whether or not to ask the NDA to apply the national criteria *before* the CSP develops local criteria (3.9).
- Oversee NDA's application of the site identification criteria (3.11)
- Engage local communities, in particular relevant potential host communities, as Potential Candidate Sites are identified (3.12)
- Oversee NDA's work on combinations of underground and surface sites (3.13)
- Oversee NDA's high level review of each PCS (3.14)
- Make recommendations to the DMB's on which PCSs, if any, should be assessed (3.17)

Assessment:

- Discuss and agree with NDA if any targeted geophysical surveys should be conducted during PCS assessment (4.4)
- Oversee NDA's high-level facility designs for each PCS (4.5)
- Review the NDA's assessments against relevant legislation. These will include SEA, STA, HIA, EqIA, HRA (4.7).
- Agree the structure of the MCDA, including:
 - Reviewing the NDA's plans for implementation of the MCDA, including local engagement and involvement of the Partnership
 - Providing local information to NDA for inclusion in the MCDA (4.28)
 - Appoint experts to participate in the process, and/or independently review it (4.30). This could include reviewing the interim outputs of the MCDA such as scoring scales, planned programmes, scenarios being considered etc.
 - Participate in NDA workshops to establish relative weightings for criteria (4.34)
- Review and scrutinise NDA's Desk-Based Assessment Report (4.39)

- Make recommendations to DMBs on which PCSs, if any, should go forward to Stage 5 of the MRWS process for physical investigations

Derived from PSE3 Consultation Document

Note: The Partnership uses the phrase 'Potential Site Area' to mean the combination of a volume of rock for an underground facility and a possible site for a surface facility. It means the same as the NDA's phrase 'Potential Candidate Site'.

Set Up:

- Working closely with Potential Host Communities (PHCs), wider local interests and others, the DMBs should map out options for CSP organisational arrangements in the light of Box 32 (p92 bullet b)
- Decide a representative mechanism for PHCs, and issue invitations to join the CSP (p92 bullet c)

New CSP (p92):

- Review the Principles for Community Involvement
- Review DECC's Framework for Stage 4
- Agree local criteria for identification of PSAs
- Agree future steps, including how and when credible support would be gauged
- Agree roles and responsibilities of the new partnership, NDA and DECC during Stage 4
- Agree operation, programme and tasks of the new partnership
- Agree organisational arrangements, in light of the current Partnership's suggested steps and the White Paper

Identification of PSAs (p93):

- Oversee the identification of PSAs
- Deliver a programme of communication to residents of Cumbria and beyond
- Lead on engagement with potential host communities and others, keeping them up to date with technical work being carried out and seeking views. This may entail providing resources to parish councils and other community groups to help engage residents.
- Oversee the publication of the PSA identification work, with NDA
- Decide if and how to gauge credible support at this point, or whether more appropriate to leave until after PSA assessment is complete
- Gauge credible support, if decided above
- Make recommendations to DMBs on which, if any, PSAs should be assessed

Assessment of PSAs (p94):

- Review organisational arrangements, including representation of potential host communities. Depending on the PSAs under

consideration, this may require amending arrangements to accommodate an increase in numbers of PHCs, and may lead to the establishment of sub-groups in each PSA to allow a geographic focus.

- Confirm the assessment process with NDA, including how the CSP will be involved in the NDA's technical work
- Conduct on-going engagement across the PSAs
- Oversee the publication of the PSA assessment work, with NDA
- Give an opinion on the implications of the PSA assessment results
- Gauge whether credible local support exists or not
- Make recommendations to the DMBs on which areas, if any, should proceed to Stage 5 of the MRWS process.

Stage 5 (p95):

- Review and confirm with DECC the criteria for exercising a RoW after a borehole programme
- Agree with DECC the details of the Community Benefits Package
- Decide if and how to gauge whether there is support for a repository being located at the chosen site. This could include a representative opinion poll or a referendum.

Derived from the Partnership's work during and since PSE3

GEOLOGY

- Independently review the NDA's assessment of geological setting as a national criterion during Stage 4

SSEP

- Maintain watching brief on reforms to planning system, and implications for MRWS. In particular whether a GDF is designated a major infrastructure project.
- Review roles and processes of regulators, in particular EA and ONR, before end of Stage 4
- Decide whether to include local criteria for identification of PSAs according to land designations and planning policies (p42)
- Maintain engagement with NDA's Issue Management process, to ensure it meets stakeholder requirements and provides reassurance that uncertainties are being properly managed
- Maintain close engagement with NDA on their R&D Programme, and conduct independent review and challenge of this as required. Liaise with CoRWM on their scrutiny arrangements for NDA's R&D.
- Formal response to NDA's SEA consultations during Stage 4: firstly on the Scoping Report, and secondly on the Environment and Sustainability report at the end of Stage 4

IMPACTS

- Undertake an economic impact assessment for each PSA. This may include a long-term visioning exercise over at least a 20-50 year horizon to understand the economic implications.
- Develop a Property Value Protection plan for PSAs and agree this with Government, before PSA assessment begins
- Monitor indicators of impact on the area's brand, and oversee/deliver a brand protection strategy
- Work with NDA to develop a training programme to ensure that local people are well equipped to compete for jobs arising from the siting process, as well as the facility if it is built.
- Independently review the range of technical assessments that the NDA conduct - such as environmental, transport, safety, security, safeguards, and habitats assessments – to ensure they are adequately taking into account local factors.

COMMUNITY BENEFITS

- Maintain watching brief on overseas developments
- Negotiate and agree an Outline Community Benefit Package applicable under each PSA. Each would set out possible governance arrangements, investments, scale and distribution.
- Consider how and when to make commitments on benefits legally binding

DESIGN

- Maintain watching brief on techniques for monitoring waste in a GDF, via NDA

INVENTORY

- Develop and agree a mutually acceptable process for inventory change with DECC. To be agreed as a 'working draft' before the end of Stage 4.
- Receive an inventory statement from DECC, before end of Stage 4.

OVERALL

- Review and advise on the process for putting MRWS on a firmer statutory footing
- Establish an approach to providing expert independent review of NDA's work, possibly via a panel of experts
- Maintain watching brief on DECC's view on acceleration of the process