

# West Cumbria MRWS Partnership

## Final Evaluation

### Final Report

Prepared for West Cumbria MRWS Partnership

By Wood Holmes

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# West Cumbria MRWS Partnership

## Final Evaluation

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# 1 Executive Summary

- 1.1 Wood Holmes were commissioned by the West Cumbria Managing Radioactive Waste Safely Partnership ('The Partnership') to undertake an independent evaluation of:
- The Partnership's operation and governance
  - The Partnership's public and stakeholder engagement activities (PSE3)
  - The Partnership's public and stakeholder engagement activities (PSE2)
- 1.2 The role of the West Cumbria MRWS Partnership was to inform the decision being made by the Decision Making Bodies (DMBs<sup>1</sup>) on whether to participate in the next stage (Stage 4) of the MRWS process in West Cumbria.

## Evaluation Approach

- 1.3 In order to maximise utility and validity, the process of evaluation has been staggered such that:
- The evaluation of PSE2, paired with an interim evaluation of the Partnership's operation and governance, was published in March 2011
  - A substantial amount of formative evaluation work has taken place between March 2011 and the final Partnership meeting in July 2012
  - The Final Summative Evaluation of the Partnership & PSE3 Consultation are published in two separate but related reports prior to any Decision about Participation.
- 1.4 All documents are available on the Partnership's website<sup>2</sup>.
- 1.5 Throughout the process we have had free access to all of the Partnerships meetings, sub-groups and events. In addition a substantial number of additional consultations and conversations have been held with MRWS Participants over the past two years.

## Formative Evaluation

- 1.6 The Partnership has sought to integrate recommendations emerging from the evaluation during the MRWS programme. (formative evaluation)

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<sup>1</sup>Allerdale Borough Council, Copeland Borough Council, and Cumbria County Council

<sup>2</sup>[www.westcumbriamrws.org.uk/documents.asp](http://www.westcumbriamrws.org.uk/documents.asp)



- 1.7 With specific regard to the operation and governance of the MRWS Partnership, Wood Holmeshave put forward several recommendations and observations at Partnership Meetings and Sub-Group Sessions.
- 1.8 In addition, Wood Holmeshave participated in ongoing discussions of the Partnership's programme with representatives of the Partnership and facilitators 3KQ.

### **Summative Evaluation**

- 1.9 The summative evaluation has sought to establish the efficiency and effectiveness of the MRWS Partnership in achieving its objectives:
- 1.10 The assessment of achievement against objectives is based on a collated review of recorded outcomes, direct evaluator observations, and stakeholder opinion.
- 1.11 The summative evaluation places particular emphasis on an exploration of:
  - Strength and weakness in process and outcome.
  - Efficiency and effectiveness of delivery.
  - Potential improvements to efficiency and effectiveness.
  - Lessons learnt for future Partnerships should they occur.

### **Timing Of Evaluation**

- 1.12 This report has been timed deliberately to fall in the bridging period between the formal end of the MRWS Partnership Process and formal Decision about Participation by the DMBs.

### **Key Findings**

- 1.13 Overall we conclude that the West Cumbria MRWS Partnership was successful in achieving its key stated objectives.
- 1.14 The Partnership attempted to engage extensively with the population of West Cumbria in depth on the substantive issues raised by the MRWS process. In addition the Partnership attempted to do this in as open, transparent and inclusive as manner as possible.
- 1.15 The process is defined by the MRWS White Paper and introduced the concept of 'voluntarism' which the Partnership has attempted to work in the spirit of. This is despite a changing planning and infrastructure context generated due to a new UK Government in 2010 and the backdrop of once in a generation public 'austerity' measures.



1.16 Over the lifetime of the evaluation several key themes have emerged around which lessons have been learnt and recommendations can be captured. The themes are discussed at length in the main body of this report and for summary they are:

- Background & Context – how did the context impact delivery?
- Membership – who was involved in the Partnership
- Governance – how did the Partnership look at governance and accountability
- Delivery – how was the work of the Partnership delivered
- Relationships – how trust and inter-organisational working impacted the Partnership.

1.17 In many ways the findings and observations of this evaluation were prefaced by the Partnership in its own final report. As such, we hope that the findings and recommendations here serve to underscore and reinforce much of the advice given to any future Partnership in that document.

## Recommendations

1.18 Based on the evidence gathered and the discussions held the following emerge as recommendations for any future Partnership (either in West Cumbria or elsewhere in the UK). The key areas for recommendation are;

- Building Trust
- Appropriate Governance Arrangements
- Resourcing & Capacity Building

## Building Trust

1.19 It is clear that any 'Partnership' either in West Cumbria or elsewhere in the UK needs to work continually to establish and maintain trust amongst all its stakeholders.

1.20 If there is a decision to proceed into Stage 4 of the MRWS Process then we would strongly recommend that extensive efforts are made to establish trust and strong working arrangements between partners.

1.21 Without this, and anticipating a lengthy and stressful process ahead, then it is our view that there is a high likelihood of process 'breakdown' in the future.

1.22 Building trust is, of course, very difficult and there is no easy way to achieving this.



- 1.23 Substantive efforts to build trust should be undertaken at the outset of any new Partnership and this must go hand-in-hand with appropriate governance and organisational mechanisms that provide members with some degree of confidence that the process is proceeding in a fair, open, transparent and governable format.
- 1.24 In addition, when selecting individuals to take part in any Partnership, consideration should be given to the inevitable workloads which will fall on the shoulders of any Partnership member and the standards of behaviour and probity that are required on a body such as this.
- 1.25 Appropriate capacity building/training/advice and even recruitment arrangements should be put in place at the outset of any process to ensure that those selected to sit on any Partnership can fulfil their role to the highest possible standard.

## Governance Arrangements

- 1.26 Following directly on from the recommendation about building trust, any Partnership, organisation or forum must put in place clear and transparent governance arrangements.
- 1.27 The overall objective of any Partnership is to be transparent governable and manageable. That is to say the process that it adopts and the procedures and adopts should be clear and open to all this should be no bias toward any position within any Partnership and therefore the structures that were put in place should mitigate against this. This should also be reviewed at regular intervals in case as the process develops new positions emerge new partners are required to be brought on board
- 1.28 The perceived haste with which the previous Partnership was initially formed perhaps meant that some of the governance structures and governance arrangements were retrospectively created and perhaps were not the most satisfactory. Although they were adequate for this Stage in the process.
- 1.29 If there is a decision to proceed into Stage Four it is our recommendation that serious consideration is given to governance arrangements and structures that are put in place at the outset of any Partnership.
- 1.30 The Partnerships final report outlines in some detail key principles and recommendations that should be adopted in the formation of any Community Siting Partnership. These are contained in Box 13.6, P198 of the Final Partnership Report. We wholeheartedly endorse these principles.
- 1.31 Many of those we have consulted have put forward or asked us in our role as evaluators to put forward further specific recommendations as to how any future Partnership should be governed. We do not feel that this would be appropriate as (i) it presumes a decision to move into Stage 4 and (ii) going beyond the strong



principles outlined in the Final report requires, to a certain extent, prior knowledge of where a future Partnership might be based. Of course we don't have this at this stage.

- 1.32 Where we are able provide more detailed commentary is in the areas of independent facilitation, chairing of the Partnership and scrutiny. All of which were raised extensively in our consultations.

### **Independent Facilitation**

- 1.33 All of those involved in the current West Cumbria MRWS Partnership were clear that the use of independent facilitators (in this case 3KQ) was of benefit to Partnership.
- 1.34 We would therefore recommend the continued use of independent facilitators in any future Partnership.

### **Independent Chair**

- 1.35 The issue of independent chair was raised by a number of stakeholders. At this stage we recommend that this option be seriously considered and investigated. However, it needs to be acknowledged that an independent Chair is not the "silver bullet" to the issues of trust that some members appear to think it is.
- 1.36 Many questions remain unanswered regarding an independent chair including: who would (want) to do it, what their profile and background would need to be and who would resource the position?
- 1.37 Should the process proceed to the next stage then it is our view that the use of an independent Chair should seriously considered. There are two primary reasons for this:
- 1 The potential ability for an independent Chair to rise above the historic and local political fray and be seen to be independent
  - 2 The fact that a number of members asked for it to be investigated and to ignore the request would further reinforce existing mistrust.
- 1.38 When embarking on the path of selecting an independent Chair there are several key questions that a Partnership needs to address such as; selection, how to judge independence, how to fund the role and what is the precise function of the Chair.
- 1.39 There seems to be a belief amongst some Partnership members that appointing an independent Chair would generate a higher degree of trust, or trust would flow somehow automatically from the appointment.



- 1.40 Whilst there is some merit in this argument, some of the mistrust that exists within the public at large with regard to Public Authorities would seem to be potentially beyond the abilities or power of any independent Chair. At best they could only manage these relationships.
- 1.41 We have asked many of the evaluation participants what they consider the role of an independent Chair would look like. Phrases such as “*they need to be able to drive the process*” and “*they need to keep a balance*” were often used. One description provided to us suggested that the individual needed to be from outside of the Cumbrian border with a similar level gravitas to a High Court judge.
- 1.42 Overall, we believe a strong case exists for examining the role of an independent chair in any future Partnership. However, we are clear that it’s not entirely issue free.

### **Scrutiny**

- 1.43 The need for independent evaluation of the process and of scrutiny to the process has been raised in discussions with many key stakeholders. Most stakeholders felt that evaluation was important. However, most also stressed that it should primarily be a *formative* evaluation eg providing advice as the process proceeds.
- 1.44 Clearly there is a difference between evaluation and scrutiny. Scrutiny implies a much more formalised role along with some form of sanction or power to enforce corrective behaviour. Clearly there are a number of scrutiny channels already in existence including the Principal Authorities own scrutiny processes, ombudsman, and civil courts.
- 1.45 However, it may be worth considering in the formation of any future Partnership whether evaluation of itself provides the level of confidence or trust that some of the key stakeholders would require. If not then some form of independent scrutiny role maybe considered.
- 1.46 Another area of possible improvement would be the clear communication of what existing channels of scrutiny and challenge are. There seemed to be an attitude amongst some Partnership members that these routes were self-evident or easily identified by members of the public. We would argue that this is not the case.
- 1.47 Finally, the role of NGO’s and other dissenting bodies needs to be considered. NGO’s play an important role in UK civic life and smaller groups often represent communities of interest that are sometimes overlooked. These groups can act as a form of scrutiny and help to draw attention to important issues that might otherwise be missed.



- 1.48 For several reasons the main NGO's in West Cumbria felt unable to join the Partnership and at times adopted tactics which were in our opinion counter-productive to their own arguments.
- 1.49 However, any future Partnership must make efforts to carry out dialogue with NGO's and engage them in the process. There may be common ground that can be established, there may be not, but exclusion or ignoring NGO's and dissenting voices is just not an option.

## Resourcing & Capacity

- 1.50 It was noted that the Partnership, at times, was perceived to be under resourced and under capacity. This is both in financial terms and in terms of personnel. Clearly, there may be a link between these two aspects.
- 1.51 Specifically with regard to financial resources, the Partnership clearly provided funding to all members who wished to avail of it. This funding was ultimately itself provided from Central Government by DECC
- 1.52 The processes for accessing this funding were documented and reported on the Partnership website. Funding for smaller organisations and NGOs was also made available.
- 1.53 This funding needs to be continued in any Partnership going forward. It is worth restating that this funding is crucial in order to ensure that any Partnership does not become biased towards those with the resources to participate.
- 1.54 We acknowledge the inherent balance that must be struck in terms of providing funding so that barriers to participation are removed and avoiding profligate spending of public funds. This is always a difficult balance to strike and more so now in the context of national 'austerity'.
- 1.55 Our view is that the processes operated by the Partnerships independent facilitators in this regard struck the appropriate balance and were satisfactory. These should be continued or adopted elsewhere.
- 1.56 One of the key lessons and observations of MRWS Stage 3 would be that the volume, depth and intensity of the work took many members by surprise. This clearly placed strain on many of the Partnership members both in terms of officer time and capacity.
- 1.57 It might be assumed that the strain on personnel was directly correlated to levels of funding. However, we do not see evidence to support this. In fact, the budget allocated by Central Government was underspent on a number of occasions.



- 1.58 This is confusing to an observer given the apparent 'standoffs' that occurred between Central and Local Government on funding during the Partnerships lifetime.
- 1.59 The reasons why Partnership members did not access the full funding available to them when clearly many were struggling to resource the workload is unclear. Several reasons have been postulated ranging from; lack of understanding of process, internal recruitment freezes and failure to anticipate the workload.
- 1.60 Only individual members will know why they didn't always access the funding. However, the key recommendation would seem to be that a process such as this requires a large amount of intensive work.
- 1.61 To serve the public interest fully on such an important matter then Central, Local and other partners alike need to recognise, in advance, the depth of work they are undertaking and how much resource will be needed.
- 1.62 Even if this was not apparent at the outset of MRWS Stage 3 then it is very clear now.



## 2 Introduction

2.1 This evaluation takes the work of the West Cumbria MRWS Partnership as its focus.

### The Partnership

2.2 The role of the West Cumbria MRWS Partnership ('the Partnership') was to inform the decision being made by the Decision Making Bodies (DMBs<sup>3</sup>) on whether to participate in the next stage (Stage 4) of the MRWS process in West Cumbria.

2.3 The Partnership was not a decision making body; acting solely in an advisory capacity.

### Background

2.4 The UK Government published the White Paper: Managing Radioactive Waste Safely – A Framework for Implementing Geological Disposal on 12 June 2008. This set out Government's detailed policy and plans for the long-term management of higher activity wastes through geological disposal<sup>4</sup>.

2.5 The White paper defined a 6-Stage process for selecting a site according with the principles of voluntarism and Partnership; incorporating points at which communities would consider continued participation or withdrawal. This process is illustrated in Figure 1, taken directly from the White Paper.

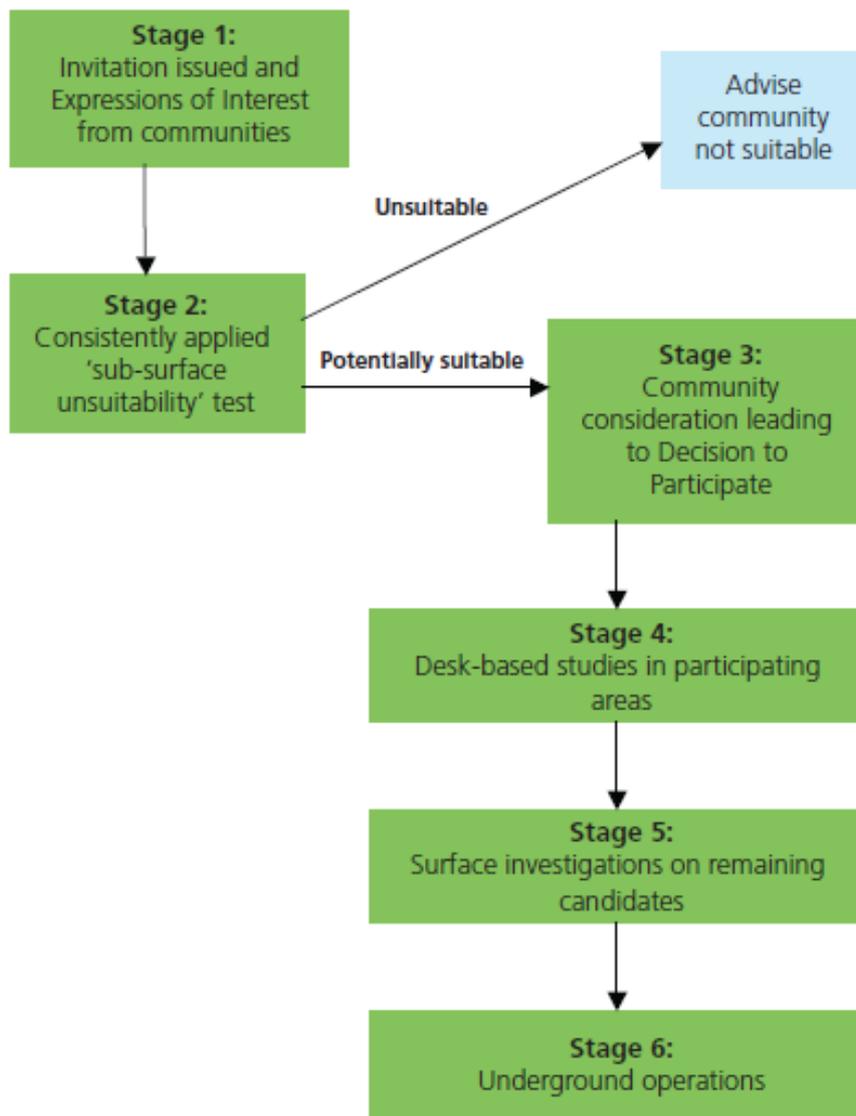
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<sup>3</sup>Allerdale Borough Council, Copeland Borough Council, and Cumbria County Council

<sup>4</sup><http://mrws.decc.gov.uk/assets/decc/mrws/white-paper-final.pdf>



**Figure 1 – ‘Stages in the site selection process’ MRWS White Paper 2008:**



- 2.6 In 2009, Allerdale Borough Council, Copeland Borough Council, and Cumbria County Council (the DMB's) expressed interest in engaging in the MRWS process (Stage 1). Subsequently, the British Geological Survey (BGS) performed a desk-based screening process to remove areas deemed geologically unsuitable from any further involvement in the MRWS process (Stage 2)<sup>5</sup>.
- 2.7 The DMB's established the Partnership in order to inform the Stage 3 'Decision to Participate': *the decision point at which a Decision Making Bodies make a formal commitment to participate in the geological disposal facility siting process, but without commitment to host the facility*<sup>6</sup>.

<sup>5</sup>[www.westcumbriamrws.org.uk/news\\_more.asp?news\\_id=7&current\\_id=1](http://www.westcumbriamrws.org.uk/news_more.asp?news_id=7&current_id=1)

<sup>6</sup> MRWS White Paper p.g.49



## Composition

2.8 The Partnership was composed of 'Full' and 'Observing' members:

West Cumbria MRWS Partnership	
Full Members	Observing Members
Allerdale Borough Council	Committee on Radioactive Waste Management
Borough of Barrow in Furness	Department of Energy and Climate Change
Copeland Borough Council	Environment Agency
Churches Together in Cumbria	Isle of Man Government
Cumbria County Council	Nuclear Decommissioning Authority
Cumbria Chamber of Commerce	Nuclear Installations Inspectorate
Eden District Council	West Cumbria Sites Stakeholder Group
GMB Northern Region	
Unite	
National Farmers Union	
Lake District National Park Authority	
Prospect	
Cumbria Association of Local Councils	
NuLeAF	
Cumbria Tourism	
Carlisle City Council	
West Cumbria Sites Stakeholder Group	
South Lakeland District Council	

2.9 Full members were recruited according to the following membership criteria:

- *The organisation must hold a substantive interest in Copeland and/or Allerdale and the impact a geological disposal facility might have on the wider area.*
- *The organisation must represent a formally constituted body or community of interest whose views are not already represented on the Partnership.*
- *The organisation must be willing to operate within the Terms of Reference and working agreement of the Partnership.*

2.10 Observing Members were official bodies recruited to provide advice and support when requested by Full Members; the Observing Members did not take part in making Partnership decisions.



- 2.11 Organisations that declined invitations to Full Membership included Greenpeace, Friends of the Earth West Cumbria, and Cumbrians Opposed to a Radioactive Environment (CORE).

### The Partnership's Work

- 2.12 The Partnership was tasked by the DMBs to build the information base necessary to reach an informed and credible decision on whether to participate, in accordance with the principles of community voluntarism and Partnership
- 2.13 The Partnership's Aim and Objectives were stated in the Terms of Reference (2009)<sup>7</sup>:

*The aim of the West Cumbria MRWS Partnerships is to make recommendations to Allerdale Borough Council, Copeland Borough Council and Cumbria County Council (the Principal Authorities) on whether they should participate or not in the Geological Disposal Facility siting process, without commitment to eventually host a facility.*

*Specific objectives are delivered via the Work Programme and the Public and Stakeholder Engagement plan. Objectives include the following:*

- a) To build Partners' understanding of the siting process for the Geological Disposal Facility (GDF)*
- b) To identify appropriate criteria for deciding whether or not to participate in the siting process for a GDF*
- c) To inform the general public and stakeholder organisations about the issues associated with the siting process for a GDF, and to gauge their views about future participation.*
- d) To assemble information about the potential intergenerational benefits and disbenefits of a GDF in West Cumbria so as to assist Partners, the general public and stakeholder organisations in reaching a view about future participation.*

- 2.14 The Work Programme that framed the Partnership's investigations focussed on 6 criteria:

- Criterion 1 – Safety, Security, Environment, and Planning
- Criterion 2 – Geology

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<sup>7</sup>[www.westcumbriamrws.org.uk/documents/2-Partnership Terms of Reference %28draft4%29.pdf](http://www.westcumbriamrws.org.uk/documents/2-Partnership_Terms_of_Reference_%28draft4%29.pdf)

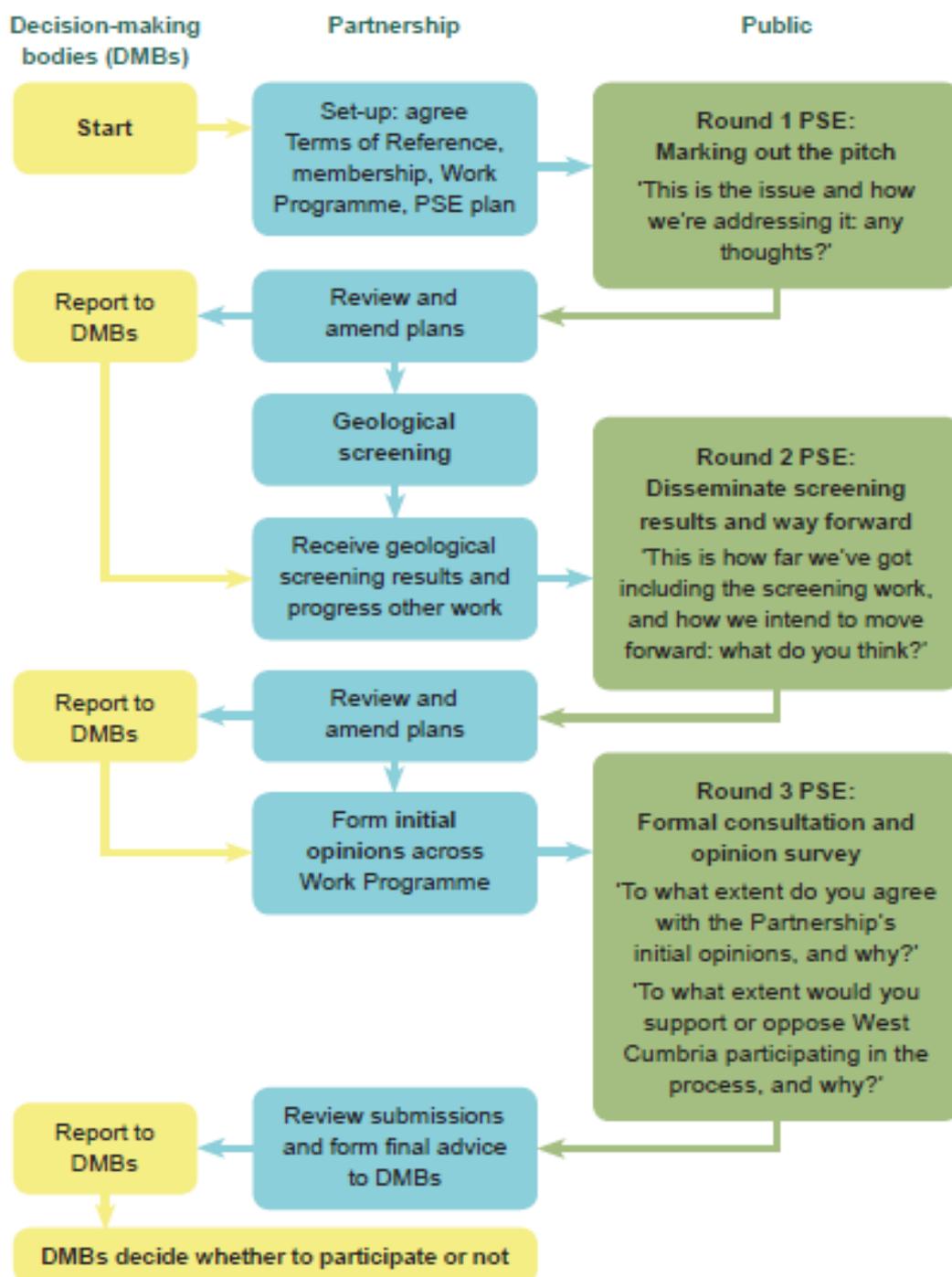


- Criterion 3 – Community Benefits, and Impacts
- Criterion 4 – Design, Engineering, and Inventory
- Criterion 5 – Siting Process
- Criterion 6 – How Public and Stakeholder Views Will be Used

2.15 Public and Stakeholder Engagement (PSE) programme was undertaken in three phases; PSE1 (Nov 2009 to Mar 2010), PSE2 (Nov 2010 to Feb 2011), and PSE3 (Nov 2011 to Mar 2012). Each PSE phase took a specific approach to publicity, engagement, consultation, and survey; summarised in Figure 2.



**Figure 2 – ‘The Partnership’s three stages of public and stakeholder engagement’, Partnership’s Final Report 2012:**



2.16 The Partnership’s work was structured around public Partnership Meetings and Sub-Group Sessions independently facilitated by 3KQ Ltd, with all outcomes and working documents publically accessible on the Partnership’s website<sup>8</sup>.

<sup>8</sup>[www.westcumbriamrws.org.uk](http://www.westcumbriamrws.org.uk)



2.17 The Partnership's work was funded by Central Government.



## 3 Evaluation Approach & Scope

- 3.1 This section outlines the approach and scope to the evaluation of the operation and governance of the MRWS Partnership.

### Overview

- 3.2 Wood Holmes were commissioned by the West Cumbria Managing Radioactive Waste Safely Partnership ('The Partnership') to undertake an independent evaluation of:

- The Partnership's operation and governance
- The Partnership's public and stakeholder engagement activities (PSE3)
- The Partnership's public and stakeholder engagement activities (PSE2)

- 3.3 In order to maximise utility and validity, the process of evaluation has been staggered such that:

- The evaluation of PSE2, paired with an interim evaluation of the Partnership's operation and governance, was published in March 2011
- The Final Evaluation of the Partnership & PSE3 are published in 2 separate but related reports prior to any Decision about Participation.

- 3.4 All documents are available on the Partnership's website<sup>9</sup>.

### Formative Evaluation

- 3.5 Adopted as an aspect of evaluation good practice, the Partnership has sought to integrate recommendations emerging from the evaluation **throughout** the MRWS programme (formative evaluation).

- 3.6 With specific regard to the operation and governance of the MRWS Partnership, Wood Holmes have put forward several recommendations and observations at Partnership Meetings and Sub-Group Sessions many of which have been adopted.

- 3.7 In addition, Wood Holmes have participated in discussion of the Partnership's programme with representatives of the Partnership and facilitators 3KQ.

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<sup>9</sup>[www.westcumbriamrws.org.uk/documents.asp](http://www.westcumbriamrws.org.uk/documents.asp)



## Summative Evaluation

- 3.8 The summative evaluation has sought to establish the efficiency and effectiveness of the MRWS Partnership in achieving its objectives:
- 3.9 The headline Objectives of the MRWS Partnership are:
- To build Partners' understanding of the siting process for the Geological Disposal Facility (GDF)
  - To identify appropriate criteria for deciding whether or not to participate in the siting process for a GDF
  - To inform the general public and stakeholder organisations about the issues associated with the siting process for a GDF, and to gauge their views about future participation.
  - To assemble information about the potential intergenerational benefits and disbenefits of a GDF in West Cumbria so as to assist Partners, the general public and stakeholder organisations in reaching a view about future participation.
- 3.10 The assessment of achievement against objectives is based on a collated review of recorded outcomes, direct observations, and stakeholder opinion.
- 3.11 The summative evaluation places particular emphasis on an exploration of:
- Strength and weakness in process and outcome.
  - Efficiency and effectiveness of delivery.
  - Potential improvements to efficiency and effectiveness.
  - Lessons learnt
- 3.12 The evaluation commentary will deliver a review of evidence, together with a qualitative assessment of the implication in terms of these evaluation themes. An effort to reflect the breadth of perspective is made throughout.

## Research

- 3.13 A robust research programme underpins the evaluation, constituent parts of which are:

### Partnership Observation



- 3.14 During the evaluation, Wood Holmes have, with the full cooperation of the Partnership, been granted free and unfettered access to observe all aspects of the Partnership's planning, management, and delivery processes.
- 3.15 With specific regard to the Partnership, this level of access has included open access to all public and private meetings involving the Partnership and its Subgroups. Attendance by members of the evaluation team was not subject to scheduling or prior warning.
- 3.16 Attendance of Partnership Meetings cycle represents a core feature of this aspect of research.

### Partnership Engagement

- 3.17 Throughout the Partnership's programme the evaluators have engaged Full and Observing Partnership members to explore thinking, perceptions, and outlooks with regard to topical issues on the Partnership's agenda.
- 3.18 A focus of this activity has been the Partnership Meetings, Steering Group Meetings, Sub-Group Meetings (and conference calls), and PSE events.

### Facilitator Engagement

- 3.19 An open two-way conversation with the 3KQ team has been maintained throughout the evaluation; structured around Partnership, Sub-Group, and PSE events. This conversation has provided an opportunity for evaluators to probe thinking and direction of travel, whilst providing an opportunity to explore recommendations emerging from the formative evaluation.

### Document Review

- 3.20 A weight of documentary evidence has been accessed for the purposes of the evaluation. Key document resources include:
- Minutes: Partnership Meetings, Steering Group Meetings, Sub-Group Meetings
  - Publications: Partnership project management documentation, reporting, and communiques
- 3.21 The Wood Holmes team have been copied into all Partnership correspondence; spanning discussion between Partnership members, discussion of draft documents, discussion pertaining to day-to-day project management, and dialogue with stakeholders (including coordination of FOI responses).

### Final Partnership Consultations



- 3.22 For the purposes of the summative evaluation, Wood Holmes has sought to consult representatives of the Full and Observing membership to explore perspectives on the operation and governance of the Partnership from the standpoint of September 2012 (the end of the Partnership's work).
- 3.23 Stakeholders have been asked to reflect upon efficiency and effectiveness of the MRWS Partnership operation and governance; all consultees have been asked to consider strength, weakness, and potential improvement in processes and outcomes.
- 3.24 A simple semi-structured discussion guide has been employed to stimulate conversations as appropriate. All consultations were carried out in accordance with MRS and UK Evaluation Society guidelines. Anonymity in reporting (unless otherwise instructed) has been maintained as a default in order to limit constraints on comment.



## 4 Discussion

- 4.1 This section provides a discussion of MRWSPartnership in the context of its objectives.
- 4.2 The discussion is framed by the question: ***‘Based on the prima facie evidence available, to what extent did the West CumbriaMRWSPartnership achieve its objectives and what improvements could have been made?’***
- 4.3 It represents a qualitative exploration of evidence; balance has been sought throughout and an effort to represent the broad landscape of perspectives has been made.
- 4.4 As discussed in the preceding statement of ‘Approach’, the evaluation is based on extensive hours of direct observations, consultations with key stakeholders, and an ongoing review of documentary evidence.

### Building on the Interim Evaluation

- 4.5 This evaluation seeks to build on the interim evaluation of 2011.
- 4.6 An interim evaluation of the Partnership’s operation and governance accompanied the PSE2 evaluation published in March 2011; spanning the Partnership’s work in the period November 2010 to February 2011<sup>10</sup>.
- 4.7 The interim evaluation at that point observed an effective, fair, independent, and impartial execution of role as defined by the DMBs and the MRWS White Paper (2008).
- 4.8 As independent evaluator, we identified five strengths of The Partnership which we felt had played a central role in enabling these achievements. These were:

**A. The existence of The Partnership as an independent body:** The alternatives, which would most likely have involved local authority officers being tasked with this work would, we feel, have undermined the integrity of the process and left it more vulnerable to accusations of pre-determination.

**B. The use of independent facilitators:**All members of the Partnership consulted agreed that the efficiency and integrity of independent facilitators 3KQ had been a key factor in the achievements made to date. Most commented that their approachability outside of meetings, accuracy and speed of reporting and their

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<sup>10</sup> MRWS Document 158.1 – [www.westcumbriamrws.org.uk/documents/158.1-West\\_Cumbria\\_MRWS\\_Interim\\_Evaluation\\_Report\\_Draft\\_1\\_1.pdf](http://www.westcumbriamrws.org.uk/documents/158.1-West_Cumbria_MRWS_Interim_Evaluation_Report_Draft_1_1.pdf)



continued impartiality on all aspects of the work has created a strong sense of trust and professionalism which has positively affected all aspects of the work programme.

**C. The use of six criteria for continued involvement to structure a work programme:** The decision to manage the complexity of the issues facing The Partnership by imposing a structure based on six criteria. The early identification of these criteria (see Partnership documents 03 and 07) created a helpful framework around which the work programme hangs. Doing so reduced the number and scope of the otherwise limitless and unstructured questions facing The Partnership. This process is summarised in Partnership document 09:

- *“The criteria will ultimately be used to guide the Partnership's final recommendations on the question of whether the Decision Making Bodies should participate or not in the Government's process of moving towards a geological disposal facility. Therefore the work programme must include activities that enable well informed judgements to be made when the Partnership is considering their recommendations.”* (Document 09, p7)

**D. Regular reference to the MRWS process and the criteria to limit the complexity of the issues**

- The stage-limited nature of the Partnership's brief in regard to the much longer MRWS process
- The limits placed on activities by the criteria established in document 07

**E. Two-tier membership structure:** Creating a distinction between full and observing members which enables the involvement and technical input of organisations such as DECC, NDA, CoRWM, and the Environment Agency but manages their ability to influence outcomes.

4.9 Building on this base, this final evaluation focusses on an exploration of the Partnership's response to key challenges.

4.10 This discussion is framed under the following titles:

- Background & Context
- Membership
- Governance
- Delivery
- Relationships



## A. Background & Context

4.11 It is our observation that certain features of the Partnership's background and genesis have played a strong role in its subsequent reception and operation. These are discussed below.

### Expression of Interest

4.12 The Partnership has faced an enduring challenge to its impartiality derived from the expression of interest submitted by Allerdale Borough Council, Copeland Borough Council, and Cumbria County Council.

4.13 Amongst some stakeholders, the expression of interest has been viewed as a pro-GDF statement made by organisations that subsequently took influential positions on the Partnership.

4.14 In addition, the fact that Copeland Borough Council moved to express interest relatively quickly and unilaterally is considered by a number of those contributing to this evaluation to have provided limited opportunity for preparatory engagement and the orderly construction of a Partnership.

### MRWS White Paper

4.15 This evaluation is an evaluation of the Partnership and *not* an evaluation of the MRWS White Paper. However, key challenges faced by the Partnership trace their origins to the White Paper and therefore we have decided to include these in this discussion. Key issues include:

- Perceived constraint in the process derived from the selection of geological disposal as the waste management solution prior to the engagement and consultation of Stage 3.
- Uncertainty concerning the implication of 'voluntarism' and its fit with prevailing and emerging planning and consultation frameworks.
- Lack of clarity concerning the ability of communities scaled at the level of ward or parish to enact the 'community right to withdrawal'.
- Fluidity concerning the definition of 'suitable geology'.
- Perceived constraint and coercion, from some parties, in the sequencing of Stages 2, 3, and 4 of the MRWS process.

4.16 In these respects, the Partnership has therefore faced unavoidable challenges derived from the very "DNA" of the MRWS process encoded in the White Paper.



## A Novel Process

- 4.17 It should be stated that the process laid out in the MRWS White Paper is novel to the UK and in many respects the West Cumbria MRWS Partnership has been pioneering in its approach.
- 4.18 To add further to this novelty, the MRWS process was started under the previous Labour administration prior to the economic crash of 2008 and has continued under the new Coalition administration under conditions of great economic uncertainty.
- 4.19 The backdrop of UK wide-austerity measures, radical change to Local Government structures and changes to the English planning systems all contributed to the sense of novelty (if not uncertainty) as the process proceeded.
- 4.20 Therefore, we have observed that many of the issues or delays raised during the process were often the result of organisations within the Partnership or Central Government clarifying, defining or investigating issues which had previously been unforeseen and were being considered for the first time in this process.

## B. Membership

### Broad Participation

- 4.21 The Partnership was composed of 'Full' and 'Observing' members:

West Cumbria MRWS Partnership	
Full Members	Observing Members
Allerdale Borough Council	Committee on Radioactive Waste Management
Borough of Barrow in Furness	Department of Energy and Climate Change
Copeland Borough Council	Environment Agency
Churches Together in Cumbria	Isle of Man Government
Cumbria County Council	Nuclear Decommissioning Authority
Cumbria Chamber of Commerce	Nuclear Installations Inspectorate
Eden District Council	West Cumbria Sites Stakeholder Group
GMB Northern Region	
Unite	
National Farmers Union	
Lake District National Park Authority	
Prospect	
Cumbria Association of Local Councils	
NuLeAF	



Cumbria Tourism Carlisle City Council West Cumbria Sites Stakeholder Group South Lakeland District Council	
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- 4.22 This membership is considered to accord with the principle of ‘wise democratic processes’<sup>11</sup>; representing key stakeholder identities, and attempting to bring in as many perspectives as possible.
- 4.23 The distinction between ‘Full’ and ‘Observing’ recognises the primacy of those stakeholders with standing on the issue in West Cumbria whilst incorporating essential resource with regards to technical features of the MRWS process.

### Patterns of Involvement

- 4.24 The Partnership has been observed to remove barriers for members and potential members through sympathetic scheduling of meetings, adoption of conference call meetings, and provision of financial support for engaged members for whom it would otherwise have been a barrier to participation.
- 4.25 For example, the National Farmers Union (NFU) has indicated that financial support was essential to their continued engagement in the latter stages of the Partnerships the workload built in 2011/12.
- 4.26 However, the nature of involvement has not been uniform; individual members have adopted distinct profiles of abstention, issue-focus, and workload based on their available resource or the direction of the community they represent.
- 4.27 We observed that members were able to make a free choice with regards to their depth of involvement in the Partnership’s work. In our opinion at no stage has the Partnership been attended by too narrow a cross section of the membership.
- 4.28 On this basis, we are satisfied that the Partnership maximised the engagement of its membership. Furthermore, the Partnership cannot be held responsible for DECC’s structuring of the MRWS process and as such, we are comfortable with some organisations having only a limited involvement at this stage.

### NGO’s & Declined Membership

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<sup>11</sup> The International Association of Public Participation (IAP2) suggests that, “Wise democratic processes are those which utilize a community’s or society’s diversity to deepen shared understanding and produce outcomes of long-term benefit to the whole community or society.” (see [www.involve.org.uk/evaluation-guide/annex4\\_2.shtml](http://www.involve.org.uk/evaluation-guide/annex4_2.shtml))



- 4.29 Organisations declining membership of the Partnership are of particular interest to this evaluation.
- 4.30 The Partnership has been observed to extend invitations to local NGOs to take up seats on the Partnership on several occasions, these offers have been declined.
- 4.31 Organisations declining invitations to take a seat on the Partnership are:
- Cumbrians Opposed to a Radioactive Environment (CORE)
  - Greenpeace
  - Cumbria Friends of the Earth
- 4.32 The Partnership has extended its invitation to participate at several points in time, and in several ways including the following:
- Offer of Full or Observing membership
  - Invitation to participate in all stakeholder events
  - Invitation to co-design/structure a workshop or workshops to be financed by the Partnership
  - Open correspondence with independent facilitators 3KQ at all times
- 4.33 Invitations to participate in a manner of the organisations' preference have been extended to each organisation and additionally to Radiation Free Lakeland.
- 4.34 The environmental NGOs have declined offers of membership preferring to remain independent.
- 4.35 As independent actors, representatives of these organisations as well as non-affiliated key individuals<sup>12</sup> have played an active role in PSE2 and PSE3, as well as maintaining a consistent representation at Partnership meetings from the public gallery.
- 4.36 In addition, these groups and individuals have coordinated a strong representation of their views on the six criteria via the consultation phases.
- 4.37 Consultations with representatives of these organisations reveal their decision with regard to the manner of their participation reflected a complex range of factors, including; concerns regarding the environmental risk of nuclear power, concerns

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<sup>12</sup> There are several independent campaigners who have no formal alliance with any major NGO but whom made substantial representations throughout the process.



regarding the partiality of the Partnership, and a desire to revisit the selection of geological disposal as the preferred waste management solution.

- 4.38 Consultations with CORE indicated that Partnership membership was simply impossible whilst geological disposal was the sole waste management solution being considered at this stage of the MRWS process.
- 4.39 In addition, it is clear that NGOs approached the offer of a Partnership seat with some scepticism; believing they would lend the Partnership credibility without being afforded sufficient strength of voice to impact the agenda or direction of travel in return.
- 4.40 Origins of this viewpoint may possibly be traced to the NIREX review; considered by many to have conclusively confirmed the unsuitability of geological disposal in West Cumbria.
- 4.41 The permeation of 'nuclear issues' through the social, economic, and political fabric of West Cumbria long before the birth of the MRWS process should also be acknowledged as a strong influence on many of the prevailing attitudes.
- 4.42 Arguably this led to an adversarial stance being adopted by the NGOs early in the process; largely founded on the incompatibility between the NGO position and the terms of MRWS Stage 3, but also bolstered by a belief that any input from them would make no difference to the Partnership.
- 4.43 However, the examples of GMB, NFU, Cumbria Tourism, and CALC demonstrate the potential for members to influence the Partnership regardless of their opinion or resource. In this regard we feel that the NGO's would have been able to influence the Partnerships work despite their concerns. Whether this would have influenced the overall MRWS Process can only be speculated upon.
- 4.44 Overall, we are satisfied that The Partnership attempted to be inclusive in the way it sought to involve environmental groups and others in its work programme.
- 4.45 However, there are lessons to be learned from the continued tensions between NGO's and The Partnership.
- 4.46 Most clearly, the terms on which The Partnership has sought to involve environmental groups have been framed by its own brief, which as we have discussed earlier was developed out of the MRWS White Paper itself.
- 4.47 The consequences of this are that NGO's have been asked to feed into a process which is based on premises they do not accept and seek to challenge. This appears to be intractable at this stage. However, any future Partnership must make continued efforts to engage the NGOs.



- 4.48 Finally, it needs to be recognised that the NGO's are not a coherently organised group with a single 'controlling mind'. Rather, they are loose coalition of different groups brought together by a common interest. Within the coalition of NGO's we witnessed a wide range of tactics for engaging in the process, from the media and visual stunts of some groups to the well thought out submissions to the PSE consultations from others.
- 4.49 Sadly, and to the detriment of their collective viewpoint (and by extension to their role as necessary check and balance in the democratic process), too often the visual stunts overshadowed more substantive lines of questioning. Where questions were posed to the Partnership these too often sought to unearth conspiracies where none existed.
- 4.50 In this regard, the stipulations of the MRWS White Paper and the tactics/behaviour of the NGO's often rendered the Partnership unable to engage in a meaningful conversation with certain groups. As it stands we think this may continue but that does not mean either 'side' can ignore the other.

## C. Governance

### Terms of Reference

- 4.51 The Terms of Reference under which The Partnership operated existed in draft only throughout the lifetime of the Partnership; adopted in principle but never receiving formal agreement by the members of the Partnership.
- 4.52 We feel that while it would have been preferable for all members to have agreed and formalised the Terms of Reference, the provisional nature of the document was in line with the current MRWS stage.
- 4.53 However, any future Partnership would need to revisit this issue early on and it is unlikely that proceeding without agreeing ToR's would be tenable.

### Chair

- 4.54 The Partnership adopted a rotating Chair drawn from one of the DMBs. This was raised by some members as a cause for concern, as it:
- Potentially undermined the impartiality of The Partnership due to the DMBs' publicly stated policies regarding the nuclear industry.
  - Creates a political imbalance in The Partnership between the DMBs and other full members.
- 4.55 An independent chair has been proposed during stakeholder consultations in remedy to these issues. The call for an independent chair may stem from the fact that in



many other public bodies, Councils and Boards the chair can exert special influence and that following from this there is an expectation that good governance requires this Partnership's chair to be independent.

4.56 However, this Partnership was not a decision making body and observations of Partnership Meetings reveals the Chair had no more influence than other regularly attending Full members. Therefore we are satisfied that the arrangements that were in place were adequate.

4.57 The role of the Chair may change significantly in any future Partnership and that issue is discussed in the Recommendations section of this report.

### Independent Facilitation

4.58 The use of independent facilitators, in this case 3KQ Ltd, appears to have been valued by all of the Partnership members.

4.59 A number of respondents acknowledged the key role played by 3KQ in navigating the complexity and sensitivity of the issue within the bounds of time and financial resource.

4.60 In addition, 3KQ played a key role in brokering constructive dialogue within the Partnership and between the Partnership and the wider community. The neutrality of the 3KQ team has been recognised and acknowledged by all. Acting as a neutral interface between Partnership and community, the value of independent facilitation has been clear.

4.61 The evaluation has revealed significant pressure being placed upon the 3KQ by the process in the closing phases of the Partnership's programme with respect to the deadline of completion. Under this situation, the 3KQ teams' role began to expand from independent facilitation towards delivery agent for the Partnership.

4.62 During this time, no compromise to the independence of the 3KQ team has been observed. However, the issue of resourcing and clarity of roles would need to be considered in any future Partnership.

### Impartiality

4.63 We feel that while it is possible that some individual members and some member organisations may have pre-dispositions on this question, a clear distinction should be drawn between pre-disposition and pre-determination of The Partnership's work.

4.64 In light of West Cumbria's nuclear history and its various environmental, economic, moral, political and social dimensions it would be unrealistic to expect all participants to be entirely un-predisposed on this issue.



- 4.65 Therefore, we felt that Partnership in its role as advising the DMBs did succeed in bringing together a wide range of dispositions on the subject in order to deliver well rounded and scrutinised advice to the DMBs.
- 4.66 Striking this balance has included commissioning a range of research and presentations to The Partnership to enable a balanced and critically informed understanding of the major issues associated with The Partnership's work.

### Abandonment of Initial Aim

- 4.67 One of the original aims of the Partnership was to make a specific recommendation to the DMB's on whether or not to progress into the next stage of the MRWS process.
- 4.68 However, this aim was abandoned at a relatively early stage in favour of the position that was adopted e.g. to make recommendations and commentary in the six specific areas but to stop short of making a clear recommendation on whether or not DMB's should proceed.
- 4.69 This abandonment of the initial aim seems to have arisen primarily due to concerns regarding pre-determination within members of the Partnership. The question then arises, did this abandonment of a very specific aim make The Partnership a less effective body?
- 4.70 Our assessment of this is that there are arguments for and against. The lack of a clear "yes or no" recommendation certainly added to the public confusion on the process, with members of the public we spoke to confused as to the role of The Partnership. This links with suspicions that The Partnership was just, "a talking shop" with the real decisions being made within Authorities.
- 4.71 On the other hand, it may be that many Partnership members recognised at the outset that for the Partnership to make a clear recommendation one way or the other was just never achievable and that the approach taken allowed all of the important issues to be discussed fully in public without the pressure of having to eventually decide.
- 4.72 Finally, as discussed elsewhere in this report, it could be argued that the genesis and structure of the Partnership was adequate for the role it played, but for it to have made a firm "yes or no" recommendation would seem to have been beyond its natural remit and would seem to be at odds with existing local democratic structures.

### Dominant Voices

- 4.73 In consultations conducted as part of the evaluation some stakeholders have expressed concerns regarding the extent to which The Partnership is dominated by the Principal Authorities, for example:



- Principal Authorities take the rotating Chairing role
- Principal Authorities send more officers and elected representatives, meaning that discussions are sometimes felt by some members to be dominated by these organisations.
- Elected representatives are often more vocal, and more experienced in speaking in such forums. As a result, they are able to dominate discussions through force of personality.

4.74 Given the Principal Authorities' public policy positions regarding nuclear, this has been expressed as a cause for concern by some members.

4.75 Consultations undertaken as part of this evaluation reveal a significant aspect of the Principal Authorities' perceived influence may derive from the greater bureaucratic capacity possessed by their teams; making the Authorities able to process the extensive workload faster and more effectively than some members. However, even with this resource, it was witnessed that the Principal Authorities also struggled with the workload.

4.76 That some members are dissatisfied with the dominance of the Principal Authorities may point to a structural issue in The Partnership. This was felt to be the case by some members who felt less able to influence Partnership Meetings. Several Partnership members stated they did not feel equal partners in the process at all times.

4.77 Despite this, we observed robust efforts on the part of the Principal Authorities and the Partnership, through its independent facilitators 3KQ, to be sensitive to potential domination and to correct this whenever the risk arose.

4.78 Hindsight reveals an opportunity to aid reception of the Partnership through a potentially modified positioning of the Principal Authorities in the membership; specifically through reduction of their representation and possible use of an independent chair.

### A True Partnership?

4.79 The Partnership's name was in our view unhelpful as it did not accurately reflect the work being undertaken. This sometimes confused understanding of its work, operation and governance.

4.80 The term 'Partnership' is not considered apt for two basic reasons, (i) there was not equal standing between Full members (ii) the term connotes a delivery body composed of parties with a common agenda.



- 4.81 Based on observation of the Partnership and its objectives, it is apparent that the organisation has sought to act as an independent advisory forum, and that such a name (or something similar) would have been more helpful for all stakeholders.
- 4.82 While this may seem a relatively minor semantic issue, the nomenclature used has led to some members and onlookers having different expectations of the Partnership. Our evaluation activities suggest that these issues ought to be causes for reflection and learning.

## D. Delivery

### Work Programme

- 4.83 The Work Programme that framed the Partnership's investigations focussed on 6 criteria:
- Criterion 1 – Safety, Security, Environment, and Planning
  - Criterion 2 – Geology
  - Criterion 3 – Community Benefits, and Impacts
  - Criterion 4 – Design, Engineering, and Inventory
  - Criterion 5 – Siting Process
  - Criterion 6 – How Public and Stakeholder Views Will be Used
- 4.84 Framing the Partnership's work in this structure has been observed to aid the targeting of resource and the focus of stakeholder interest. The structure was seen to have generally supported stakeholders and Partnership members in engaging with a complex topic.
- 4.85 Discussions with members of the Partnership have revealed that digestion and navigation of each criterion was at times challenging; particularly for some of the more relatively under-resourced members of the Partnership. This issue of resourcing more broadly is discussed in the section below.
- 4.86 **Steering Group & Sub-Group Working**
- 4.87 The Partnership framed its work around the creation of six criteria, and the Steering Group and Sub-groups assigned responsibility for the management of discrete packages of work. There are a number of strengths and weaknesses to this approach, as observed in our research activities and reported by Partnership members.



- 4.88 The main area of concern with regard to the Steering Group was the potential for it to be dominated by the Principal Authorities. The independent facilitators have been observed to seek to ensure balance in the representation of views; slowing the pace to match member capacity and capabilities where necessary.
- 4.89 In addition, the commitment from bodies such as CALC to attend and play a full role in all of the Groups has in our view led to a robust outcome. The long and heavy workload clearly played a part in declining attendances at the Steering Group and Sub-Groups, but members such as CALC and latterly the Trades Unions along with the DMB's committed fully to the process. It should also be mentioned that despite not formally accepting the invite to join the Partnership, the NGO's kept a presence throughout the process as well.
- 4.90 Overall we feel that the alternatives to inter-group working would have been less effective in managing the complexity and cognitive burden associated with the work programme, and as such consider the arrangements that were put in place to be a least worst option.
- 4.91 The public of West Cumbria are fortunate to have such a hard working and committed group of officers, stakeholders and others active in this very complex space. Without the time and effort these individuals and organisations put in the discussions and outcomes might have been far less robust.

## Public & Stakeholder Engagement

- 4.92 Full in-depth discussions regarding the program of public and stakeholder engagement (PSE) is contained in our previous interim evaluation report<sup>13</sup> and in our separate PSE3 evaluation report.
- 4.93 We observed that the PSE3 programme provided the residents of West Cumbria, Cumbria, and areas beyond with an opportunity to engage with the Partnership's initial opinions and submit feedback without restriction. The Partnership provided residents with a free choice from a range of information resources and feedback channels. Extensive efforts to maximise the accessibility of information and the consultation have been observed throughout.
- 4.94 Given the complex nature of the issues presented, and a volume of information collated by the Partnership, the consultation is considered to have realised all opportunities to maximise the breadth and depth of response whilst minimising constraints on feedback. Within the bands of the West Cumbrian focus specified in

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<sup>13</sup>[www.westcumbriamrws.org.uk/documents/158.1-West\\_Cumbria\\_MRWS\\_Interim\\_Evaluation\\_Report\\_Draft\\_1\\_1.pdf](http://www.westcumbriamrws.org.uk/documents/158.1-West_Cumbria_MRWS_Interim_Evaluation_Report_Draft_1_1.pdf)



the PSE three objectives, no improvements to the frequency, balance, and targeting of the associated publicity campaign have been identified during the evaluation.

- 4.95 We observed a structured and transparent process processing consultation feedback; the Partnership and its facilitators going to substantial efforts to ensure all responses were considered fully by all members of the Partnership. We serve members of the Partnership taking their responsibilities with regard to consideration of public consultation responses seriously.
- 4.96 We acknowledge the inherent challenges presented by a qualitative analysis on this scale in adequately representing every individual issue raised. We consider the process of analysis reporting to effectively and faithfully represent the breadth and depth feedback without unjustified admission. The process of analysis has been transparent throughout; raw data and the analysis process been accessible to all parties. All responses to the consultation published on the Partnership website.
- 4.97 Feedback to the consultation has been observed to directly impacted the Partnership's work and initial opinions; with additional enquiries and clarifications undertaken throughout the PSE three programme.
- 4.98 Despite broad endorsement of PSE3 achievements measured against his objectives it is apparent that the objectives of PSE3 and the terms of the MRWS Stage 3 and in some instances generated complaints of predetermination and constraint in the consultation process. This is being exacerbated by an underlying societal mistrust of local and national government. In this regard, judgement on the efficacy of PSE3 is in some part dependent on the follow-through of commitments made by DECC and Partnership members with regard to geological appraisal, safety and risk management, referenda, and the right to withdraw in any future MRWS stages.

## Resourcing

- 4.99 One area that we did not address in our interim evaluation was the issue of resourcing the Partnership. This includes both direct financial resources and manpower resources although, of course, the two are linked.
- 4.100 It's quite clear that a number of Partnership members struggled to take part fully in the work of the Partnership due to lack of (or perceived lack of) resources. Our consultations reveal that many members of the Partnership totally underestimated the time and resources this process was going to take.
- 4.101 This could be seen as slightly surprising as the 'voluntarism' approach adopted in the MRWS White Paper would seem to be inherently resource intensive from the outset. Of course, the counter-argument put forward by some, is that whilst they anticipated the process to be resource intensive they thought this would kick in at a much later



stage. As mentioned in the opening section, some of the surprise around resource requirements can probably be attributed to the novel nature of this process.

- 4.102 Therefore, a key lesson learnt from this Stage of the process would appear to be the amount of resourcing which is required. This is both in terms of human and financial resource.
- 4.103 Some individuals regarded the amount of money spent on this stage of the MRWS process as excessive and the Partnership received several FOI requests to this effect. Similarly, an opposite view stated is that given the importance of this process to the 'nation' then extensive resources should have been available.
- 4.104 During the process we witnessed discussions between the Partnership and DECC on issues of funding and noted how many times these discussions appeared to descend into a counterproductive game of 'brinkmanship'.
- 4.105 Clearly from the DECC's and a Central Government point of view it is important that public money, especially in austere times, is appropriately spent. From a Partnership perspective they were keen to stress how much resource was required in order to deliver the workload and engage with the Cumbrian public in a thorough and professional manner.
- 4.106 Having said this, the money allocated for the Partnership was 'underspent' on several occasions. So despite Partnership members often visibly struggling with the workload in the process there seemed to be a reluctance or operational difficulties in accessing funding or assigning more staff to the project.
- 4.107 This gap in resource perspective almost caused an impasse in the process on several occasions. We make specific recommendations on resourcing in the section below.

### Use of Independent Experts

- 4.108 The use of the use of independent experts to advise the Partnership on various aspects of its work was a key feature of the program.
- 4.109 Experts were used to advise on geology, ethics, legal issues and on the public opinion polling. Overall our view is these experts were procured in an open and transparent manner and added significant value to the Partnership in making sense of complex technical areas.
- 4.110 One of the drawbacks of using independent experts is that opposing views will tend to challenge their independence. This was most notable in the Partnership with the use of geology experts and with challenges on the opinion polling.

### Communication Support & Media Relations



- 4.111 Early in the process The Partnership procured communications support from an independent 3<sup>rd</sup> Party (Osprey Communications Limited).
- 4.112 The specific role of the support was to create a communications plan for the Partnership and to assist on its delivery and implementation.
- 4.113 We observed that communication support to the Partnership worked well and certainly without this resource then the Partnership might have struggled with the day to day media inquiries. These inquiries came from a range of sources including local, national and international and featured all aspects of the Partnerships work.
- 4.114 At no point did we observe the communications support being used to advocate a pro or anti GDF position and the communication contractor sought at all times to clearly communicate the Partnerships neutral position accurately and in an unbiased manner.
- 4.115 It was observed that generally, and perhaps predictably, the media (in all formats from broadcast through to newspapers) tended to focus or pick up on what could be termed 'sensationalist' or 'bad' news stories with regard to the process. This often involved the misrepresentation of which stage the MRWS process was at or presenting the Stage (in headline terms) as a final decision on hosting a GDF in West Cumbria
- 4.116 We see little that the Partnership could have done to prevent this and misreporting was always quickly corrected.
- 4.117 In any future Partnership then we see the need for more (not less) communications support. This may be procured externally or delivered from some 'in-house' means. This may cause concern to some of those we spoke to who expressed concern regarding the expenditure on communications.
- 4.118 However, the modern 24 hour news cycle, social media as well as traditional media channels such as local press will continue to be interested in the process and any future Partnership wherever it is in the UK will need to recognise this is an inevitable part of the landscape.
- 4.119 In addition, it is important from a public engagement point of view that the work of any Partnership is communicated as widely as possible. Not everyone will see the communications, of those that do see it, not everyone will like or understand the communication. However, the alternative of reduce, or do no publicity, is in our opinion untenable.

## Length of Time Spent On the Process



- 4.120 The majority of those spoken to during the evaluation indicated that they had been surprised at how long the process had taken.
- 4.121 This Stage (3) of the MRWS as envisaged in the White Paper was never meant to take this length of time nor was it, in the eyes of the White Papers architects, meant to go into so much depth. The implication from some of those spoken to is that work which was meant to be carried out in Stage 4 was actually done in Stage 3.
- 4.122 Given even a cursory reading of the White Paper as well as the nuclear history of West Cumbria then we believe that it was naïve of any party to expect the Partnership to proceed very quickly. Add into the mix new concepts such as ‘voluntarism’, changes to local government and changes to planning law and one perspective might be that the Partnership did well to get as far as it did.
- 4.123 It was quite evident at some of the latter Partnership meetings that members of the public who had been energised by the PSE3 consultation were quite surprised to see how much debate the Partnership had held over the 3 years.
- 4.124 However, the length of the process (three years) gives rise to a number of issues which need to be taken into account going forward. Firstly, the process of this length runs the risk of becoming more *exclusionary* the longer it proceeds. By this we mean that the ability for new members of the public or stakeholders to join the process at a later date becomes more and more difficult if they haven’t been party to all the discussions as the process has developed. Efforts need to be made to counter this if possible.
- 4.125 Another issue is what we might term a ‘knowledge management’ problem. Even within the timeframe of this evaluation we have seen participating organisations change personnel (for many reasons). The danger is that an individual or individuals leave the process (due to its length) but take with them a large amount of accumulated knowledge about the process.
- 4.126 The major risk we foresee is, having spent a large amount of time and public money examining the issues around a potential GDF in West Cumbria then if the process progressed onto Stage 4 then many of the issues and arguments would be rehearsed again from scratch, unless those that took part in Stage 3 can be retained. The longer a process takes the more likely this is.



## E. Relationships

### Trust & Mistrust

- 4.128 Trust (or rather the lack of it) is one of the central issues that we have observed in the MRWS process. It has been apparent throughout that trust amongst all of the key stakeholders in the process has ebbed and flowed.
- 4.129 It might have been expected that over such a long time frame (and given the intensity of the work at points) that working relationships would have strengthened over time. However, on the whole this appears not to have been the case. Towards the end of the Partnership's life it became apparent that trust was a major issue.
- 4.130 At different points in the Partnership lifetime discussions the around trust often shifted focus. For example, in its final report to the DMB's the Partnership spends a lot of time detailing advice to the decision-making bodies regarding extraction of firm commitments from Central government e.g. firm commitment on the right to withdraw firm commitments on community benefits, the ability to audit the NDA's approach etc. This stems from a lack of trust between Central and Local Government.
- 4.131 However, a lack of trust at a local Cumbrian level between Parish, District and County levels of government was also apparent, as was a lack of trust between communities and those that purport to represent those communities.
- 4.132 This is compounded by the additional complexities of West Cumbrian politics, the history of the NIREX inquiry and confusions as to which Authority elected members are speaking on behalf of. It was noted by several people that many of the elected members on the Partnership sit in more than one Authority.
- 4.133 The Partnership did actively try to keep its workings divorced from any other local or national political or nuclear issue, although inevitably there were times when issues did come to the fore.
- 4.134 Finally, all of the above is set against a general society level wide distrust of public institutions and authorities in general. The general public appear to be more and more likely to believe in conspiracy theories than ever before.
- 4.135 Many of the people we spoke to were seriously concerned about this breakdown in trust and were also clear that it needed to be re-established and efforts need to be made to encourage people to work together as if a decision to proceed to the next stage is taken.



## 5 Key Recommendations

- 5.1 Overall we conclude that the West Cumbria MRWS Partnership was successful in achieving its key stated objectives.
- 5.2 The Partnership attempted to engage extensively with the population of West Cumbria in depth on the substantive issues raised by the MRWS process. In addition the Partnership attempted to do this in as open, transparent and inclusive as manner as possible.
- 5.3 The process is defined by the MRWS White Paper and introduced the concept of 'voluntarism' which the Partnership has attempted to work in the spirit of. This is despite a changing planning and infrastructure context generated due to a new UK Government in 2010 and the backdrop of once in a generation public 'austerity' measures.
- 5.4 Over the lifetime of the evaluation several key themes have emerged around which lessons have been learnt and recommendations can be captured. The themes are discussed at length in the main body of this report and for summary they are:
- Background & Context – how did the context impact delivery?
  - Membership – who was involved in the Partnership
  - Governance – how did the Partnership look at governance and accountability
  - Delivery – how was the work of the Partnership delivered
  - Relationships – how trust and inter-organisational working impacted the Partnership.
- 5.5 In many ways the findings and observations of this evaluation were prefaced by the Partnership in its own final report. As such, we hope that the findings and recommendations here serve to underscore and reinforce much of the advice given to any future Partnership in that document.

### Recommendations

- 5.6 Based on the evidence gathered and the discussions held the following emerge as recommendations for any future Partnership (either in West Cumbria or elsewhere in the UK). The key areas for recommendation are;
- Building Trust
  - Appropriate Governance Arrangements



- Resourcing & Capacity Building

## Building Trust

- 5.7 It is clear that any 'Partnership' either in West Cumbria or elsewhere in the UK needs to work continually to establish and maintain trust amongst all its stakeholders.
- 5.8 If there is a decision to proceed into Stage 4 of the MRWS Process then we would strongly recommend that extensive efforts are made to establish trust and strong working arrangements between partners.
- 5.9 Without this, and anticipating a lengthy and stressful process ahead, then it is our view that there is a high likelihood of process 'breakdown' in the future.
- 5.10 Building trust is, of course, very difficult and there is no easy way to achieving this.
- 5.11 Substantive efforts to build trust should be undertaken at the outset of any new Partnership and this must go hand-in-hand with appropriate governance and organisational mechanisms that provide members with some degree of confidence that the process is proceeding in a fair, open, transparent and governable format.
- 5.12 In addition, when selecting individuals to take part in any Partnership, consideration should be given to the inevitable workloads which will fall on the shoulders of any Partnership member and the standards of behaviour and probity that are required on a body such as this.
- 5.13 Appropriate capacity building/training/advice and even recruitment arrangements should be put in place at the outset of any process to ensure that those selected to sit on any Partnership can fulfil their role to the highest possible standard.

## Governance Arrangements

- 5.14 Following directly on from the recommendation about building trust, any Partnership, organisation or forum must put in place clear and transparent governance arrangements.
- 5.15 The overall objective of any Partnership is to be transparent governable and manageable. That is to say the process that it adopts and the procedures and adopts should be clear and open to all this should be no bias toward any position within any Partnership and therefore the structures that were put in place should mitigate against this. This should also be reviewed at regular intervals in case as the process develops new positions emerge new partners are required to be brought on board
- 5.16 The perceived haste with which the previous Partnership was initially formed perhaps meant that some of the governance structures and governance arrangements were



retrospectively created and perhaps were not the most satisfactory. Although they were adequate for this Stage in the process.

- 5.17 If there is a decision to proceed into Stage Four it is our recommendation that serious consideration is given to governance arrangements and structures that are put in place at the outset of any Partnership.
- 5.18 The Partnerships final report outlines in some detail key principles and recommendations that should be adopted in the formation of any Community Siting Partnership. These are contained in Box 13.6, P198 of the Final Partnership Report. We wholeheartedly endorse these principles.
- 5.19 Many of those we have consulted have put forward or asked us in our role as evaluators to put forward further specific recommendations as to how any future Partnership should be governed. We do not feel that this would be appropriate as (i) it presumes a decision to move into Stage 4 and (ii) going beyond the strong principles outlined in the Final report requires, to a certain extent, prior knowledge of where a future Partnership might be based. Of course we don't have this at this stage.
- 5.20 Where we are able provide more detailed commentary is in the areas of independent facilitation, chairing of the Partnership and scrutiny. All of which were raised extensively in our consultations.

### **Independent Facilitation**

- 5.21 All of those involved in the current West Cumbria MRWS Partnership were clear that the use of independent facilitators (in this case 3KQ) was of benefit to Partnership.
- 5.22 We would therefore recommend the continued use of independent facilitators in any future Partnership.

### **Independent Chair**

- 5.23 The issue of independent chair was raised by a number of stakeholders. At this stage we recommend that this option be seriously considered and investigated. However, it needs to be acknowledged that an independent Chair is not the "silver bullet" to the issues of trust that some members appear to think it is.
- 5.24 Many questions remain unanswered regarding an independent chair including: who would (want) to do it, what their profile and background would need to be and who would resource the position?
- 5.25 Should the process proceed to the next stage then it is our view that the use of an independent Chair should seriously considered. There are two primary reasons for this:



- 3 The potential ability for an independent Chair to rise above the historic and local political fray and be seen to be independent
  - 4 The fact that a number of members asked for it to be investigated and to ignore the request would further reinforce existing mistrust.
- 5.26 When embarking on the path of selecting an independent Chair there are several key questions that a Partnership needs to address such as; selection, how to judge independence, how to fund the role and what is the precise function of the Chair.
- 5.27 There seems to be a belief amongst some Partnership members that appointing an independent Chair would generate a higher degree of trust, or trust would flow somehow automatically from the appointment.
- 5.28 Whilst there is some merit in this argument, some of the mistrust that exists within the public at large with regard to Public Authorities would seem to be potentially beyond the abilities or power of any independent Chair. At best they could only manage these relationships.
- 5.29 We have asked many of the evaluation participants what they consider the role of an independent Chair would look like. Phrases such as “*they need to be able to drive the process*” and “*they need to keep a balance*” were often used. One description provided to us suggested that the individual needed to be from outside of the Cumbrian border with a similar level gravitas to a High Court judge.
- 5.30 Overall, we believe a strong case exists for examining the role of an independent chair in any future Partnership. However, we are clear that it’s not entirely issue free.

## **Scrutiny**

- 5.31 The need for independent evaluation of the process and of scrutiny to the process has been raised in discussions with many key stakeholders. Most stakeholders felt that evaluation was important. However, most also stressed that it should primarily be a *formative* evaluation eg providing advice as the process proceeds.
- 5.32 Clearly there is a difference between evaluation and scrutiny. Scrutiny implies a much more formalised role along with some form of sanction or power to enforce corrective behaviour. Clearly there are a number of scrutiny channels already in existence including the Principal Authorities own scrutiny processes, ombudsman, and civil courts.
- 5.33 However, it may be worth considering in the formation of any future Partnership whether evaluation of itself provides the level of confidence or trust that some of the



key stakeholders would require. If not then some form of independent scrutiny role maybe considered.

- 5.34 Another area of possible improvement would be the clear communication of what existing channels of scrutiny and challenge are. There seemed to be an attitude amongst some Partnership members that these routes were self-evident or easily identified by members of the public. We would argue that this is not the case.
- 5.35 Finally, the role of NGO's and other dissenting bodies needs to be considered. NGO's play an important role in UK civic life and smaller groups often represent communities of interest that are sometimes overlooked. These groups can act as a form of scrutiny and help to draw attention to important issues that might otherwise be missed.
- 5.36 For several reasons the main NGO's in West Cumbria felt unable to join the Partnership and at times adopted tactics which were in our opinion counter-productive to their own arguments.
- 5.37 However, any future Partnership must make efforts to carry out dialogue with NGO's and engage them in the process. There may be common ground that can be established, there may be not, but exclusion or ignoring NGO's and dissenting voices is just not an option.

## Resourcing & Capacity

- 5.38 It was noted that the Partnership, at times, was perceived to be under resourced and under capacity. This is both in financial terms and in terms of personnel. Clearly, there may be a link between these two aspects.
- 5.39 Specifically with regard to financial resources, the Partnership clearly provided funding to all members who wished to avail of it. This funding was ultimately itself provided from Central Government by DECC
- 5.40 The processes for accessing this funding were documented and reported on the Partnership website. Funding for smaller organisations and NGOs was also made available.
- 5.41 This funding needs to be continued in any Partnership going forward. It is worth restating that this funding is crucial in order to ensure that any Partnership does not become biased towards those with the resources to participate.
- 5.42 We acknowledge the inherent balance that must be struck in terms of providing funding so that barriers to participation are removed and avoiding profligate spending of public funds. This is always a difficult balance to strike and more so now in the context of national 'austerity'.



- 5.43 Our view is that the processes operated by the Partnerships independent facilitators in this regard struck the appropriate balance and were satisfactory. These should be continued or adopted elsewhere.
- 5.44 One of the key lessons and observations of MRWS Stage 3 would be that the volume, depth and intensity of the work took many members by surprise. This clearly placed strain on many of the Partnership members both in terms of officer time and capacity.
- 5.45 It might be assumed that the strain on personnel was directly correlated to levels of funding. However, we do not see evidence to support this. In fact, the budget allocated by Central Government was underspent on a number of occasions.
- 5.46 This is confusing to an observer given the apparent 'standoffs' that occurred between Central and Local Government on funding during the Partnerships lifetime.
- 5.47 The reasons why Partnership members did not access the full funding available to them when clearly many were struggling to resource the workload is unclear. Several reasons have been postulated ranging from; lack of understanding of process, internal recruitment freezes and failure to anticipate the workload.
- 5.48 Only individual members will know why they didn't always access the funding. However, the key recommendation would seem to be that a process such as this requires a large amount of intensive work.
- 5.49 To serve the public interest fully on such an important matter then Central, Local and other partners alike need to recognise, in advance, the depth of work they are undertaking and how much resource will be needed.
- 5.50 Even if this was not apparent at the outset of MRWS Stage 3 then it is very clear now.



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