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WEST CUMBRIA MRWS PARTNERSHIP

Phase 1 Evaluation Report

Submitted to:

West Cumbria MRWS Partnership Steering Group

REPORT



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Executive Summary

Golder Associates was commissioned to monitor and evaluate the first phase of the West Cumbria MRWS Partnership's work as it progressed. This is our Phase 1 Evaluation Report and comprises a commentary from Golder's Lead Evaluator and other members of the team on the Partnership's work to date.

Our report highlights both strengths and weaknesses across a range of activities, the majority of which have already been included in our interim notes to the Partnership and its Steering Group. We have commented on both the Public and Stakeholder Engagement (PSE) programme and the organisation and early operation of the Partnership as a body. However, many of the potential issues in respect of the Partnership's operation were only starting to come to the fore at the time of writing so the emphasis is inevitably on the PSE. The next evaluation report will address the Partnership's decision making and wider work programme.

The basic Partnership model appears sound though still a 'work in progress' and there is clearly ongoing discussion about some aspects of its operation. The Terms of Reference seem appropriate to us as far as they go, though any uncertainty about decision making arrangements must be resolved. We have commented on a number of areas, including information provision and decision making, where care will be needed to demonstrate that the conclusion is determined objectively by this process and not by Members' predisposition.

The six criteria seem broadly sensible and the basics of a work programme are in place, although without good planning the Partnership may well find itself overwhelmed by the demands of managing and deliberating on the external work packages. As the Partnership itself has realised, there is a danger that it is starting to commission more, and more detailed, work than it actually needs to enable it to advise on the Decision to Participate.

Members seem to us to be committed and most manage to play a full part in the work of the Partnership, though more effort is needed to engage some of those who are less central to the process. Observing members have been constructive. There are some obvious differences of opinion but there is nevertheless a great deal of mutual goodwill and individual Members generally work together effectively. There is a risk that the demands on key individuals are too high and may become unsustainable. There has been discussion about broadening the membership, which we support if they play a meaningful role.

Some Partnership plenary meetings are inevitably more productive than others but they are generally well run. The Convenor's team and Secretariat are acknowledged to be doing a good job.

The engagement elements of PSE 1 were extensive, in some areas perhaps more so than strictly necessary. A good start was made on seeking input and providing feedback. There were some problems with both PSE and awareness raising activities, but in our view nothing that compromised their legitimacy and we believe they were on the whole well delivered. PSE 1 generally met its objectives, though awareness is not yet increasing as hoped and there is a long way to go in building understanding amongst stakeholder organisations and the public. We note that targeted PSE 2 audiences include 'backbench' members of the Principal Authorities.

Although the process by which it has arrived at this point is inevitably less than perfect, and there are clearly tensions within the Membership and many challenges ahead, the vast majority of stakeholders appear to remain generally supportive of the Partnership's efforts, albeit usually caveated in one way or another. Looking forward, providing that the issues to do with Partnership working are addressed, PSE 2 and PSE 3 and the elements of the currently envisaged work programme do have the potential to pull things round and deliver outcomes that command broad local acceptance.



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WEBSITE ASSESSMENT



This is the version for issue of Golder's Evaluation Report on Phase 1 of the West Cumbria MRWS Partnership's work. The Convenor commented on a previous development draft for accuracy and completeness only. Steering Group members were then invited to comment on the final draft. No comments were received and the only changes since then have been minor clarifications and the addition of an executive summary.

1.0 THIS REPORT

Golder Associates was commissioned to monitor and evaluate the first phase of the West Cumbria MRWS Partnership's work as it progressed. This is our Evaluation Report and comprises a commentary from Golder's Lead Evaluator, David Collier, and other members of the evaluation team on the Partnership's work to date. It should be read alongside the Partnership's own reports, particularly that covering the first round of public and stakeholder engagement ('PSE 1') which includes an assessment of effectiveness as well as a detailed description of the programme and results – referred to hereafter as 'the PSE 1 Report'¹.

Our report highlights both strengths and weaknesses across a range of activities, the majority of which have already been included in our interim notes to the Partnership and its Steering Group. In line with our remit we have commented on both the PSE programme and the organisation and early operation of the Partnership as a body. However, many of the potential issues in respect of the Partnership's operation are only now coming to the fore so the emphasis is inevitably on the PSE. We expect that the next evaluation report will have more coverage of Partnership decision making and its wider work programme².

Our scope of work for this evaluation (see Appendix A) did not include the evaluation of the Partnerships work prior to the start of PSE 1 nor after sign-off of the PSE 1 Report at the Partnership meeting on 13 May 2010.

Section 2 briefly describes our evaluation approach. Sections 3 to 7 then provide an introduction to the Partnership and comment on its Terms of Reference, approach, work programme, and the Convenors role. Sections 8 to 10 then comment on the PSE programme. Our conclusions are set out in Section 11.

2.0 APPROACH TO EVALUATION

This Section sets out our general approach to this evaluation project.

Our evaluation work for this project comprised three strands:

- An ongoing independent evaluation of stakeholder and other activities against overarching criteria derived from guiding principles (e.g. transparency, equal opportunities);
- A targeted programme of more interactive evaluation of the stakeholder and other processes being used, with greater emphasis on achieving best practice; and
- A review of the specific objectives the Partnership set for its activities and of the extent to which they have been achieved (in this case, focussed on PSE 1).

The first requires the professional and objective evaluation of the process in terms of overall performance whilst the second requires closer and often informal contact with stakeholders, a process which requires careful management but which is essential if the evaluation is to deliver objectivity at the same time as helping the Partnership improve its processes. The third is a more straightforward exercise but is nevertheless equally important and of major interest to stakeholders.

¹ West Cumbria MRWS Partnership Public and Stakeholder Engagement Round 1 Report. Document 61, Issue 1 May 2010.

² The PSE 2 evaluation contract is being retendered for the next phase in line with procurement rules and so a different contractor may be appointed.



We made use of desk-based assessments and reviews of Partnership reports plus insights obtained from observation and interviews. We attended most of the Partnership and Steering Group meetings during our information gathering phase plus selected PSE Subgroup meetings, and we attended (unannounced) two Neighbourhood Forums, one in Allerdale and one in Copeland.

We also sought participants' views through a rolling programme of structured and informal face to face discussion and telephone interviews with members of the Partnerships support teams, full and observing Partnership Members, and some additional stakeholders. We are grateful for the support of our interviewees - who were unfailingly open and helpful and went out of their way to make time available, even as the election loomed, but the conclusions and comments in this report are ours alone and may not accord with those of any other party. We cannot claim to be speaking for everyone and this report needs to be considered alongside participants' own feedback. All interviews were non-attributable, but if direct quotes have been included they are shown in italics.

We have relied on Partnership reports to cover the detail of the various events and mechanisms employed and have not reproduced it here. We have included references to underpin our evaluation, but they inevitably address our areas of particular interest and are not meant to be comprehensive. We recommend the Document Library on Partnership's web site (<http://westcumbriamrws.org.uk>) as the best starting point for readers looking for the source data.

3.0 INTRODUCTION TO THE PARTNERSHIP

This section is included for the convenience of readers so that our report will be self-standing. The text is taken – with some small changes - from the Partnership's explanatory leaflet³.

In 2009, the UK Government launched a search for an engineered, underground site that it hopes will be the final home for higher activity radioactive wastes. The Government is inviting communities across the country to talk to them about potentially hosting this site that will ultimately be called the 'Geological Disposal Facility' (GDF). This approach was set out in the 'Managing Radioactive Waste Safely (MRWS): A Framework for Geological Disposal' White Paper.

About seventy percent of the country's nuclear waste by volume is already at Sellafield, and because of this, Allerdale Borough Council, Copeland Borough Council and Cumbria County Council (the 'Principal Authorities') have started talking to Government about the search for a site. This is because wherever a site is chosen, the waste will have to be transported from Sellafield and is likely to affect the area: these three Councils have decided that they should therefore be involved from the start. At this stage they have only committed to talking to Government and can withdraw from the process at any time.

To ensure a wide range of community interests are involved in discussions, a joint Partnership has been set up. This is called the 'West Cumbria MRWS Partnership' and aims to make recommendations to the councils on whether they should move to the next stage of the process with the Government. The Partnership itself is not taking any decisions. Its role is an advisory one of fact-finding and research gathering. The Government is providing funding to cover the costs of the work the Partnership needs to undertake before it can make a recommendation on whether to move to the next stage of the process or not.

The Partnership is currently comprised of Allerdale Borough Council, Copeland Borough Council and Cumbria County Council along with Barrow Borough Council, Eden District Council, South Lakeland District Council, the Lake District National Park Authority, the Cumbria Association of Local Councils (CALC), Nuclear Legacy Advisory Forum (NuLeAF), local trade unions including GMD and Unite, the National Farmers' Union (NFU), Chamber of Commerce, and the West Cumbria Sites Stakeholder Group. The West Cumbria Strategic Partnership was a member but has since been dissolved. Other organisations attend as 'observing members' including Government departments, the Isle of Man Government, the Committee on

³ Managing Radioactive Waste Safely: The Position in West Cumbria. Downloaded May 2010 from

<http://westcumbriamrws.org.uk/>



Radioactive Waste Management (CoRWM), the Nuclear Decommissioning Authority (NDA) and the safety and environment regulators, the Health and Safety Executive (HSE) and the Environment Agency (EA).

The Partnership meets roughly every six weeks. The public can attend these meetings to observe discussions and ask questions. On behalf of the Partnership, a Steering Group (currently including councillors and officers from the three Principal Authorities, the West Cumbria Sites Stakeholder Group, CALC and GMB) manages the programme. It also manages the process Convenors/Facilitators (3KQ), the Communications Advisor (Osprey Communications) and ourselves.

Subgroups appointed by the partnership scope and oversee the key work programmes on its behalf. The principal sub-group to date has been the Public and Stakeholder Engagement (PSE) Subgroup but others are getting under way (Community Benefits and Impacts). A further small subgroup supervises our work, made up of a Partnership member plus the Convenor's project manager and lead facilitator.

4.0 TERMS OF REFERENCE

In this Section, we comment briefly on the Partnership's Terms of Reference and its resolution of outstanding TOR issues.

4.1 Overview

The Terms of Reference (TORs) cover the overall aim and specific objectives of the Partnership, its membership, and the main points of operation (chair, steering/working groups, secretariat etc.). More detailed working arrangements and ground rules for meetings as included as an Annex. The full TORs are included in Appendix B. The current aim and objectives are as follows⁴.

The aim of the West Cumbria MRWS Partnership 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; and*
- 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.*

4.2 Commentary

The process by which these aims and objectives were derived is outside our remit, as are the changes to them currently being negotiated. They seem to us broadly sensible as far as they go, though we comment below on some omissions. The Terms of Reference have been on the website and open for consultation during PSE 1.

They require the Partnership to identify criteria which would guide a decision on participation in the next phase of the process, and to gather data on potential benefits and disbenefits of hosting a repository. They

⁴ Terms of Reference of the West Cumbria MRWS Partnership. Document 2, draft 4, November 2009.



do not specify that the Partnership then comes to a conclusion about whether the Principal Authorities (PAs) should take the next step. This is implicit based on the TOR aim of course, but not explicit as an objective.

There is a general rule about seeking consensus where possible (clause 2.7) but it goes on to say that *'When they arise, differences of view will be clarified.'* There still seems to be uncertainty in some peoples' minds as to what this actually means and what the criteria for agreeing the text of the Partnership's recommendation will be. On this final decision, will unanimity be required or will a majority vote (of organisations or Members?) suffice? Do all Partners really have an equal say in the matter? Does supporting (or not objecting to) a form of words commit individual Partners to supporting that conclusion or can they still lobby the PAs against it? Most of these matters are outside our remit but it must be true that lack of clarity and disagreement will not encourage the community's trust in the process and are not in accordance with the Principle of transparency. They do need to be clarified and/or communicated to the partnership members and to the wider community to avoid confusion and to remove uncertainty as the process progresses.

Some of the stakeholders we spoke to seemed a little confused by the relationship of the Partnership and the Principal Authorities. It is hard to conceive of a Partnership recommendation that did not have the support of the PA representatives. Though we stand to be corrected, our impression is that PA members and officers involved in the Partnership are mandated by the opinions of others in their organisations but individuals' agreement to a recommendation does not commit their organisations to follow it. It will be up to full council meetings or whatever other mechanism may be appropriate to make that decision.

However, there is clearly ongoing debate as to what would happen if different councils were to take different lines and about the composition and terms of reference for a siting partnership, if the decision were taken by the PAs to talk further to the Government.

5.0 PARTNERSHIP OPERATION

This section considers more general issues associated with the Partnership's make up and operation.

5.1 Partnership Model

The main architects of the White Paper model were DECC and the NDA working with the Principal Authorities and NuLeaF. It drew on international experience and years of preparatory work, by the NDA in particular. The basic White Paper model still appears sound and, although not originally proposed, the pre-Decision to Participate (DtP) Partnership approach seems to fit well enough within it. The Partnership nevertheless needs to be seen as a 'work in progress' in terms of organisational membership and working arrangements. It was always expected that the membership and model would have to evolve in the light of experience and as needs changed through the different phases of the Partnership's programme, and we expect that it will.

Many we spoke to also noted that it would take time before the differences between what was needed in a Partnership context and in more familiar political or consultation contexts became clear. For some, one difference may be that this is a non party political, cross-organisational body. Perhaps some ambiguity is inevitable, and at an organisational level there are clearly different priorities and issues to resolve, but we have been struck by the willingness of Members to cooperate constructively at a personal level and make things work so far as possible in the common interest. Much democratic decision making quite rightly has a political dimension but one line of thought suggests that when in 'Partnership mode' members must demonstrate convincingly to the public that their advice is objective and logically derived and not politically motivated.

A totally objective and transparent process for criteria assessment and arriving at a recommendation also seems essential to combat any accusation of bias or prior commitment to one side of the argument or another. The Partnership leads the community through a process but not to a pre-determined conclusion. Members inevitably do have relevant history; that is inevitable and cannot be a bar to participation, but it does require objectivity and balance in information provided to the public, in determining the terms of reference for independent review work, and in management of the assessment. The ideal would be a



decision making process that is sufficiently rigorous that it could be trusted even if those involved had prior views one way or another.

All the Members representing the three Principal Authorities and the other bodies on the Steering Group seem to us to be committed to the cause and most manage to play a full part in the work of the Partnership, even though the Authorities' motivations for joining may have been quite different. There are some obvious differences and irritation with unresolved issues but there is nevertheless a great deal of mutual goodwill and Members seem conscious of the impact major problems within the Partnership could have on public confidence.

Even at this early stage, the workload is significant – especially for Subgroup members and those involved in PSE. There is a risk that the demands on key individuals are too high and may become unsustainable, even with the support provided through DECC. The Partnership may be active for many months or even years so it is inevitable that individuals will move on for a range of reasons, including local election results. Succession needs to be planned and arrangements put in place to bring new people up to speed on the programme and issues and to help them align with the Partnership's culture and conventions.

Experience elsewhere shows new Members and representatives who have not been party to past decisions may be tempted to try to reopen them. The Partnership will have to find a balance between avoiding going over old ground whilst at the same time being open to challenge; new pairs of eyes sometimes see things that have been missed or notice that assumptions are no longer valid.

Membership

The current membership of the Partnership (full and observing) and the Steering Group is described above. There has been discussion about broadening the membership and there are some interests missing so we would support the Partnership considering it, providing the new recruits are *active* members and participate fully. An appropriate balance between local authorities and others seems essential. Tourism is the obvious example but the public might expect to see other groups represented and expertise on key potential impacts (e.g. health) included in some way. The links to the business community do not seem particularly robust.

However, we appreciate that there are different views over the preferred make up and about the wisdom of making changes at this point. Ideally, there would be clear criteria for member organisation status and a heuristic that gives the required composition so that the basis of membership would be transparent to the public and so that there would be no suspicion of picking them to ensure a majority for any particular conclusion.

We comment on NGO involvement in Section 8.2 / Working with Other Stakeholders. It seems unlikely that the main environmental NGOs would want to join, although of course they are only one of many varieties of NGO and those not involved in the nuclear debate would be possibilities.

It would arguably be unethical for the Partnership to present itself as more broad based than it actually is, so there must be no 'members in name only'. Some current Partner organisations attend only rarely, which we know is a concern and steps are being taken to encourage and support them. Again, there may be more motivation post-BGS survey.

Some observing members perhaps feel they could have made a greater contribution e.g. in supporting Neighbourhood Forums but they have played a useful role, and things should naturally become easier now that things are settling down and boundaries are established relationships between the Partnership and DECC, NDA, regulators and others. They should be able to work together on planning and PSE matters without the need to maintain independence becoming an unnecessary obstacle. The separation of members and observing members at Partnership meetings was a sensible idea.

Partnership Meetings

Partnership meetings are not 'public meetings', but are 'meetings held in public' with opportunities before the end of each session for public comment. This is a well-tried formula (e.g. CoRWM, Site Stakeholder Groups) and works well. Very few members of the public have attended so far – usually a handful of consultants,



additional representatives of Partner organisations, and other interested parties) but this is as expected. It may well change when communities have more sense that they might play host to the facility.

One of our interviewees said that “a good plenary is one where focus is maintained, decisions are taken and the dynamics are positive”. We agree. Some Partnership plenary meetings are naturally more productive than others but on the basis of what we have seen they are generally good natured and constructive. The plenary meetings are the forum where Partners outside the core membership represented on the Steering Group and subgroups are brought up to speed on developments, make their contribution to debate on key issues and the interpretation of PSE feedback, and participate in decisions that require the endorsement of the whole body (e.g. sign off of key reports or constitutional issues). They therefore entail a mix of listening and working; both are necessary to establish a sense of engagement, especially amongst those members with little other involvement in the Partnership’s work.

Steering Group and Subgroups

So far we have only looked in any detail at the PSE Subgroup, which we discuss in a later section of this report. In the circumstances, the Steering Group seems to us to function sensibly and has been well run and administered. We will be in a better position to judge its work once we have seen how it resolves major differences of opinion on process and substance.

6.0 CRITERIA AND WORK PROGRAMME

This section concentrates more specifically on the Partnership’s non-PSE work programme.

6.1 Overview

The process of deciding on a recommendation to the Principal Authorities on a Decision to Participate must be informed, structured and transparent, so an early task was to determine what the criteria should be and initiate a work programme to obtain the information required to allow the Partnership to test them. These are not generally unambiguous go/no go criteria; judgment will be required.

In some areas only a relatively basic understanding might be required prior to DtP while in others it might be impossible to provide detail before a candidate site is identified (e.g. local infrastructure implications, geological characteristics). There must be sufficient confidence that the level of knowledge and certainty required post-DtP will be forthcoming in due course, and that there is likely to be a satisfactory outcome on matters relating to community benefit. However, the level of knowledge and certainty required need only be appropriate to the context i.e. to taking the decision to participate and continuing to talk to Government. The community would of course retain the right of withdrawal almost to the end of the siting process.

The work programme topics and associated criteria are as follows.

Safety, Security, Environment and Planning

- Criterion: Satisfied that suitable regulatory and planning processes are in place or being developed to protect residents, workforce and the environment; and
- Criterion: Satisfied that NDA RWMD has suitable capability and processes in place to protect residents, workforce and the environment.

Geology

- Criterion: Whether the Partnership is confident in the integrity of the BGS screening work/report; and
- Criterion: Sufficient areas remaining in West Cumbria after initial screening to make further progress worthwhile.



Community Benefit

- Criterion: Whether the Partnership is confident that an appropriate community benefit package can be developed;
- Criterion: Whether the Partnership is confident that appropriate possibilities exist to assess and manage environmental, social and economic impacts appropriately if they occur;
- Criterion: Whether the Partnership is confident that the possibility of a repository fits appropriately with the overall direction of the relevant community/ies; and
- Criterion: Whether the Partnership is confident that accepting a GDF and committing the host area to a nuclear future for many generations to come is economically advantageous and will contribute to economic sustainability.

Design and Engineering

- Criterion: Satisfied that the design concepts being developed are appropriate; and
- Criterion: Satisfied with the proposed inventory to be managed in a facility.

Process

- Criterion: Whether the Partnership is confident that the siting process is sufficiently robust and flexible to meet their needs; and

Public and Stakeholder views

- Criterion: Whether the Partnership's recommendations are credible given public and stakeholder views.

A seventh work programme addresses other issues arising, currently capacity development and considerations of ethical issues identified from CoRWM.

6.2 Commentary

Work Programme

Although they were derived before we became involved, the six criteria seem broadly sensible. It is too early to assess the Partnership's approach to assessment against its criteria, or even in most cases its work programmes. The basics seem to be in place, although we would like to see a more detailed programme showing how the work is sequenced and brought together.

There is a risk of reacting to challenges or PSE issues by commissioning additional work or an independent review, but in our judgment unless the Partnership retains a 'fit for purpose' clarity about what information is required, it risks being overwhelmed by the process and will find it hard to find the time to deliberate and listen to views. We can also imagine Government becoming concerned if the cost keeps escalating and the programme stretching.

There is always a temptation to commission work that is more extensive or more detailed than is needed to formulate a recommendation whilst at the same time achieving sufficient support amongst the partners, other stakeholder organisations, and the public who may seem to want more certainty. It is quite challenging to explain why only some information is required now, in the face of a natural desire to have confidence that the process would (geology and the resolution of generic and site specific safety and environmental issues permitting) proceed to a satisfactory conclusion once started. However, there is (to quote one member) *no need to bottom the issues out pre-DtP, just rather [to] make sure [Members] 'know what they're getting in to'*.

Even as it is, the work programme is extensive and will make significant demands on the Partnership's management resources and Members' time, particularly those Members that do not have specialist officers to support them. It takes time and effort to agree specifications and procure external work packages and process their conclusions; if the Partnership as a whole is to avoid being overwhelmed or left with too little time to digest and debate the outputs, the work programme needs to be sequenced sensibly.



Experience suggests that there is always great pressure on time at Partnership meetings and we believe that it would be sensible - even at this early stage - to provisionally link the work streams, consideration of key outputs (e.g. PSE Reports), presentations of alternative views, deliberation of issues, and decision points to specific meetings.

'Select Committee' style sessions at future Partnership meetings covering each of the criteria in turn have been mooted, hearing from witnesses alongside consideration of commissioned work. This is one option, but whatever approach is chosen we agree that the public should have the opportunity to see alternative perspectives being heard and tested. It is not yet clear how the final decision on a recommendations will be made, but in framing a key meeting as a 'decision conference' CoRWM has set a precedent for transparency (albeit that there is bound to be negotiation and deliberation behind the scenes).

The latest MORI survey results note that *the perceived economic benefit of the facility is the key reason why there is support whilst the perceived risks associated with the disposal of radioactive waste and a feeling that "Cumbria has done their bit" for the nuclear industry are driving the opposition.* It therefore seems important that progress be made on scoping the nature and extent of potential benefits packages. We are pleased to see the Community Benefits Subgroup starting its work, but to avoid the impression that the DtP it is being driven solely by benefits it has to be balanced by subgroup work on impacts and potential risks and uncertainties. An Impacts Subgroup has started work but this may not have a broad enough scope and something more may be needed; we will be interested to see how things develop in the next phase.

The BGS Study

Although not the main focus of our evaluation, by way of an example of how the Partnership works together we have taken an interest in the resolution of some issues associated with one of the Geology criterion: *'whether the Partnership is confident in the integrity of the BGS screening work/report'*.

Specifically, we monitored the process by which agreement was reached on the specification of an independent review of the forthcoming British Geological Survey (BGS) study – though we did not look at the actual commissioning process, which is again outside our remit. It appears to us that there was uncertainty across all the parties involved (Partnership, DECC, NDA) about who was scoping and managing the review and what its aims should be, but that negotiations did produce a reasonable outcome. There was similarly some debate about the process for commissioning the review but a sensible conclusion seems to have been arrived at.

This is one area where the Partnership would have appreciated NGO involvement to support the contention that it is independent, whether directly or through an intermediary.

The debate over the appropriate timing of the BGS study in relation to other programme elements (particularly PSE 2) was noticeably messier, although the option analysis and recommended course of action recently circulated seems useful and sensible.

There were concerns about the results of the BGS study being put in the public domain when Members would not be able to give clear answers to their constituents as to how, by whom, and on what criteria any decision would be made about whether any of the geologically suitable areas that also satisfy agreed sub-surface siting criteria would be ruled out on other counts (e.g. under national park land or built up areas). The judgment of some of the local politicians involved was that answers needed to be available otherwise they would be unable to respond sensibly to community concerns and media questions.

There were three options.

- Option 1 was to proceed as planned, relying on a communications programme to help people understand the process and keep things in perspective, then consult on the non-geological criteria and use further screening criteria after any decision to participate.
- Option 2 was to bring the consultation and screening forward so that it takes place after the BGS results are published but before any DtP.



- Option 3 was to bring the consultation and screening forwards but also to defer publication of the BGS work until this had been done.

Our impression is that Option 3 was the general preference within the Partnership, though at least one member organisation strongly disagreed, but it was dropped after discussion with DECC. Option 1 looks likely to be adopted as the lesser of the two remaining evils.

The experience illustrates the fact that it takes time and patience to come to a conclusion in a body like the Partnership when consensus is required and requires commitment, goodwill, and the judicious use of conflict resolution techniques. A precedent has been established by DECC, it seems to us, that the Partnership has some flexibility within the White Paper framework but a more fundamental rewriting or change to the order of events is not allowed.

It would be harsh to say that the Partnership (and DECC) should have anticipated this problem, because it is only really now getting up to speed and able to look beyond the immediate priorities of PSE 1. The communications support and training during the PSE 1 period also served to highlight the likely community response after the BGS study and the implications for Members. Problems are inevitable and even those that are obvious with hindsight are not necessarily easy to spot in advance.

Nevertheless, looking forward there is now a clear need to work more closely with DECC and key stakeholders to think through the whole process to try and anticipate how matters will play out and what the world will look like at key points in the programme. This would also help give confidence in broad estimates of key programme parameters such as cost and duration.

7.0 CONVENOR'S TEAM

This section briefly comments on the work of the Convenor and other support staff..

7.1 Convenor

The role of the Convenor (3KQ) goes well beyond organising and facilitating workshops. The Convenor's team to a large degree coordinates the project as a whole and provides day to day management of contractors and work programmes. They also have significant behind the scenes roles in managing disagreement and seeking consensus.

Without exception, all our formal and informal interviewees have expressed their satisfaction with the way the role is being delivered. We agree. There may be occasional minor lapses, but in general their shaping and delivery of the role appear to have been very sound. We have raised some issues over the course of our evaluation, including contingency planning and resource levels, but we were satisfied that they were already being, or would soon be, addressed.

The credibility of the Convenor's team depends on being trusted as independent. Our impression, reinforced by interviewees, is that the Convenor is trusted as being professional and independent of any particular interest group or outcome. We have seen no evidence of partiality.

7.2 Secretariat

Copeland Borough Council provides secretarial support for meetings, and this also seems to work well.

7.3 Communications Advisor

The addition of a communications advisor to the team in November was an essential step and has resulted in both improved media understanding and coverage and much greater understanding amongst Members of communications risks and strategies. Press coverage has been if anything better than expected. The media training provided for Members seems to have been appreciated and was a vehicle for bringing to Members' attention the issues and options associated with the BGS launch discussed above. From what we have seen so far, the ongoing preparation for the BGS launch seems thorough but all involved understand that it could go either way depending on circumstances and reactions that are outside the Partnership's control.



We suggest that the Communication Advisor role and the balance of effort being put into communications and awareness raising should be reviewed in the next evaluation report, when it has had a chance to bed down properly and the effectiveness of the media and other strategies being pursued in association with the BGS launch becomes more apparent.

8.0 PSE 1 PROGRAMME

This section covers the Partnership's first phase of Public and Stakeholder Engagement. The programme overview is largely taken from its PSE 1 Report.

8.1 Programme Overview

It is envisaged that there will be three rounds of PSE before a recommendation on a Decision to Participate (DtP) is made. The objectives of the first round of PSE (PSE1) were for the Partnership to:

- Build the understanding of stakeholder organisations and the public;
- Seek input from stakeholder organisations on the Partnership's work programme, Terms of Reference, Criteria and PSE Plan;
- Understand issues raised by stakeholders and the public; and
- Provide a response to comments where possible and adapt activity accordingly.

In addition to general media work and the delivery of an information leaflet to all households in West Cumbria, a number of different strands of engagement were undertaken as part of PSE 1:

- Public Neighbourhood Forum meetings;
- Written survey of the Cumbria-wide Citizens' Panels;
- Awareness tracking survey (by telephone);
- Residents' Panel deliberative event;
- Stakeholder Organisations Workshop; and
- Other work with specific groups.

The website, free phone number and central email address provide ongoing access to information on the Partnership's work and an opportunity to submit comments.

8.2 Commentary

To date, we have reviewed the PSE 1 plan, observed two Neighbourhood Forums, selectively reviewed the PSE 1 reports, and observed the PSE Subgroup meetings that considered PSE 1 output plus relevant Steering Group and Partnership meetings.

The comments below have mostly already been shared with the Convenor in note form and presented to the PSE Subgroup, Steering Group and full Partnership.

PSE Subgroup

The Subgroup seemed to work well, with a good combination of specialist expertise and political insight. The communications input seemed valuable. Everyone contributes and it therefore involves people in the PSE process. If those Subgroup members who go to the Steering Group convey the key messages clearly and help the other Steering Group members understand what they need to do in respect of interpretation and response, then the Subgroup's evaluation will be linked back into the main process.



Design

The PSE objectives appear to us appropriate and sensible and support the wider programme objectives, and the PSE plan sets out objectives clearly enough. Arguably, there is a layer missing from the original plan though, where one might look for specific consideration of those groups or communities that the Partnership might find hard to reach, or that the Partnership particularly wants to reach. Without specific planning, 'hard to reach' groups are not likely to be heard from.

However, this is a preliminary round of PSE and part of its purpose was to learn how this might best and (most cost-effectively) be achieved and we have confidence that this aspect of planning will be an explicit part of PSE 2 deliberations. We note that targeted PSE 2 audiences include 'backbench' members of the Principal Authorities. Our impression is that awareness amongst council members representing constituencies further away from nuclear facilities may be relatively low and so we support this initiative.

More generally, we note the efforts the Convenor and Steering Group members have made to ensure that representatives of all the parties involved canvas views before meetings or consultations and report back to their constituencies the results of discussions and points arising. We have asked some questions of interviewees and gleaned some insights but it would be inappropriate for the Convenors and Partnership Members to rely on the evaluators for information about the views of their stakeholders. The schedule of feedback mechanisms at the back of Partnership minutes is therefore a good idea and the mechanisms suggested look plausible, but effectiveness seems to vary and we still have doubts as to how far communication is actually reaching into some of the Partnership organisations.

PSE Activities

PSE 1 was an additional preliminary round of PSE introduced to help scope and frame the overall programme and the two main rounds of PSE that follow: PSE 2, which is about sharing the results of the BGS study and asking for input on other key topics; and PSE 3, which is about sharing the bulk of the Partnership's work, including the preliminary judgements it has made against the criteria, and assessing the extent of support or otherwise for participation.

Especially given this context as a preliminary exercise, a huge amount of time, money and Partnership resources have been put in to delivering and reporting it. The PSE 1 Report describes the effort put into it as "unprecedented", which is probably true for a regional engagement.

Some might say it was overkill, and an argument could have been made for a more focussed engagement framed as a scoping exercise, with the full range of activities deployed in PSE 2 and 3. However, the vast majority of interviewees whom we asked about this took the view that it was essential to reach as many people as possible early on to raise awareness, and also to 'shake down' the PSE activities, analysis and recording arrangements for the key PSE rounds that follow. Things could maybe have been done more efficiently but we basically agree, and an early start for the MORI surveys was, for instance, essential.

The individual PSE strands generally worked pretty well as far as we can see, certainly for a first pass at PSE. To the limited extent that we are able to judge, it seems as if participants and stakeholders bought into the PSE 1 process and thought it comprehensive and fair, and largely delivered by third parties with no position on the issues. It made use of such a wide range of mechanisms that it is hard to see what else might have been tried, other than perhaps focus groups (which might be required later for hard to reach groups).

The Partnership meetings are the forum where Members add their own insights and perspectives. In the case of those not otherwise involved in the programme, they may be the main place for them to make their input to the debate and raise issues of concern about substance as well as process. Several of our interviewees said they felt these meetings therefore needed to be explicitly recognised as such in PSE plans. We believe they will inevitably take on that function more obviously as the results from PSE 2 start to come in.

Naturally, there were things that did not go completely to plan and there were things that might have been done differently with hindsight (e.g. piloting the leaflet) but in our view they do not undermine the validity of the process and we have passed them on as our contribution to the 'lessons learned' discussions at the PSE



Subgroup and elsewhere. We are satisfied that the Subgroup has taken on board both our comments and the more comprehensive feedback it received from those directly involved. We note that the PSE 1 Report contains an assessment against objectives.

Our evaluation is adequately resourced but we started work somewhat later than might have been hoped and we cannot monitor everything ourselves. We were therefore not able to sample all the different types of PSE 1 event directly. For PSE 1, we focussed our efforts on the Neighbourhood Forum meetings, the survey work, and the website and related communications channels. We relied on interviews with participants to gauge how well the Residents' Panel and Stakeholder Organisations Workshop went.

Neighbourhood Forums

The people presenting on behalf of the Partnership at the Forums we attended did so with conviction. They generally did a good job and commitment to the process was obvious – there were often 3 or more representatives of the Partnership present plus Observing Members.

However, the programme of public Neighbourhood Forum meetings was extensive and must have consumed a great deal of Members' time. We are not convinced that, given the variable attendance, the benefits for the Partnership and community justified the investment. The councillors making the presentations had technical backup at only some of the events. This would, in our view, be a problem if it were still the case in the next round when more technical questions and arguments are inevitable.

For instance, we observed one neighbourhood forum where the NDA were present (albeit low profile) and one where there was no technical expertise on hand. At the first event a couple of technical questions could be answered whereas in the second assertions made from the floor could not be challenged and participants may well have gone away believing things that were not in any way accurate. This was no fault of the Members present - they could not have been expected to know the answers - but it seems to us essential that there is someone able to speak authoritatively on waste management and policy at public meetings. This would also be a safeguard against Members inadvertently saying something misleading.

Ownership of the process must clearly lie with the Partnership, but at the same time it makes little sense for key members of the NDA team (for instance) to be classed as members of the public. Transparency would suggest that affiliations should be clear. We imagine that members of the public would also like to be able to ask questions of the regulators at such events, especially going forwards.

It may be that fewer events concentrating on the Partnership's work would be preferable, but we leave that judgement to those responsible for it.

It was unfortunate that some PSE 1 Neighbourhood Forums had to be cancelled due to floods, but in our view the right decision was made in the end. The combination of a DVD and update sent to everyone on the Forum mailing lists and the invitation to a specially-organised public meeting on 9th March in Bothel Village Hall was a sensible substitute. The disruption and changes to the schedule were well managed by the Convenor and the website proved its worth in keeping people up to date as events unfolded.

Information Leaflet

An information leaflet was distributed to all households in West Cumbria. The PSE 1 report sensibly notes the limitations of this form of communication, but in our view the leaflet did explain the Partnership's work clearly – whether it did so in language all the recipients could follow is a different matter, but that is being reviewed as part of PSE 2.

It did not strike us as being unduly biased, but as the process proceeds there will be increasing scrutiny of information to the public and the Partnership must make sure that it cannot be portrayed as anything other than objective and balanced, and it must acknowledge other points of view. The same applies to information on the Partnership's website.

Some Members were disappointed at the number of participants in the 2nd MORI survey who could remember receiving the leaflet, but in our judgment the level of apparent recall was actually quite



respectable. The spike in website use was for us less convincing evidence, but there was a generally rising number of hits through the PSE 1 period and we will be interested to see if that trend is maintained.

There were some leaflet distribution problems but, although we acknowledge the importance of reaching the widest possible audience and the risks of missing out key parts of the community, in our view the greatest gains will come from maximising any future leaflet's effectiveness rather than striving for perfect coverage.

Telephone Survey

The telephone surveys were professionally carried out by Ipsos MORI and the results seem interesting and informative. We note that the second survey (just after PSE 1) shows changes and offers some encouragement, but that *only one fifth of respondents in each [survey] were aware that entering into dialogue with the Government would not commit a community to the process and that participating communities could withdraw from the talks at any time, and awareness of the West Cumbria Managing Radioactive Waste Safely Partnership is unchanged since [the first survey] – in both [surveys] six in ten respondents (59%) knew almost nothing or had never heard of the Partnership.*

Furthermore, compared to the first [survey], overall confidence in how the Partnership will handle the various aspects of the discussions with Government has fallen:

- *Will take the views of Cumbria's residents into account – down by nine percentage points from 55% to 44%;*
- *Keeping residents fully informed at each stage – down by five percentage points from 53% to 48%;*
- *Can really pull out of the discussions at any stage – down by four percentage points from 46% to 42%.*

It never was going to be an easy task, but there is clearly still much work to do and improved approaches to awareness-raising and improving confidence in the Partnership and its processes will presumably have to be deployed. Although one might confidently assume that the publication of the BGS results will generate a great deal more interest, it seems likely that conventional consultation or stakeholder engagement mechanisms will not suffice if the objective is to raise awareness much above current levels.

This raises the issue of balance between PSE and wider communications and media initiatives. The balance of effort and of Partnership time in PSE 2 will need to be weighted quite significantly more towards communications than PSE 1. The PSE 2 outline plan suggests this will be the case, but it still needs to be carried through to delivery.

The BGS study will provide a natural impetus and focus for media coverage, but the nature of the response might make it quite hard to get the key messages heard on commitment to keeping people informed, responsiveness, ability to withdraw etc. From a communications point of view, emphasising the importance of the DtP decision would help raise media interest and awareness, but of course there is a tension between this and the desire to keep the DtP decision and its associated information requirements in perspective.

We did not review the 'omnibus' awareness tracking survey report, although it seems a sensible and cost-effective mechanism to gather additional data.

Working with Other Stakeholders

The Partnership generally seems to have taken a positive approach to working with other stakeholder organisations and has made a start. Although the intentions have not yet translated into a great deal of activity, it seems to be largely because target organisations have not taken up invitations. We anticipate more involvement from PSE 2 onwards. Based on CoRWM experience, the proposed 'discussion guide' should help considerably.

Some NGOs are involved, but the national and local environmental pressure groups are not. They were invited to join the Partnership but declined - understandably, since the decision making arrangements within the Partnership are still not clear and they could find themselves apparently endorsing a process they wish to take to Judicial Review. Two people addressed the Partnership as Cumbria residents rather than



representatives of the NGOs with which they are normally associated and they were generally given a reasonable hearing, and – although they would no doubt seek assurances - we hope they and / or others with comparable perspectives and knowledge will be able to contribute further.

Although some individuals may doubt that the anti-nuclear NGOs can contribute anything meaningful, the majority of Members seem genuinely to want to hear from them, and we also think it essential that their views be heard in public on the key issues as they emerge. The evidence suggests that this is one measure the public use in judging the fairness of a consultation process.

We did not attend the Stakeholder Workshop. Our impression from talking to a few participants and looking at the feedback is that it was reasonably run but it was a challenge to engage the less-involved stakeholders. It perhaps added relatively little for Partnership members because they knew the material already and the contributions from the broader range of stakeholders were inevitably rather limited at this stage. Some at the meeting made the point that there was not much for them to get their teeth into until the BGS results are released and the Convenor's analysis suggests that perhaps the agenda was a bit too process-oriented. The same thing could of course be said of PSE 1 as a whole – that there isn't much for stakeholders to get their teeth into – but as described above the consensus seems to be that the choice made was the correct one.

Website

We carried out a detailed review of the website and associated contact arrangements. The results are in Appendix C. In summary, we found the website fit for purpose and well maintained, but it will need significant upgrading to manage and make accessible the information coming in from the work programme and the PSE. The Work Programme and Terms of Reference have been on the web site for comment. A strategy does need to be agreed as to what background information on issues of interest to the community will be included on the site and how different perspectives will be made available.

Contact arrangements work well and the Convenor's response to test questions and registration requests was very quick.

9.0 PSE 1 REPORT & ANALYSIS

9.1 Reporting & Feedback

The individual event and PSE strand reports seem comprehensive and appropriate. The process by which comments were extracted from the source event/survey reports and collated into PSE strand reports and topic area lists appears very thorough. The use of separate auditors for each strand might appear to be 'over kill' but may well be required to ensure transparency in later PSE rounds and was probably worth establishing as the norm. It also has spin-off benefits for PSE 1. For instance, it involved Members and not just the Convenor's team; active involvement will help ensure that there is awareness within the Partnership of the balance and nature of issues being raised.

The combination of analysis by the Convenor's team followed by audit by Subgroup members and by review of information and draft text at PSE Subgroup meetings generally worked well, if the meeting we attended was representative. We do not think much was missed, though we have some comments on the analysis that might prove necessary (see below). Drafting in committee is always going to be challenging and some things fell off the end of the agenda, but the events with a drafting function were well organised and well run, and the participants worked hard.

The PSE 1 Report itself⁵ seems to us to be thorough and well-written, and there has been ample opportunity for everyone within the Partnership to contribute and comment. The review of the text at the Partnership meeting ensured Members' sign-on, though it left little time for discussion of its main messages. The points made are referenced back effectively to source documents and thus to the events or strands where the

⁵ West Cumbria MRWS Partnership Public and Stakeholder Engagement Round 1 Report. Document 61, Issue 1 May 2010.



comments were made. We checked this process thoroughly and could find no example of a point not referenced or a source comment not collated upwards.

The Partnership's response to each major point arising is included in the PSE 1 report. This seems effective and provides participants with clear and feedback on the changes the Partnership will make.

9.2 Analysis

We anticipate that later Partnership meetings will have time to consider the issues in more detail, but in our view the discussion of the draft PSE 1 report at the Partnership meeting and Steering Group concentrated too much on process and there was too little discussion of the key issues arising, which were:

- Overcoming cynicism and gaining trust;
- Clarifying decision making;
- Being rigorous;
- Striving to engage; and
- Securing community benefits.

These all seem to be strategically significant. For example, a point of interest for us will be the Partnership's assessment of the apparent distrust of local authorities. We hope that there will be sufficient information from PSE 1 (though maybe PSE 2 or 3 would be more realistic) to 'unpack' this and understand whether it relates to competence, objectivity, motivation, representation, reliability, or perhaps ability to deliver on commitments which depend on central Government. Having understood the roots, the Partnership would be in a position to assess whether it translates into lack of trust in the Partnership and its process model, and tailor its messages and processes accordingly.

Some of our interviewees suggested that this is may be a PSE 1-specific issue and that once there is more material specific to the GDF programme, Members will naturally spend more time on it. We can see their point, but at the same time would a member of the public have been satisfied if, having put a coherent argument to the Partnership in PSE 1, she or he saw no substantive discussion of the main points or exploration of the 'why' and 'how' of the way members of the community are coming to their conclusions?

Given that surveys show a relatively low level of trust in political processes, the unambiguous key messages from PSE 1, and the sense some people have that some members of the Partnership have made up their mind already (and some may well have a clear preference), it is important that the Partnership is respected for its impartial assessment and presentation of evidence and strict application of logic – rigour in other words - rather than (or perhaps as well as?) coming to a consensus in the way political decision making generally requires. The analysis in the PSE 1 report is comprehensive and sound makes a good start in this direction.

10.0 PSE 2 PROGRAMME

10.1 Overview

The PSE Subgroup is well advanced with the development of the PSE 2 programme, which is about sharing the results of the BGS study and asking for input on other key topics. It is scheduled to run from early August to early November 2010 (3 months).



The PSE 2 objectives set out in the draft PSE 2 plan⁶ are essentially the same as the original overall PSE objectives:

- Build understanding of the implications of the BGS study and the Partnership's activity more widely;
- Seek input from stakeholder organisations and public on key topics;
- Understand stakeholder and public issues and information needs; and
- Provide a response to issues and adapt activity accordingly.

A list of key topics has been systematically derived against three criteria: timing; ability; and significance. The proposed events and activities build on PSE 1 and include some new additions.

10.2 Commentary

We are not experts in raising public awareness and it is not our place to second-guess the PSE Subgroup. Time will tell whether their judgments are correct but they do appear to have proceeded in a measured fashion and have taken a systematic approach to programme design. Communications and media elements have been strengthened, as they must be for this round.

The learning points from PSE 1 have been explicitly addressed. Specific groups of stakeholders have been picked out for a targeted approach. Initiatives have been introduced to reach at least a representative range of young people (a Youth Panel along the same lines as the Citizens' Panel) and a wider spectrum of community groups (through the discussion pack).

11.0 CONCLUSIONS

Our report highlights both strengths and weaknesses across a range of activities, the majority of which have already been included in our interim notes to the Partnership and its Steering Group. The emphasis this time is on PSE; the next evaluation report will address Partnership decision making and the wider work programme in more detail as well as PSE 2.

The basic Partnership model appears sound though still a 'work in progress'. The Terms of Reference are broadly sensible as far as they go, though any uncertainty about decision making arrangements must be resolved.

The six criteria are broadly sensible and the basics of a work programme seem to be in place, although without good planning the Partnership may well find itself overwhelmed by the demands of managing and deliberating on the external work packages. As the Partnership itself has realised, there is a danger that it is starting to commission more, and more detailed, work than it actually needs to enable it to advise on the Decision to Participate.

Members seem to us to be committed and most manage to play a full part in the work of the Partnership. There are some obvious differences of opinion but there is nevertheless a great deal of mutual goodwill and Members generally work together effectively. There is a risk that the demands on key individuals are too high and may become unsustainable. There has been discussion about broadening the membership, which we support if they play a meaningful role. Observing members have been constructive.

Some Partnership plenary meetings are inevitably more productive than others but are generally well run. It is important to establish a sense of engagement, especially amongst those members with little other involvement in the Partnership's work. They are not 'public meetings', but are 'meetings held in public'. This works well, though very few members of the public actually attend yet.

⁶ Public and Stakeholder Engagement Plan, Round 2. Document 15.1 (draft), April 2010.



PHASE 1 EVALUATION

The public should have the opportunity to see alternative perspectives being heard and tested. We have commented on a number of areas, including information provision and decision making, where care will be needed to demonstrate that the conclusion is determined objectively by this process and not by Members' predisposition.

The engagement elements of PSE 1 were extensive, in some areas perhaps more extensive than strictly necessary. Communications/media elements were included but they were limited compared to what will be required in PSE 2 if the relatively low awareness rates are to be improved – though the release of the BSG study will inevitably create a lot of media attention. There were some problems with both PSE and awareness raising activities, but in our view nothing that compromised the legitimacy of the programme, which we believe was as a whole well delivered.

In terms of meeting its declared objectives, we assessed PSE 1 as follows:

- *Build the understanding of stakeholder organisations and the public.* A start has been made, but this will be a long process and MORI survey results show that there is a long way to go;
- *Seek input from stakeholder organisations on the Partnership's work programme, Terms of Reference, Criteria and PSE Plan.* Stakeholders have had a wide range of opportunities to make these inputs, though we are aware of relatively little input on these specific items;
- *Understand issues raised by stakeholders and the public.* A good start. PSE 1 was very comprehensive, and although improvements can be made for the future the various PSE activities were well implemented. We have commented on the need for the Partnership to show more clearly that it indeed *understands* the issues raised as well as recording them; and
- *Provide a response to comments where possible and adapt activity accordingly.* PSE 1 has been excellent in this respect.

Although the process by which it has arrived at this point is inevitably less than perfect, and there are clearly tensions within the Membership and many challenges ahead, it has delivered a sound PSE 1 programme and laid the groundwork for a programme to gather the information it needs to formulate its recommendations. The vast majority of stakeholders appear to remain generally supportive of its efforts, albeit usually caveated in one way or another, and the Convenor's team and Secretariat are acknowledged to be doing a good job.

Having said all this, public awareness of its efforts as measured by the MORI polls has not noticeably increased and by some indicators public confidence in the Partnerships commitment to fairness and being responsive to local opinion has actually reduced. In our view though, the work programme represents a plausible strategy that addresses the Terms of Reference and was derived very largely in accordance with its guiding Principles. PSE 2 and PSE 3. The elements of the work programme as currently envisaged do have the potential – though it is certainly not inevitable - to pull things round and deliver a recommendation through a process that does command broad local acceptance.



Report Signature Page


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APPENDIX A

EVALUATION SCOPE OF WORK

MRWS Partnership Phase 1 Evaluation Scope of Work (extract from Project Brief)

The services required are as follows:

3.6.1 Supply of evaluation and assessment of PSE work, including:

- Analysis of integration, effectiveness and openness/transparency of the overall PSE programme and performance assessment against overarching objectives (*see para 3 in PSE Plan, document 15*)
- Analysis of engagement methods used and performance against specific Round 1 objectives (*see para 6 in PSE Plan*)
- Assessment of consistency against our adopted 'Broad Approach' (*see para 4 in PSE Plan*)
- Identification of strengths, weaknesses and key learning points or other commentary that will enable continual improvement, especially for application in Round 2 PSE
- A final report, which is clear and succinct, submitted to the West Cumbria MRWS Partnership Steering Group by 31st March 2010.

3.6.2 Supply of evaluation and assessment of Partnerships general operation, including:

- Analysis of working methods used, communication within the partnership - between members and between members and their constituencies
- Identification of strengths, weaknesses and key learning points or other commentary that will enable continual improvement
- A final report, which is clear and succinct, submitted to the West Cumbria MRWS Partnership Steering Group by 31st March 2010.

See Draft PSE Plan attached; see also - westcumbriamrws.org.uk - for further supporting information.



APPENDIX B

PARTNERSHIP TERMS OF REFERENCE

Document No:	2 Draft 4
Status:	Draft
Title:	Terms of Reference of the West Cumbria MRWS Partnership
Author:	Steering Group
Notes:	version for Stakeholder Organisations Workshop on 4 Dec 09

1. Aim and Objectives of the Partnership

- 1.1. The **aim of the West Cumbria MRWS Partnership** 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.
- 1.2. **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. Operation

- 2.1. **Chair.** The Chair will rotate at six monthly intervals between the three Principal Authorities. The Principal Authority who is in the Chair will also Chair the Steering Group.
- 2.2. **Steering Group.** A small steering group will manage the work and process, meeting at least once in between Partnership meetings. The membership of the Steering Group should involve the Principal Authorities and reflect the diversity of the full Partnership, whilst still being a manageable size. The Steering Group can co-opt members as required.
- 2.3. **Working Groups** may be set up to investigate and report back on issues agreed by the Partnership.
- 2.4. **Secretariat.** Administrative support to the Partnership will, in the first instance, be provided by Copeland Borough Council. Meeting venues will, where convenient, alternate between the Allerdale and Copeland areas.
- 2.5. **Expenses.** The expenses of partners will be provided subject to the Partnership's 'Funding Stakeholders Policy' (document 8). A record of all expenses claimed will be kept by the secretariat.

- 2.6. **Frequency of meeting.** The Partnership will meet approximately every 6 weeks, depending on the work programme agreed and partner availability.
- 2.7. **Decision Making.** Decisions should be reached by consensus where possible. When they arise, differences of view will be clarified.
- 2.8. **Working Style.** This is expected to vary between more formally chaired meetings and facilitated meetings (using independent facilitators) to help the Partnership with particular discussions and tasks. This would be planned in liaison with the steering group.
- 2.9. **Reporting.** After each meeting a brief Meeting Report will be issued for agreement with partners. As a minimum, Meeting Reports will focus on decisions taken and actions agreed. Under normal circumstances each Meeting Report would be published as soon as possible after the meeting and at least one week before the next meeting, enabling transparency for all.
- 2.10. **Legal Status.** The Partnership is formally constituted via these Terms of Reference and acknowledged through the decision-making processes of its members. It is not however a legal entity.
- 2.11. **Funding.** DECC is the funder and CopelandBC is the accountable body. The Steering Group will agree an overall budget: any variation away from this budget of over £5,000 must be considered and agreed by the Steering Group, including the Principal Authorities.

3. Membership

- 3.1 **Membership Criteria.** The following criteria exist for full membership:
 - 3.1.1 Hold a substantive interest in Copeland and/or Allerdale and the impact a geological disposal facility might have on the wider area
 - 3.1.2 Represent a formally constituted body or community of interest whose views are not already represented on the Partnership
 - 3.1.3 Be willing to operate within the Terms of Reference and working agreement of the Partnership
- 3.2 **Membership List.** The following partner organisations will be invited:
 - Allerdale Borough Council – 4
 - Copeland Borough Council - 4
 - Cumbria County Council – 4
 - South Lakes District Council – 1
 - Eden District Council - 1
 - Carlisle City Council - 1
 - Barrow Borough Council – 1
 - Local Strategic Partnership – 1
 - Cumbria Association of Local Councils, Copeland – 2
 - Cumbria Association of Local Councils, Allerdale – 2
 - Cumbria Association of Local Councils, Cumbria - 1
 - West Cumbria Sites Stakeholder Group – 1
 - Lake District National Park – 1
 - NFU – 1
 - Trade Unions – 2
 - Chamber of Commerce – 1
 - NuLeAF – 1
 - Local Environmental NGO – 1

- Local media – 2

There should be a majority of members who are based in Copeland and Allerdale. Note that elected members may request officer advisors to accompany them. Emergency services would be kept informed of developments, and invited later in the process when discussions are more advanced as appropriate.

- 3.3. **Observing members.** The Partnership may invite additional organisations or individuals to attend and observe, as well as inform and advise the group when requested. Observing members do not take part in the Partnership's decision-making. These observing members include but are not limited to the Department of Energy and Climate Change, Nuclear Decommissioning Authority, Isle of Man Government, CoRWM and regulators.
- 3.4. **Public.** Full Partnership meetings will normally be open to the public to observe, including a limited opportunity to ask questions in each meeting. Only occasionally is it expected that discussions will be conducted in private session.
- 3.5. **Working Agreement.** Partners agree to operate within the draft working agreement set out in Annex 1. Abiding within this working agreement is considered an act of respect to other participants. Seriously breaching the agreement is considered to be a withdrawal of commitment and an act of disrespect. In the event of a breach, it is the Steering Group's responsibility to decide on appropriate action to be taken.

The Terms of Reference are open to continual review and evolution by partners in order to respond to changing circumstances.

Annex 1 – Working Agreement for Participation in the Partnership

This working agreement is open to review at any time.

Aim/Objectives

1. Partners will take care to emphasise the *early and provisional* nature of discussions in the overall process when talking about the Partnership externally.

Operation and Communications

2. Confidentiality and Attribution. To encourage free expression in meetings, participants can request that their views are not attributed. The meeting record will not normally attribute comments unless requested in a specific instance.
3. Accuracy of Meeting Summaries. It is the responsibility of each partner organisation to check the draft Meeting Summaries circulated and respond with suggested changes within the deadline circulated. No response by the deadline will be taken as agreement.
4. External communications. All members agree to work together to ensure that communication of the Partnership's business is as clear, consistent and accurate as possible. In this spirit, all members agree:
 - a) not to talk for the Partnership unless mandated to do so by the Partnership or Steering Group

- b) to bear in mind the need to coordinate communication opportunities. Practically speaking this would entail notifying at least the Steering Group in advance of communicating widely¹ about the Partnership, unless it is common knowledge that the particular communication is happening
 - c) to use existing forms of words or other agreed text where possible to describe the Partnership's business in their own communications
 - d) to make the Partnership aware of inaccurate communication or reporting by others, so that the Partnership's view(s) can be clarified
5. Urgent communications. The Steering Group has the mandate to manage urgent communication issues on behalf of the Partnership, for example responding to media requests etc.

Membership and Participation

- 6. Representation. Partners are expected to *actively* represent their organisations. This means providing colleagues with updates on the Partnership's work (based on the Meeting Summaries) and feeding in their colleagues' views on issues under consideration by the Partnership. Individual partners should give consideration as to how this is best managed in their particular organisational circumstances.
- 7. Collaboration. Partners must be willing to develop and maintain a collaborative working spirit whilst recognising that differing views may exist.
- 8. Continuity and Substitution. It is highly desirable that each partner organisation designates a lead person to attend meetings so that continuity of membership is maintained. It is recognised that this may not always be possible so some degree of substitution may be required. Partners should be mindful of the impact this can have both on the effectiveness of meetings and their organisation's representation: it is the partners' responsibility to fully brief substitutes and obtain adequate debriefs in return.
- 9. Preparation. Partners are expected to have read papers circulated and be appropriately prepared by liaising with colleagues as necessary before meetings.

Meeting Conduct

- 10. Mobile phones to be switched off
- 11. Only one person to speak at a time
- 12. Listen respectfully even though you may disagree

Written Procedure (for Steering Group only)

- 13. There may be occasions where it is essential for the Steering Group to take a decision on a matter before its next scheduled meeting, but it is impractical to call a special meeting, for example the issue may be very urgent or not of great enough significance to warrant calling a specific meeting. In such cases, the "written procedure" may be invoked.
- 14. Each member of the Steering Group will be emailed a full statement outlining the following where appropriate:
 - the matter for decision and a deadline for response
 - the options under consideration

¹ For instance, speaking at a conference or mailing their membership/community and so on

- a recommendation for which option is supported, with a rationale
- supporting papers where relevant
- why written procedure is required
- implications of delays incurred by not using the written procedure in the specific case

15. The email will be flagged 'important' and have "Written Procedure - decision required by XXX" in the subject header.

16. If any Steering Group member responds in writing before the deadline objecting to the use of written procedure to arrive at the decision then the matter will be withdrawn from written procedure and referred to the next scheduled or special meeting. The email will invite members to approve or not approve the matter proposed, via email, by a date specified. If any member responds via email that they oppose the proposition, then it falls; it may, of course, be re-introduced at the next Steering Group meeting. If no written opposition is received by the date specified, the proposition is approved '*nem con*'.



APPENDIX C

WEBSITE ASSESSMENT



PARTNERSHIP WEBSITE ASSESSMENT

Scope

The evaluation of the Partnership's website (www.westcumbriamrws.org.uk) was a 'fit for purpose' assessment carried out by our lead evaluator (David Collier, a registered ergonomist), supplemented by observations from Golder staff and others who were to varying degrees less familiar with the Partnership's work. We first considered website design and functionality as a whole, and then worked through six functional tasks covering our perception of what a range of people might be using it for. There is inevitably an element of subjectivity and preference in our judgements but this approach helps maintain consistency.

There are some detailed issues which ought to be addressed, but it seems to us to be a tidy, efficient site. We reported 'by exception' so this note will inevitably appear to be biased towards those things that might be improved, but overall it does seem to work very well for those who understand something of the process.

Having said that, as interest builds into PSE 2 we suggest that information on MRWS/GDF, the Cumbrian context, and the Partnership's programme will have to be extended made more obviously accessible – whether on web pages or downloads – and that document management will need to be more sophisticated. Some terminology will need to be simplified. As regular users ourselves, our perception over time is that it is regularly maintained and there was very little out of date information at the time of our evaluation.

User tasks

We looked at the web site with 6 potential scenarios in mind, also trying to see if it works for both (a) an interested web-literate middle-aged 'broadsheet' reader and (b) a more anxious older person, with more limited web experience and perhaps a more limited educational background.

- 1) Saw a mention in the local paper, does a Google search. Find out what the Partnership's remit is, who is on it, how it is organised, and what its current programme is.
- 2) Received the leaflet, find out more about the issues and how to get involved.
- 3) More specifically, find out what Partnership's PSE programme is, what options there are to participate, and register as a stakeholder.
- 4) Interested now: Look to see what is available in the document library etc.
- 5) I am unhappy, I want to complain about the Partnership's direction or working arrangements. How do I do it?
- 6) I have a technical problem with the web site/ mailing list.

Searching for the site, Navigation & Design

The Lead Evaluators observations were:

- The site comes out top for most combinations of sensible search terms that we tried, and we easily found information on Neighbourhood Forum meetings through Google.
- We tried a range of web browsers and all worked.
- Navigation is clear and works well. We believe the functional, uncluttered design to be appropriate.
- We note the new 'media' page which is good practice. A 'media pack' might be useful in due course.
- We believe grouping documents as well as providing a full list is a useful feature. At some point, a search facility will be needed (but see below).
- We downloaded most documents – all satisfactorily. We systematically tested links and found none that were broken. As time passes this becomes more of a risk but we expect that the webmaster will routinely run a link checker utility.



- Everything seems to print correctly.

Finding out about MWRS and the Partnership

The Lead Evaluators observations were:

- The information leaflet seems to us to be very informative and cover most of the obvious questions at this stage. We liked the introductory video.
- However, as interest builds into PSE 2 we suggest that information on MRWS/GDF, the Cumbrian context, and the Partnership's programme will have to be extended and made more obviously accessible. The balance between web pages and downloads will need thought. Giving the leaflet more prominence and making it clear that this is where the background is set out would be good. Some terminology will need to be simplified. We have had separate (constructive, we felt) discussions with the Convenor on different detailed aspects of these issues rather than try and capture it all in this summary note.
- The link to the Government's MRWS page is OK now, and our two subjects found it valuable. It is still our judgement that it will need to be supplemented by on-site material or other links in due course - if for no other reason than that it puts only one perspective and others will need to be referenced.
- The Partnership document numbering/header system seems to work well and documents are easy and quick to download. The most frequently used are easy to find. However, document management, document grouping etc. will need to be more sophisticated in future and search facilities will have to be provided. Again, we have discussed these issues in detail with the Convenor.
- Access to previous newsletters and 'frequently asked questions' could be improved.

Complaining about the Partnership / website

The Lead Evaluators observations were:

- The 'contact us' feature is useful but it is not clear who 'us' is (it's the Convenor). The 0800 number is similar routed through to the Convenor. It is sensible that it is the Convenor but its good practice to say so.
- There are links only to some partner's websites and, since the links direct users only to home pages, there are no obvious contact points. If members of a stakeholder group wanted to make a point to 'their' representative or ask about the process, they need to know how to do it. Also, they need to be able to find their representative's feedback and observations if they are posted on the web. This is an aspect of communication to/from constituencies.

The 'contact us' feature seems to work for those with a technical problem.

Contact Arrangements

As part of the Partnership website evaluation, we checked the response to the online 'contact us' email link and the 0800 telephone helpline. The caller and emailer were from Golder Associates though not members of the evaluation team. The caller did not disclose the Golder connection, although the Convenor is now aware of it. The emailer used a Golder email address.

A message was left on the 0800 number mid-afternoon, requesting information regarding the cancelled Allerdale meetings 'for a friend who lives in Cockermouth and missed the meeting'. The Convenor returned the call mid-morning the following day. Our caller reported that the situation was clearly explained and the information supplied. She felt the response was very helpful and encouraging and that the turn round had been 'reasonably quick'.

The email query – asking to be added to the mailing list - was more openly connected to Golder. The form was submitted shortly before 5pm and a personalised confirmation email from the Convenor was sent less



than 3 hours later (copied to me). Our emailer was naturally impressed with such a quick 'out of hours' response.

The response times were fast, but it might be helpful to set an internal benchmark e.g. within 1 working day. We have also suggested that it might be helpful if the web page indicated which organisation would receive the call/email.

We have explored the current standby arrangements with the Convenor and they seem sufficient but looking to the future, the volume might increase. Experience suggests that the workload for the Convenor can become an issue if the level of controversy rises or there is a spike associated with a problem or media coverage of some kind. It puts pressure on (a) resources, leading to slower response and (b) a strain on contractual arrangements. Some thought might be given at some point to potential future demands.

None of these observations are significant evaluation points, so we are happy to leave them that to the Partnership's judgement.

Equal Opportunities

In the course of evaluating websites, we normally look to see what arrangements are made within the website for:

- People with visual impairment; and
- People without access to a printer or for whom the cost of printing documents would be a barrier to full engagement.

Browsers are of course much more flexible than they used to be, with accessibility options to help the visually impaired, but decent text size, clear fonts, clean layouts and minimal unnecessary use of colour etc. are still good practice. The current site looks reasonable to us, but this is not our area of expertise and – given the Partners' emphasis on these issues - perhaps the Partnership should seek advice (perhaps from one of its member's officers?) at some point prior to any major investment, to make sure it complies with local authority guidelines. You would presumably provide spoken versions of document summaries if requested?

The documents we looked at, including the information leaflet, seem to print well in greyscale even when the originals are in full colour. Key documents like the leaflet do need to be tested, and we assume this was done as part of the development programme (if for no other reason than that members would normally final print drafts on monochrome printers).

The provision of hard copies of reports on request (within reason, and generally without charge), especially those listed for download, is normal good practice. If this is Partnership policy, ought it to be mentioned on the relevant web pages? You might like to think about what would be involved in offering this service (and indeed downloads) for BGS full-colour reports and make sure you specify BGS deliverables accordingly. See also the comment above on considering people with no access to colour printers. Responsibilities for providing hard copies, policy on charging, and matching contractual arrangements need clarifying at some stage, if they aren't already.

There are competing priorities of course, but an option is to ask questions in the awareness survey that provide information e.g. 'do you have access to email and the web'. Finally, we would just like to note that there are other aspects of equal opportunities that we have not looked at e.g. venues.

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