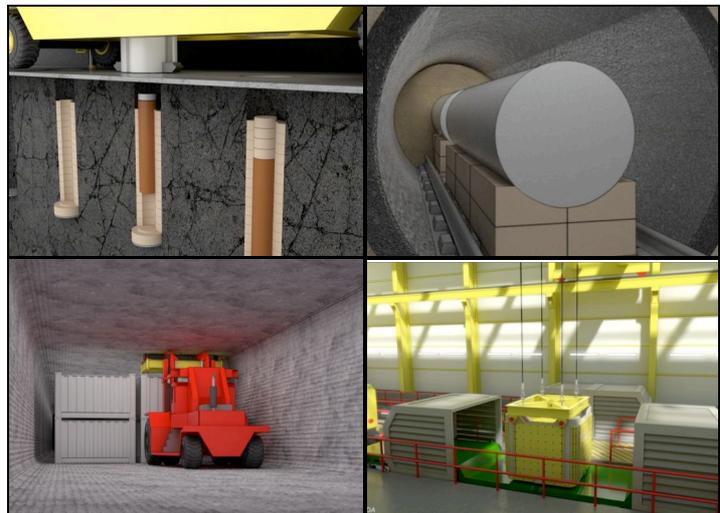


West Cumbria Managing Radioactive Waste Safely Partnership



Meeting Report

From 13 May 2010

At The Copeland Centre, Whitehaven

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Title:	Meeting Report from West Cumbria MRWS Partnership on 13 th May 2010
Author:	3KQ (see note overleaf)
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Note:

This report is a summary of discussions at the meeting. It is compiled by independent facilitators 3KQ, operating on behalf of all participants. Note that it is meant as an aide-memoire for participants and a means of update to non-attendees, rather than a definitive record of every detail.

Facilitators/Authors: Richard Harris, Rhuari Bennett, Jane Dalton

Contacts:

richard@3kq.co.uk

rhuari@3kq.co.uk

jane@3kq.co.uk

Telephone 01539 739 435

3KQ Ltd
93 Serpentine Road
Kendal
Cumbria
LA9 4PD

3KQ Ltd
Pantiles Chambers
85 High Street
Tunbridge Wells
Kent TN1 1XP

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Executive Summary

Overview. The 9th meeting of the West Cumbria Managing Radioactive Waste Safely (MRWS) Partnership took place on 13th May 2010. 27 people attended with 5 members of the public present to observe the meeting. The main objectives of the meeting were to complete the response to the first round of public and stakeholder engagement (PSE1) and sign off the report, reflect on the 5 key messages of PSE1, consider whether to ask the Department of Energy and Climate Change (DECC) to instruct the British Geological Survey (BGS) screening study, commission the peer review of the BGS screening study and agree the outline plan for PSE2.

Updates. Discussion papers are being prepared to set out the issues around '*Credible Support and Decision Making about Participation*', and '*The Siting Process and Principles for the Involvement of Affected Communities*'. A Community Benefit Sub-Group has been set up to develop principles for community benefit, and explore UK and international experience of community benefits. The Nuclear Decommissioning Authority organised a seminar to enable a Swedish delegation to share experiences with Partnership members. Environmental campaigners Ruth Balogh and Jean McSorley, have written a paper setting out their views on obstacles to environmental NGOs taking part in the Partnership. From 6th April 2010 the Environment Agency (EA) will regulate the disposal of radioactive waste under the Environmental Permitting Regulations 2010 using a process known as 'staged regulation'. Nuclear Waste Advisory Associates have compiled a register of issues that they believe need addressing as part of the overall MRWS process: the EA are considering if and how to move forward with it. The Nuclear Institute are holding a series of summer lectures at the Sellafield Centre on Deep Geological Disposal. A Wikipedia page for the Partnership has been set up.

Government position on the MRWS process. DECC provided a statement on the Government position on the MRWS process following the general election. At the moment DECC have no reason to doubt that the current strategy won't be taken forward by the new coalition government. It was stated that it is a very high priority for DECC to engage with ministers to understand their views on MRWS at the earliest opportunity.

Officer Group meeting to review the issues raised by CALC in January. A number of agreements were reached at the meeting of the Officer Group on April 14th. These agreements were subsequently endorsed by the Steering Group, apart from the suggestion to change the Aim of the Partnership. It was agreed that the Steering Group and the Allerdale/Copeland joint executives of CALC need to discuss this further.

Sign off of PSE1, and PSE2 planning. The report detailing the results from all of the various strands of PSE1 was signed off. The outline plan for PSE2 was discussed, in particular which topics should be tabled for community engagement. Under consideration were the following topics: impacts, community benefit, how public views inform the Partnership's work, decision making/siting process later on, and inventory. The PSE2 plan will be developed further for discussion at the next Partnership meeting.

BGS Screening Study. The Partnership agreed to ask DECC to commission the BGS to carry out their geological screening study. This will commence after the next Steering Group meeting on 26th May, when the communications strategy is due to be finalised.

For future meeting dates and more information please see the Partnership's website www.westcumbriamrws.org.uk.

1. Introduction

1.1 – Objectives

Specific objectives for the day were to:

- Complete the response to the output of the first round of public and stakeholder engagement (PSE1) (Task 6a(iii)) and sign off the report.
- Reflect on the 5 key messages of PSE1 as individual members.
- Consider whether to ask the Department of Energy and Climate Change (DECC) to instruct the British Geological Survey (BGS) screening study (Task 2a(i)).
- Commission the peer review of the BGS screening study (Task 2a(iii)).
- Agree the outline plan for PSE2 – objectives and overall approach.

The full agenda is in Appendix 1.

1.2 – Attendance

27 participants¹ attended at The Copeland Centre, Whitehaven on 13th May 2010. A full list of those in attendance is in Appendix 2. The meeting was open for the public to observe and 5 members of the public attended.

2. Updates

2.1 – Tasks initiated by the Steering Group

Two discussion papers are being prepared by Fred Barker, on behalf of the Partnership, to set out the issues around:

- *‘Credible Support and Decision Making about Participation’*, Task 6a(ix).
- *‘The Siting Process and Principles for the Involvement of Affected Communities’*, Tasks 5a(i+v).

A Community Benefit Sub-Group has been set up to develop principles for community benefit, and explore UK and international experience of community benefits, Tasks 3a(ii+iii).

The content of each of these tasks will lead into PSE2 as appropriate.

2.2 – Swedish visit on 5th May

The Nuclear Decommissioning Authority (NDA) organised a seminar to enable a Swedish delegation to discuss experiences with Partnership members. Note that the website of Sweden's equivalent Partnership can be seen at www.finaldisposal.se and Partnership members are invited to sign up to their newsletter.

2.3 – Procurement

The following contracts are currently being let by the Partnership: communications support, independent evaluation, Discussion Pack design and reporting, and the 3 peer reviewer contracts for the BGS study.

¹ Plus 5 from the facilitation team and secretariat.

2.4 – Documents Published

Since the last Partnership meeting the following documents have been published at www.westcumbriamrws.org.uk:

- Document 67 – PSE Sub-Group meeting note from 6th April 2010.
- Document 68 – Partnership meeting report from 31st March 2010.
- Document 69 – Steering Group minutes from 14th April 2010.

2.5 – Obstacles to environmental NGOs taking part in the Partnership

Following their presentation to the Partnership at the February 23rd meeting (see Document 58, section 7), Ruth Balogh and Jean McSorley have written a 3-page paper setting out what they see as the obstacles to participation (see Appendix 3). The Steering Group will consider a response to the paper at their next meeting on 26th May, and will provide an update at the next Partnership meeting on 25th June.

2.6 – Environment Agency granted powers of Staged Regulation

From 6th April 2010 the Environment Agency (EA) will regulate the disposal of radioactive waste under the Environmental Permitting Regulations 2010. Using these legal powers the Agency will regulate using a process known as ‘staged regulation’. Staged regulation recognises the need to establish regulatory control very early in the development of a geological disposal facility (GDF) and to maintain this control throughout the successive stages of site investigation, construction, operation and closure. Regulatory approval from the EA will be required before each successive stage of development can begin, and the developer will not be allowed to dispose of radioactive waste without an environmental permit.

Staged regulation will involve a series of regulatory decisions at important stages in developing a GDF. The process will begin when a developer decides to apply for an environmental permit to start site investigation work, such as drilling boreholes to investigate the geological structure at a potential site. A developer will not be allowed to start site investigation work unless the EA decides to grant an environmental permit to do so.

2.7 – Issues Register

Nuclear Waste Advisory Associates have compiled a register of issues that they believe need addressing as part of the overall MRWS process. The EA are considering if and how to move forward with it, and the Partnership will continue to monitor developments.

2.8 – Impacts Sub-Group

The 2nd meeting of the Impacts Sub-Group was held on May 12th. The main content was a presentation by the NDA on its generic Strategic Environmental Assessment work, which broadly looks at the impacts of a facility in different rock environments against what could be committed for disposal, including minimum and maximum inventory. The Impacts Sub-Group are due to comment on the study before their next meeting on 22nd June. Alun Ellis of the NDA can expand on the study and answer questions if required.

The meeting also finalised the research scoping note, to provide more clarity and incorporate cross-references to the outcomes of PSE1. Cumbria County Council (Cumbria CC) will start the tendering process to procure a research consultant.

2.9 – Community Benefit

A scoping note on community benefit has been approved by the Steering Group to initiate this workstream. Copies were available at the meeting for reference (Document 71). A Community Benefit Sub-Group is being set up, which will include representatives from the 3 principal authorities and the Cumbria Association of Local Councils (CALC). The Sub-Group will look at the principles of community benefit, and what the Partnership would expect to be in place before a Decision to Participate (DtP) or withdraw was taken. It will not be agreeing what the benefits would be at this early stage.

2.10 – DECC update on the Government’s position regarding the MRWS process

There was a request for DECC to provide an update to the Partnership in the light of the new Government. David Senior of DECC, who is taking over as Head of Nuclear and Radioactive Waste Policy, introduced himself to the Partnership and advised that the Conservative and Liberal Democrats’ coalition agreement had recently been published. This document sets out an agreed process that will allow Liberal Democrats to maintain their opposition to nuclear power while permitting the Government to bring forward the national planning statement for ratification by Parliament so that new nuclear construction becomes possible.

With respect to the MRWS process there were some statements in the Conservatives’ pre-election documentation which looked very supportive of the current strategy. At the moment DECC officials have no reason to doubt that the strategy won’t be taken forward by the new coalition. It was stated that DECC have a very clear message for the Partnership that it is a very high priority for DECC to engage with Ministers to get their views on the way forward. They are hoping to do so within the first few weeks of this administration and will communicate any updates to the Partnership at the earliest opportunity.

2.11 – Nuclear Institute summer lecture series

The Nuclear Institute Cumbria Branch, are holding a series of free summer lectures on Deep Geological Disposal at the Sellafield Centre in June and July. The lectures are open for anybody to attend. See <http://nicumbria.org/SummerLectures.html> for more information.

2.12 – PSE Updates

2.12.a – Design of PSE2

The main focus of the PSE Sub-Group has been planning PSE2. The current plan is in outline form only, and will be fleshed out with more detail once it has been agreed by the Partnership. See Section 5 of this report for further detail.

2.12.b – Discussion Pack

The Discussion Pack is being developed as a key way of engaging directly with a range of public groups in PSE2, including younger people. It will enable groups to hold self-managed discussions on the basis of a short DVD and supporting information sheets, as well as feed their views back via a questionnaire. The contract is currently being let for the design, production and reporting of the Discussion Pack.

2.12.c – Wikipedia page

Following a suggestion from a member of the public at the previous meeting, a simple wiki page for the Partnership has been set up. For those who aren’t familiar with Wikipedia, it is a highly popular global electronic encyclopaedia.

2.12.d – Bilateral meetings

The following meetings have been organised for the Partnership to provide an update:

- 12th July – Joint Students Council.
- 7th September – Lake District National Park Partnership.
- Potentially a meeting with the Lake District National Park Authority members, to be confirmed.

3. Public & Stakeholder Engagement Round 1

3.1 – PSE1 Report

The Partnership did not quite complete its consideration of the output from PSE1 on 31st March, so today's objective was to: 'Complete the response to the output of the first round of public and stakeholder engagement (Task 6a(iii)) and sign off the PSE1 Report'.

The wording and drafting changes that were agreed during the meeting in March, and submitted afterwards, had already been incorporated into the latest draft of the PSE1 Report, a copy of which was circulated prior to the meeting (Document 61 draft 7). This included an expansion of the Executive Summary, to include a summary of the Partnership's Responses to the 5 key messages from PSE1.

3.2 – Wording in Executive Summary

Concerns were raised by Cumbria CC that the first Partnership response to the key issue of 'Overcoming cynicism and gaining trust' should say 'the *Principal authorities*' right of withdrawal', rather than 'West Cumbria's'. Some members were not happy to agree with this as they felt the input of the views of the communities in this decision should be reflected in the report. After discussion it was agreed that 'West Cumbria's right of withdrawal' should be replaced with the more generic wording '*the* right of withdrawal' (as used elsewhere in the report).

3.3 – Review of attendance of Partnership members

Concerns were raised regarding gaining agreement and sign off to the PSE1 Report from Partnership members who were not in attendance at today's meeting. This led to a further discussion regarding the status of members who have rarely attended.

There was a reminder that Partnership papers and meeting reports are circulated to all members, and that therefore non-attendees are given the opportunity to submit their comments, and notify the Partnership of any concerns.

It was agreed that the Programme Manager would contact members who do not regularly attend to review their membership of the Partnership.

3.4 – Incorporating actions from PSE1 into the Work Programme and the progress review on June 25th

It was acknowledged that there are several large areas of work coming out of this report, and a discussion was held about what can be, and needs to be done, in the current timescales. It is intended that the actions leading from the Partnership responses in the PSE1 Report will be added to the Work Programme and that this, together with all other items arising, will be incorporated into the progress review that is due to take place at the next Partnership meeting on 25th June.

There was agreement that, for many items, a more manageable piece of work on many of the items will be how to tackle topics *if* a DtP is taken, rather than doing more work before that stage.

3.5 – Sign off of the report

It was agreed that, subject to the points above, Partnership members were happy to sign off the report. The final report is now scheduled to be published in early June.

3.6 – Member statement

There was a reminder of the duty of Partnership members to represent and communicate with their constituencies and member organisations, and a discussion was held about the commitment and actions that are expected of Partnership members as a result of PSE1.

All Partnership members who were present gave their agreement to the statement below, although it was noted that there can be no guarantee that the statement will be accepted by members' constituencies/member organisations.

Statement: 'We note the West Cumbria MRWS Partnership's report summarising its public and stakeholder engagement activity between November 2009 and March 2010. We endorse the Partnership to continue working on our behalf and provide us with regular updates on activity.'

It was further agreed that Partnership members should communicate the findings and output of PSE1, including distribution of the PSE1 Report and/or Executive Summary as appropriate.

3.7 – Opportunity to reflect on the 5 key messages of PSE1

Each Partnership member was asked to reflect on his/her individual role and responsibilities as a member of the Partnership. The key areas to reflect on were based around their responses to the 5 key messages arising out of PSE1:

1. Overcoming cynicism and gaining trust.
2. Clarifying decision making.
3. Being rigorous.
4. Striving to engage.
5. Securing community benefits.

Members were asked to consider their contribution to date, their response to what the Partnership is doing, the messages that are coming from their organisations and from members of the public, and whether there is anything they would do differently about how they operate, what they bring to the Partnership and what they take back to their organisations.

3.7.a – Individual reflections

Reflections from individual Partnership members included:

- Needing to manage potential scepticism within members' organisations as to whether their views are being fully represented, and the challenges faced in communicating how the Partnership is proceeding.
- Positive feedback to some individual members as to how well it is perceived by others that they are carrying out the roles above.
- Concerns about the capacity of individual members in their organisations to get views, feed them in to the Partnership, and feed back what is happening.
- Concerns about the scale of responsibility, e.g. representing whole Borough/District councils.
- Needing to look at how members can carry out communication from the Partnership, including the potential requirement for additional resource to support them in doing this.

- Concerns about raising awareness and getting buy-in across West Cumbria and elsewhere.
- Concerns that the Partnership may get to the point where West Cumbria says yes, and the rest of Cumbria says no, and how to handle this.
- Needing to do more to get the messages out there, specifically with regard to perceptions from the past re Nirex and that this process is different.

Members noted that it was good to hear about the communication that *is* happening in members' organisations, but concerns were also raised about what difference it is actually making, and the difficulties of monitoring whether people are actually reading and taking note of these communications.

3.7.b – Clarity about the role of Partnership members

A discussion was held about the need for more clarity about the role of Partnership members. It was noted that there should probably have been more challenge at the outset in terms of ground rules, expectations of each other and how members relate to the process.

Regarding the issue of set positions, the need for an understanding of whether it is OK to have a set position was discussed. One member found at public meetings that he was being drawn into being an advocate for the process, when that isn't a role that Partnership members should necessarily take, or a role that has been agreed.

Observing members such as the NDA and DECC, noted that they could potentially have done more to support the Partnership in taking this advocate role and in providing answers to technical questions. It was acknowledged that there may be an increased and better role for DECC and the NDA through the BGS work and during PSE2.

3.7.c – The role of the Partnership and the Decision-Making Bodies

A discussion was held about the role of the Partnership in informing a decision about participation. It was acknowledged that it has not always been clear to everybody that the role of the Partnership is not to make decisions, but is to make a recommendation to the Decision-Making Bodies (DMBs) on whether to participate or not, and to help them consider this decision properly.

It was also acknowledged that the DMBs may ultimately make a decision that individual Partnership members may not agree with. Whilst the people who sit on the Partnership might be able to live with this because they have been party to all the detailed discussions, there is uncertainty as to whether their wider members would be able to do so, and this potential problem needs to be clear for everybody.

Concerns were raised as to whether the relevant members of the DMBs will be aware enough of all of the information in making their decision, and/or whether it will ultimately be a political decision. The need for all of the paperwork and documentation to be made available, including the Partnership's final report and information as to why decisions and judgements were made throughout the process, was emphasised.

Some members feel that there is still no clear decision as to who the DMBs are.

The issues of lack of confidence and trust in councils in Cumbria, and the concerns of the public that their views will not be taken into account when decisions are made, were raised. It was acknowledged that this should highlight to the local authorities that there is a need to look at how they can change those perceptions, whilst recognising that there is no easy or quick solution.

3.7.d – Observing members

Observing members highlighted the “balancing act” that they are experiencing in supporting the Partnership and maintaining a level of independence. It was noted that observing members are in a “strange position” on the Partnership and there is a tension about whether/when to keep quiet and when to provide support or input. They asked for feedback from Partnership members on their level of contribution.

3.7.e – Actions and way forward

It was agreed that there is an ongoing action for all members to continue to consider what each of them needs to do differently as a member of the Partnership, and that this will be revisited in future conversations.

Partnership members were also asked to provide feedback to observing members on their role in supporting the Partnership.

The issues raised will be considered further when the progress review is undertaken at the next Partnership meeting on 25th June.

3.8 – Publication of PSE1 Report

The PSE1 Report will be published on the Partnership website (Document 61) in early June. There will be a link to it in the next newsletter which will be circulated to everybody on the database. Hard copies can also be made available.

4. BGS Screening and Peer Review

4.1 – Decision on commissioning the BGS screening study

The decisions on whether to ask DECC to commission the BGS to carry out the geological screening study (Task 2a(i)), and to commission the peer review of the BGS screening study (Task 2a(ii)), were postponed from the meeting on March 31st to today's meeting, to allow for full and final consideration of everything that had come out of PSE1 that might be relevant.

4.2 – Update from Steering Group

Since the last meeting the Steering Group have met with DECC to discuss the BGS screening study further. They have also carried out further work on the peer review process. With regard to communication of the BGS work and its findings, there is still some clarity to be gained with the BGS with regard to roles and who will do what. There will also be a need to let people know that the work has been started and what it entails. The Communications Advisor is in the process of planning communications activities, including drafting appropriate wording in conjunction with DECC.

The Steering Group acknowledged that the BGS screening study needs to be done before a decision about participation can be taken, and stated that they are now a lot more confident that they want to ask DECC to commission the BGS study. The Steering Group's recommendation is therefore to officially ask DECC to start that screening on the whole of West Cumbria.

It is envisaged that the output from the screening study, including the peer review process, will be ready for publication in September.

4.3 – Overview of the BGS screening study process

DECC provided a reminder of what the BGS screening study involves and how it fits into the MRWS process. When DECC was consulting on the process to find a suitable site for a GDF via voluntarism, it was recognised that a technical assessment process was also needed. Small groups of technical experts, including geologists, were assembled to look at what could be done at a very high level to rule out specific areas based on what is already known about the geology. The resulting criteria are set out in the White Paper – these criteria were peer reviewed and consulted on 3 years ago.

It was reiterated that the BGS study is not a detailed site identification process. It simply determines whether it is worth continuing with an area at all based purely on the geology. It was noted that while the study will be limited to Copeland and Allerdale, it will consider whether there is anything in neighbouring areas that would make the areas that are being looked at unsuitable. It has also been agreed with the Crown Estate that the study will include sub-surface areas out to sea, up to 5km offshore from Allerdale and Copeland.

4.4 – Decision to proceed

There was a reminder that the decision to commission the BGS screening study is a significant moment for the Partnership, and that Partnership members need to be able to stand by this decision and be comfortable with reporting and commenting on it. Partnership members were asked to consider whether any of them had any reservations about proceeding with the BGS study, and if so, they should raise them to be discussed. No reservations were raised.

The Partnership therefore agreed that DECC should be asked to proceed with commissioning the BGS screening study.

The Lake District National Park Authority (LDNPA) were not able to attend the meeting, but had asked in advance for it to be noted that 'the LDNPA accept, without prejudice, that the geological screening study should go ahead'.

4.5 – Communications strategy

The Communications Advisor provided an update on the communications strategy for the BGS study. It was noted that it is likely that the BGS work will attract more interest from the media than anything that has happened so far. It is important for the Partnership to be able to communicate why the BGS screening study is happening and what it entails i.e. that it is a requirement of the Government process, and that it determines areas that are unsuitable for a GDF and therefore whether a geographical area is worth continuing with in the MRWS process.

It is also important to communicate that the role of this Partnership is not about deciding where a site should go, but is about making recommendations on a decision about participation. As this process goes on, more and more people will be sharing their views on where a facility should go and it needs to be clear that these discussions would take place *after* a DtP, if relevant.

The input of DECC, the EA and the BGS has been sought, and they will also be involved in shaping and agreeing future communications, including information on the website, briefing papers and presentation materials.

It was noted that the commencement of the BGS work is also an opportunity to raise awareness about the MRWS process as a whole.

4.6 – Agreement on communications and wording

The importance of gaining agreement on any text/wording was highlighted, and a discussion was held about the best way to get this agreement from all parties in the most timely manner. It was agreed that, given the interest that it is likely to attract, the Steering Group should have the opportunity to formally comment and agree on any communications relating to the BGS screening study.

DECC reminded the Partnership that, as they are commissioning the BGS work, the ultimate responsibility for the work rests with them, and there is therefore a need for communications materials to be agreed collectively.

4.7 – Communications, timing and commissioning the BGS

It was agreed that the BGS work should not start until there is a basic package of information and an agreed communications strategy. It was agreed that the Communications Advisor, the Steering Group and DECC will work together to agree the first phase of the communications strategy, for sign off at the 26th May Steering Group meeting. DECC confirmed that they will delay commissioning the BGS until after this date, when everything is ready to go.

4.8 – Role of Partnership members

It was noted that, as more people become aware of the BGS work, all members of the Partnership are going to be asked about it, and they will need to be able to explain and answer questions/challenges on it.

4.9 – Peer review

The Geological Society has been asked for recommendations for independent geologists who can carry out independent scrutiny of the BGS study. The scope of this peer review is outlined in Document 53 (draft 4) which was circulated prior to the meeting. To ensure

that the 3 peer reviews can fulfil the requirements of as many bodies as possible, the brief has been agreed by the Steering Group, DECC, the NDA and the regulators.

The peer reviewers will present at a Steering Group meeting (date to be confirmed) which will also be open to the wider Partnership.

4.10 – Timings and way forward

It was agreed that, due to the slippage in commissioning the BGS study until 26th May, the output of the study will now be presented to the Partnership meeting on 16th September, instead of 5th August. This will mean a subsequent delay to the start of PSE2, and therefore the programme end date which will now be scheduled for October 2011.

5. Public and Stakeholder Engagement Round 2 – Outline Plan

5.1 – PSE2 plan

The PSE Sub-Group presented an overview of the outline plan for PSE2 (Document 15.1 draft 3), including a reminder of the overall PSE plan, and the specific objectives for PSE2. PSE2 was scheduled to take place from August to November, although this will now be affected by the change in timing of the BGS survey.

A copy of the presentation slides is provided below.

The image displays five presentation slides arranged in a grid. Each slide has a green header bar and a green footer. The slides are:

- PSE2 - Outline design**
13th May 2010
westcumbria:mrws
- Context and Objectives**
 - 3 rounds: PSE1 complete
 - PSE2:
 - Demonstrate changes
 - Build understanding of BGS study etc.
 - Seek input on key topics
 - Understand wider issues
 - Adapt activity and provide feedback
 - PSE3: Consult on draft recommendations/advicewestcumbria:mrws
- Consultation Topics**

In addition to sharing the BGS study output, seek feedback on:

 - Impacts: any impacts we're missing?
 - Community Benefit: thoughts on principles?
 - Forming our Advice Pre -DtP
 - Decision-Making Post -DtP
 - Inventory (tbc after 25 June)westcumbria:mrws
- Methods**

In addition to methods in PSE1:

 - Double communications activity
 - Exhibitions/stands
 - Community events (plus update to Forums)
 - Discussion Pack
 - Youth Panel
 - Bilateral meetingswestcumbria:mrws
- Timing / Reporting**

PSE2 runs 5 August to end October

Reporting options:

 - PSE Sub-Gp generates responses
 - Partnership generates responseswestcumbria:mrws

Areas of discussion following the presentation are summarised below.

5.2 – Need for ongoing communication between PSE rounds

There was a reminder from the PSE Sub-Group that there is a danger of leaving a void between the rounds of PSE, where the Partnership are not communicating to the public at all, especially given the delay to the start of PSE2.

There was general agreement on the need for increased communication and awareness-raising, both before and during PSE2. It was noted that media activity will be ongoing and that this will now include the use of advertorials, particularly with regard to the BGS screening study. The task of building awareness is also ongoing and the new element of going to exhibitions and events will seek to explain the MRWS process in general in advance of PSE2.

5.3 – Differences between rounds of PSE

A discussion was held about the key differences between the 3 rounds of PSE. Several people felt that PSE2 should continue the work done in PSE1, and focus mainly on providing information and raising awareness. Others felt that PSE2 should be used to consult more extensively on key topics as this is the last chance to do so before consulting on the Partnership's preliminary findings in PSE3.

Concerns were expressed that if PSE1 was about informing people and checking that the issues being discussed are about right, then if the Partnership were to do the same again in PSE2 it could feel too similar. There was a reminder that PSE2 is the last chance to ask the public for their input and feedback on some of the really tricky issues that the Partnership is dealing with, before the Partnership has to go through all of the issues and make some preliminary judgements.

It was acknowledged that levels of knowledge about the Partnership and the MRWS process amongst the public and stakeholders are still relatively low. The importance of improving knowledge in order to get informed decisions was highlighted. It was also, however, stated that understanding does not just come from providing information, but from giving people the opportunity to have discussions.

There was a reminder of the thinking behind the roles of PSE2 and PSE3. By PSE3 the Partnership will be publishing its draft advice/recommendations and asking for feedback on it. PSE3 will effectively be the opportunity for a formal consultation on these findings, and the thinking behind PSE2 has therefore been about sharing some of the dilemmas that the Partnership has and getting stakeholders' thinking and input on this *before* PSE3. This is why PSE2 has been designed, to date, to promote discussion. There was a reminder that PSE is not just about giving people outside of the room the opportunity to comment, it is for the benefit of the Partnership as well.

5.4 – Level of consultation on the proposed consultation topics

A discussion was held regarding the proposed consultation topics for PSE2. There were different views among Partnership members, particularly on the topics of 'Decision making post-DtP' and 'Inventory'. Some felt that consulting people on topics such as this could be seen as leaning forward too much. Others felt that consultation could and should take place on these issues at this stage.

Some of those who expressed concerns, also felt that it is too soon and too complex to answer some of these major issues. The Impacts Sub-Group had already discussed this

issue and were due to recommend that the topic of Impacts should only be included in PSE2 on the level of informing on what is being done now, and not be broadened out to consultation.

There was a reminder that this stage of the process is about making a decision about participation, and that there is a distinct difference between informing/consulting on this decision and asking what will happen *should* a DtP be taken. Some felt that a decision about participation is not a really key point in the process, in that West Cumbria can still withdraw from discussions following this stage. It was suggested that the Partnership is potentially behaving in a way which gives the public the impression that it is a key decision date when in reality it is not.

There was acknowledgement from others however that in PSE1 people wanted to know more about what would happen after a DtP before they would be happy to support it. CALC reiterated that their parishes want to be clear on these issues in advance of a decision about participation. Others agreed that the Partnership's views should be informed by public views both before a decision about participation *and* before a decision about the siting of a final facility. Others felt that there is a middle ground in which the Partnership has to get some feedback, i.e. share the issues that are being addressed, check that the right ground is being covered and get some validation on what is being done before PSE3. At the very least it was acknowledged that the Partnership is bound to be asked "what happens next" and it needs to be prepared to provide answers.

It was acknowledged that there is a balance between leaning forward too much and not being able to answer the questions that people are bound to ask. It was agreed that this issue needs to be considered further and the consultation/discussion topics need to be looked at again. This will be taken up by the PSE Sub-Group in conjunction with the Steering Group and the Impacts/Community Benefit Sub-Groups.

5.5 – Key issues on consultation topics

There was a request from the PSE Sub-Group for key thoughts on each proposed consultation topic to feed into their further work on the PSE2 plan. These are summarised below:

- **Impacts.** Care needs to be taken about the language that is used and what this represents, e.g. talking about issues that '*concern* you' with regard to impacts. There was a reminder that impact is a neutral word, and concern is negative. There needs to be clarity on whether impact means negative and benefit means positive, and it was noted that language needs to be carefully used.
- **Community Benefits.** It was highlighted that it is too early in the process to be determining what these benefits might be. Concerns were raised about leaving people more confused if answers were not available. It was suggested that the Partnership could discuss this at the level of principles of levels of benefit and how benefits could be distributed.
- **Forming our advice pre-DtP.** This was felt to be a key topic for discussion. The challenge facing the Partnership is forming a preferred approach before consulting on it. The discussion paper being prepared Fred Barker should help inform this and reassurance was given that more thinking on this will have been done before PSE2 commences.
- **Decision making post-DtP.** Most of the issues raised are captured in 5.4 above. There was a reminder of the concerns of some that, if this topic is raised with people at this stage, it might look like the Partnership is already minded to take a

DtP. Others reiterated their belief that the issue should be consulted on now. It was agreed that at the very least, more consideration needs to be given to how to communicate this issue and handle questions/answers during PSE2 and beyond.

- **Inventory.** It was agreed that this will probably be removed from the list of consultation topics, subject to the outcome from the discussions on this topic at the next Partnership meeting on June 25th.

5.6 – Resourcing PSE2

A discussion was held regarding whether the Partnership has the resources to carry out PSE2 as currently planned. It was confirmed that the budget that has been submitted to DECC covers the financial costs. Concerns regarding requirements for manpower resources were raised, particularly with regard to Steering Group attendance at public meetings and Neighbourhood Forums.

5.7 – Impact of other activities on PSE2

There was a reminder that the Partnership needs to give consideration to other consultations/activities that will be taking place that might impact on PSE2. These include nuclear new build, the Sellafield Lifetime Plan and other work involving the NDA.

5.8 – Offer of support from DECC

DECC offered their support and help with the planning and work involved in PSE2. They reminded the Partnership of their experience in dealing with this kind of communication and engagement work, and they have lots of resources which can be placed at the Partnership's disposal.

It was confirmed that the Partnership is seeking to involve DECC and the BGS at public meetings.

5.9 – Actions and way forward

The PSE Sub-Group will further develop the plans for PSE2 in liaison with the Impacts and Community Benefit Sub-Groups, and the Steering Group. The plans will be brought back to the next Partnership meeting on 25th June.

6. Other areas of discussion

6.1 – Officers' Group meeting to review the issues raised by CALC in January

The Officers' Group met on April 14th to discuss the key issues arising from the CALC paper which was submitted to the Partnership at the January 13th Partnership meeting (see Document 47, Section 5 and Appendix 3) and which were discussed further at the 31st March meeting (see Document 68, Section 3.7). A number of agreements were reached at this meeting, which are outlined in Appendix 4. These agreements were endorsed by the Steering Group at their meeting on 28th April, apart from the suggestion to change the Aim of the Partnership.

6.1.a – CALC joint executives response to the agreements

CALC provided an update on the response of the Copeland and Allerdale joint executives to the agreements. There was disappointment about the overall progress that had been made since CALC submitted their original paper in January, but they welcomed the thorough discussion by the Officers' Group and the number of agreements that had been made. There were still, however, some fundamental concerns that they felt had not been addressed.

It was stated that CALC is still not really satisfied that the Partnership is operating with the standards of objectivity and balance that are required, and they still don't feel that the review process carried out by the Officer Group has got to the core of some of the issues raised.

It was stated that the foundation stones of the White Paper are voluntarism and partnership. It is considered by CALC to be crucial to establish *now* what is meant by partnership working in the MRWS process, including the nature and culture of partnerships beyond a potential DtP.

There was a reminder that CALC are representing parish councils throughout West Cumbria, who are worrying about what the nature of partnership will mean in the future. It was stressed that the CALC representatives on the Partnership do want to move forward on this and be constructive, but the reason they keep pressing this point is that they want the Partnership to understand the concerns of the parish councils that they are representing.

Regarding the Aim of the Partnership, CALC felt that the amendment to the Aim that was agreed at the Officers' Group was excellent, and they were disappointed that it was not endorsed by the Steering Group. There was a reminder that the Terms of Reference and the Aim of the Partnership have never been formally agreed, and both of these were up for comment during PSE1 and are still in draft form. CALC stated that they are not signing up to the Aim as it is currently drafted.

They would also like to see the suggestion in their original paper for an independent chair to be considered.

6.1.b – Suggested way forward

As a way forward CALC has produced a short paper outlining these issues (see Appendix 5) and it was suggested that the Steering Group and DECC give attention to this and come back to a future Partnership meeting with their thoughts.

CALC also requested the arrangement of a one-off joint meeting between the

CALC joint executives and the Partnership Steering Group to discuss the issues.

Whilst there were some different views about how this would work and who should attend such a meeting, there were reminders that the Partnership needs to accept that its members can't all be happy with everything, and that a mechanism needs to exist for issues to be raised by Partnership members on behalf of their organisations, in order that areas of concern can be discussed and conflicts can be worked through.

6.1.c – Actions and way forward

It was agreed that a meeting should be arranged for some members of the Steering Group and CALC joint executives to discuss the concerns and the areas that have not been agreed, and to try to find a way forward that is acceptable for all parties, including both CALC and the principal authorities. The outcomes of this meeting will be brought back to the Steering Group for further discussion and decision.

6.2 – Cumbria County Council statement

At the end of the meeting, Cumbria CC made a statement to announce that it has decided to pause its engagement with the West Cumbria MRWS Partnership while it seeks clarification on the new Government's support for the area's nuclear sector.

Following the meeting, a further statement was released advising that, after discussions with DECC, Cumbria CC has suspended its pause in engagement. The statement reiterated: "the need to clarify decision making arrangements for managing the MRWS process remains key and urgent".

7. Way Forward and Actions

7.1 – Steering Group meeting with CALC Joint Executive

Members of the Steering Group will meet with CALC's Copeland/Allerdale joint executives to discuss a way forward on the concerns raised by CALC. The outcomes of this meeting will be brought back to the Steering Group for further consideration.

7.2 – BGS screening study

DECC will ask the BGS to start their screening study following the next Steering Group meeting on May 26th, subject to finalisation of the BGS communications strategy. The peer review of the BGS screening study will also be commissioned.

7.3 – PSE2 plan

The PSE Sub-Group will carry out further work on determining the PSE2 plan to bring back to the June 25th Partnership meeting.

7.4 – Dates. The forward programme of dates is provided below as a reminder. Members of the public are welcome to observe the Partnership meetings (right hand column). Please contact the Secretariat for details and registration (0800 048 8912).

Steering Group meetings 2010:	Partnership meetings 2010:
26 May	
9 June	25 June
7 July	
21 July	5 August
18 August	
1 September	16 September
29 September	
13 October	28 October
10 November	
24 November	10 December
2011:	2011:
5 January	19 January
2 February	
16 February	3 March
16 March	
30 March	14 April

7.5 – Actions. The following actions were agreed:

	Action	Who	When
1	Contact Chamber of Commerce and Prospect Union to review their membership of the Partnership.	Rhuari	25 June
2	Complete timed plan for delivery against the actions in the PSE1 Report (carried forward).	Rhuari	25 June
3	Add actions from PSE1 Report into the Work Programme, to be included in the Progress Review at the June 25th Partnership meeting.	Rhuari	4 June
4	Continue to reflect on individual roles and responsibilities as Partnership members.	All	-
5	Communicate findings from PSE1 to Partnership member organisations, and seek agreement on the official Partnership members' statement.	All	25 June
6	Arrange a meeting between CALC joint executives and members of the Steering Group to discuss the concerns raised by CALC.	Sharon/Richard 3KQ	
7	Commission BGS screening study.	DECC	After 26 May
8	Consider meeting between Partnership and members of the British Holiday and Home Parks Association.	Liz Vaughan	Ongoing
9	Provide feedback to Observing Members on their role in supporting the Partnership.	All	Ongoing
10	Revisit the PSE2 Plan, including objectives and activities (including those of other Partnership Sub-Groups and external bodies).	PSE SG in liaison with other Sub-Groups & the NDA.	14 May PSE Sub-Group and ongoing
11	Collate information from Partnership members on how many people they forward the newsletter to (carried forward to publication of next newsletter).	Jane	Next newsletter (scheduled for early June)
12	Circulate draft meeting report to Partnership attendees.	Jane	21 May
13	Comment on draft meeting report.	All	28 May
14	Circulate final draft of meeting report and publish on website.	Rhuari/Jane	4 June
15	Write and publish articles for organisational newsletters and websites to raise awareness of the Partnership. (Seek assistance on text from Communications Advisor if needed.)	All	Ongoing
16	Let Paul know if any articles or updates about the Partnership are published in your newsletter/ website as a result of the action above.	All	Ongoing

7. Public Questions/Comments

8.1 – Statement from Liz Vaughan, British Holiday and Home Parks Association

In Cumbria we have 92 park members. Throughout the county there are 8100 static caravans and 6300 touring park spaces. Cumbria County Council have 2000 spaces on their sites. I can sympathise with Elaine (Woodburn), how difficult it is to communicate with members. We are looking at this and thinking Coniston valley is 20 miles as the crow flies. This is a very narrow focus on West Cumbria here, but it affects the whole of Cumbria. 2 members of our committee are pilots, and they've said how easy it would be to fly in and do something, and create a dirty bomb. 75% of parks don't belong to Cumbria Tourist Board. I'm being blunt here but the broad picture and the perception of the public is that they usually say: "How far are you from Sellafield?", "Cumbria is a nuclear dump", "We don't want to go there", "We don't want to risk investment", "We don't want to bring our families there". It is something that this Partnership should take into consideration. We have never been invited to join your Partnership yet we are a billions of pounds business. We need to be considered. Please do something about this.

Partnership response

There is work in hand through the Partnership to commission research that looks at the perception of West Cumbria and Cumbria as a whole. We have discussed putting the researchers in touch with your organisation as part of that research.

With regards to security, somebody needs to allay those fears that you've mentioned.

If there are concerns in your group, we are willing to come and talk to different organisations about this process.

Questioner response

The questioner reiterated that the perception issue is far wider than West Cumbria. The impact of potential nuclear new build sites on the ability of members to sell caravans/sites in these areas was also raised, whilst recognising and acknowledging that this is a separate issue.

Liz thanked the Partnership for the offer of a meeting with the Partnership and said that the BHHPA would welcome it.

8.2 – Observations from Doug Cross, environmental consultant

- **Impacts and benefits.** You are discussing impacts and benefits – you need to be very careful about mixing these terms. Impact is a neutral word but benefit is a political word and can mean very different things to different people.
- **The ethical dimension.** You talked about the ethical dimension – the only ethical issue here is the intergenerational effect. Do you have the authority to make a decision in this generation about something that will affect many future generations with this irreversible decision?

Partnership response

The awareness tracking survey by Ipsos/MORI asked the question about inter-generational responsibility, and the overwhelming response was that it is the responsibility of this generation to deal with the issue.

8.3 – Question from Lynda Warren, Committee on Radioactive Waste Management (CoRWM), also on the board of directors of BGS

I am asking the question as a scientist about the peer review of the BGS work. I note the suggestion that you have one reviewer acting as a chair, and that would worry me as a scientist. That would suggest that the chair has a role beyond the scientific one. Normally the reviewers would all present separately.

Programme Manager response

We have been talking to the BGS and they feel that so long as the role of chair stops at coordinating the work of the 3 reviewers, that would be OK. If it fell into editing etc. then it would be of concern.

Questioner response

How would you know? The accusation/concern would be that it adds a layer of bias.

9. Acronyms/Abbreviations

ABC/Allerdale BC	Allerdale Borough Council
BGS	British Geological Survey
CALC	Cumbria Association of Local Councils
CBC/Copeland BC	Copeland Borough Council
CCC/Cumbria CC	Cumbria County Council
CoRWM	Committee on Radioactive Waste Management
DECC	Department of Energy and Climate Change
DfT	Department for Transport
DMB	Decision-Making Body
DtP	Decision to Participate
EA	Environment Agency
Eoi	Expression of Interest
FAQ	Frequently Asked Questions
FoE	Friends of the Earth
GDF	Geological Disposal Facility
HSE	Health & Safety Executive
ILW	Intermediate Level Waste
IPC	Infrastructure Planning Commission
LDNPA	Lake District National Park Authority
LGA	Local Government Association
LLW	Low Level Waste
LLWR	Low Level Waste Repository
MoU	Memorandum of Understanding
MRWS	Managing Radioactive Waste Safely
NALC	National Association of Local Councils
ND	Nuclear Directorate (a department of the HSE)
NDA	Nuclear Decommissioning Authority
NEA	Nuclear Energy Agency
NGO	Non-Governmental Organisation
NII	Nuclear Installations Inspectorate
NNPS	Nuclear National Policy Statement
NWAA	Nuclear Waste Advisory Associates
NWDA	North West Development Agency
NuLeAF	Nuclear Legacy Advisory Forum
NWAT	Nuclear Waste Assessment Team (of the EA)
OCNS	Office for Civil Nuclear Security
OECD	Organisation for Economic Cooperation and Development
PSE	Public and Stakeholder Engagement
RoW	Right of Withdrawal
RWMD	Radioactive Waste Management Directorate (of the NDA)
SEA	Strategic Environmental Assessment
SLC	Site Licence Company
ToRs	Terms of Reference
UKSO	UK Safeguards Office
UNECE	United Nations Economic Commission for Europe
WCSF	West Cumbrian Strategic Forum
WCSP	West Cumbria Strategic Partnership
WCSSG	West Cumbria Sites Stakeholder Group

Appendix 1 – Agenda for the 13th May 2010 meeting

Objectives of the workshop are to:

- Complete response to output of PSE1 (Task 6a(iii)) and sign off the report.
- Reflect on the 5 key messages as individual members.
- Consider whether to ask DECC to instruct the BGS screening study (Task 2a(i)).
- Commission the peer review of the BGS screening study (Task 2a(iii)).
- Agree outline plan for PSE2: Objectives and overall approach.

<i>Time</i>	<i>Item</i>	<i>Notes</i>
0900	Arrivals and Registration	
0930	Welcome, Agenda setting	
	Updates, including from the Impacts Sub-Group Actions	Updates sheet will be tabled on the day, but also see Agreements from Officers Group update enclosed.
	Public and Stakeholder Engagement, Round 1 Reporting	Sign off amendments to the PSE1 Report, made since last meeting (Doc. 61 draft 7). Reflect on 5 key messages emerging. Agree what is required with members' constituencies.
	Geological Screening	Decide whether to ask DECC to instruct the BGS study. Agree peer review timing (see Doc. 53 draft 4).
1245	LUNCH	(approx. timing)
	Public and Stakeholder Engagement, Round 2	Agree outline of activity to be carried out in PSE2 (see Doc. 15.1 draft 3).
	Way Forward	Actions and other communications.
	Public Questions	Opportunity for members of the public to ask questions.
1600	Close	

Emboldened type indicates papers sent to Partnership members in advance of the meeting. We will assume you have read them: please contact us ASAP if you do not have copies.

Appendix 2 – Attendees on 13th May 2010

Charles Holmes	Allerdale Borough Council	(Steering Group member)
Mike Davidson	Allerdale Borough Council	(Steering Group member)
Ken Williams	Barrow Borough Council	
Guy Richardson	CALC	
Geoff Smith	Allerdale CALC	
Keith Hitchen	Copeland CALC	(Steering Group member)
Chris Shaw	Allerdale/Copeland CALC	(Steering Group member)
Revd Dr Lindsay Gray (p.m.)	Churches Together in Cumbria	
Fergus McMorrow	Copeland Borough Council	(Steering Group member)
Elaine Woodburn	Copeland Borough Council	(Steering Group member)
Ian Curwen	Copeland Borough Council	
Yvonne Clarkson	Copeland Borough Council	
Allan Holliday	Copeland Borough Council	
Stewart Kemp	Cumbria County Council	(Steering Group member)
Mike Tonkin	Eden District Council	
Peter Kane (a.m.)	GMB Union	(Steering Group member)
Fred Barker	NuLeAF	
Simon Rowley	South Lakeland District Council	

Apologies

Carni McCarron-Holmes	Allerdale Borough Council	
Sam Standage	Allerdale Borough Council	
Tim Heslop	Allerdale Borough Council	
John Kane	Copeland Borough Council	
Mark Dutton	CoRWM	
David Southward	Cumbria County Council	
Paul McKenna	Isle of Man Government	
Robert Allison	Lake District National Park Authority	
Robert Morris-Eyton	National Farmers Union	
David Moore	West Cumbria Sites Stakeholder Group	(Steering Group member)
Mick Bacon	NII HSE	

Observing Members

Bruce Cairns	DECC
David Senior	DECC
Cherry Tweed	NDA
Alun Ellis	NDA
Brian Clark	CoRWM
John Rennilson	CoRWM
Gavin Thomson	Environment Agency

Facilitators, Secretariat and Presenters

Richard Harris	3KQ (Facilitator)
Rhuari Bennett	3KQ (Facilitator and Programme Manager)
Jane Dalton	3KQ (Report Writer)
Helen Ashley	3KQ (PSE1 Report Writer)
Sharon Walker	Copeland Borough Council (Secretariat)

Other

Paul Gardner	Osprey Communications (Communications Adviser)
David Collier	Golder Associates (Evaluator)

Members of the Public who attended for all or part of the meeting

Liz Vaughan
Doug Cross
Andrew Craze
Lynda Warren
Joel Tagg

Other Members, Not in Attendance

Peter Clements	Prospect Union
Phil Huck	Barrow Borough Council
Rob Johnston	Cumbria Chamber of Commerce
Tim Knowles	Cumbria County Council (Steering Group member)
Gerald Humes	Cumbria County Council
Tony Markley	Cumbria County Council

Background

In response to invitations to join the Partnership, Ruth Balogh & Jean McSorley gave a presentation at the Feb 23rd meeting, outlining their personal positions on the potential for environmental NGOs to be involved. The issues divide broadly into 2 areas – the Partnership Process, and Nuclear Policy and the presentation reflected this.

Following questions and discussion, the Partnership issued an invitation to us to outline the nature of the obstacles to taking part, and these are set out below for the Partnership to consider.

Obstacles to taking part in the Partnership

1. Partnership issues

Trust-building

While it is recognised that the positions occupied by environmental NGOs *vis a vis* the Partnership means they may never develop to a high level of mutual trust (possibly due to factors outside the control of many of the parties involved) it is nonetheless a condition that NGOs should feel they are able to have a voice, are listened to and are afforded well thought out, evidence-based responses to the concerns they raise.

Currently, there appears to us to be:

- a range of attitudes within the Partnership on the relevance of NGOs to the process,
- an over representation within the Partnership of members sympathetic to and connected with the nuclear industry or those whose job it is to progress disposal based on a policy which appears to accept no challenges
- a perception that implementing a GDF in W Cumbria is a foregone conclusion

These militate against a capacity within the Partnership for the voice of NGOs, and other critics, to be heard.

Partnership practice in Copeland and Allerdale

We expressed dissatisfaction at the Feb 23rd meeting with the way that our participation in the seminars held by Copeland and Allerdale in 2008 had been handled. We have received a written apology for this, and this gesture is appreciated. The letter stressed that current policy is to ensure that all who take part are able to see and amend any documents arising from the Partnership. We responded to the letter with request to see the reports from those initial meetings but have had no reply.

There is an ongoing complaint (initiated Dec 3 2009 by RB) against Copeland Council over statements it made in its Local Development Framework Issues and Options document. These statements appeared to indicate that Copeland Council had canvassed the question of support for nuclear new build and for the GDF and received favourable responses. Correspondence over this complaint has been very slow, and the full response promised in late January by the Acting CEO has still not been received.

The basis of participation

At the seminar the issue of why the Partnership would want environmental NGOs to be involved was raised and discussed. There appeared to be broad support for the principle put forward that it was their specific expertise that was valued. This raises the question of recompense. It is not acceptable for NGOs to be potentially the only expert contributors to the process who do so on an entirely voluntary basis.

2. Nuclear policy issues

'Legacy' waste and new build

The linkage in policy terms between there being a process in place to deal with 'legacy' waste and the development of new reactors is highly problematic for environmental NGOs, since the latter is contingent on the former. It means that if they take part in a process to deal with 'legacy' waste, NGOs are contributing to a process that confers legitimacy on new build. Yet the legitimacy of legacy waste disposal itself remains very much open to question due to numerous unresolved issues.

Voluntarism & Planning

The Government MRWS policy requires 'communities' to 'volunteer', yet it is only in Cumbria this is being considered. Coupled with the statement by DECC that 'there is no Plan B: Plan B is to make Plan A work', we have to question the logical coherence of this policy.

In the evolving context of planning frameworks and the developing role of the IPC, it is not yet clear who exactly has the final say over what.

The current process is, we believe, moving too quickly and the focus is too narrow. For example, there are legally binding decisions associated with the Justification for new reactors (under EU regulations) the Nuclear NPS and the issue of Fixed Unit Price - all of which assume co-disposal of 'legacy' and new waste.

We are concerned that these factors may lead to an entrenchment of the current disposal policy where, in the absence of other, considered alternatives, an unsatisfactory 'solution' may in the end be regarded as the only 'feasible' one.

NNPS and GDF over-optimistic

Throughout the history of development in the nuclear industry and of attempts to find a solution to waste, projects have in retrospect seemed over-optimistic, and policy makers and planners acknowledge this. The policy background to the current NNPS and GDF also seem over-optimistic to informed environmentalists.

The specific GDF concept proposed here has not been achieved elsewhere, and the existing research base is inadequate. The formula of 'suitable site / public acceptance / GDF engineering' as being the 3 principal aspects ignores a 4th, which concerns the nature and extent of the final inventory, and how it is treated and packaged.

These, and other issues, lead us to question the GDF concept, but the Partnership is not exploring other possibilities.

Way forward

The willingness of Partnership members to address our concerns, such as the letter of apology from Copeland & Allerdale, represents an important step. Attention to outstanding issues would be welcomed.

As proposed at the meeting, it is felt that at present it is not possible to recommend to any environmental NGO that they should actively join the Partnership. However, we believe the Partnership will benefit from critical perspectives, and we recognise it would welcome such input.

We reiterate our stated position that, at the very least, the MRWS should contract with the Nuclear Waste Advisory Associates for a programme of work which will input to the MRWS work across the various issues it has and will be considering.

We would also, as discussed at the meeting, recommend analysis of other models of partnerships that involve NGOs both in terms of the models and in terms of participants' views about the way they work. While the NDA's work to begin this process is a useful start, the analysis must be seen to represent the views of all stakeholders.

Ruth Balogh & Jean McSorley April 22nd 2010

Appendix 4 – Agreements from Officers' Group meeting on April 14th 2010

An officers group of the West Cumbria MRWS Partnership met to discuss issues raised by CALC in their paper submitted to the 13 January meeting, and connected issues emerging from PSE1. The following were suggested as potential ways forward, and were subsequently agreed on 28th April by the Steering Group. The Partnership is asked to note the agreements.

Agreements 1 and 2 address the perception that the process is a 'done deal' because only West Cumbria has expressed an interest:

1. Ask DECC for a written account of all the measures they have taken to elicit other Expressions of Interest in the country, noting CoRWM's opinion that considerable efforts have been made to date.
2. Publish an explanatory briefing note on voluntarism and the right of withdrawal, to demonstrate that West Cumbria can really pull out of discussions at any stage up to construction.

Agreements 3, 4, 5, 6 ensure discipline, objectivity and transparency to the Partnership's deliberations.

3. At the 25th June Partnership meeting, all members will be asked to reassert their commitment to reach collective¹ judgements against Work Programme criteria (notwithstanding any existing views) in fulfilling the Partnership's aim (see 12 below).
4. At the 25th June Partnership meeting, we will undertake a preliminary assessment of progress against the Partnership's criteria to bring focus and clarity to the next stage of the Work Programme, in particular to reassure ourselves that all the currently planned tasks are really necessary before a Decision to Participate.
5. Hold a further review of progress against criteria in December 2010/January 2011, and expose the Partnership's collective preliminary judgements to discussion and feedback in PSE3.
6. Draft a proposal for what the Partnership's Final Report will look like, how it will be put together, and who could/should draft it.
7. Whilst there are no suggested major changes to the current structure of the Partnership pre-DtP, further consideration should be given from January 2011 to the:
 - introduction of an independent chair/figurehead/spokesperson
 - chairing of Steering Group meetings

Agreement 8 addresses concerns about the absence of some stakeholders in the process, for example environmental NGOs and others.

8. Note the Steering Group's decision to ask the PSE Sub-Group to update the stakeholder analysis on the project, and:
 - maintain an open door policy to those organisations invited to join the Partnership but for one reason or another choose not to attend
 - use bilateral meetings to discuss issues with these organisations during both PSE2 and PSE3
 - consider how to fill any subsequent gaps in the Partnership's membership

¹ Whilst the Partnership aims for consensus on issues of process and also judgments on criteria, where disagreement exists any differences of view will be clearly captured and reported. This includes the possibility of minority reports *in extremis*.

Agreements 9 and 10 address the relationship between Principal Authorities and CALC/parish councils.

9. It was recognised that the Principles Authorities and CALC/parish councils need to work together in the interests of voluntarism, notwithstanding the differences of view that may arise. It was recognised that Principal Authorities have a formalised power and responsibility, and that CALC/parish councils have significant influencing power as representatives of local communities, and recognising this underlines the importance of them working together.
10. In view of 9 above, a set of principles will be drafted to express how the Principal Authorities, CALC, the parish councils and others could work together post-DtP. This is part of mapping out what a potential CSP might look like and how it might operate *if* a DtP is taken (see Task 5a(v) of the Work Programme).

Agreement 11 ensures Partnership members have sufficient understanding required for effective participation in the Work Programme pre-DtP.

11. Compile a list of potential briefings to cover core technical issues and offer these to Partnership members.

*Agreement 12 recognises that reaching collective judgements against criteria may not necessarily result in a single clear-cut recommendation. It also recognises that various stakeholders may wish to consider the Partnership's final report informing their own views. **NOTE: agreement 12 was not agreed by the Steering Group but is included here for completeness. CALC are considering their response.***

12. Suggest an amended aim for the Partnership:

The aim of the West Cumbria MRWS Partnership is to provide information and advice to Allerdale Borough Council, Copeland Borough Council and Cumbria County Council and other stakeholders about whether West Cumbria should participate or not in the Geological Disposal Facility siting process, without commitment to eventually host a facility.

This amended aim implicitly acknowledges that the Partnership's recommendations will be based on collective judgments against the criteria, and consequently may not be clear-cut in terms of a decision to participate or not. Hence the introduction of the phrase 'provide information and advice' rather than 'make a recommendation'. It also acknowledges that various organizations *in addition to* the Principal Authorities will want to consider the Partnership's advice and potentially take a view on West Cumbria's participation further in the process.

Subject to signoff of the above, actions agreed were:

- 1 – Draft principles to how Principles Authorities and CALC/parish councils would work together post-DtP (see 10 above). **Fred Barker**
- 2 – Ask DECC for a list of their efforts to secure EoIs elsewhere in the country (see 1 above). **Rhuari Bennett**
- 3 – Set out 'drafting options' for Final Report. **Rhuari Bennett**

4 – Map out how Progress Review and reasserting of commitment by Partnership members will happen on 25 June (see 3 and 4 above. **Richard Harris**

5 – Redraft sections of PSE1 Report that refer to the issues raised by CALC. These include sections 3.3.1, 3.3.2, 3.3.3, 3.6. **3KQ**

DISCUSSION NOTE BY THE CUMBRIA ASSOCIATION OF LOCAL COUNCILS

1. This note should be read in conjunction with CALC's paper considered by the Partnership in January 2010.
2. The MRWS programme is based on voluntarism and partnership. It is a totally unique approach and there are no UK precedents to follow. As a consequence there are few rules or protocols to guide how 'balance' and 'objectivity' in the processes of voluntarism and partnership are to be safeguarded.
3. The Cumbria Association of Local Councils (representing town and parish councils) has participated in the West Cumbria MRWS Partnership since November 2008. In our view a problem has come to light, viz:
 - o There are no checks and balances built in to existing and future partnership arrangements to provide a guarantee of balance and objectivity. In particular there are inadequate safeguards to restrain interests with a predisposition to support a Geological Disposal Facility (GDF) in West Cumbria from dominating the MRWS programme.
4. It is our experience that there are elements within the West Cumbria MRWS Partnership (notably some senior local politicians and others) that are predisposed to support the development of a Geological Disposal Facility (GDF) in West Cumbria. In West Cumbria such a view is understandable and legitimate, but the question arises – how do other perspectives exert influence and how do we ensure that the MRWS programme, which will run over a period of many years, will not be controlled from one particular standpoint?
5. The danger is that if a partnership is dominated by interests that have a predisposition to support a GDF, then the work of a partnership will imperceptibly drift in to an exercise of working to secure public acceptance of a GDF in West Cumbria rather than initiating an open and balanced debate on whether it is the best thing to do.
6. What further compounds our concerns is that the Principal Authorities are vying with each other for the role of the 'Decision Making Body' rather than viewing decision making as a *judgement* about the state of public opinion (about whether or not to participate) which should be taken in partnership with other stakeholders. In addition, the Principal Authorities are insisting that the current West Cumbria Partnership must make a recommendation to their own Authorities about whether or not *they* should participate. In our view these positions by the Principal Authorities provide an unsatisfactory context for the Partnership's activities.
7. In CALC's view the Department of Energy and Climate Change needs to give consideration to these issues as well as the Partnership itself. The Department is committing over £0.5 million a year (and rising?) to the 'voluntarism and partnership' elements of the MRWS programme. It is important that credible outcomes, one way or the other, are achieved if this scale of public expenditure is to be justified. We believe there is a danger that outcomes will not be credible.
8. We see a need to address the provision of checks and balances *within* any partnership and also the introduction of *external* scrutiny arrangements.

9. **Internal Checks and Balances.** Our suggestion is that partnerships within the MRWS process (i.e. both before any decision to participate and afterwards, if such a decision is taken) should be chaired by a **Chairman/Verifier**. Such an appointment would need to have the support and confidence of both DECC and the local partnership. The role of such an individual would be:
- o to chair partnership meetings, with the support of a facilitator
 - o to assist the partnership in the development and implementation of its own work programme, appropriately co-ordinated with the work programmes of the NDA, regulatory bodies and others.
 - o to invite participation by 'critical friends' and others ,as required
 - o to act as editor-in-chief of partnership reports
 - o to oversee the proper and effective disbursement of DECC funds.
 - o to report periodically to the Secretary of State
 - o to provide independent verification to the Secretary of State that decisions taken by Decision Making Bodies have been genuinely volunteered by the local population.
 - o in the event of disagreements between Decision Making Bodies, to convene conciliation meetings; inviting other stakeholders as appropriate.
10. Arguably, the position of Chairman/Verifier could raise fears of central government control, contrary to the principle of voluntarism. However, provided the right person is chosen in the right way, CALC believes this arrangement would be superior to any other practical alternative. We believe that CoRWM would be in a good position to advise on such an appointment.
11. **External Scrutiny.** We believe that the MRWS programme in Cumbria as a whole should be subject to periodic external scrutiny. As this is a national project, we consider that special arrangements should be put in place rather than using any current local government scrutiny arrangements.

May 2010

Appendix 6 – How Members Represent their Organisations on the Partnership

All Partnership members recognise the need to update the organisations that they represent and proactively feed their views in. This is essential to prevent Partnership members becoming 'detached' from their organisation in terms of understanding, as well as maintaining the credibility of the representative role that members commit to fulfilling. The table below sets out how each organisation undertakes to do this.

Note the gaps will be filled as reporting mechanisms are clarified.

Organisation	Nominated Representatives and preferred contact details	Mechanisms Used
Allerdale BC	<p>Mike Davidson (councillor) mike.davidson@allderdale.gov.uk Sam Standage (councillor) sam.standage@allderdale.gov.uk Tim Heslop (councillor) tim.heslop@allderdale.gov.uk Carni McCarron-Holmes (councillor) carni.mccarron-holmes@allderdale.gov.uk Charles Holmes charles.holmes@allderdale.gov.uk</p>	<p>Verbal progress report provided to the following meetings:</p> <ul style="list-style-type: none"> - Corporate Management Team/ Heads of Service. - Regeneration Portfolio Holders. - Regeneration Managers Group (for further cascade). - Partnerships and Communities Directorate. <p>Formal report for endorsement, or decision, would be via:</p> <ul style="list-style-type: none"> - Nuclear Issues Task Group. - Executive Committee Council.
Barrow BC	<p>Ken Williams (councillor) kenwilliams@barrowbc.gov.uk Phil Huck philhuck@barrowbc.gov.uk</p>	Verbal update given to Leader after each Partnership meeting.
CALC (Allerdale)	<p>Chris Shaw chris.shaw@calc.org.uk Geoff Smith (councillor) geoffandhelen@tesco.net</p>	Regular written and verbal report to CALC's Allerdale Association meetings.
CALC (Copeland)	<p>Chris Shaw chris.shaw@calc.org.uk Keith Hitchen (councillor) keith.hitchen@btinternet.com</p>	Regular written and verbal report to CALC's Copeland Association meetings.
CALC (Cumbria)	<p>Guy Richardson office@calc.org.uk</p>	Regular written and verbal report to CALC's Executive Committee meetings.
Chamber of Commerce (Cumbria)	<p>Robert Johnston rob@cumbriachamber.co.uk</p>	
Churches Together in Cumbria	<p>Revd Dr Lindsay Gray lgray782@btinternet.com</p>	
Copeland BC	<p>Elaine Woodburn (councillor) ewoodburn@copelandbc.gov.uk Allan Holliday (councillor) allan.holliday@copeland.gov.uk John Kane (councillor) john.kane@copeland.gov.uk Yvonne Clarkson (councillor) Fergus McMorro fergus.mcmorrow@copeland.gov.uk Ian Curwen ian.curwen@copeland.gov.uk</p>	<p>Leader's update to full Council. Update to Nuclear Working Group. Update to Executive at key milestones. Update to MRWS Task Group when needed.</p>

Cumbria County Council	Tim Knowles (councillor) timothy.knowles@cumbriacc.gov.uk Tony Markley (councillor) anthony.markley@cumbriacc.gov.uk David Southward (councillor) david.southward@virgin.net Gerald Humes (councillor) gerald.humes@cumbriacc.gov.uk Shaun Gorman shaun.gorman@cumbriacc.gov.uk Stewart Kemp stewart.kemp@cumbriacc.gov.uk	6-weekly written report to Nuclear Issues Working Group (NIWG). Quarterly report to Cabinet. Monthly report to Nuclear Issues Programme Board. Possible insert in weekly briefing to all staff. Link to Partnership website. Attending Allerdale and Copeland Local Area Committees upon request.
Eden District Council	Mike Tonkin (councillor) mike.tonkin@eden.gov.uk	Report to members on 'Outside Bodies' website. Presentation to members as Env. Portfolio Holder.
GMB Union	Peter Kane peter.kane@sellafieldsites.com	Updates given to Shop Stewards Committee. Forward on newsletters to members.
Lake District National Park Authority	Robert Allison robert.allison@lake-district.gov.uk	
National Farmers Union	Robert Morris-Eyton rmorriseyt@aol.com	Link to Partnership website and Robert's contact details placed on NFU website. 2 principal officers that cover West Cumbria updated that the process is happening and to forward any queries to Robert.
NuLeAF	Fred Barker fbarker@gn.apc.org	Written report to each NuLeAF Steering Group. Referenced in e-bulletin. Website has a GDF section which signposts Partnership meeting reports.
Prospect Union	Peter Clements pc34@sellafieldsites.com	
South Lakes District Council	Simon Rowley s.rowley@southlakeland.gov.uk	Forward minutes and newsletters to Senior Management Team and Portfolio Holder.
WCSSG	David Moore dmoore@copelandbc.gov.uk	Quarterly verbal updates to SSG. Paragraph in quarterly newsletter. Link on website to Partnership site.
West Cumbria Partnership	Willie Slavin willieslavin@aol.com Michael Heaslip michael@heaslip.fslife.co.uk	Reports on MRWS progress will be made to each WCP Forum meeting (quarterly). Link on website to Partnership site.
Observing Members:		
CoRWM	Brian Clark briandclark@btinternet.com Mark Dutton lizmark@lizmark1.co.uk	Verbal update to all plenary meetings. Circulate key papers to Committee. Insert in e-bulletin as appropriate.
DECC	Bruce Cairns bruce.cairns@decc.gsi.gov.uk Andrew Craze andrew.craze@decc.gsi.gov.uk	Report to various meetings and colleagues with an interest in the process. Advise Ministers who take Government decisions in this area.

Environment Agency	Gavin Thomson gavin.thomson@environment-agency.gov.uk	Report key points arising to various colleagues in nuclear regulation and NW region.
Isle of Man Government	Paul McKenna paul.mckenna@gov.im	Presentation on geological disposal planned for Council of Ministers in mid-June 09.
NDA	Alun Ellis alun.ellis@nda.gov.uk Jay Redgrove jay.redgrove@nda.gov.uk	Monthly reporting to RWMD and central communications staff. Dissemination of Partnership minutes and Meeting Reports to staff.
Nuclear Installations Inspectorate	Mick Bacon mick.bacon@hse.gsi.gov.uk	Contact reports distributed after each contact (meeting or otherwise). Regular report to related project groups. Briefings taken before each meeting depending on agenda.