

Copeland Borough Council
NuGeneration Moorside Project
Technical Evaluation of
NuGeneration Stage 1 Consultation

0001

Issue 3 | 23 July 2015

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Job number 243362-00

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|-----------------------|-------------|---|---|--|---|
| Job title | | NuGeneration Moorside Project | | Job number | |
| | | | | 243362-00 | |
| Document title | | Technical Evaluation of NuGeneration Stage 1 Consultation | | File reference | |
| | | | | | |
| Document ref | | 0001 | | | |
| Revision | Date | Filename | Stage 1 Consultation Response Report Rev E CONTROLLED.docx | | |
| Issue 1 | 19 Jun 2015 | Description | First draft | | |
| | | | Prepared by | Checked by | Approved by |
| | | Name | Various | Helen Peake | Peter Hulson |
| | | Signature |  |  |  |
| Issue 2 | 7 Jul 2015 | Filename | Stage 1 Consultation Response Report ISSUE 2A.docx | | |
| | | Description | Updated with client feedback. | | |
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| Issue 3 | 23 Jul 2015 | Filename | | | |
| | | Description | Updated with client comments | | |
| | | | Prepared by | Checked by | Approved by |
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| | | Filename | | | |
| | | Description | | | |
| | | | Prepared by | Checked by | Approved by |
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Executive Summary

This Executive Summary sets out Copeland Borough Council's principal recommendations in respect of an evaluation of NuGeneration Ltd.'s Stage 1 consultation documentation for the Moorside New Nuclear Project.

Copeland Borough Council welcomes the opportunity to review and appraise consultation material and submissions made by NuGeneration. As principal host community to the development, the Council recognises its' key role in assessing the proposals as they evolve in response to NuGeneration's multi-stage consultation process.

The structure of the Council's response to Stage 1 'Strategic Issues' consultation reflects an assessment of core topic areas as set out within consultation material. In addition, these topic areas represent the key issues which the Council considers to be the material considerations which will be of relevance to the Examining Authority in considering the DCO once submitted and for the Secretary of State in any grant of the DCO. Due reference has been made to all consultation material provided by NuGeneration (including an Environmental Impact Assessment (EIA) Scoping Report), supplemented by visits to consultation events.

At this Stage 1 consultation stage, the Council's response focuses on the areas of omission and gaps in information provided in the consultation material with a view to those gaps and omissions being rectified as the development proposals evolve and reflected in later stages of consultation.

In this Executive Summary, a traffic light system has been employed to summarise the key recommendations in each topic area and to guide NuGeneration in responding to the Council's consultation response. This assessment reflects the Council's current position based on the information provided to date, and will be subject to review as the project progresses. It is acknowledged that where significant omissions are identified, this may be addressed as further project information becomes available.

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|  | The content of the consultation material (including EIA Scoping Report) is considered appropriate and generally lacks errors or omissions. Information is considered adequate for the purpose of Stage 1 consultation with the expectation of further dialogue as the project progresses. |
|  | Insufficient project definition, or baseline information available at this stage limits the extent to which meaningful commentary may be made on the Stage 1 material. Further dialogue required on specific areas. |
|  | The content of the Stage 1 consultation material has significant omissions, or requires updating or reviewing to comply with recommended policy and guidance. |

1 Project Definition and Strategy

| Ref | Topic Area | Specific Issue | Adequacy of Technical Information | Gap Analysis and Council Recommendations | Suggested action or mitigation delivery mechanism |
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| 1.1 | Project Definition and Approach to Stage 1 Consultation | Lack of project definition for the Additional Scoping Land, and Associated Development sites. The Stage 1 consultation document and Scoping Report (as a primary source of technical information) contains relatively little baseline data which undermines confidence in the approach to EIA. | | Continued dialogue in respect of project definition and strategy. Continued dialogue in respect of scoping the approach to EIA for Additional Scoping Land and Associated Development. This will be imperative to ensure that the Council and wider stakeholders are satisfied that a robust methodology is to be employed i.e. which is commensurate with the anticipated effects arising from development proposals. The commitment from NuGeneration for on-going engagement on this is welcomed and supported by the Council. | Further engagement in advance of Stage 2 consultation. Details of project strategy for Additional Scoping Land and Associated Development to be made available to the Council as soon as possible. Wider theme or topic based discussion fora with the Council and wider stakeholders recommended. |

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| 1.2 | Project Definition and Approach to Stage 1 Consultation | Approach to scoping out of potential topic focussed EIA needs based on proposed and high level strategic limits of deviation at scoping stage. | | The Environmental Statement (ES) should encompass the worst case effects assessment ('Rochdale envelope' approach). The Council urge caution where potential EIA needs are scoped out, before the project is sufficiently defined, limits of deviation are fully defined, or defined with a large degree of flexibility at this stage. Matters should not be scoped out from the EIA unless specifically confirmed as being scoped out by the Secretary of State in the Scoping Opinion. | Further engagement in advance of Stage 2 consultation. The Council recommends that this be linked into dialogue on further project definition when this becomes available. |
| 1.3 | Project Definition and Approach to Stage 1 Consultation | Potential for mutually beneficial outcomes and legacy benefit arising from temporary works. | | Significant infrastructure enhancements are proposed as 'temporary' during construction. The Council notes the importance of temporary works and in particular would encourage dialogue with Sellafield Ltd. in the interests of securing mutually advantageous outcomes for infrastructure with an emphasis on reducing impacts and enhancing positive legacy outcomes. | On-going engagement. The Council would value an important role in working with NuGeneration and Sellafield Ltd. in assisting with the definition of these outcomes. Further dialogue is required to ensure effective outcomes. |

2 Environmental Topic Areas

| Ref | Topic Area | Specific Issue | Adequacy of Technical Information | Gap Analysis and Council Recommendations | Suggested action or mitigation delivery mechanism |
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| 2.1 | Approach to EIA | Effective and sustained consultation to date. | | Informal consultation undertaken with the Council with regard to the details of the Survey and Monitoring Plans (SMPs), has supported a more robust and thorough approach to baseline data collection. | Council to be consulted on any updated SMPs and linked to survey approaches where the project is not defined at this time. |
| 2.2 | Approach to EIA | Consideration of cumulative, in-combination, and inter-disciplinary effects. | | <p>The Council notes that the Scoping Report lacks topic specific detail regarding how cumulative development would be considered. The Council notes the complexity of cumulative assessment with respect to the ongoing decommissioning programme at Sellafield.</p> <p>The Council would wish to ensure that NuGeneration will fully assess any in-</p> | Further engagement in advance of Stage 2 consultation. The Council recognises the importance of dialogue on this matter, particularly as the project becomes more defined around the |

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| | | | | combination effects and inter-disciplinary effects, particularly those that have the potential to affect community / residential amenity. | Associated Development strategy. |
| 2.3 | Approach to EIA | Decommissioning and Legacy effects | | It is acknowledged that decommissioning of the nuclear power station is scoped out of the EIA. This is consistent with the approach supported by legislation at this time. NuGeneration should clarify how it intends to address decommissioning of all other elements (such as AD) that form part of the proposed DCO. A link should be made to the prospective end (legacy) uses of sites as far as this is possible. | Further engagement in advance of Stage 2 consultation. Development of an AD Transition Plan which sets out the status of infrastructure once it has served its' immediate purpose in supporting NuGeneration's construction needs. Further dialogue is required to ensure effective outcomes, in line with the strategy identified at Ref 1.3. |
| 2.4 | Approach to EIA | Planning Strategy | | Further explanation is required in respect of the development planning strategy and any sequential impacts associated with various phases of work supported under different planning regimes i.e. DCO, Town | Ongoing engagement with the Council and wider stakeholders. It will be important that effects are fully explored and appropriate / |

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| | | | | and Country Planning, Marine Licensing, and any permitted development. | proportionate mitigation measures agreed to address effects. |
| 3.1 | Transport | Adequacy of proposed Scoping approach to Transport assessment | | The Council considers the scope of the assessment sufficient, although further detailed is expected prior to Stage 2 consultation. In particular, the Council will need to understand the relationship of the AD sites and the transport strategy from the perspective of the construction programme. The Council also highlight the need to understand the strategy for how excavated material will be dealt with. The overall excavated volumes (subject to re-use) are potentially large and could have significant transport implications. | Further engagement in advance of Stage 2 consultation. Further definition of the transport strategy linked in to the AD strategy and in particular the movement of workers, equipment and materials. Transport of excavated materials to be addressed as part of the EIA. |
| 4.1 | Noise and vibration | Assessment methodology | | The Council has identified a number of concerns around the proposed assessment methodology, including compliance with assessment methodology advocated by the Noise Policy for England and the application of BS6472 Pt1. Further work is required to ensure that the impact criteria correctly interpret BS4142:2014. | EIA methodology to be further developed in consultation with the Council. The Council would support engagement on this issue in terms of wider DCO experience of noise assessment. |

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| 4.2 | Noise and Vibration | Potential effects from transport movements | | <p>The Council seek clarity on the type of freight trains used for construction as to how vibration would be assessed. Receptors affected by the new rail spur should be considered, alongside those on the existing track. Quantified justification is required as to why operational phase vibration this is not assessed in the context of operational rail movement, and further definition of the number of rail movement and the management of spoil required.</p> | <p>Further consideration given to the assessment of vibration from operational rail movement as part of the EIA or further justification required on its exclusion.</p> |
| 4.3 | Noise and Vibration | Potential effects and health and tranquillity | | <p>There should be a full consideration of all the receptors and resources potentially affected to properly scope the spatial scope and the methodologies. This could include places prized for tranquillity, and potential effects on health and quality of life.</p> | <p>To be considered as part of the EIA. The Council recognises that this would be more readily undertaken when the project is fully defined.</p> |
| 5.1 | Air Quality and Climate | Assessment of impacts on climate | | <p>The Council would strongly encourage NuGeneration to consider carbon foot-printing for the construction stage in alignment with the Copeland Local Plan and recommendations of the HM Treasury Infrastructure Carbon Review.</p> | <p>To be considered as part of the EIA.</p> |

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| 5.2 | Air Quality and climate | Baseline assessment | | <p>It is considered that the monitoring survey is largely sufficient to establish baseline conditions. Clarification is sought on the rationale for why NO₂ monitoring is being undertaken at the SSSI rather than NO_x monitoring, and the absence of SO₂ monitoring.</p> <p>Assessment of emissions from all modes of transport including train, ship and vehicle emissions should be incorporated within an appropriate Zone Of Influence (ZoI).</p> | Further engagement in advance of Stage 2 consultation. |
| 5.3 | Air Quality and Climate | Assessment methodology | | <p>The Council recommends that criteria to determine impact and significance provided in the revised EPUK/IAQM development control guidance should be used to determine affected roads as a result of the scheme (this also applies for AD sites). This will require amendment to the evaluation significance criteria proposed.</p> <p>The assessment of potential significant effects on nitrogen and acid deposition at ecological receptors should be given due regard under the Habitats Regulations Assessment (HRA).</p> | To be considered as part of the EIA and HRA. |

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| 5.4 | Air Quality and Climate | Assessment methodology | | The air quality and climate assessment should link to the Health Impact Assessment (HIA) and transport, noise and vibration, amenity and socio- economic assessments to provide a holistic assessment of potential community and health impacts. | To be considered as part of the EIA. |
| 5.5 | Air Quality and Climate | Assessment methodology | | The air quality and climate assessment should link to the Health Impact Assessment (HIA) and transport, noise and vibration, amenity and socio- economic assessments to provide a holistic assessment of potential community and health impacts. | To be considered as part of the EIA. |
| 6.1 | Radiological issues | Baseline data | | The baseline data gathering and assessment proposals appear reasonable, however the detailed locations and testing suites for radiological assessment cannot be ascertained from the information provided. | Further engagement in advance of Stage 2 consultation. |
| 6.2 | Radiological issues | Assessment methodology | | The Council would anticipate the consideration of potential effects associated with dewatering and disposal of | To be considered as part of the EIA and wider regulator engagement (alongside the Council). |

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| | | | | <p>radiological contaminated groundwater within the ES.</p> <p>The radiological assessment considers human and non-human species effects via air, groundwater, soil and marine environment pathways and therefore has interfaces with several other proposed ES chapters. Further clarity is sought around the methodology associated with predicted radiation dose.</p> <p>In respect of issues relating the change in baseline for contaminated sediments there needs to be a clear understanding of the potential for marine cooling of the Moorside project to, in itself, change the baseline during construction and operations. This will need to be fully evaluated during the design of the cooling water systems intake and outfall structures and the associated marine environment modelling.</p> | |
| 7.2 | Soils, Geology, Agricultural Land and Land Quality | Baseline information | | <p>The Council considers the baseline adequate for the purpose of Scoping. Further baseline information should include details of superficial deposits thickness and characteristics; sandstone</p> | <p>To be considered as part of the EIA. The Council notes limited definition in respect of geological conditions of AD sites</p> |

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| | (including spoil management) | | | bedrock characteristics and faulting and excavated soils within the reactor footprint. | and anticipates further dialogue on this matter. |
| 7.3 | Soils, Geology, Agricultural Land and Land Quality (including spoil management) | Assessment methodology | | It is unclear to the Council whether the assessment will consider all receptors (including water, environmental, ecology receptors (as well as wider consideration of invasive species) as well as radiological contamination. | To be considered as part of the EIA and across all elements of the project through continued dialogue with the Council. |
| 8.1 | Freshwater Environment and Flood Management | Assessment methodology | | The Council would generally note that the Freshwater section of the Scoping Report (in support of Stage 1 consultation) is thorough and systematic although the approach to assessment of effects is presented in outline only. Detailed methodologies for assessment of potential effects have not yet been defined. | Further engagement in advance of Stage 2 consultation. |
| 8.2 | Freshwater Environment and Flood Management | Flood risk assessment methodology | | A joint probability analysis of river flow and tidal boundary conditions is recommended. The Flood Risk Assessment (FRA) should align with the ES and the material supporting dialogue | To be considered as part of the EIA. |

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| | | | | <p>with wider regulators including ONR on the Generic Design Assessment process.</p> <p>The Council notes that NuGeneration will need to assess and demonstrate that staff and visitors to the site will remain safe from the flooding effects (including residual effects) from a flood with a 1 in 1,000 (0.1%) annual probability.</p> | |
| 8.3 | Marine and Coastal Physical Environment | Potential effects on designated sites | | <p>Low Church Moss SSSI requires particular consideration due to the potential sensitivity of this SSSI to changes to the hydrogeological regime (such as dewatering or in-ground barriers to groundwater flow).</p> | <p>To be considered as part of the EIA and through dialogue with the Council, Environment Agency and Natural England.</p> |
| 9.1 | Marine and Coastal Physical Environment | Assessment methodology and project definition | | <p>Further design definition is required to establish the likely significant effects, and therefore comment on the suitability of baseline data and detailed methodologies e.g. details on where the in-take and out-falls will be located, type of structure present on the seabed, and location and facilities expected at the MOLF.</p> | <p>Further engagement in advance of Stage 2 consultation with the Council.</p> |

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| | | | | The Council notes that there is limited information on dredging and disposal operations. | |
| 9.2 | Marine and Coastal Physical Environment | Assessment criteria | | An understanding of sediment transport will underpin the marine coastal assessment. The assessment criteria need to be considered further in terms of changes to the general marine physical processes and not just focussed on designated sites. Long term climate implications on physical processes require some consideration. | Further engagement in advance of Stage 2 consultation with the Council. |
| 9.3 | Marine and Coastal Physical Environment | Cooling infrastructure | | The Council notes a considerable area of uncertainty in NuGeneration's proposals for cooling at this time. Furthermore, the range of options create very different requirements in the marine and terrestrial environment. | Further engagement in advance of Stage 2 consultation as project definition is developed for the cooling options. |
| 10.1 | Landscape and Visual Impacts | Baseline information | | The approach taken to capturing the baseline characteristics is judged to be adequate, subject to further refinement and further engagement as design, including the MOLF, Additional Scoping Land and AD details emerge. Due consideration | Further engagement in advance of Stage 2 consultation and as the project is more thoroughly defined. |

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| | | | | should be given to the relatively proximate Local Character Areas are not included within the current ZTV. | |
| 10.2 | Landscape and Visual Impacts | Mitigation | | The landscape chapter does not address how mitigation and replacement planting would be considered/secured. Opportunities for off-site mitigation measures such as planting may need to be explored. | Mitigation plans to be developed as early as possible as part of the EIA with a view to SOCG with the Council and wider stakeholders. Mitigation to be secured via DCO requirements. |
| 11.1 | Historic Environment | Baseline and Approach | | The Council considers the approach taken by NuGeneration to the Scoping Report (as a key source of information at Stage 1) largely appropriate. The Council would encourage NuGeneration to adopt a precautionary approach to scoping and to scope matters in where development and the nature of their effects is yet to be fully defined. The ZoI should be given consideration as the scope of development in AD is defined. | Further engagement in advance of Stage 2 consultation and commitment to adopt a precautionary approach to scoping the EIA. |

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| 11.2 | Biodiversity | Baseline and survey methodology | | <p>The Council considers that the Biodiversity SMP and baseline has been substantively developed. Further detail is recommended in respect of Ancient Woodland, Section 41 Natural Environment and Rural Communities (NERC) mammals, polecat and harvest mouse.</p> <p>The Council requests further clarity surrounding the detail of surveys relating to terrestrial invertebrates, S41 species, badger, bats, great crested newts, reptiles, amphibious mammals, breeding bird surveys, white-clawed crayfish and aquatic macro invertebrates.</p> | Council to be consulted on any updated to the SMPs and during the development of the ecology strategy for the project. |
| 11.3 | Biodiversity | Habitats Regulations Assessment | | <p>The programme for HRA Evidence Plan, should align appropriately with the survey programme.</p> <p>The Council seeks clarification on whether any freshwater pearl mussel downstream from the SAC boundary are being considered as part of the SAC population or if such reaches will be treated as contributing habitat to the SAC. This will</p> | <p>Further engagement in advance of Stage 2 consultation.</p> <p>HRA matters to be considered in further dialogue with the Council and Natural England.</p> |

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| | | | | <p>clearly be an important matter for inclusion / discussion with the HRA.</p> <p>A mechanism to include other new projects within the in-combination assessment that may come forward between now and the application date would be helpful.</p> | |
| 12.1 | Countryside Recreation | Assessment methodology | | <p>It is accepted that the methodology is currently high level, therefore details will need to be agreed regarding the scope of assessment, assessment methodology, and how mitigation will be identified and secured.</p> <p>The Council stress the importance of appropriate consideration of the future baseline (e.g. the proposed England Coastal Path). Nugeneration should consider the potential effects during construction including those on the recreational coast and bathing water standards. Potential impacts associated with the MOLF and AD sites require further consideration, along with an appropriate mitigation strategy.</p> | <p>Further engagement in advance of Stage 2 consultation including Copeland Borough Council and Cumbria County Council.</p> <p>Ongoing consideration as part of EIA.</p> |

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| 13.1 | Socio-Economics and Human Population | Supply Chain and legacy benefit | | <p>The Council wish to be consulted further on baseline information including the supply chain and employment. A baseline analysis should identify gaps in the supply chain and skills and inform a supply chain strategy and should be supported by a robust quantitative data.</p> <p>The Council require more detail on the precise mechanisms for NuGeneration's commitments to the local supply chain to ensure that such measures are agreed, investment is secured and a linkage made to the long term legacy benefits arising from the project.</p> | <p>Further engagement in advance of Stage 2 consultation.</p> <p>Supply Chain Strategy to be developed to inform the DCO with underpin DCO Requirements and Obligations.</p> |
| 13.2 | Socio-Economics and Human Population | Scope of amenity assessment. | | <p>Further detail should be provided on how an amenity assessment will be undertaken. NuGeneration's approach to the socioeconomics / human population sections of the ES are primary areas where cumulative environmental effects will be assessed.</p> | <p>Further engagement in advance of Stage 2 consultation.</p> |
| 13.3 | Socio-Economics and Human Population | Accommodation Strategy | | <p>An accommodation strategy should be provided, based on a robust baseline should identify displacement effects,</p> | <p>Further engagement in advance of Stage 2 consultation.</p> |

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| | | | | tourism impacts and the potential for legacy benefits. | |
| 13.4 | Socio-Economics and Human Population | Social and cultural infrastructure | | Further detail should be provided as to potential impacts and legacy benefits for community social and cultural infrastructure provision. The demand for religious facilities currently assumes Christian provision only. Nugeneration should provide evidence to support key assumptions. | Further engagement in advance of Stage 2 consultation. |

3 Economic, Societal and Community Topics

| Ref | Topic Area | Specific Issue | Adequacy of Technical Information | Gap Analysis and Council Recommendations | Suggested action or mitigation delivery mechanism |
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| 14.1 | Health Impact Assessment (HIA) | Scoping of HIA. | | <p>NuGeneration propose to provide an HIA and this is welcomed by the Council. However, it is unclear when this document will be provided and what the intended content is.</p> <p>Healthcare provision for workers including the potential for ‘supporting local leisure and health services’ should be linked back to the anticipated worker needs and any balance of provision which might be accessed by the community clearly articulated in the HIA. NuGeneration should also consider post-construction implications of sustained infrastructure provision.</p> | <p>Further engagement in advance of Stage 2 consultation. A draft of the approach to the HIA should be shared with the Council and wider stakeholders prior to its’ formulation.</p> |

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| 15.1 | Community Benefit | Community benefit proposals | | The Council seeks NuGeneration's commitment to a community benefit package of measures (informed by dialogue with the community and representative organisations). | On-going engagement. Community Benefits package to be secured by way of Planning Obligations agreement. |
| 16.1 | Economy, Gross Value Added, Wages, Sectors, Tourism Economy & Employment | Employment and Supply Chain | | There is limited information in the Stage 1 material which adequately addresses the anticipated employment programme, workforce, and economic characteristics/ trends and supply chain. In particular, the Council notes that the baseline is not detailed in respect of the anticipated reliance / scope of the supply chain (numbers; sectors; size and location). Work force displacement, including from other sectors and pathways for employment in line with regional strategies (such as LEP) should form part of an integrated strategy. | On-going engagement and provision of more detailed strategy in respect of positively influencing Employment and Supply Chain opportunities. |
| 16.2 | Economy, Gross Value Added, Wages, Sectors, Tourism | Education, skills and employment | | Further information is required regarding a strategy for up-skilling, and re-skilling of the existing workforce, and pathways for youth employment, the under-employed and the unemployed. The Council advocates a sector wide approach, to be | Further engagement in advance of Stage 2 consultation as part of a strategy programme. |

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| | Economy & Employment | | | run in accordance with the LEP framework. | |
| 16.3 | Economy, Gross Value Added, Wages, Sectors, Tourism Economy & Employment | Tourism | | <p>The Council is encouraged that there are a range of proposed studies identified which makes provision for existing businesses and tourism.</p> <p>This will be important in terms of demonstrating an understanding of occupancy issues.</p> <p>Nugeneration should give further consideration to long term impacts on visitor perception, supported by a robust evidence base.</p> | Continued engagement in advance of Stage 2 consultation. |
| 16.4 | Economy, Gross Value Added, Wages, Sectors, Tourism Economy & Employment | Worker accommodation | | The Council anticipates reaching a level of understanding from NuGeneration on the facilities and operation of the worker accommodation within the AD sites. The Council would urge NuGeneration to consider spatial recommendations in the Local Plan at the centre of its' AD Strategy. This should link to a coherent | Further engagement in advance of Stage 2 consultation. |

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| | | | | <p>and appropriate Transport Strategy to mitigate effects.</p> <p>Further consideration should be given to the longer term legacy associated with worker accommodation, linked to the growth expectations highlighted through the Centre of Nuclear Excellence and links with existing sectors.</p> | |
| 16.5 | Economy, Gross Value Added, Wages, Sectors, Tourism Economy & Employment | Displacement effects | | <p>Whilst the existence of transferrable skills might be regarded as a bonus, this could also come at an economic cost to the existing network of nuclear industry/ infrastructure providers at least during the peak construction stage of the programme (the scale of operational labour is more likely to be manageable).</p> <p>This should consider all employment sectors affected, wider than the nuclear industry and infrastructure providers, linking to migration and social infrastructure provision.</p> | Further engagement in advance of Stage 2 consultation. |

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| 17.1 | Transport (see also Ref 3.1) | Transport strategy | | <p>The Council notes there may be an opportunity to explore shared benefits from transport interventions with Sellafield and other major employers.</p> <p>More detail is required on the sensitivity of the trip generation forecasts to changes in the assumed parameters relating to items such as staff numbers, location of staff accommodation and freight modes.</p> <p>The rail strategy should demonstrate an ability to secure and deliver necessary improvements and a sustainable project legacy.</p> | Further engagement in advance of Stage 2 consultation to inform development of transport strategy in agreement with Copeland Borough Council, Cumbria County Council and wider stakeholders. |
| 17.2 | Transport (see also Ref 3.1) | Scope of assessment | | <p>Community impacts associated with any;</p> <ul style="list-style-type: none"> • Removal of spoil; • transport of nuclear materials; and • decommissioning; <p>Require further consideration in consultation with the Council.</p> | Further engagement in advance of Stage 2 consultation. |

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| <p>18.1</p> | <p>Countryside Recreation (see also Ref 12.1)</p> | <p>Scope of assessment</p> | | <p>The Council would note the value of defining exactly which areas / resources and users are considered within this section as it is taken forward to the ES. The amenity assessment is important as this and NuGeneration's approach to the socioeconomics / human population sections of the proposed ES are primary areas where cumulative environmental effects will be assessed.</p> <p>Ref 12.1 also highlights the consideration of potential additional receptors and effects, beyond those identified by Nugeneration in the consultation material to date.</p> | <p>Further engagement in advance of Stage 2 consultation.</p> |
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1 Introduction

Copeland Borough Council welcomes the opportunity to review and appraise submissions made by NuGeneration Ltd. relating to their proposals for a new nuclear power plant at their Moorside site in Copeland. These submissions support NuGeneration's Stage 1 'Strategic Issues Consultation' through which NuGeneration intends to capture community views of the proposed Moorside project.

As principal host community to the development, the Council recognises its' key role in assessing the proposals as they evolve in response to NuGeneration's multi-stage consultation process.

NuGeneration is conducting Stage 1 consultation under S47 of the Planning Act 2008 and proposes a common framework of information to support an application for a Scoping Opinion under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. This application for a Scoping Opinion is made to the Planning Inspectorate (PINS) under S42 of the Planning Act. The Council is a consultee to the Scoping Opinion and when requested by PINS will produce a separate response on the specific issues covered by the request for a Scoping Opinion, although there are clearly areas of coincidence to this Stage 1 S47 consultation response.

The Council will also produce a response to PINS in due course on the adequacy of NuGeneration's consultation (including this Stage 1) in respect of S42, S47 and S48 of their duties under the Planning Act.

The structure of the Council's response to the Stage 1 consultation reflects an assessment of core topic areas. These topic areas represent the key issues which the Council considers to be the material considerations which will be of relevance to the Examining Authority in considering the DCO once submitted and for the Secretary of State in any grant of the DCO.

At this Stage 1 Strategic Issues Consultation stage, the Council response focuses particularly on the areas of omission and gaps in information provided in the consultation material with a view to those gaps and omissions being rectified as the development proposals evolve and are reflected in later stages of consultation. For each topic area, specific observations are provided on the content of the Stage 1 consultation documents including the Scoping Report submitted as part of the consultation.

1.1 Sources of Information

Due reference has been made to all consultation material provided by NuGeneration and supplemented by visits to consultation events. The following material was consulted in formulating this Stage 1 response:

- NuGeneration's Statement of Community Consultation;
- Stage 1 Consultation Overview;

- The Consultation Document;
- Scoping Report (Volume 1);
- Scoping Report (Volume 2 - Figures);
- Scoping Report (Volume 3 – Survey and Monitoring Plans);
- Habitat Regulations Assessment – Evidence Plan;
- Exhibition Panels.

2 Planning and Project Development Strategy

2.1 Moorside Search Area (Main Site) & Strategy

The Stage 1 consultation material helpfully provides a breakdown of the permanent and temporary uses associated with the Moorside Search Area. In addition to the main power station comprising three AP1000 reactors, wider interfaces include electrical connection sub-station, fuel and waste stores and cooling water system. The Council notes that there is limited information included in Stage 1 on buildings design, form, massing and layout for Moorside works beyond an indicative location and basic graphical material. It is unclear to the Council what opportunities there might be to develop the architectural layout such that the design and layout is appropriately designed to reduce effects on the wider landscape setting as far practicable (acknowledging the local influence of the Sellafield site in this regard). Noting the intention to use spoil material to support a landscaping strategy on site the Council notes limited information in Stage 1 material on the form and distribution of such landscape treatments, particularly in terms of its' relationship to views towards the site. Spoil management from onshore excavations used to facilitate foundations (stated at 10 million cubic metres) (2.3.4 P24 *EIA Scoping Report*) is thus of interest to Copeland, particularly in respect of the strategy for retaining spoil for landscaping. The wider management of spoil extracted from cooling water tunnel construction (if this is not included in the above figure) is also of interest to the Council. Final siting considerations for AP1000 deployment is assumed to have a crucial bearing on the material required in excavation given the variable depth of overburden across the site. The Council is aware that this broadly characterised by relatively shallow depth to bedrock in the northern area of the NPS boundary with greater depth to bedrock approaching the coastal zone.

The Council notes the importance of temporary works and in particular would encourage dialogue with Sellafield Ltd in the interests of securing mutually advantageous outcomes for infrastructure with an emphasis on reducing impacts and enhancing positive legacy outcomes. Significant infrastructure enhancements are proposed as temporary during construction (1.1 P11 *Strategic Issues Consultation*) with an option for permanent use. These include the rail enhancements, Marine Offloading Facility (MOLF) and wider works / storage. The Council would wish to encourage NuGeneration to engage in ongoing

discussion on the options for this infrastructure and its' relationship to the wider development strategy.

The Council notes a considerable area of uncertainty in NuGeneration's proposals for cooling at this time. In the Stage 1 consultation material (5.1 P34 *Strategic Issues Consultation*) NuGeneration acknowledges that direct and indirect cooling solutions are under consideration. Furthermore, the range of options create very different requirements in the marine and terrestrial environment. It is inferred that NuGeneration will select its' preferred strategy in advance of Stage 2. However, the Council would encourage NuGeneration to engage in dialogue on this matter through Stage 1 and beyond to the point of decision such that the range of effects and mitigation measures can be fully understood by the Council. In addition, the Council would advocate a multi-party group of consultees to attend such sessions on this matter including wider Councils, the Environment Agency and the Marine Management Organisation. The precise means of convening this group and managing information exchange should be discussed with the Council. Section 3 of the EIA Scoping Report defines the approach to scoping. In particular, this section highlights the importance of defining a sufficiently large geographical envelope for assessment to ensure that all potentially significant effects can be evaluated and mitigation developed. The Council would wish to ensure that in approaching the project from the perspective of a 'Rochdale¹' envelope (consistent with PINs Advice Note 9) due consideration also be made of the worst case environmental case in each assessment process reconciling the range of project options with the topic under consideration. This matter is crucial in ensuring a mitigation scheme is developed commensurate with the widest extent of potential environmental effect.

The Council is aware of the proposed National Grid 400kV transmission programme under the North West Coast Connections Project and that this will be a separate DCO to be submitted by National Grid in due course. Notwithstanding, the Council is aware and welcomes the description of development associated with transmission connection in NuGeneration's proposals (5.1 P36 *Strategic Issues Consultation*). The Council also notes and supports the full consideration of the National Grid proposals in cumulative assessment (3.3.8 P37 *EIA Scoping Report*) recognising that the details available on that scheme will evolve over time.

The Council would highlight the lack of detail on proposed access arrangements (both temporary and permanent) at Stage 1. In particular, it is evident that NuGeneration acknowledges the importance of maintaining access for both Moorside construction activities as well as the decommissioning programme at Sellafield and a phasing / construction and access plan would be anticipated. This should be developed in conjunction with the Council as well as wider partners including Cumbria County Council and Sellafield Ltd. The Council would encourage NuGeneration to consider these matters of access to be of sufficient importance to resolve well in advance of the Stage 2 consultation programme. It is

¹ R v Rochdale MBC ex parte Milne (No. 1) & R v Rochdale MBC ex parte Tew [1999] and R v Rochdale MBC ex parte Milne (No. 2) [2000]

unclear how the access arrangements relate to wider emergency access provision and again this is a matter of concern for the Council at this time.

The Stage 1 consultation material appears to confirm that no provision is anticipated for worker accommodation within the Moorside Search Area. The Associated Development Search Areas and conveyance of workers to and from those locations is thus a matter of considerable interest to Copeland. These matters are addressed more widely in the Stage 1 material (including the EIA Scoping Report). The commitment to continued dialogue including potential legacy benefits in Stage 1 (1.1 P13 Stage 1 Strategic Issues Consultation) is welcomed by the Council. Matters associated with the scale, form and function of Associated Development are addressed in the following section and at a topic specific level in Section 3 of this Stage 1 response. The Council anticipates reaching a level of understanding from NuGeneration on the facilities and operation of the worker accommodation within these Associated Development sites to service worker needs beyond their activities at Moorside on completion of their working day. Wider discussions on workforce estimates and environmental effects predicted for the scheme are included in Section 3 of this consultation response (recognising that such material is included in strategic terms in the Stage 1 consultation material (5.1 P36 *Strategic Issues Consultation*) as well as the EIA Scoping Report submitted alongside the consultation.

2.2 Associated Development Search Area & Strategy

This section of the Stage 1 response provides the Councils wider views of the proposed Associated Development Strategy based on reference to the Stage 1 material as set out in Section 1 above. The Council recognises the limitations imposed on NuGeneration at this Strategic Issues Consultation stage in respect of the limited maturity of design information. This has been considered in respect of this review. As NuGeneration acknowledges in Stage 1 material, the location, function and scale of transport, park and ride, logistics and worker accommodation centres is a highly important part of the project delivery strategy for comment and advice by the Council.

As reflected by the Strategic Issues stage of consultation, NuGeneration accepts a degree of design and development fluidity for Associated Development which contrasts with the relative detail available in respect of the Moorside Search Area anticipated works. NuGeneration identifies the important legacy opportunities that this Associated Development might pose for the Council and it is thus paramount that the Council and wider community it represents are able to influence decisions so that positive legacy outcomes can be achieved. The spatial strategy of the Council is highly important in achieving the preferred legacy outcomes from the Moorside project. The Council encourages continuing dialogue through NuGeneration's Stage 1 and Stage 2 consultation programme to secure developments which are sited and designed in accordance with the long term spatial strategy of the Borough; and supportive of services and facilities which remain viable in the longer term beyond the completion of construction.

In respect of the wider strategy for Associated Development works in support of the Moorside project, the Council would note limited detail in the Stage 1

consultation on the planning and environmental strategy for Associated Development. This has restricted more meaningful commentary from the Council on the works proposed in the Associated Development sites themselves and also the relationship of the various elements which will support the delivery of the project. In the EIA Scoping Report (2.4.3 P27 *EIA Scoping Report*) NuGeneration notes that 'other locations are being considered for park and ride/rail facilities, freight sequencing/consolidation and port infrastructure. Requirements for new development at these locations have not been determined'. These services / functions have a fundamental bearing on the wider 'movement strategy' for the project and will also influence the potential for legacy consistent with the Council's Local Plan. The Council welcomes NuGeneration's commitment to continued consultation on these matters and believes this is imperative in order to facilitate conjoined working and to achieve mutually acceptable outcomes for the project.

Within the EIA Scoping Report, (2.4.4 P27 *EIA Scoping Report*), NuGeneration highlights the 'need for infrastructure improvements to the local road and rail networks to support the construction and operation of the Moorside Project'. Furthermore, the Scoping Report states that the 'exact nature of these improvements are currently being defined in liaison with relevant stakeholders'. The Council would wish to be involved in this dialogue and seek confirmation from NuGeneration on the anticipated scope of transport improvements linked to the Associated Development Strategy and the points at which there will be an opportunity for dialogue. The Council notes that the resolution of such matters at Stage 2 i.e. in May to July 2016 would leave limited opportunity to genuinely influence the project prior to the anticipated DCO submission in April 2017.

NuGeneration note in the EIA Scoping Report (2.4.5 P27 *EIA Scoping Report*) that the 'location and layout of development within the four AD search areas and the detailed land use proposals for each AD site are yet to be determined'. This is a matter of some concern for the Council. Whilst the strategic nature of this consultation is understood, the Council anticipated indicative layouts and broad functions to be included at Stage 1. This section of the Scoping Report goes on to note that 'detailed proposals will be developed in consultation with local planning authorities and other key stakeholders, informed by the evolving construction workforce accommodation strategy and the transport strategy'. The emphasis on consultation with Copeland and other stakeholders is welcomed although the precise means of undertaking this consultation is to be discussed and agreed. Whilst the association of Associated Development sites with transport is understood, the Councils would also urge NuGeneration to consider spatial recommendations in the Local Plan at the centre of its' Associated Development Strategy. The Council notes that in respect of land use, the Local Plan identifies a need to 'target new development to existing centres as the most sustainable locations and to support population and economic growth' (2.1.6). This will be a key element which the Council need to have reflected in NuGeneration's Associated Development strategy.

2.2.1 Planning Strategy for Associated Development & Site Preparation Works

The Council understands that NuGeneration's planning strategy for the project make provision for Associated Development to be secured through the Development Consent Order and in some cases, facilitative works through Town and Country Planning Act (TCPA) applications with Copeland Borough Council as determining authority. The Stage 1 consultation material (3.5 P26 Stage 1 *Strategic Issues Consultation*) describes in outline the range of proposals which could comprise an application for site preparation works and a commitment to consulting on such matters in parallel with Stage 2 DCO consultation in May 2016. Prior to Stage 2 and consultation on a TCPA the Council would encourage NuGeneration to engage in dialogue on the scope of the site preparation works, its' relationship to the works proposed through the DCO and the wider resolution of infrastructure needs of Sellafield Ltd.

A wider and important point which the Council would wish to raise in respect of Stage 1 Planning Strategy for Associated Development is one of project justification for Associated Development needs and distribution. The Council would have found it useful for Stage 1 material to set out how the Associated Development proposals are reconciled in terms of Copeland's Local Plan, particularly in terms of site selection (although criteria are acknowledged and welcome in 1.1 P6 Stage 1 *Strategic Issues Consultation*), anticipated scale and function. The rationale is clearer in respect of the Moorside Search Area and the identification of the site in the National Policy Statement (NPS) for Nuclear EN-6 and this explanation is helpful to the consultation.

In approaching this Stage 1 consultation response the Council has experienced some difficulties in assessing NuGeneration's Associated Development proposals as a result of the overall lack of justification for their inclusion and importantly their scale and functions relative to the construction programme needed to facilitate Moorside. The Council is committed to working with NuGeneration through the consultation programme to ensure such justification, form and function is clear for the benefit of affected communities.

In respect of effective planning for legacy the Council wishes to stress to NuGeneration the importance of the Associated Development strategy being rooted in the use and development of sites at which legacy issues and community aspirations already exist. The Council would encourage NuGeneration to build legacy and an awareness of options for longer term use into the site development strategy. The Council welcomes NuGeneration's acknowledgment of this matter in the Stage 1 material (1.1 P6 *Strategic Issues Consultation*) which stress that 'legacy benefits will form a central part of NuGeneration's strategy to provide lasting benefits'.

3 Stage 1 Consultation Response

3.1.1 Approach to the Consultation Response

Particular emphasis has been placed on material contained in the Scoping Report and supporting drawings as this provides a significant basis of the technical information for Stage 1. In approaching the review the Council would note that there are technical limitations imposed on the documentation reviewed due to the limited design development and available technical information at this time.

It is noted that the Stage 1 Consultation Document sets out a strategy for the Permanent Development and Operation comprising the Moorside Search Area and a Strategy for the Temporary Construction Phase comprising both the Moorside Search Area and Other Search Areas. These divisions largely equate to the presentation of technical material within the EIA Scoping Report although here subjects are presented according to environmental topic (principally for the Moorside Search Area) and then Additional Scoping Land (Section 18) and Associated Development Sites (Section 19). Each of the following sections sets out to reconcile data in both the Stage 1 Consultation Document and the EIA Scoping Report and to present that conjointly such that effects (and the consultation response) can be considered across the project as a whole. For ease, each of the core topics referred to above have been addressed under core headings of Environment; Economic; Community and Social. In certain cases it has been necessary in this consultation response to introduce new headings to describe topics not explicitly described in the Scoping Report. References have been made to the underpinning source of data in all cases.

3.2 Environmental Topics

The following response has made reference to all material included at Stage 1 consultation which is relevant to Environmental Topics. As far as possible, sub-headings link to the relevant theme discussed in the EIA Scoping Report. Where appropriate, further comments are included beyond those immediately linked to headings within the Scoping Report or wider Stage 1 material. Such comments are intended to assist NuGeneration's consideration of additional matters considered of value to the Council.

3.2.1 Noise and Vibration (S5 EIA Scoping & S4/5/6 Consultation Document)

This section includes the Council's Stage 1 response on noise and vibration matters. This is informed by Section 5 of the EIA Scoping Report and also the Survey and Monitoring Plan as well as the wider Stage 1 material as it relates to noise and vibration.

Adequacy of Baseline

The Council notes that in respect of selecting noise survey locations to assist with baseline characterisation, it is unclear (5.3.1 P68 *EIA Scoping Report*) to what

extent ordnance survey mapping supplemented by field work analysis has been used to inform the approach. The engagement with Copeland to date is welcome and it is important to refer to continuing dialogue in respect of developments granted planning permission / under construction since 2012. The Council have recently provided comment to Nugeneration regarding sites for noise and vibration monitoring in the vicinity of the existing and proposed railway line including the identification of additional sites for consideration. The need for additional traffic noise monitoring has also been identified by the Council during on-going engagement with Nugeneration, including areas such as Cleator.

It is clear that in informing the baseline position such development (particularly where this may be located in proximity to proposed transport interventions and / or development in Associated Development locations) will be crucial in ensuring a comprehensive approach to the noise assessment.

The Council notes that at this Strategic Issues Consultation stage, NuGeneration is unable to provide details of the proposed development within Associated Development sites (although the bedspace quantum is noted). Furthermore, details associated with potential transport proposals and infrastructure development is not available in detail at this time. This limits the extent to which the locations of noise monitoring and noise approach more generally can be meaningfully commented upon at this time. The Council would embrace the approach of continuing dialogue on these matters to inform the approach proposed for noise and vibration assessment in the Environmental Statement.

The Council notes in the Scoping Report (5.5.2 P70 *EIA Scoping Report*) that a Zone of Influence (ZOI) has been established to derive the road traffic noise baseline. Whilst this approach is welcomed, it is not clear whether the ZOI would be extended and where this might be distributed (linked into the evolving development details for Associated Development in particular). The Council would seek clarity on whether all of the road defined in the transport area study would be subject to the 25/20 test, or whether there is a more contained area. This matter should be subject to continuing dialogue with Copeland and other key stakeholders including Cumbria County Council.

The EIA Scoping Report identifies (5.5.18 P72 *EIA Scoping Report*) additional baseline information being required. The Council would suggest merit in gathering further data using classified counters if hourly data over 24 hours is not available for the principal freight and worker routes. The Scoping Report suggests that current data assembly is to assist with finding the extent of the road traffic noise assessment, which is suitable.

Adequacy of Terms of Reference

The Council notes that the National Noise Policy is set out in the Noise Policy Statement for England (NPSE). Importantly, this sets terms of reference against three effect levels. These are:

- No Observed Effect level (NOEL) i.e. where the level of noise exposure below which there is no detectable effect on health or quality of life;

- Lowest Observed Adverse Effect Level (LOAEL) above which the level of noise exposure results in detectable adverse effects on health or quality of life;
- Significant Observed Adverse Effect Level (SOAEL) being the level of noise exposure above which significant adverse effects on health and quality of life can occur.

The Council has been unable to identify how National Noise Policy has been taken into account in the proposed methodology for noise and vibration assessment. The provisions are highlighted in 5.2.2 (P65 *EIA Scoping Report*) but it is unclear how this has been taken through into the methodological approach. The Council would ask for further justification on the inclusion of the Noise Act in the Scoping Report (5.2.1 P65 *EIA Scoping Report*). The EIA Scoping Report infers 5.2.3 (P67 *EIA Scoping Report*) that BS5228 Pt 1 sets noise limits. The Council's observation is more that this enables assessment of potential significance of noise levels.

The Council notes that in respect of BS6472 Pt1, this does not present an assessment of adverse impacts from road or rail traffic, but it does present criteria for adverse comment, which are used to derive criteria for adverse impacts and consequent significant effects.

The Council notes that references to road traffic noise, Calculation of Road Traffic Noise (CRTN) and Design Manual for Roads and Bridges (DMRB) (5.2.3 P67 *EIA Scoping Report*) is somewhat confusing and would welcome clarity as this is taken forward to the Environmental Statement.

Careful consideration should be given to the following policies of the Copeland Local Plan

- Policy SS4 – Community and Cultural Facilities and Services
- Policy ER3 – The Support Infrastructure for the Energy Coast

Commentary on Consultation Activity to Date

Prior consultation undertaken in 2012 is acknowledged and provided a valuable early opportunity for the Council to engage on the Moorside project (reflecting the design proposals at that time). Wider engagement (5.4.2 P69 *EIA Scoping Report*) is also acknowledged on the Survey and Monitoring Plan and including Environmental Health Officers from Copeland Borough Council. This consultation has been suitable to provide support to the formal Stage 1 S47 consultation to which this response relates.

Commentary on Proposed Studies

In respect of the Survey and Monitoring Plan, the Council notes the value of NuGeneration considering adding a location on the A595 to the south of the Sellafield entrance. It is possible that this may not have been included because of initial lack of 25/20 being identified and clarity is sought on this matter.

The Council notes in the Scoping Report (5.6.1 *P74 EIA Scoping Report*) that in identifying receptors that could be subject to likely significant effects health care facilities are not mentioned. The Council would wish to ensure that this remains reflective of any proposals that NuGeneration themselves may bring forward to service the needs of the Moorside project.

Under 5.7.1 (*P74 EIA Scoping Report*) and the description of potential effects requiring further assessment the Council note that for vibration prediction methodologies, methods in TR1429 should be considered where this provides methods not available in BS5228 Pt2. The Council would also seek clarity on whether the type of freight trains used for construction would differ in terms of vibration generation from those currently using the line. Otherwise the assumption that change is only due to a potential increase in numbers of trains could be inaccurate. In addition, the Council would wish to ensure due consideration of receptors affected by a new rail spur. Here, vibration predictions will be required if the line takes freight, so a vibration prediction method will also need to be employed.

Under 5.7.2 (*P75 EIA Scoping Report*) the Council notes that under potential effects not requiring further assessment, vibration sensitive receptors during the operational phase have been scoped out. The Council would agree with scoping this out for the power station itself, but deliveries or removals by rail could give rise to effects, depending on their frequency. Unless figures are already available which demonstrate why this has been scoped out at this stage, it should be retained and then potentially addressed in the Environmental Statement with a statement regarding the train numbers to justify why it is unlikely to give risk to a significant effect.

The Council notes in 5.8 (*P78 EIA Scoping Report*) the statement that the “determination of significance within the noise and vibration chapter shall apply to human receptors only”. However, there is no clear consideration of the types of receptor locations and resources to be included. In particular, little or no consideration is given to quiet areas or places prized for tranquillity. The Council considers that there should be a full consideration of all the receptors and resources potentially affected to properly scope the spatial scope and the methodologies.

The Council notes that in general, a numerical approach seems to be adopted to the assessment of significance with little consideration of impacts and effects as advocated by the Noise Policy for England. Moreover, the potential effects on health and quality of life have not been explained, properly considered or factored into the assessment of the likely significant effects. In addition, there is little if no consideration of the context in which noise changes will occur and how context will be addressed within the assessment e.g. are the noise levels already unacceptably high and if so will any increase in noise be deemed to be significant, and whether there are opportunities to improve.

In respect of the Scoping Report (5.8.13 *P82 EIA Scoping Report*) and fixed plant the Council considers that BS4142:2014 has not been properly considered or reported. In particular there is no proper consideration of the context in which the rating level minus the background sound level will occur. Neither do the impact

criteria properly reflect or interpret the BS4142:2014. This matter should be addressed through dialogue with the Council.

In respect of proposals for construction rail vibration (Table 5.4 and 5.5 P81 onwards *EIA Scoping Report*) as the criteria are in terms of Vibration Dose Value (VDV) it would be helpful to state whether the levels quoted are only for the construction trains, or whether they are for the total VDV resulting from all trains.

In respect of Table 5.5 (P82 *EIA Scoping Report*) and construction traffic noise the Council would encourage NuGeneration to review the word “increase” as this may not be appropriate, given that some of the levels in the criteria are probably total noise (baseline plus construction). This may require further explanation below the table as it is taken forward to underpin the Environmental Statement.

The Council also notes that the operational road and rail “high” categories are not consistent in their approach to using values from the relevant noise insulation regulation for that mode, for the night-time criteria. It would be helpful to include an explanation for this below the table as it is transferred across to the methodological approach section of the Environmental Statement.

Commentary on Adequacy of Key Issues Raised & Data

The Council notes some concerns in the extent to which the proposed noise assessment adequately addresses National Noise Policy, particularly as it relates to the Noise Policy Statement for England (NPSE). This policy position strongly advocates an approach driven by context which the Council would encourage NuGeneration to include as part of their emerging proposals for Moorside. The Council also notes that the application of BS4142 appears to be incorrect or at least incompletely described in the Scoping Report at this time. There are several matters in the proposed approach which the Council would welcome engaging with NuGeneration upon at this important stage where plans for Associated Development are also being established.

Summary Comments

In reviewing the Stage 1 material, EIA Scoping Report and Survey and Monitoring Plan it is clear that there has been helpful dialogue to date which has shaped NuGeneration’s proposals for noise and vibration assessment. The Council is supportive of this continuing dialogue and the sharing of best practice application of National Noise Policy. A key matter for the Council is the extent to which proposals for Associated Development will evolve and drive the assessment process for noise and vibration. As a common point across topic area included within the EIA Scoping Report, the Council would wish to see further details emerge between Stage 1 and Stage 2 S47 Planning Act consultation on Associated Development sites and a refinement of approaches to noise and vibration therein.

3.2.2 Air Quality and Climate (S6/17 EIA Scoping & S4/5/6 Consultation Document)

This section presents the Council's Stage 1 response on air quality issues. This is informed by Section 6/17 of the EIA Scoping Report and also the Survey and Monitoring Plan as well as the wider Stage 1 material.

Adequacy of Baseline

The Council would generally comment that the overview of baseline conditions in the air quality chapter is acceptable and provides sufficient detail to determine the study area (zone of influence) of the assessment and baseline air quality conditions.

The zone of influence for construction dust and fine particulate emissions uses appropriate and up to date guidance published by the Institute of Air Quality Management (IAQM), however it would be helpful to include a definition of both human and ecological receptors in line with the guidance and this is a recommended addition.

The operational zone of influence is appropriate with regard to emissions from the plant proposed within the Moorside Search Area, however paragraph 6.5.5 (P105 *EIA Scoping Report*), with regard to the Zone of Influence (ZOI) of ecological effects should sit within this section rather than under the road traffic emissions ZOI as the EA Horizontal Guidance Note relates to plant and processes rather than traffic emissions.

The ZOI with regard to road traffic emissions is appropriate and follows Design Manual for Roads and Bridges (DMRB) Volume 11 guidance assessing receptors within 200m of affected roads. It is noted that the guidance published by Environmental Protection UK (EPUK)/IAQM, as mentioned in paragraph 6.5.8 (P96 *EIA Scoping Report*), contains more stringent criteria with regard to changes in traffic flows than DMRB, therefore this should be used to determine affected roads as a result of the scheme (This also applies for Associated Development sites). The use of updated guidance by the Highways Agency with regard to vehicle emission factors (IAN 170/12) is welcomed by the Council.

The 1st bullet point of paragraph 6.5.9 (P96 *EIA Scoping Report*) states that 'effects upon air quality at human receptor locations are considered unlikely to be discernible beyond a distance of 5km from the initial scoping land'. It is assumed that this relates to operational point source emissions and whilst this may be correct, it somewhat contradicts what is currently included as the ZOI for operational emissions. Further clarity is sought from NuGeneration on this matter.

It is unclear why monitoring of NO₂ is being undertaken at Sites of Special Scientific Interest (SSSIs) rather than NO_x monitoring. This is a matter for discussion with NuGeneration and may purely be a typographical error. The Council would also seek views on the potential for monitoring of SO₂ and whether this has been discussed with wider stakeholders to date.

It is noted that a data request is in progress to obtain the latest air quality monitoring data from Copeland and it is anticipated that the latest data (including

at least 2014 annual average data) would be used in the assessment of baseline conditions in the Environmental Statement, in addition to the scheme specific monitoring being undertaken.

In terms of baseline, the Council considers the assessment of existing climate as appropriate and uses data from the nearest/most representative meteorological station. The assumptions provided for a future baseline are also appropriate and welcomed.

Adequacy of Terms of Reference

The Council notes that the list of appropriate legislation is comprehensive in respect of both air quality and climate, however it is noted that the amendments to the Environmental Permitting Regulations have not been included and should be revisited for the Environmental Statement.

The list of appropriate policy is comprehensive, however there is a typographical error in the 4th paragraph which refers to 'natural air quality objectives', for the avoidance of doubt this should state 'national air quality objectives' (6.2.2 P92 *EIA Scoping Report*).

It is noted that additional policies are included within Copeland's Local Plan which relate to air quality/amenity which are not discussed under the terms of reference for NuGeneration. In particular, the Council would note the importance of referring to:

ST1 B(iv) Minimise the need to travel, support the provision of sustainable transport infrastructure and measures to encourage its use; and

ST1 D (ii) Ensure development safeguards good levels of residential amenity and security.

In addition, Policy ST1 A in paragraph 6.2.3 (P92 *EIA Scoping Report*) should read Policy ST1 B.

In respect of the Survey and Monitoring Plan, the appropriate guidance is referenced with regard to monitoring methodology, however it is unclear whether a co-location study is being undertaken for NO₂ diffusion tubes and clarification is sought on this matter. The Council notes that the air quality standards provided in Appendix A are incorrect as there is no NO₂ standard for the protection of vegetation, this should read NO_x and is assumed to be a typographical error.

The list of appropriate guidance is comprehensive and it is not anticipated that any further documents would be required to undertake the assessment. The revised EPUK guidance, has now been published and therefore it is anticipated this will be used going forward.

Commentary on Consultation Activity to Date

The Council is encouraged to note that prior comments provided on an earlier draft of the EIA Scoping Report have been addressed. Consultation has been undertaken with the key stakeholders with regard to the scheme specific

monitoring survey including the choice and number of monitoring locations. It is considered that the monitoring survey is sufficient to establish baseline conditions and for potential use in dispersion model verification. Clarification is sought on the rationale for why NO₂ monitoring is being undertaken at SSSI and the absence of SO₂ monitoring.

In terms of climate, the Council notes that neither the scoping report nor wider Stage 1 material makes clear the extent of previous. It is noted that consultation relating to the inclusion of climate change adaptation measures will be undertaken during the pre-submission stage. It does not state specifically that Copeland would be involved in this and confirmation is sought from NuGeneration on this matter.

Commentary on Proposed Studies

The potential effects identified as requiring further assessment for air quality are comprehensive and it is considered that these are likely to address all potential air quality effects arising from the development.

It is anticipated that the assessment of construction and operation phases for human health will assess NO_x emissions from vehicles which will then be converted to NO₂ concentrations for comparison with the air quality standards.

The proposed methodology for each of the activities which have the potential to generate air quality effects (as shown in Table 6.5 P108 *EIA Scoping Report*) are appropriate. It is noted that a staged approach is proposed for the assessment emissions to atmosphere from vehicles on the road network during construction and operation. The Council seeks clarification as to whether the screening stage would be undertaken using the DMRB spreadsheet method. If so, it should be noted that the in-built emission factors are out of date and it would be anticipated that more recently published emission factors from Defra would be used in the assessment.

It is considered the justification for potential effects not requiring further assessment is valid and these pollutants are highly unlikely to result in any significant effects as a result of the scheme.

With regard to the significance evaluation methodology proposed, it is anticipated that paragraphs 6.8.1 – 6.8.8 (P109 onwards *EIA Scoping Report*) and associated tables will now be replaced with the criteria to determine impact and significance provided in the revised EPUK/IAQM development control guidance. It is anticipated that this will be used in relation to the assessment of emissions from all modes of transport including train, ship and vehicle emissions. It is noted that paragraph 6.5.6 (P96 *EIA Scoping Report*) makes reference to revised guidance from Highways England with regard to significance of road schemes, however no further mention is made of this document. It is the Council's view that the EPUK/IAQM guidance document should be used as this provides a more stringent methodology for evaluating significance where pollutant concentrations are likely to comply with the air quality standards.

The use of significance criteria outlined in H1 guidance is appropriate and it is anticipated that this would be used to assess the significance of the operation of plant within the Moorside Search Area.

The assessment of potential significant effects on nitrogen and acid deposition at ecological receptors is appropriate for EIA, however consideration should be given to how this is interpreted with regard to HRA and the Council would welcome further dialogue on this matter.

It would be useful for the Survey and Monitoring Plan to make clear whether the proposed locations shown in Table 3.1 are confirmed as the actual list of monitoring locations for the avoidance of doubt. Furthermore, the Council would note the importance of agreeing the monitoring locations near the rail line and also the particular matter monitoring locations and to record that agreement. This is important to the Council in recording agreements made with NuGeneration in an attempt to commence working on Statements of Common Ground as early as practicable.

In respect of climate (as it relates to emissions of greenhouse gases), the Council notes that no studies are proposed by NuGeneration 17.7.2 (P388 *EIA Scoping Report*). Whilst the Council understands the rationale for significant effects during the operational phase to be scoped out, it is recommended that further justification is provided with regard to scoping out carbon footprinting during the construction phase. The Council notes that climate matters are addressed at a topic specific level elsewhere within the Scoping Report but there appears to be no commitment to carbon footprinting as a particular matter. The Council notes the provisions within the HM Treasury Infrastructure Carbon Review. This recommends 1.5 (P14) that a significant opportunity to cut capital carbon is in ‘cutting the volume of materials consumed and using resources more efficiently’. The Council would anticipate that NuGeneration will be encouraged to take a view on this matter and provide evidence to support an assessment of carbon in construction. Furthermore, Copeland’s Local Plan Policy ST1 A states that ‘the Council should encourage development that minimises carbon emissions, maximises energy efficiency and helps to adapt to the effects of climate change’ and would encourage NuGeneration in support of this policy.

Commentary on Adequacy of Key Issues Raised & Data

The Council notes that the proposed assessment methodology is comprehensive and appropriate for the scheme. It is important to note that the revised EPUK/IAQM guidance has now been published and it is anticipated that this will be used going forward. The revised publication includes more stringent screening criteria for when an assessment of effect is required and updated criteria for impact descriptors and significance of effect.

It would have been useful to include a graphic showing the identified human and ecological receptors in Table 6.2, 6.3 and 6.4 (P101 onwards *EIA Scoping Report*) and this would be a suitable inclusion within the Environmental Statement for the project.

Summary Comments

The Council notes that in common with other subject areas, further definition is needed in terms of the proposals for Associated Development and the transport

linking those sites and the Moorside Search Area. The Council is thus able to comment on the approach to air quality and climate assessment but would anticipate continuing dialogue in its' application. The Council notes that it recommends criteria to determine impact and significance provided in the revised EPUK/IAQM development control guidance.

In the Survey and Monitoring Plan it would be useful to include areas (particularly in respect of monitoring locations) of agreement with the Council and wider stakeholders to support dialogue on Statements of Common Ground.

The Council notes that NuGeneration proposes to scope out a consideration of climate change from the construction phase of the project in terms of greenhouse gas emissions. The statements in 17.7.2 (P388 *EIA Scoping Report*) will not assist the Council's Local Plan Policy ST1 A approach which confirms that the Council should 'encourage development that minimises carbon emissions, maximises energy efficiency and helps to adapt to the effects of climate change'.

3.2.3 Radiological Issues (S7 EIA Scoping & S4/5/6 Consultation Document)

This section includes the Council's Stage 1 consultation response on radiology. This draws upon Section 7 of the EIA Scoping Report and also the Survey and Monitoring Plan as well as wider Stage 1 Strategic Issues Consultation material.

Adequacy of Baseline

This Section 7 of the EIA Scoping Report proposes the assessment of potential effects relating to radiological issues on human and non-human species. The Council notes that soil and groundwater are environmental media that are effectively pathways (as are air and marine water), rather than being considered receptors in this assessment.

The baseline presented in the Scoping Report draws on desk study sources, including material drawn from empirical data in Radioactivity in Food and Environment (RIFE) studies. Proposed sources for continuing dialogue and data on radiological issues include Sellafield Ltd, given the adjacency of the Sellafield Facility and additional investigations presented in the Survey and Monitoring Plans. It may be relevant to reference baseline data available through the Sellafield Beach particle monitoring programme.

The proposed investigation of baseline activity concentrations are presented in the Soil, Surface Water the Groundwater Survey and Monitoring Plans. The Council notes that there is limited discussion of known existing contamination within the Scoping Report and a limited appreciation is thus possible based on the data presented in the Scoping Report.

The Groundwater, Soil and Surface Water Survey and Monitoring Plans present proposed additional radiological data gathering to inform the baseline. Sampling locations and testing appear reasonable to the Council at this time, however the detailed locations and testing suites for radiological assessment cannot be

ascertained from the information provided. The Council would welcome further dialogue on this matter to focus agreement.

The Groundwater Survey and Monitoring Plan does not identify any groundwater monitoring locations near the coastal zone of the site. The Council understands that baseline groundwater quality is potentially impacted by historic and wider site uses in this area and it is important to understand baseline groundwater radiological quality.

Adequacy of Terms of Reference

A full reference list of source data used is provided and referred to in the text and this is generally consistent with the Council's expectations. The Council notes that the Scoping Report refers to the RIFE 2011 data. More recent data is included in RIFE 2013 and the Council would anticipate this data being employed to support the Environmental Statement for the project. It is unclear whether the baseline has been informed through access to Sellafield Ltd.'s radiological groundwater quality data and this would be recommended.

The Council highlights the need to consider Copland Local Plan Policy DM5 - Nuclear Sector Development at Sellafield and the LLWR at Drigg.

Commentary on Consultation Activity to Date

The Scoping Report identifies early engagement has been undertaken with a wide range of stakeholders and notes comments received from Copeland Borough Council, the Environment Agency, Marine Management Organisation, Allerdale Borough Council and Cumbria County Council. This continuing dialogue is crucial to informing the ongoing assessment of radiology.

The Council notes that NuGeneration released draft Survey and Monitoring Plans for comment in August 2014 to Copeland Borough Council, the Environment Agency, Marine Management Organisation, Natural England, Cumbria County Council, and Sellafield Ltd and meetings were held in 2014 to discuss the draft Survey and Monitoring Plans and Scoping Report. The Scoping Report notes the Environment Agency recommended investigation of Sellafield Tarn for radiological contamination and the Local Authorities (including Copeland) highlighted public concern relating to radioactive releases. It is not clear from the information provided in the Scoping Report nor wider Stage 1 material whether radiological contamination of Sellafield Tarn is proposed in the Soil Survey and Monitoring Plan.

The Council notes and supports ongoing engagement during the development of the Environmental Impact Assessment proposed to include the key stakeholders identified above.

Commentary on Proposed Studies

In relation to soil and groundwater radiological contamination, the Council notes that effects may arise as a result of excavation of soil with pre-existing radiological contamination (e.g. marine sediments) or dewatering of groundwater

with pre-existing contamination. As such, radiological contaminated land assessment should be undertaken as part of the non-radiological contaminated land assessment, as described in Chapter 8 of the EIA Scoping Report.

If identified in groundwater, radiological contaminants should be considered in the numerical groundwater modelling to assess the impacts of dewatering.

The Council notes that the design of the proposed AP1000 reactor technology will incorporate passive safety and control measures designed to prevent radiological contamination of soil, surface water and groundwater during operation and the mechanisms to achieve this outcome will be proven to regulatory approval in the Generic Design Assessment process. However, it is not clear to the Council how this development basis will be described in the Environmental Statement for the scheme design. It would be useful for the safety control mechanisms as a function of AP1000 design to be described in the Environmental Statement.

In respect of issues relating the change in baseline for contaminated sediments there needs to be a clear understanding of the potential for marine cooling of the Moorside project to, in itself, change the baseline during construction and operations. This will need to be fully evaluated during the design of the cooling water systems intake and outfall structures and the associated marine environment modelling.

The term “predicted prospective dose” is unclear and should presumably read “predicted effective dose”. The basis for 13 micro Sieverts per year is also unclear – this is, presumably, an annual effective dose to members of the public that is derived from normal operations and this should be stated together with clarity as to whether this is generic to all members of the public; generically but within the zone of influence; to the most at-risk member of the public in the ZoI; or some other measure.

The Council notes that data and design / operational information and assessments will be required for the Environmental Permit application and Safety Case that will also be needed for the Environmental Statement. The Council has assumed that the Environmental Impact Assessment Environmental Permit application and Safety Case will be progressed in parallel (accepting their point of application may be different within the overall programme). Confirmation would be sought on this matter.

Commentary on Adequacy of Key Issues Raised & Data

The potential effects identified as requiring further assessment do not include effects associated with dewatering and disposal of radiological contaminated groundwater. The Council would anticipate the inclusion of this matter within the Environmental Statement. In addition, and as noted above, the relationship of the GDA process and design development of AP1000 should be reflected within the Environmental Statement, particularly in respect of technology enhancements for passive safety and containment.

Summary Comments

The Council notes that in reviewing Stage 1 material, the EIA Scoping Report and the Survey and Monitoring Plan the radiological assessment considers human and non-human species effects via air, groundwater, soil and marine environment pathways and therefore has interfaces with several other proposed Environmental Statement chapters. This must be properly signposted in the Environmental Statement to ensure there are no gaps in assessments and there is coherence. NuGeneration should ensure that a robust Health Impact Assessment (HIA) is supported by the information in the Radiology assessment.

The Council notes the common base of information and alignment between the Environmental Statement production, the programme for the Environmental Permit applications and Safety Case and design information informing GDA. There are strong opportunities to tie regulatory bodies and the Council together on this matter and a common basis of data exchange would be valuable.

3.2.4 Soils, Geology, Agricultural Land and Land Quality (including Spoil Management) (S8 EIA Scoping & S4/5/6 Consultation Document)

This section provides the Council's response on soils, geology, agricultural land and land quality in respect of the Stage 1 consultation material. This draws upon Section 8 of the EIA Scoping Report and also the Survey and Monitoring Plan.

Adequacy of Baseline

In general, the Council notes that the description of the baseline conditions in respect of soils and geology is considered adequate. As the Council anticipated, descriptions of solid geology, drift deposits and made ground are adequate and comments are made on the thickness of strata to assist with an understanding of materials likely to be generated through excavations. A summary of the land use history is provided and significant features are shown on Figure 8.2 accompanying Section 8.

The Council would note that further information anticipated to assist with characterising the Moorside Search Area include details of superficial deposits thickness and characteristics; sandstone bedrock characteristics and faulting and excavated soils within the reactor footprint. In respect of this latter point, the Council wishes to understand the characteristics and suitability for re-use of material noting that this is likely to be 'in excess of 10 million m³' (2.3.4 P24 EIA Scoping Report). The commitment by NuGeneration to utilise this material on site is welcomed by the Council. It is presumed that this is subject to material suitability for re-use on site and the Council would wish to understand whether it would be necessary to export any of this material away from site and its' means of transfer.

It is unclear to the Council whether the 10 million m³ of excavated material includes that from tunnel spoil. Furthermore, it is unclear whether there are alternative methods of off-site disposal where suitability for re-use on site are not

supported. Clearly, a key interest for the Council here is in respect of the potential for substantial volumes of material being transported away from the site and the implications for rail or road infrastructure and capacity.

There appears to be something of a discrepancy in respect of the description of material deposited at Sellafield Tarn. This is described as being within the Initial Scoping Land in 8.5.33 (P145 *EIA Scoping Report*) but in Figure 3.1 supporting the Survey and Monitoring Plan this appears to be different.

In common with other subject areas, the Council notes a lack of information in respect of the Associated Development sites and the Additional Scoping Land. These matters are reported as being out of the scope at present. It is unclear to the Council how and through what mechanism the Council will continue to be engaged on technical material associated with Soils, Geology, Agricultural Land and Land Quality in respect of the Associated Development sites. The Council would welcome clarity on the proposed means to review the scope of EIA related to these sites as development proposals are developed approaching Stage 2.

The Council understands that NuGeneration will have undertaken some pre-existing radiological contamination evaluation in respect of soils and associated migration in respect of groundwater movement. It is unclear where this technical material is presented in the Scoping Report and the Council would seek further information from NuGeneration in this regard. The Council recognises the importance of the Survey and Monitoring Plan in gathering additional information in respect of soils and geology and comments on proposals are included below.

The Soils and Geology Survey and Monitoring Plan presents proposed additional ground investigation to inform the baseline and assessment of effects. It is unclear to the Council what progress has been in respect of the ground investigation. From the programme provided, the bores should have been installed by April 2015 and monitoring commenced in May 2015. Confirmation is sought on the status of this work and the emerging results and implications for proposed works would be of value to the Council when known.

The Council notes proposals for investigation in the Initial Scoping Land include a site walkover, geophysical survey and intrusive investigation. The Initial Scoping Land ground investigation is focused on the central area to the east of the disused railway line where the construction of the Moorside Power Station is stated as likely to take place. No site layout plans are provided to support this and there is a limited level of detail (other than broad indicative locations from the Stage 1 material (1.1 P8 *Stage 1 Strategic Issues Consultation*) on the likely locations of reactors and ancillary infrastructure.

The Council notes that the area of study was extended into the 'AB Land' to the south of main investigation area and located in the High Sellafield area and immediately to the west of the Sellafield Complex. The Additional Scoping Land does not appear to be in the Soils and Geology Survey and Monitoring Plan scope, but is within the Moorside Search Area. It is unclear to the Council as to what rationale is applied for dictating the geographical scope / distribution of the site investigation programme and engagement on this matter would be welcome.

In particular, the rationale for the number, position, depth and design of site investigation locations is not provided providing the Council with limited understanding of the approach justification and intention. Further details would be welcome on this matter. At this stage however (and based on available information) the proposed coverage appears reasonable to the Council and gives good coverage across the centre of the site (Initial Scoping Land plus AB Land).

The Council notes that the proposed investigation is described as the first phase of intrusive investigation and notes there will be the opportunity for further intrusive investigation at a later date. The Council seek clarity on whether this investigation will be to inform the Environmental Statement or purely to inform following design for construction.

The Council notes that the monthly monitoring of groundwater levels and ground gas is proposed over a 12 month period. It is proposed that ground gas monitoring may stop after three rounds if no risk is identified. This is a reasonable approach and the Council consider this appropriate.

A comprehensive chemical analysis suite for soil testing is proposed which includes radiological contaminants, WAC testing and ordnance related chemical substances. However, the Council notes that investigation does not include all of the Initial Scoping Land or Additional Scoping Land and it is understood that this land may be required during the construction process and the strategy/programme for further assessment thus needs to be determined.

A separate unexploded ordnance (UXO) desk study is proposed for the Sellafield Tarn area. This is a reasonable approach and supported by the Council considering the historical information relating to Sellafield Tarn (which identifies this need).

A desk based review of soil survey data and agricultural land classification is proposed once the footprint of the proposed development has been finalised, augmented by additional field data if required. The Council recognises that NuGeneration must complete a significant body of work in order to develop conceptual layouts for the Moorside Search Area. Once these are in place, the Council would seek further dialogue on the scope of the underpinning survey (both desk and field based).

As a particular issue, the Council notes that ground investigation and other data requirements for the Associated Development sites have not been addressed and will be considered once the footprint and uses of the Associated Development sites has been identified. Whilst this is understood, the Council is concerned that it will have a limited opportunity to comment on the scope of the survey effort underpinning the Environmental Statement prior to the surveys being executed. Further dialogue would be welcome on this matter, particularly in respect of the potential timing of development proposals emerging for Associated Development sites.

Adequacy of Terms of Reference

The Council is encouraged that a comprehensive list of national and local policy and guidance is set out in the EIA Scoping Report which will be considered

during the study. A full reference list of source data used is provided and referred to in the text and this is welcomed by the Council. Further consideration should be given to Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes, set out in the Copeland Local Plan.

Commentary on Consultation Activity to Date

The Council notes that early engagement has been undertaken with relevant stakeholders and comments relevant to the EIA Scoping. The Council is encouraged that NuGeneration has engaged on the draft Survey and Monitoring Plans in August 2014 to the Environment Agency, Natural England, Copeland Borough Council and Sellafield Ltd and meetings were held in 2014 to discuss the draft SMPs and Scoping Report available in draft form at that time.

The Council welcomes and supports NuGeneration’s ongoing engagement to include the above stakeholders in addition to Public Health England. This will be of importance as further details in respect of Associated Development in particular are made available.

Commentary on Proposed Studies

The Council notes the proposals for intrusive investigation, survey and monitoring works to collect additional data. This will include long term monthly ground gas and groundwater level monitoring, geophysics survey, intrusive borehole investigation and soil sampling.

An UXO survey will be undertaken in the vicinity of Sellafield Tarn. This is a reasonable approach and supported by the Council.

The Council notes that there would be value in NuGeneration obtaining the Sellafield Contaminated Land Study (for Sellafield Ltd) if this information is not already available. In particular, there would be value in reviewing the Sellafield Contaminated Land & Groundwater Management Project and the Next Steps for the Land Quality Programme Report (and the conceptual model therein).

The Council notes that the strategy for the assessment of the Additional Scoping Land appears to be poorly defined at present and continuing dialogue is sought on this matter (prior to the execution of surveys).

Materials management during construction, arising from excavations and tunnel spoil, will be a significant issue at the site and the potential for reuse, including definition of geotechnical and chemical reuse criteria, must be considered. This will require development of the geological understanding as well as site design.

In Section 9 of the EIA Scoping Report a numerical groundwater model is proposed to assess effects. This will rely on the geological understanding that will be developed and cross referencing of information is encouraged.

The EIA Scoping Report (8.7.5 P150 *EIA Scoping Report*) notes the operational effect caused by ‘release to ground of substances stored, used and handled on site’. It is unclear where this effect is to be assessed.

The approach and programme to securing Environmental Permits is not presented fully within this section of the EIA Scoping Report but it is noted that permitting will require demonstration of Best Available Techniques (BAT) (8.7.8 P151 *EIA Scoping Report*). The Council note that the Environmental Permit (including Radiological Substances Regulation) requires BAT demonstration and pollution prevention measures in the permit.

The Council notes that NuGeneration indicate that matters associated with radioactive waste management are not set out in full in this section of the Scoping Report although wider references are made in the Radiology section of the Scoping Report and cross referencing within the Environmental Statement is recommended. The Council notes (Section 7 *EIA Scoping*) that soil does not seem to have been identified as a specific receptor for radiological effects. It is unclear to the Council how radiological contamination of soil is to be assessed

Within the EIA Scoping Report (8.8.4 P156 *EIA Scoping Report*) NuGeneration confirm that the soils chapter of the Environmental Statement is intended to only consider human health and built structures in the land quality assessment. The Contaminated Land risk assessments will be included in an appendix. It is unclear to the Council whether these will consider all receptors (including water, environmental, ecology receptors (as well as wider consideration of invasive species)) as well as radiological contamination. Confirmation is sought in this regard.

Commentary on Adequacy of Key Issues Raised & Data

The Council considers that the identified receptors and exposure pathways are adequate and the list of key potential issues which require further assessment appears to be complete. Furthermore, the Council views the proposed assessment methodologies for key issues are provided.

As noted above, the Council would value continuing dialogue in respect of materials management within the site and in particular the proposed approach for NuGeneration in materials assessment for re-use and potential transport implications for any export. In addition, continuing discussion on proposals for management of radioactive waste streams would be welcome, particularly as proposals for radioactive waste management on site become more developed.

It would be useful for the Council to have more details on NuGeneration's assessment of potential risks associated with ground instability as a result of groundwater dewatering. Wider discussions, including technical material supporting the development of Safety Case would be helpful to understand the broader technical context.

The Council notes some uncertainty in respect of the graphical material supporting the soils and geology section. For example, in respect of Figure 8.2 at least one feature is identified in the Additional Scoping Land, but the accompanying text suggests that the ASL is outside the scope. Clarification of what is shown is required. In addition, the Survey and Monitoring Plan in Figure 3.1 would benefit from further explanation. The Council has reviewed this material and it does not appear that this is wholly consistent with Table 3.1 in

respect of the inclusion of the AB land. Clarification would be welcome on this matter. The Council notes that in respect of the Survey and Monitoring Plan Figure 3.2, it is presumed that this should be associated with the Groundwater Survey and Monitoring Plan. Clarification would be welcome as to whether the Sellafield Tarn is within or outside the Initial Scoping Land.

Summary Comments

The Council notes a good level of information in the Soils, Geology, Agricultural Land and Land Quality section of the EIA Scoping Report, cross referenced with the Survey and Monitoring Plan and wider Stage 1 Strategic Issues Consultation. The Council would welcome continuing dialogue on a number of matters including the availability of site investigation data to underpin the interpretation and strategy for materials use on site. The Council would seek confirmation on how far the investigation will be pursued for the purposes of informing the Environmental Statement. Further information would be welcome on the relationship and conclusions drawn from material for the Environmental Statement in the context of Environmental Permitting. The Council notes the importance of monitoring and reporting on progress against the Survey and Monitoring Programme (in this case in respect of the ground investigation programme). It would be helpful to note the agreement of monitoring locations for example and the Council would welcome further dialogue on this.

3.2.5 Freshwater Environment and Flood Management (S9 EIA Scoping & S4/5/6 Consultation Document)

The Council has set out below the response on Freshwater Environment and Flood Management in respect of NuGeneration's Stage 1 consultation material. This draws upon Section 9 of the EIA Scoping Report and also the Survey and Monitoring Plan as well as the Strategic Options Consultation document. This makes provision for a discussion in respect of both groundwater and surface water issues and assets.

Adequacy of Baseline

In respect of surface water, the Council notes that key features appear to have been identified by NuGeneration and the 3km Zone of Influence (ZOI) is appropriate in this case, provided the studies consider all related wider surface water catchment issues with potential to affect the flood risk and hydrological regime within the site over its lifetime.

The Council notes that the flood risk baseline appears to be based on existing Environment Agency Flood mapping only. Environment Agency guidance suggests that for nuclear sites operators should demonstrate, through a flood and coastal erosion risk assessment, that the site can be managed for nuclear safety during a 1 in 10,000 (0.01%) year annual probability flood, over its full lifetime, taking account of climate change. This being critical national infrastructure, the UK Climate Impacts Programme (UKCIP09) scenarios for sea level rise will need to consider the H++ scenario and careful consideration will need to be given to

longer-term impacts beyond the epochs for which estimates are available. A joint probability analysis of peak river flows and tidal boundary conditions will be required in order to define the fluvial flood risk baseline.

The study will also need to assess and demonstrate that staff and visitors to the site will remain safe from the flooding effects (including residual effects) from a flood with a 1 in 1,000 (0.1%) annual probability and ensure operations are unaffected by a 1 in 200 (0.5%) annual probability flood (from all sources). Disruption of access and egress to the site from workers' home bases, caused by flooding of roads for example, will also need to be considered. Whilst an FRA will be prepared separately, this should align with the EIA/ES.

Rainfall baseline should make full use of local historic gauged data, including records from the Sellafield gauge.

Monthly recordings of a full suite of pollutants over a single year will provide essential data for the WFD baseline, but 'first flush' effects may not be identified if sampling is at set intervals. It may be worthwhile doing water quality sampling immediately following storm events, to help establish the nature of existing 'first flush' impacts, which may be significant, and have potential to be very significant during and post construction unless properly mitigated.

Whilst the site will be almost wholly re-modelled as part of the proposals, the existing patterns of runoff from the site should be established to inform the site drainage strategy, which should aim to mimic existing drainage patterns where possible, particularly with regard to: a) the catchment area draining to and out for the Calder catchment/Sellafield site to avoid flood risk impacts and b) the area draining to Church Moss SSSI, to prevent changes in hydrological regime. This information may also inform the design of a sustainable drainage strategy for the site that protects all the WFD waterbodies in the area from the effects of pollutants within site run-off (particularly within 'first flush' events caused by storms occurring after extended dry periods), as well as hydromorphological impacts potentially caused by creating new 'point' discharges.

Little information on the hydromorphology of the River Ehen is provided. An assessment of its long term morphological development and sensitivity to disruption may be required, if any infrastructure is to be placed in proximity to the river. The river's hydromorphological sensitivity to disruption will need to be established if any temporary works within the floodplain are proposed. Opportunities to improve the physical state of this river should also ideally be identified where possible.

The Council would encourage NuGeneration to set out a consideration of 1 in 10,000 year fluvial, tidal and surface water/pluvial flood risks at the site for the nuclear safety case on this site and at Sellafield. In addition to the Environment Agency flood outlines, mapping is also required for 1 in 200 year and 1 in 100 year plus climate change scenarios (including UK Climate Impacts Programme H++ scenario). A joint probability analysis of river flow and tidal boundary conditions is required. Mapping should include assessment of the impacts of infrastructure failure, bridge collapse or blockage. The Council would also note the importance of scoping out consideration of Category C dams in the river catchments that would be at potential risk of failing if a 1 in 10,000 year fluvial

flood occurred. The Council notes that Category C dams only have to be capable of safely passing a 1 in 1,000 year flood (Category D 150 year).

The baseline should include characterisation of extreme storm rainfall over the site using local gauged data, as well as wider datasets, in collaboration with the Meteorological Office will be important to define the pluvial flood hazard. Runoff event based water quality sampling should also be considered.

Improved characterisation of the site topography using LiDAR data to establish existing runoff patterns and sub-catchments to inform the sustainable drainage strategy for the site is considered necessary by the Council.

Hydromorphological characterisation of the River Ehen using fluvial audit techniques should also be considered, depending on the nature of any temporary or permanent proposals with potential to affect this river and its floodplain (and also to identify enhancement opportunities).

In respect of groundwater, the Council considers the description of baseline groundwater conditions in the Scoping Report adequate for scoping and to underpin Stage 1. However, the council notes further baseline characterisation is required and is proposed in the Groundwater Survey and Monitoring Plan.

The Scoping Report (Section 8 Soils *EIA Scoping Report*) includes a summary of the land use history of the Initial Scoping Land and that also informs the groundwater contamination aspects of the Scoping Report. However, a detailed review of site history, related to historical maps and other historical information, for the entire Moorside site area (Initial Scoping Land plus Additional Scoping Land) and Associated Development sites is required to identify potential contamination.

The main areas requiring further assessment (desk study and intrusive investigation) to characterise groundwater baseline include the following:

- Superficial deposits thickness and characteristics;
- Sandstone bedrock characteristics and faulting;
- Groundwater quality in the central and southern Initial Scoping Land (particularly in relation to dewatering and contamination arising from wider prior site uses (including Sellafield Facility));
- Other sources of groundwater contamination including Sellafield Tarn;
- Low Church Moss Site of Special Scientific Interest (SSSI) potentially a groundwater dependent terrestrial ecosystem;
- River Ehen buried channel location and depth;
- Groundwater flow (levels and gradients) across the area, including interaction with surface water and coast;
- Additional Scoping Land area and Associated Development sites.

The Scoping Report identifies the Additional Scoping Land areas as outside the current scope, but also identifies this land as within the 'Moorside Search Area' and indicates it may be included in the future. The programme and approach to integrating the Additional Scoping Land should be provided to ensure all areas have been adequately assessed in the Environmental Statement.

The Council notes that it is not clear from the EIA Scoping Report where baseline radiological groundwater contamination will be presented in the Environmental Statement. It is possible that this subject matter will need to be approached in both the Freshwater and Radiological sections of the Environmental Statement.

The Groundwater Survey and Monitoring Plan is proposed to further inform the baseline (and the Council includes observations on this below) although the programme in the Survey and Monitoring Plan Summary of Activities section is out of date and needs updating against current progress.

The Groundwater Survey and Monitoring Plan presents proposed additional ground investigation and groundwater monitoring to inform the baseline and assessment of effects. The Council notes that the Initial Scoping Land ground investigation is focused on the central area to the east of the disused railway line where the construction of the Moorside Power Station is stated as likely to take place. No site layout plans are provided to support this position and the Council would welcome continuing engagement on the details of deployment as this is developed.

Low Church Moss SSSI requires particular assessment due to the potential sensitivity of this SSSI to changes to the hydrogeological regime (such as dewatering or in-ground barriers to groundwater flow). The surface water and groundwater monitoring design for this SSSI should be integrated.

The Groundwater Survey and Monitoring Plan does not identify any groundwater monitoring locations near the coastal zone. Baseline groundwater quality is potentially influenced by the Sellafield facility in this area and it is important to understand baseline quality and groundwater-coastal interactions.

The Council notes that the area under consideration is extended in February 2015 to include 'AB Land' to the south of the main investigation area. The site investigation locations for the AB Land (BHH-Pz series of bores) are not shown on the figures in the Groundwater Survey and Monitoring Plan (Figure 3.1 and 3.2), but are shown on the Soil Survey and Monitoring Plan figures.

The Council notes that the Additional Scoping Land is not included in the Groundwater Survey and Monitoring Plan scope.

The Council notes that the Environmental Statement should consider the entire site area subdivided on the basis of the proposed site layout, with integrated assessments. The Council would wish to stress the importance of coherently considering the Initial Scoping Land, Additional Scoping Land and AB Land rather than as discrete components.

In respect of characterising baseline from the perspective of groundwater, the Council is unable to understand the rationale for the number, position, depth and design of investigation locations based on scoping material. However, the Council

notes that the proposed monitoring locations give reasonable coverage across the centre of the Initial Scoping Land. The proposed investigation is described as the first phase of intrusive investigation and notes there will be the opportunity for further intrusive investigation at a later date.

The current progress of the site investigation is uncertain. The Council notes that the Scoping Report infers that the programme provided for the intrusive investigation should have been completed by April 2015 and monitoring commenced in May 2015. The Council would note the importance of maintaining an accurate reflection of progress in the investigation programme (and data captured therein).

Monthly monitoring of groundwater levels and groundwater quality is proposed over a 12 month period. This is considered to be adequate by the Council and should be appropriately targeted based on desk study information.

The Council notes that pump tests, packer tests and falling/rising head tests are proposed to determine aquifer hydraulic properties. Considering the possible difficulties associated with disposal of potentially radiological contaminated water the Council notes that these should be focussed on areas that may require dewatering.

The Council notes that the proposed scope of the investigation does not include all of the Initial Scoping Land, although this land may be required during the construction process and the need for further assessment to inform the Environmental Impact Assessment should be determined.

The Council would note the value of NuGeneration obtaining the Sellafield groundwater quality and level data and conceptual and numerical groundwater model if this is not already obtained.

Adequacy of Terms of Reference

In respect of surface water, the Council notes that the Flood Risk Assessment and Water Framework Directive Assessments should address many of the key issues which the Council would anticipate. A key recommendation is to ensure alignment of these assessments with the wider Environmental Impact Assessment.

NuGeneration should also ensure design addresses staff safety, site access and egress. The Council consider that the need to assess the impact of flooding on site accessibility from workers' home bases should require consideration of a wider area than 3km.

The Council notes that the area under consideration in the Scoping Report and Survey and Monitoring Plan requires clarification. It is apparent that the Additional Scoping Land areas have been added to the scheme more recently and have been subject to less assessment to date.

It is noted that the Northern Ireland guidance on incorporating the Water Framework Directive into EIAs will be adopted, in the absence of formal guidance on this issue in England. This should be formalised with Natural

England and the Environment Agency. The Environment Agency has internal guidance on Water Framework Directive assessment.

The Council notes that a comprehensive list of national and local policy and guidance which will be considered during the study is provided. Careful consideration should be given to the following policies set out in the Copeland Local Plan;

- Policy ENV1 – Flood Risk and Risk Management
- Policy ST1 – Strategic Development Principles
- Policy DM24 – Development Proposals and Flood Risk.

Commentary on Consultation Activity to Date

The Council has welcomed NuGeneration's engagement to date and notes that the Scoping Report refers to wider discussions with the Environment Agency, Natural England, the Lake District National Park Authority, and Cumbria County Council as Lead Local Flood Authority. Furthermore, the Council notes that the draft Survey and Monitoring Plans were issued for comment in August 2014 to the above plus Sellafield Ltd and meetings were held in 2014 to discuss the draft Plans and Scoping Report at that time. Cumbria County Council, as Lead Local Flood Authority, is a key flood risk consultee and will need to be closely involved with agreeing the scope of the flood risk assessment, as will Copeland Borough Council, as Local Planning Authority and a Category 1 responder under the Civils Contingency Act.

Commentary on Proposed Studies

In respect of surface water, NuGeneration should ensure that site investigation will provide all necessary data for assessment and design of sustainable drainage systems. Sustainable drainage systems, both during and after construction will be absolutely key to mitigating water quality impacts on surface and groundwaters. The Council would welcome continuing dialogue on this matter.

The Council notes that the Scoping Report states that detailed methodologies for assessment of potential effects have not yet been defined. It follows that the Council will seek certainty on how methodologies will be defined and for there to be active consultation on the approach prior to implementation.

Materials management during construction and defining material chemical suitability for re-use will be related to groundwater protection. If leachable contaminants are present re-use criteria should be risk-based. This will require development of the geological understanding as well as site design.

The potential impacts of dewatering and disposal of abstracted water must be assessed, both in terms of impact on the groundwater flow regime and contaminant transport. The Council would seek confirmation on this matter.

The impact on the groundwater flow regime of construction of in-ground barriers to groundwater flow should be assessed. The Council notes that numerical modelling is proposed as a technique to assess these aspects however no details

are provided. Numerical modelling is potentially a very useful tool and is supported for this assessment, however modelling of the hydrogeology of the complex superficial deposits, vertical gradients, bedrock faults and so forth will be demanding. The council would welcome continuing discussion on this matter.

The potential groundwater quality impact during operation is identified as a possible effect. No proposed method for assessing these effects is presented and the Council would anticipate this being undertaken. Furthermore, the Council would wish to ensure that the scheme design seeks prevention of groundwater pollution and this should be presented in the Environmental Statement.

The approach and programme to securing Environmental Permits (requiring Best Available Techniques (BAT) demonstration) is not presented in this section. Cross referral is encouraged in the Environmental Statement (particularly where common sources of data are proposed).

The Council notes that groundwater is not identified as a receptor for operational radiological effects in Section 7 of the EIA Scoping Report. The Council is unclear whether the potential radiological impact on groundwater is set out in full within Section 9.

The Council notes that the scope of the baseline and effects assessment of Associated Development sites has not been defined. The Council seeks clarity on whether Associated Development sites E, F and G are within the South Egremont Groundwater Scheme.

Commentary on Adequacy of Key Issues Raised & Data

The Council notes that in general terms, potential effects identified as requiring further assessment are considered adequate (subject to commentary above). Detailed methodologies for the assessment of the key issues are still to be defined and are to be scoped as further baseline data and scheme design information becomes available. It is important that Council is given an opportunity to comment on this continuing scoping process as it evolves.

According to the programme in the Groundwater Survey and Monitoring Plan, the intrusive investigation should be complete with monitoring ongoing. However, no investigation data is provided. The Council would seek confirmation that there will be further consultation on the revised baseline considering the additional investigation and monitoring data before Environmental Statement completion.

It is not clear to the Council at this time how far scheme design (such as dewatering, in ground barriers, pollution prevention measures) will be developed for the Environmental Statement, so it is not possible to assess the adequacy of the assessment in full. The Council recommends continuing dialogue on this matter.

Information and assessments will be required for the Environmental Permit application that will also be needed for the Environmental Statement. The Environmental Impact Assessment and Environmental Permit application should ideally be progressed in parallel (albeit with submissions at different points in the future). The Council would welcome further dialogue on this matter.

The Council notes that graphical material included in the Scoping Report is fairly limited for this section and would be a welcome addition for the Environmental Statement. The Council notes that there is no indication of 1 in 10,000 1 in 200 year and 1 in 100 year flood extents (all sources), and which should be defined in the Environmental Statement. It would be helpful to see a figure showing delineation of sub-catchments within the site and existing site drainage patterns, which need defining to inform the site drainage strategy

As a further specific matter, the Council has identified that the Survey and Monitoring Plan Investigation Plan does not show the bores proposed for the AB Land. Furthermore, Figure 3.2 in the Soil Survey and Monitoring Plan 'Proposed Groundwater and Gas Monitoring Locations' should be included in the Groundwater Survey and Monitoring Plan. The Low Church Moss SSSI investigation proposals should be presented on a separate figure to aid clarity.

Summary Comments

Noting the areas for further discussion above, the Council would generally note that the Freshwater section of the Scoping Report is thorough and systematic although the approach to assessment of effects is presented in outline only. A key issue for the Council include that the entire area must be assessed to a consistent and appropriate level for the proposed scheme. At present, the central Initial Scoping Land appears to be the focus of attention. The Groundwater Survey and Monitoring Plan does not consider the AB Land (but the Soil Survey and Monitoring Plan does). Outer areas of the Initial Scoping Land and all the AB Land, Additional Scoping Land and Associated Development sites have not been examined.

The Council notes that the scheme design is presented in outline only. Clearly, this must be sufficiently developed to inform the Environmental Statement effectively. Important areas of scheme design of interest for this Freshwater section include dewatering and associated water disposal, in ground barrier design, material re-use proposals and pollution prevention measures.

The Council highlights that the methodologies for assessment of effects have not been defined in any detail. The assessment of effects of temporary or permanent works in the vicinity of existing Water Framework Directive waterbodies, or of any changes in the distribution of surface water flows, will potentially require more detailed assessments to be made of the waterbodies existing hydromorphological features possibly using fluvial audit techniques. Opportunities to improve the morphology of the River Ehen locally, should audit identify local pressures, should ideally be identified and implemented as part of the scheme if at all possible to align with Water Framework Directive drivers. Continuing dialogue will be sought on how and when detailed methodologies be defined alongside an opportunity to comment on the proposed approaches.

3.2.6 Marine and Coastal Physical Environment (S10 EIA Scoping & S4/5/6 Consultation Document)

The following section provides the Council's response to NuGeneration on Stage 1 material including the EIA Scoping Report and Survey and Monitoring Plan in respect of the Marine and Coastal Physical Environment. In order to ensure completeness, both Section 10 and 14 on Physical Marine Processes and Biodiversity (Marine) area addressed in this response.

Adequacy of Baseline (Physical Marine Processes)

The Council notes that the survey work being undertaken along with the existing information in the area should provide an adequate baseline for the building of the physical processes models (temperature, sediment, water movement). The Council would note its' desire to monitor the development of the models (through periodic briefings) especially in terms of grid size and how capable the models are of predicting change and at what scales. The Council notes the importance of ensuring that the impacts of climate change will be built into the modelling. This point is particularly important as there is limited detail on the detailed design proposals e.g. for cooling tunnels, Marine Offloading Facility and so on at this time. The Council would wish to ensure that models are capable of picking up both near-field (small) and far-field potential impacts.

At this time, the Council would note a concern over the apparent lack of interaction between the receptors. As a specific point, the Council would wish to ensure that the proposed surveys are sufficient to allow post construction monitoring, both near-field and far-field. It is unclear from the Stage 1 material how and when these surveys will be planned. The Council would welcome further dialogue on this matter.

The Council would recommend consideration of Acoustic Ground Discrimination System (AGDS) on the seabed survey however as the survey has commenced it may be too late to incorporate this method. The application of AGDS would give roughness and smoothness information for the seabed. The council notes that it would be useful to understand the results of the geophysical survey prior to the benthic survey being commissioned as the geophysical survey should be used to inform where habitats are likely and therefore inform the benthic survey. The Council would note the importance of considering the impacts of changes to temperature, sediment movement etc. on biodiversity and link back to what information is required.

Adequacy of Terms of Reference (Physical Marine Processes)

The Council would generally note a good degree of confidence in the techniques and terms of reference proposed for the Physical Marine Processes survey and modelling. In respect of 10.6.8 (P218 *EIA Scoping Report*) the Council would recommend a more detailed representation of the pathways and using this to steer the links between the sections of the Environmental Statement as they are prepared. The Council would highlight the value of providing a roadmap between what questions the models will need to answer and to what degree of sensitivity.

This will assist in terms of gaining an understanding of the approach and presentation of results in the Environmental Statement.

The Council notes the importance of responding to predicted impacts of climate change over the next 60 years and how this will be managed in the modelling process (so there will be a degree of change and there is a need to put any further anthropogenic change into context). It is unclear how this will be achieved to the Council at this time. Equally, it would be helpful to understand how the baseline will describe the natural variation if surveys are only proposed to cover one year. The Council would wish to understand NuGeneration's more far reaching survey strategy to cover a number of years.

Consideration should be given to the following policies Policy ENV2 – Coastal Management and Policy ST1 – Strategic Development Principles set out in the Copeland Local Plan.

Commentary on Consultation Activity to Date (Physical Marine Processes)

The Council would welcome dialogue with NuGeneration on wider engagement reflecting the potential for transboundary effects associated with the project. As an example, the Council are unclear on whether Scottish Natural Heritage and the Scottish Environment Protection Agency. The Council would welcome NuGeneration setting out the transboundary consultation programme / strategy.

Commentary on Proposed Studies (Physical Marine Processes)

The council would generally note that there is comprehensive information on the proposed baseline studies. However, there is little information provided on what studies will be used / undertaken to help undertake the impact assessment in terms of evidence collection or any previous studies which can be referenced. The Council would recommend that detailed consideration is given to this now so that there is evidence available to support the assessment when the time comes.

The Council would also recommend further effort is placed into considering how the impact assessment will be completed for the Environmental Statement. Where there is insufficient evidence to support conclusions the Council would wish to see whether any studies could be undertaken now noting that these studies go beyond Physical Processes and are much more about how changes in physical process influence other receptors.

Commentary on Adequacy of Key Issues Raised & Data (Physical Marine Processes)

The Council notes that there is limited detail about what impacts will be modelled at this time. This is primarily due to the uncertainty regarding the potential physical footprint and location of the outfall / intake for cooling water infrastructure and Marine Offloading Facility. The Council would anticipate continuing dialogue on this matter.

In respect of Table 10.2 addressing Assessment Criteria (P225 *EIA Scoping Report*) the Council notes that the assessment criteria need to be considered further in terms of changes to the general marine physical processes and not just focussed on designated sites.

The Council notes that minimal graphical material on Physical Processes is presented within the Stage 1 material. The Council would expect to see a summary of techniques, and results from all surveys in documents in May 2016 including where surveys could not be achieved (either due to weather or other conditions encountered).

As a wider issue, the Council would wish to ensure that survey results and models will be available in time to input into and influence the production of the other sections of the Environmental Statement. Surveys will need to be undertaken over winter months and it is unclear how NuGeneration anticipates this being tied in with production of material for May 2016.

Summary Comments (Physical Marine Processes)

In summary the Council would note that, at this stage, the level of detail on the proposed marine works means that the consultation response to Stage 1 must err on the side of caution and to highlight the potential issues associated with insufficient baseline data should impacts be greater than those assessed to date. There is limited detail about how impacts on physical effects (changes in sediment, temperature etc. will be related to the impact on the biological and human environment). The Council would encourage NuGeneration to assemble both a far reaching baseline as well as ensuring enough detailed evidence to support Environmental Impact Assessment conclusions.

The detail surrounding what / where and how the marine infrastructure will be built is limited at this time reflecting the Strategic Issues stage of consultation. Without further clarity on the plans it is thus difficult to provide commentary although the Council is committed to continuing dialogue in this regard. In particular, details on where the in-take and out-falls will be located and the type of structure present on the seabed alongside a better description of the location and facilities expected at the Marine Offloading Facility would aid the planning for surveys. The Council notes that there is limited information on dredging and disposal operations.

Adequacy of Baseline (Marine Biodiversity)

This section has principally been informed through reference to Section 14 of the EIA Scoping Report and wider Stage 1 consultation material. The Council is pleased to note that for seabird surveys boat based surveys and aerial surveys have been undertaken. However, the Council notes that whilst NuGeneration has proposed a one year programme of sea surveys whilst engagement with Natural England has indicated a requirement for two years. From the Council's perspective, there would likely be more value associated with gaining an understanding of why and how seabirds are using the area. As such, the Council would recommend engagement on a programme of a tagging / monitoring

programme to look at connectivity with colonies / Special Protection Areas (SPAs).

In respect of Marine Mammals, the Council would note that at sea visual surveys are generally not particularly effective and it may be more appropriate to consider acoustic surveys.

In terms of the Benthic Survey programme this seems appropriate and adequate to the Council although it would be useful for the Council to review results of geophysical surveys to ensure all potential habitats sampled. The provision of the drop down video should provide an adequate description of the marine environment.

The Council would encourage consideration of the Offshore Vulnerability Index for Seabirds (a measure of how sensitive seabirds are to oil pollution) and would welcome further dialogue on this matter.

In general terms, the Council would note that with respect to marine species survey, it is crucially important to understand trends in the area, rather than a snapshot baseline. For example, the surveys should attempt to characterise whether a particular species of seabird numbers been trending up or down, have more marine mammals been seen in the area in the last five years than the five before. Since the Council understands that the operation of the reactors is likely to be some 60 years or more, a key issues is the ability to consider the impact over that time, this is especially important for any changes to prey species (benthos/fish) which may then impact upon the food chain (birds and marine mammals). With this timeframe in mind, it would be useful to see further references to the National Marine Plan and likely developments over the next 60 years in the baseline section.

Adequacy of Terms of Reference (Marine Biodiversity)

In terms of Marine Biodiversity, the Council would generally note that the terms of reference and approaches proposed are sound and logical. However, without understanding the planned offshore works better it is difficult to assess if the proposed Zones of Influence (ZOI) are adequate. The Council recognises that this design development process will evolve over time and the Council would welcome continuing dialogue on the ZOI as further information becomes available.

As with Physical Processes it is useful to consider impacts of natural and climate change and how these will impact upon species and habitats in the future. It would be useful to put anthropogenic impacts in context (i.e. a large storm event may cause more change to the marine environment than depositing dredge material).

Commentary on Consultation Activity to Date (Marine Biodiversity)

As with Physical Processes, the Council would welcome dialogue with NuGeneration on transboundary effects associated with the project. The Council notes that Scottish Natural Heritage and the Scottish Environment Protection

Agency will no doubt wish to set out consultation responses on transboundary effects. The Council also notes the value in engagement with the Whale and Dolphin Conservation group (<http://uk.whales.org/>).

Commentary on Proposed Studies (Marine Biodiversity)

As with the Council's comments on physical processes, there should be a consideration of how the impact assessment will be delivered for Marine Biodiversity. In particular, this should address the nature of temperature change impacts on the benthic environment, then fish, then birds then marine mammals. Overall, this should drive a consideration therefore of whether temperature change significant such that there is a clear and logical association between evidence and assessment of significance.

Commentary on Adequacy of Key Issues Raised & Data (Marine Biodiversity)

The council is concerned that the increase risk of spills (either chemical or oil spills) from increased marine traffic is being overlooked and would encourage NuGeneration to detail this element in full. In addition, the Council would wish NuGeneration to ensure there is adequate mitigation in place for this (especially bunding for rivers etc.)

At this time, the potential impacts of noise during construction and operation do not appear to fully planned for in the survey / modelling programme. The Council notes that there may need to be modelling of underwater noise to better understand potential impacts on fish and marine mammals.

The Council would seek further information on marine growth and how this will be cleaned/managed on sub-sea structures. In addition, the Council would wish to understand what provision is made to safeguard marine mammals (seals) in respect of the cooling water intake structures. Furthermore, it would be useful to understand how jelly fish blooms will be managed.

The Council notes that minimal graphical material is presented in the Stage 1 consultation supporting Marine Biodiversity. The Council would welcome the provision of maps of distribution of species and connectivity to any protected sites in the Environmental Statement.

Generally, the Council notes that with the current programme, it is quite early in the process to judge data. The Council would thus welcome a further consideration of data quality once data collection is complete and, depending on the results, further surveys may be required at that time.

Summary Comments (Marine Biodiversity)

As a general summary, the Council is encouraged by much of the material included in the Stage 1 consultation and the EIA Scoping Report. As a particular matter, the Council would stress the importance of ensuring that the timelines for impact assessment across multiple subject areas (topics) allows for a coherent

consideration of impacts and thus a robust Environmental Impact Assessment. This is particularly important in respect of Marine Biodiversity.

In terms of monitoring, the Council notes that part of the role of baseline surveys in the marine environment will be to provide a baseline for any future monitoring surveys. As there is limited information on what will be built and discharged it is difficult to plan for far-field monitoring at this time. However, the baseline surveys should not prevent this happening and the Council would welcome more detail on future monitoring plans and details on control areas and monitoring of natural change versus anthropogenic change.

The Council notes the importance of NuGeneration's consideration of transboundary impacts, in particular impacts on Isle of Man and Irish seas. In addition, the Council would encourage a full consideration of Cumulative Marine Impacts further from other industries and offshore developments including the designation of Special Areas of Conservation (SAC), Special Protection Areas (SPA), Marine Conservation Zones (MCZ) and other Marine Planning Areas (MPAs). The Council would also encourage NuGeneration to consider the associated impacts of these designations on other industries including impacts on Commercial Fisheries from either changes in quotas or limitations on fishing ground / gear from designation of sites.

In respect of Commercial Fisheries the Council would encourage NuGeneration to consider the cumulative impact of shipping increasing in the area, especially how this may affect the static gear fishermen (gill nets and pots). Furthermore, the Council would seek clarity on whether an exclusions zone will be sought surrounding the intake / outfall areas and whether there are likely to be risks from these structures in respect of fishing and other marine traffic. The Council would suggest criteria be used to describe 'value and sensitivity' and this should include importance of changes to the seabed on commercial fish species.

As a separate and more general point, the Council would wish to ensure that NuGeneration ensure that Marine Surveys consider Historic Environment and making best use of survey data (13.5.7 *EIA Scoping Report*) to minimise risk of grabs impacts on wrecks and so forth.

3.2.7 Landscape and Visual Impacts (S11/S12 & S4/5/6 Consultation Document)

This section provides the Council's response on landscape and visual matters related to the Stage 1 consultation material. This draws upon Section 11/12 of the EIA Scoping Report and also the Survey and Monitoring Plan. To reflect the distinct aspects of landscape and visual subject matters, they have been addressed in sequence below.

Adequacy of Baseline (Landscape)

The Council notes that in general terms, the approach taken on landscape to capturing the baseline characteristics associated with the Initial Scoping Land is judged to be adequate. The ZTV and definition of study areas is helpful, but as acknowledged by NuGeneration, these need further refinement with more

accurate data and more detailed design information when this becomes available. The Council anticipates that this process of iteration and review in guiding the integration of the project within the landscape will continue through Stage 1 and Stage 2 consultation programmes.

The Council notes that it is difficult to offer useful comments on the baseline for the Associated Development sites, Marine Offloading Facility (MOLF) and the Additional Scoping Land, due to the limited information on development proposals at Stage 1. In particular the potential seascape effects and methodology for assessment require further development in order for the Council to provide useful commentary.

At this stage, particularly as a consequence of the full extent and nature of the development requiring further definition, the relatively proximate Local Character Areas are not included within the current ZTV. However, the Council notes that these are likely to be in the refined ZTVs especially when the Associated Development sites are included. Due consideration should thus be given to:

- LCT 2a-Dunes and Beaches (Coastal Margins);
- LCT 5a-Ridge and Valley (Lowland);
- LCT 5d-Urban Fringe (Lowland); and
- Lake District Area of Distinctive Character 37 - Bleng and Irt Valleys.
- Urban Areas requiring their own Townscape Character Assessment.

It will be critical to capture in the Environmental Statement an assessment of the effects on the overall in-combination effects of the Moorside development, the MOLF, the Associated Development sites and all associated transport and electricity infrastructure on the landscape character of the local and wider landscape to include National and Regional Character Areas as well as the Local Character Areas.

The ZTV and study areas will need refining through further more accurate modelling of the terrain and further detailed understanding of the proposed development and associated developments and in particular the form, massing and proposed mitigation of those developments.

As well as being based on OS terrain 5 data, the ZTV model should also include larger blocks of screening vegetation and built form, both readily obtainable at no cost from OS Opendata, 'Vectormap District'.

The Council notes and welcomes NuGeneration's commitment to further baseline and assessment work in respect of:

- Condition of Landscape elements;
- A detailed site specific assessment of the character of the site, but this should include all sites and the proposed development within those sites such as the Associated Development sites, MOLF and additional scoping land once defined);

- Detailed baseline for the Landscapes of County Importance;
- An increased understanding of tranquillity;
- Seascape character baseline and assessment ; and
- An understanding of the night-time lighting baseline on the character of the detailed study area.

The above matters are crucial in informing a wider understanding of the nature and distribution of the effects upon landscape resource.

Adequacy of Terms of Reference (Landscape)

The high level of legislation and policy review is appropriate for the EIA scoping stage. However, the Council notes an absence of review of the Lake District National Park Authority (LDNPA) policy and guidance and this should be provided and inform the evolving design.

Careful consideration should be given to the following policies set out in the Copeland Local Plan;

- Policy ER3 – The Support Infrastructure for the Energy Coast
- Policy SS5 – Provision and Access to Open Space and Green Infrastructure
- Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes
- Policy ST1 – Strategic Development Principles
- Policy DM26 – Landscaping
- Policy DM10 – Achieving Quality of Place

Commentary on Consultation Activity to Date (Landscape)

The Council notes that prior to formal consultation under Stage 1 Section 47 of the Planning Act, high level consultation on landscape issues has taken place with Natural England, LDNPA, Cumbria County Council, and Copeland and Allerdale Borough Councils. The Council considers this to be an appropriate group of consultees to date.

Opportunities for off-site mitigation measures such as planting may need to be explored. If off-site measures are to be proposed, consultation with third party landowners on the potential effects on their land should be commenced as early as possible. The Council notes that such measures will be informed by design development, including the Associated Development sites.

Due to the project programme and inherent complexity of design development, the information presented at this stage (particularly in respect of the AD sites MOLF and associated transport and electrical infrastructure) is not adequately resolved to fully scope the required assessment. This means fully informed responses at this stage are not possible and will necessitate ongoing consultation as the proposed design, layout and assessment scope evolves ahead of the next round of formal consultation next year. The Council welcomes and supports the concept of continuing dialogue in this regard.

Commentary on Proposed Studies (Landscape)

In general terms, the Council notes that the methodology proposed for the assessment of effects on landscape character appears adequate. The scale to which the landscape baseline has been resolved is appropriately fine, i.e. looking at site specific character within and immediately around the development site(s), and based on local level character assessments in the wider landscape. The effects assessment needs to be carried out at this level, providing an assessment of the potential effects on the character of each locally distinct feature or area rather than amalgamating or grouping those that are similar.

Similar but subtly different methodologies may need to be provided for seascape and night-time character assessments.

The landscape chapter does not address how mitigation and replacement planting would be considered/secured and how this would be taken into account in residual effects. The Planning Inspectorate (PINs) Advice Note Seven states that this should be included.

The Council notes that the chapter does not cover how cumulative development would be considered. PINS Advice Note Seven states that this should be included.

Commentary on Adequacy of Key Issues Raised & Data (Landscape)

The Council notes that the landscape chapter adequately identifies the potential for the most significant effects and the requirement for further work. This commitment to further work and a phased consultation programme therein is seen as highly important to the Council as the design evolves to Stage 2. In particular, the Council's ability to meaningfully comment on the landscape issues associated with development proposals in Associated Development sites is limited by the lack of design development for those sites.

Summary Comments (Landscape)

Several landscape receptors have been scoped out of the assessment without consideration of aspects of the wider development, which have not yet been resolved such as Associated Development sites. The Council would anticipate further justification of scoping out these elements in the context of the evolving design.

The consultation to date is adequate, but further consultation is necessary on the scope of assessment of the wider development and on additional baseline information. This is needed before the next formal stage of consultation.

Further work on opportunities for on and off site mitigation and replacement planting is required and a full consideration of the scope of cumulative effects assessment is required.

Adequacy of Baseline (Visual)

As with the landscape scoping chapter, the Council notes that the general approach to the Baseline associated with the Initial Scoping Land is adequate. The ZTV and definition of study areas is helpful, but as identified by NuGeneration in the documentation, both need refining with more accurate data and more detailed design information as this becomes available.

It is difficult for the Council to comment meaningfully on the baseline for the Associated Development sites, MOLF and the Additional Scoping Land, due to the limited information provided to date. The Council encourages NuGeneration to engage in continual dialogue on this matter.

At Section 12.6.1 (P266 *EIA Scoping Report*) and Section 12.7.3 (P269 *EIA Scoping Report*) Public Rights of Way (PRoW) and individual or small groups of residences beyond 3km of the Initial Scoping Land (with the exception of those PRoW within the LDNP) have been excluded from further assessment. This is justified by a likely reduced magnitude of change to these receptors (last para of 21.7.3). The Council finds this confusing as the magnitude of change is not dependent on the nature of the receptor. Residents and PRoW users are categorised as highly sensitive receptors (Table 12.1), just as users of nationally and regionally designated routes and visitors to specified viewpoints are, and accordingly should be represented throughout the study area where the potential for significant effects exists. It is of course important that the visual assessment is kept proportionate, but it is considered that highly sensitive visual receptors beyond 3 km but within 22km, should not be excluded outright. The Council would recommend consideration of maintaining a proportionate number of these receptors beyond 3km by using viewpoints that represent a number of PRoW or residences in an area. The Council notes that one aspect that might reduce the scope for significant effects on receptors such as individual residents or PRoW might be their lower susceptibility to change as a result of reduced 'frequency' as described at paragraph 12.8.5.

The ZTV and study areas will need refining through further more accurate modelling of the terrain and further detailed understanding of the proposed development and associated developments once that becomes available.

In addition to being based on OS terrain 5 data, the ZTV model should also include larger blocks of screening vegetation and built form, both easily obtainable at no cost from OS Opendata, 'Vectormap District'.

It is noted and welcomed by the Council that NuGeneration have identified the need for further baseline and assessment work in respect of:

- Distribution of visual receptors;
- Existing screening and nature of visual connection;
- An understanding of the night-time lighting baseline on the character of the detailed study area;
- Inclusion of seaward visual receptors such as ships and leisure craft;

- Increased understanding of the future visual baseline at Sellafield; and
- Additional detailed PRow information

These matters are deemed crucial in terms of enhancing the robustness of the approach to visual assessment.

Adequacy of Terms of Reference (Visual)

As with landscape, the Council considers the high level of legislation and policy review is appropriate for the EIA scoping stage.

Commentary on Consultation Activity to Date (Visual)

The Council notes that high level consultation on visual issues has taken place with Natural England, LDNPA, Cumbria County Council, and Copeland and Allerdale Borough Councils. This is an appropriate group of consultees reflecting the scope of the project to date.

Opportunities for off-site mitigation measures such as planting may need to be explored. If off-site measures are to be proposed, consultation with third party landowners on the potential effects on their land should be commenced as early as possible.

Due to the project programme, timing of Stage 1 and inherent complexity of design development, the information presented at this stage, particularly in respect of the Associated Development sites, MOLF and associated transport and electrical infrastructure is not adequately resolved to fully scope the required assessment. This means fully informed responses at this stage are not possible and will necessitate ongoing consultation as the proposed design, layout and assessment scope evolves ahead of the next round of formal consultation next year. The Council is committed to this ongoing dialogue.

Commentary on Proposed Studies (Visual)

The methodology proposed for the assessment of effects on views appears adequate. Similar but subtly different methodologies may need to be provided for night-time visual assessments and the Council would welcome dialogue with NuGeneration on this matter.

The visual scoping chapter does not cover how mitigation and replacement planting would be considered/secured and how this would be taken into account in residual effects. PINS Advice Note Seven states that this should be included and is anticipated by the Council.

The chapter does not cover how cumulative development would be considered. PINS Advice Note Seven states that this should be included.

It will be critical to capture in the Environmental Statement an assessment of the effects on the overall in-combination effects of the Moorside development, the MOLF, the Associated Development sites and all associated transport and electricity infrastructure on visual amenity.

Commentary on Adequacy of Key Issues Raised & Data (Visual)

The Council considers that the visual scoping chapter of the EIA Scoping Report adequately pick up the potential for the most significant effects and the requirement for further work.

It is recognised that due to the large scale of the study area it is hard to present information on adequately detailed maps. One way of refining this might be to focus in on more detailed (1 to 25,000) maps of areas around the development sites as well as having a broad scale map for outlying viewpoints. All receptors should be shown as graphic layers on appropriate scale maps (such as PRoW individual and quantified groups of dwellings, Open Access Land, and other designations should be highlighted.

The council would seek further information from NuGeneration on the amount of photomontage information and other forms of visualisation that will be provided and their timing relative to the overall programme of formal consultation. In particular, the Council would wish to understand whether all winter and summer views will be subject to a photomontage or just a selection. Furthermore, it would be useful to understand whether views that are not proposed for a photomontage will nonetheless be annotated to provide reference information for the assessment.

Summary Comments (Visual)

Whist there is much in the Stage 1 material and in particular the EIA Scoping Report to give the Council confidence on visual matters, there are a number of issues which will require resolution.

The selection of viewpoints appears to be based only on the main (Moorside Search Area) development. Others that will be important for the Associated Development and other sites have been scoped out of the assessment and further justification is sought for this approach. It is clear that proposed development within the Associated Development sites has the potential to influence visual amenity, potentially on a long term basis (subject to legacy proposals) and this should be clearly articulated.

The consultation to date appears adequate, but further consultation is necessary on the scope of assessment of the wider development and on additional baseline information as identified in the chapter. This is needed before the next formal stage of consultation.

The exclusion of some residential and PRoW receptors beyond 3km from the Initial Scoping Land should be revisited.

Further work on opportunities for on and off site mitigation and replacement planting is required and in addition full consideration of the scope of cumulative effects assessment is required.

3.2.8 Historic Environment (S13 EIA Scoping & S4/5/6 Consultation Document)

This section provides the Council's response on historic environment matters related to the Stage 1 consultation material. This draws upon Section 13 of the EIA Scoping Report and also the Survey and Monitoring Plan in addition to the Stage 1 Strategic Issues Consultation.

Adequacy of Baseline

The Council considers the baseline to be comprehensive at this EIA scoping stage, and utilises data from the expected sources. It should be noted that Archives Monuments Information England (AMIE) is now the Historic England Archive.

The Zone of Influence (ZOI) selected for describing baseline conditions is considered to be appropriate for the scale of development. However, it is stated that the ZOI for non-designated assets will extend no more than 1km from the boundary of the Initial Scoping Land. The Council notes that whilst for the majority of non-designated assets this would be appropriate, where there is potential for significant effects, such as where assets are intervisible with others in the wider historic landscape, these assets should be identified and examined on a case by case basis as to whether a significant effect may occur. This may require photomontages to be produced to inform the assessment. The development of a more comprehensive understanding of proposed infrastructure in Associated Development sites (and the influences within the ZOI) will be important in respect of the wider characterisation of development effects on the historic environment.

Adequacy of Terms of Reference

Although the Council would generally note that the approach to historic environment is acceptable, it would have been useful to have more detail on the terms of reference employed by the EIA consultant in the Scoping Report.

In particular, Policy ENV4 – Heritage Assets and Policy DM27 – Built Heritage and Archaeology policies of the Copeland Local Plan should be taken into careful consideration.

Commentary on Consultation Activity to Date

The Council notes that from the perspective of historic environment, consultees have been periodically consulted about the proposed project since at least 2012, and while details of the discussions are not provided, this level of consultation is as expected for a development of this scale and potential complexity.

The Council notes in the EIA Scoping Report (13.4.3 P281 *EIA Scoping Report*) states that consultation regarding archaeological fieldwork will mostly be by means of telephone and email. The Council would encourage a programme of face-to-face discussions with consultees regarding proposed surveys. Experience dictates that this provides a more effective means of discussing and agreeing the scope of work, and may shorten the consultation period allowing archaeological

fieldwork to be brought forward and off the critical path for delivery of the EIA. This would also allow sufficient time for more detail survey to be undertaken in specific locations if required. This matter should be reviewed and discussed with the Council to agree the strategy.

Commentary on Proposed Studies

The suite of potential survey techniques proposed is in line with professional standards and the expectations of the Council. However, we question the value of undertaking test/shovel pits over a wide area and would anticipate these being concentrated in areas where prehistoric (in particular Mesolithic) activity may have occurred, such as on high ground or adjacent to watercourses, and where the nature of buried remains would likely not be identified by geophysics and trial trenching. Further discussion and justification would be helpful in this regard.

The potential use of LiDAR 'where available' is noted. The Council see value in a LiDAR survey being commissioned for the project, as this is now a cost-effective method that provides data that can be used by a wide range of disciplines apart from archaeology. It is also the only method of identifying minor/ploughed earthworks that are invisible to other techniques.

Commentary on Adequacy of Key Issues Raised & Data

The scoping report discusses key issues and impacts, and sets out assets to be assessed and those to be excluded from further assessment. These seem reasonable, however without further information on these sites, and the proposed functions therein, we are unable to confirm whether these exclusions are justified.

In respect of graphical material supporting the EIA Scoping Report for historic environment, the Council notes that Figure 13.1 should only show designated heritage assets and Figure 13.2 Initial Scoping Land would ideally be presented as shaded as hatching makes the drawing difficult to read at present.

Summary Comments

The Council notes that the approach taken by NuGeneration to the Stage 1 material including EIA Scoping Report gives the Council confidence on Historic Environment. Notwithstanding, there are matters which the Council would wish to raise to NuGeneration's attention at this time. Some of these matters are common across other disciplines, in particular in respect of the relationship between Historic Environment, Landscape and Visual topics. The Council notes the challenge in providing a commentary on Historic Environment from the perspective of the whole project, given a limited degree of information on the potential range of effects arising from proposals in Associated Development sites. This is a particular matter for the ZOI and the Council would encourage NuGeneration to give this matter further consideration as the scope of development in Associated Development sites becomes clearer.

The Council would seek NuGeneration's views on a more targeted approach to undertaking test/shovel pits and the inclusion of LiDAR survey being commissioned for the project.

The Council would encourage NuGeneration to adopt a precautionary approach to scoping and to scope matters in where development and the nature of their effects is yet to be fully defined.

3.2.9 Biodiversity (S14 EIA Scoping & S4/5/6 Consultation Document)

This section provides the Council's commentary on biodiversity matters related to the Stage 1 consultation material. This draws upon Section 14 of the EIA Scoping Report and also the Survey and Monitoring Plan – Freshwater and Terrestrial Ecology and (April 2015) and Habitats Regulations Assessment Evidence Plan (May 2015).

Adequacy of Baseline

As an overall position, the Council would note that the baseline description provides a reasonable basis for setting out the scope and methodology for the EIA based on current information sources available. However, the Council notes some apparent omissions and areas for improvement that are described following.

The Council would seek clarity from NuGeneration on the definition of zones of influence with regard to air pollution. It is unclear and justification is sought on why the zone of influence is set at 15km for statutory sites but this is reduced to 2km for non-statutory sites, when it is assumed significant impacts could occur within habitats to the greater range. Ancient woodland is briefly referred to in the text, although the Council notes a limited description of its distribution within the baseline section. The baseline section provides a brief description of S41 Natural Environment and Rural Communities (NERC) Act 2006 mammals (brown hare and hedgehog only) although there is no mention of polecat or harvest mouse records or lack thereof in this section.

Further additions / information which the Council has identified from the review of baseline are described following. In Section 14.3.2, the dates when data were received should be inserted, and the search radii for protected sites should be specified. This would introduce more certainty to the baseline section.

The Council notes and as also raised by Natural England within the Habitats Regulations (HRA) response, when using data from NBN, it should be clearly stated that the applicant have commercial permission to use this source and have the relevant permissions of individual data set owners.

It is unclear in Section 14.5.7 if Rivers Ehen and Calder are considered barriers to Natterjack Toad given the suggestion that animals may use the Initial Scoping Land occasionally. If this is the case, it would be helpful to clarify whether these animals are thought to be from the Braystones or Sellafeld populations.

It would be helpful to use scientific names of fish (e.g. Table 14.4) given the potential confusion when just using vernacular, such as 'sole'.

Precision should be added to Section 14.5.23 regarding leatherback turtle records in the Irish Sea, with the closest such records should be identified. Likewise, there is one reference to basking shark within the scoping section but no other description of this species is present. This should be covered within the baseline.

Adequacy of Terms of Reference

The Council notes that NuGeneration has provided a comprehensive list of legislation, policies and guidance in the EIA Scoping Report. However further detailed explanation of the Copeland Local Plan 2013-2028 policies and their relationship to biodiversity would be helpful. In particular, due consideration should be given to the following policies;

- Policy ENV2 – Coastal Management,
- Policy ENV3 – Biodiversity and Geodiversity,
- Policy ST1 – Strategic Development Principles,
- Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species, and
- Policy DM28 – Protection of Trees.

In addition, the Council notes forthcoming changes to guidance, notably the Chartered Institute of Ecology and Environmental Management (CIEEM) Ecological Impact Assessment (EcIA) and water vole survey and mitigation and this should be incorporated.

Commentary on Consultation Activity to Date

The Council welcomes NuGeneration's consultation to date which it judges to have been relatively comprehensive and the HRA EP contains a useful summary of HRA specific responses to date. The Council notes that a similar list of consultation responses would be helpful within the EIA Scoping Report.

Commentary on Proposed Studies

This section describes the Council's commentary on proposed studies where included within the EIA Scoping Report and Survey and Monitoring Plan. It is noted that in the main, surveys are described in methodological terms (as might be expected for EIA Scoping). NuGeneration's commitment to continuing dialogue in the application of this proposed survey methodology to the evolving design (in varying locations of the Moorside Search Area and Associated Development Search Areas) is supported by the Council. The Council proposes that particular survey needs, driven by the particular context encountered at the local scale of proposed survey be discussed with them.

In respect of the bird surveys, the Council notes that further justification is needed for the 500m distance from the Initial Scoping Land for intertidal bird surveys. This would be seemingly low based on wider survey experience given the relative lack of detail on project design at this stage. NuGeneration notes the importance of continued engagement in the scoping of surveys and the Council would be supportive of this. It will be imperative that time / season based surveys are conducted to the physical extent required in order to characterise the effects arising from the project as it evolves.

The Council would seek further justification on the number and distribution of sites considered in relation to potential effects associated with aerial deposition, although the Council notes (Table 14.2) the inclusion of some sites at close range (1km). The Council would seek further clarity / confirmation that none of these sites are hydrologically linked and other impacts, such as traffic/noise, could affect them.

Additional surveys for NERC S41 mammals, such as brown hare, hedgehog, polecat and harvest mouse, may be required and justification should be presented for their exclusion / scoping out at this stage, particularly in respect of the Associated Development Search Areas which are less well characterised in terms of the proposed scope of development at this stage.

The Council notes that Natural England has advised NuGeneration on the need for two years of avian surveys (Table A.2 within HRA Evidence Plan) but NuGeneration is proposing one year and interval review of data to determine if more is needed. The Council considers that further justification is needed for this approach as given potential inter-year variability, two years seems would appear to be a reasonable duration of data gathering.

In the Survey and Monitoring Plan National Vegetation Classification (NVC) surveys are proposed only at selected sites. The Council would seek confirmation on whether these include all relevant hydrologically linked sites including CWSs and SSSIs. In addition to designated sites, the NVC should target high quality habitat outside these areas and S41 habitats. Associated reporting should include discussion of results and reference to candidate CWS criteria.

The Council notes that in respect of Terrestrial Invertebrates, the number of sites is limited and should not just be focussed on previous areas. This should be extended into other potentially valuable habitats including brownfield sites (potentially therefore on Associated Development sites). It is unclear to the Council how surveys will target legally protected and other key species and indeed what specifically these are given the large variety of potential invertebrates on the various lists stated. The methods proposed use few techniques; for example, no light trapping is proposed which seems likely to be necessary to effectively sample Lepidoptera. Further justification, dialogue is anticipated on this matter from the Council.

In terms of Badger, the Council notes that no camera trapping is proposed to aid in sett classification and usage conclusions. This could greatly add to conclusion certainty and is recommended.

In respect of bats, the Council seeks further explanation of why the site is assessed to be of 'medium' quality as per Bat Conservation Trust (BCT) guidelines. Furthermore, the number of proposed transects and static detectors to be used should be indicated; the reason for delaying roost surveys until 2016 needs explanation and it appears that sound analysis is only proposed for static detector results. All bat surveys including transects and emergence surveys should collect sound data that should be analysed in this way. The rationale for excluding Associated Development Site A also needs presenting as this is unclear to the Council at this time. The relative habitat quality scores for the Associated Development sites should also be presented.

The Council notes that in respect of Great crested newt (GCN), there is a danger that if only ponds with positive eDNA results are surveyed in 2016, populations may be underestimated given GCN move between ponds in different years. The Council would recommend that if positive results are obtained, all connected and suitable ponds should be surveyed and treated as pond clusters.

In terms of Reptiles the Council seeks clarification on the type of survey proposed and the number of visits as well as population size class assessment or presence/absence and the year these surveys will take place.

The Council would highlight that in respect of Amphibious Mammals NuGeneration proposes that 'surveys will be extended off-line'. Confirmation is required as to how far these will be extended to search for otter and water vole. In addition, the Council notes that the reference used for the water vole conservation handbook is out of date and the 3rd edition methods should be used.

In terms of Ornithology Surveys (Terrestrial) the Council notes that the Breeding bird survey only refers to walking field boundaries. It is unclear to the Council how the woodland will be surveyed and whether point count methods will be employed. It is unclear whether any special methods will be employed for kingfisher. The rationale for missing out September and October (when migrant species may use the site) should be explained and justified. The data presentation section refers to target species, but this term is not defined and it is assumed all bird species would be presented. The rationale for excluding the Associated Development Site E should also be presented. Barn owl activity methods are discussed for the Associated Development sites but not for the main site (Moorside Search Area). It is unclear whether these will also be undertaken on the Moorside Search Area.

The Council would highlight that in terms of Aquatic Macroinvertebrates, the reference to UKBAP should be replaced with S41 and key species as defined for the West Cumbria Coastal Plain needs further reference or explanation. The rationale for excluding Associated Development Sites C and E also needs presenting.

In terms of Freshwater Pearl Mussel the Council seeks clarification on whether any Freshwater Pearl Mussel downstream from the SAC boundary are being considered as part of the SAC population or if such reaches will be treated as contributing habitat to the SAC. This will clearly be an important matter for inclusion / discussion with the HRA.

The Council notes that in respect of the Pond Ecological Quality Assessment, allowance should be made on site (within the Moorside Search Area) and at Associated Development locations to include any new ponds found during the Phase 1 survey not shown on local plans or maps.

In respect of NERC S41 Mammals, the Council understands that NuGeneration do not propose surveys for these species. However, the rationale for this approach needs explanation in order to support the Council's endorsement of this approach. Given recent declines, if the site supports hedgehog, an accurate assessment of value should be underpinned by robust data.

The Council notes that in respect of White-clawed crayfish, this species is only mentioned for the Associated Development sites. There is no mention of surveys proposed for the main site (Moorside Search Area) or in the EIA Scoping Report, though low potential appears to have been noted on site in 2010 and 2012 (Appendix A2 to the Survey and Monitoring Plan). Further explanation is thus sought on this matter from the Council. Furthermore, the Council notes in (19.12.11 P432 *EIA Scoping Report*) that "the Environment Agency does not hold records of crayfish from the River Ehen catchment and therefore no crayfish surveys will be undertaken at AD G". The Council seek further explanation and justification for this decision.

Commentary on Adequacy of Key Issues Raised & Data

In terms of key issues identified within the Stage 1 material and EIA Scoping Report, the Council note that given marine invasive species are included within Section 14.7 P333, it seems appropriate to include terrestrial invasive species in addition.

Within Section 5.8.14 of the HRA, there is no mention of a mechanism to include other new projects within the in-combination assessment that may come forward between now and the application date. A defined cut-off date for such project inclusion would be helpful and will give the Council more confidence that such new projects will be included in the assessment.

In respect of graphical material supporting Biodiversity, the Council notes that Figures 3.1 to 3.2 within the Survey and Monitoring Plan are incorrect and are instead for Ground Investigation and groundwater monitoring.

Within the EIA Scoping Report, it is unclear to the Council why only selected habitats are identified as having the potential to receive significant effects. At this stage it is unclear on what basis (noting uncertainty in project development in each of the Search Areas) any habitats within and adjacent to the site can be scoped out (notably including NERC S41 habitats such as hedgerows and ponds) given baseline data collecting is still ongoing. The Council notes that NuGeneration have a continuum of survey effort and it may well be that further data (not included in the information made available at Stage 1) has enabled / informed this position to be reached.

The Council seeks clarity on the use of the CIEEM EcIA methodology for the Biodiversity assessment. It is unclear whether the Biodiversity chapter within the Environmental Statement proposes to employ this method fully, wherein the

actual determination of whether an impact is ecologically significant is made irrespective of the value of the receptor in question. In this respect the IEEM methodology differs from some other approaches to EIA and it will be important that this is reflected in the Environmental Statement.

Within the HRA Evidence Plan, the timetable suggests that the final HRA report will be issued in September 2016. The Council is unclear as to how this relates to the fact that data gathering is proposed to carry on until the end of 2016. The Council assumes that this is due to uncertainty over whether 2016 data gathering will indeed be needed, but if so, an alternative timetable for HRA submission should be presented to the Council and wider stakeholders.

Summary Comments

Overall, the Council considers that substantial work has been undertaken by NuGeneration to identify a suitable framework for establishing the baseline of potential receptors. The Council notes that reflecting the relative lack of detail on the project design thus far (particularly in respect of the Associated Development sites), survey areas and scope should be kept as broad as possible. As a specific point, the apparent omission of surveys proposed for S41 mammals needs further justification and the Council would welcome further dialogue on this matter.

3.2.10 Wider Topics for Consultation Response

This section addresses wider matters which are related to the Environmental Topics but may not have a specific topic 'heading' associated with them in the Stage 1 material. These further comments are intended to provide NuGeneration with a wider understand of issues or uncertainties which the Council would raise based on material available at this time.

Land Use and Design / Masterplanning

The Stage 1 Consultation documents helpfully provide a breakdown of proposed activities and in some cases scale of development in the Moorside Search Area (main site including a triple deployment of AP1000 reactors) and indicative quantum for accommodation in Associated Development Search Areas. However, the Stage 1 documentation (Strategic Issues Consultation) acknowledges wider works / proposals including transport interchanges linking accommodation centres are likely to be required. Detailed information on these matters is not included in the Stage 1 consultation. Views are sought by NuGeneration at Stage 1 on the suitability of the Associated Development Search Areas, the mix of uses, scale of development and whether a dispersed or aggregated approach to wider site uses is preferred. In these regards, Copeland Borough Council raises the following observations.

Any development brought forward proposed for Associated Development uses should confirm with approved and emerging local policies to provide a focus of development around urban settlements of Copeland Borough. Copeland Borough Council formally resolved to adopt the Core Strategy and Development Management Policies 2013-2028 on the 5th December 2013. Policy SS5 –

Provision and Access to Open Space and Green Infrastructure, policy ST1 – Strategic Development Principles, policy DM10 – Achieving Quality of Place and policy DM26 – Landscaping, should be taken into careful consideration. The Local Plan identifies a series of ‘localities’ within which are located the Borough’s settlements. In respect of land use, the Local Plan identifies a need to ‘target new development to existing centres as the most sustainable locations and to support population and economic growth’ (2.1.6). It follows that development in wider settlements should be aimed at supporting and enhancing their role, particularly in respect of their scale and capacity to accommodate development. Any development brought forward should take full account of Copeland’s corporate priorities and policies supporting regeneration. In particular, the Council would highlight the importance of NuGeneration’s proposals supporting positive outcomes.

The selection of the four search areas for Associated Development: Whitehaven – Corkickle; Whitehaven – Mirehouse; Egremont and Cleator Moor is helpful in identifying the settlements locations. However, it is noted in the Stage 1 material (1.1 P6 Stage 1 *Strategic Issues Consultation*) that the identification of Associated Development Search Areas does not guarantee that development will be proposed in that location. Notwithstanding, it is anticipated that NuGeneration will adhere to the proposition of larger scale worker accommodation in the Whitehaven Search Areas linked to potential rail connections. Where NuGeneration bring development proposals forward (whether temporary or permanent) within rural centres or villages which is inconsistent with the Copeland Local Plan then there would need to be strong justification. In particular, this justification would need to demonstrate why sites in proximity to main urban settlements were unsuitable for NuGeneration’s proposals.

The Council notes that NuGeneration will ‘where possible promote alternative permanent uses for the land, infrastructure and buildings’ identified for Associated Development post temporary use (1.1 P6 Stage 1 *Strategic Issues Consultation*). The Council is supportive of this approach and anticipates productive discussion with NuGeneration on the potential legacy benefits which the company acknowledges ‘will form a central part of NuGeneration’s strategy to seek to provide lasting benefits for the local community’. The Council would propose to engage with NuGeneration on the potential for a mixed temporary and permanent form of construction of worker accommodation (depending on site location and scale) that can be adapted and transferred following construction of the Moorside project to an appropriate body to address local housing needs. The Council proposes that the architectural form of worker accommodation should reflect local housing need as well as the potential for commercial and business growth.

The Council notes that there is limited information in respect of land use and Masterplanning of Associated Development sites with respect to transport interchange sites with parking and coach facilities. The Council would highlight its’ preference for NuGeneration to use sites that could support a legacy benefit, for example including alignment with the Cumbria County Council’s transport and park and ride strategies. This is a matter that the Council anticipates will form the basis of continuing dialogue through the consultation period and beyond in the

finalisation of proposals at Stage 2. The Council notes NuGeneration's preference for Associated Development sites in proximity to the Moorside Search Area so as to reduce delay and minimise travel times (1.1 P6 Stage 1 *Strategic Issues Consultation*). This policy is supported.

In considering land use, the Council would encourage NuGeneration to ensure that there are no overriding environmental constraints or unacceptable effects upon environmental resources in developing sites. This is consistent with NuGeneration's stated aims at Stage 1 to 'avoid significant environmental constraints and minimise impacts on local communities' (1.1 P6 Stage 1 *Strategic Issues Consultation*) which the Council supports.

The Council would wish to note its' concern that more detail is unavailable on the design and function of the Associated Development sites. Whilst the Council accepts that this Stage 1 consultation is principally associated with Strategic Issues, we would highlight the importance of continued dialogue in this matter during the course of the remainder of Stage 1 and in the period through to Stage 2. In particular, the Council notes that NuGeneration engage on a detailed construction and transport logistics strategy for the Moorside Search Area and Associated Development sites with an emphasis on reducing adverse effects upon existing land use / function and maximising opportunities for legacy. Based on the Stage 1 material provided thus far, the Council has not been able to form a detailed understanding of the area which might be required for construction, current thinking on the expected form and massing of worker accommodation (accepting a quantum is provided) nor how sites will link together as a coherent construction / Masterplanning strategy. The Council would encourage NuGeneration to ensure that commitments included in the Stage 1 consultation material relating to environmental objectives and protection / enhancement of assets be drawn through into a construction strategy. Key measures within this strategy should illustrate how the project will minimise the impacts of traffic on communities and maximise the potential longer term benefits through legacy proposition. The Council notes the uncertainty regarding the form of development in the Associated Development sites but is encouraged by NuGeneration's commitments to legacy benefits in Stage 1 (1.1 P13 Stage 1 *Strategic Issues Consultation*).

Cumulative Effects & Inter-relationship Effects Assessment

The Strategic Issues Consultation provides some reference to cumulative assessment although the details of proposals are contained within the EIA Scoping Report supporting Stage 1. The cumulative assessment approach is described in (3.3 P35 onwards *EIA Scoping Report*). The consideration of cumulative impacts and the list of projects considered in the scoping report is welcomed by the Council. The Council notes a high degree of variation in the 'maturity' of some of these proposals and the interdependencies by geography, scale and nature of potential effect. The Council is encouraged that NuGeneration will consider the ongoing decommissioning activities associated with the NDA strategy at Sellafield and would recommend tripartite sessions including Copeland Borough Council in respect of the potential for cumulative impacts or opportunities for joint infrastructure planning and development. The Council also notes the inclusion of

the North West Coast Connections project promoted by National Grid. The relationship of the Moorside and Connections project is clear and the Council anticipates that the EIA will assess the inter-relationship of these two projects as far as possible in respect of the data available to the NuGeneration team.

Reference is made in the Scoping Report (3.3.8 P37 *EIA Scoping Report*) an approach for cumulative impact assessment ‘informed by cumulative assessments for other projects of a similar nature such as the proposed new nuclear power station at Hinkley Point C, Somerset, and its related electricity transmission connection’. The Council would welcome further dialogue with NuGeneration on this matter to understand the precise means of assessing cumulative impacts including the adoption of significance criteria through which cumulative effects may be evaluated.

A key matter which the Council would seek NuGeneration’s views on will be the programme and activities for all projects considered under the cumulative assessment. This should include the stage of construction, operation and decommissioning (where relevant) associated with cumulative projects. The inter-relationship of the key elements of the project including proposals within the Moorside Search Area, Associated Search Areas and Site Preparation Works should be detailed in full within the EIA and the Council would welcome opportunities to provide commentary on the proposed approach as the Associated Development proposals become better defined.

The Council recommend that further consideration is given to inter-disciplinary effects, particularly where residential receptors may experience adverse effects from multiple sources, such as noise, air quality and transport.

The EIA should also give a full and clear definition of inter-relationship which should be taken to mean consideration of impacts of the proposals on the same receptor, as set out in PINS Advice Note 9.

3.3 Economic and Societal Topics

This section provides the Stage 1 consultation response from the Council on Economic and Societal matters. It is recognised that there is a strong relationship between economy and community health and well-being. As such, there is a strong relationship between this section and the one that follows on Community and Social Topics. Where possible and to assist in NuGeneration's alignment of responses on the EIA Scoping Report as well as wider Stage 1 material, the Council has structured the response using common sub-headings to those in the Scoping Report. This section also sets out the Council's observations on transport matters at this time.

3.3.1 Economy, Gross Value Added, Wages, Sectors, Tourism Economy & Employment

This section includes the Council's response on matters associated with economic performance and opportunity including in respect of skills and employment. It is aligned with Section 16 Socio-economics and Human Population of the EIA Scoping Report as well as Section 19 on Associated Development plus wider Stage 1 material.

Adequacy of Baseline

The baseline description in the Stage 1 material and EIA Scoping Report addresses economy, Gross Value Added (GVA), wages, sectors, value of the tourism economy and unemployment trends and thus conforms to the Council's basic requirements for a baseline. The Council anticipates wider dialogue beyond and extending from the issues raised at Scoping including:

- Economy and employment characteristics / trends;
- Demographic and settlement characteristics/trends;
- Education and facilities—characteristics;
- Community/local perceptions;
- Other local socio-economic issues/services;
- Housing and accommodation market characteristics (including holiday accommodation market);
- Religious facilities – characteristics; and
- Health and facilities—characteristics.

The Council notes that there will be a number of “cross-cutting” issues which will need to be addressed and managed and this would be of great interest to the Council.

At present, there is limited information in the Stage 1 material for the Moorside project which adequately addresses the anticipated employment programme,

workforce, and economic characteristics/ trends and supply chain. In particular, the Council notes that the baseline is not detailed in respect of the anticipated reliance / scope of the supply chain (numbers; sectors; size and location).

Further information is required regarding a strategy for up-skilling, and re-skilling of the existing workforce, and pathways for youth employment, the under-employed and the unemployed. With increasing pressure in the local labour market with skill shortages in certain categories, the Council notes that it makes economic sense to develop pathways to skills and employment targeted at young people and others which could increase the local input to this project and others later on.

The Council advocates a sector wide approach, to be run in accordance with the LEP framework. The Council notes that youth unemployment is an omission from the detailed baseline and this should be addressed in the Stage 1 material. There will also be pockets of deprivation in relation to education, skills and employment and the Council would welcome NuGeneration's further consideration of these factors in respect of maximising potential benefit for local businesses, communities and places as a consequence of the Moorside proposals.

The Council anticipates a full assessment of the impacts of the Moorside proposals on people, place and business for the construction and operational phases. This should address all elements of the construction programme including both the Moorside Search Area as well as sites brought forward within the Associated Development Search Areas. This should include labour requirements; recruitment and the impact of NuGeneration expenditure on locally procured/purchased goods and services and what this would mean for local services, local manufacturers and suppliers.

The Council fully recognises the global supply chain that NuGeneration will need to employ for highly specialised services, skills and equipment supply e.g. for turbine generator suppliers or reactor pressure vessel manufacturers. In addition, the Council would wish NuGeneration to detail and support the local labour market in respect of wider opportunities including main civils works contractors and other suppliers such as caterers; healthcare; security firms and the wider services sector.

Displacement and back-filling from other sectors, beyond the nuclear industry and infrastructure providers will provide a more holistic understanding of wider effects. This needs to be considered in the context of worker migration and social and community infrastructure provision. Careful consideration should be given to new start and innovation sectors that could be affected by displacement and wider economic effects.

Further detail should be provided as to potential impacts and legacy benefits for community social and cultural infrastructure provision. The demand for religious facilities currently assumes Christian provision only. NuGeneration should provide evidence to support such assumptions.

The Council would recommend that with Moorside using new nuclear reactor technology (AP1000) to the UK that a key outcome must be to identify opportunities for UK (local) and global suppliers to develop partnering

arrangements e.g. in modular construction, reactor protection systems etc. A proactive procurement approach would facilitate this. The baseline analysis should thus identify gaps in the supply chain and skills. It is important that this key element is brought forward in the Environmental Statement and in the wider economic strategy for the project as this evolves.

The Council would also expect that elements of the baseline are brought up to date in line with statistical releases of new data particularly those concerning Employment (Business Register and Employment Survey (BRES)), Enterprise (BRES) and Unemployment (Claimant Count). The Council thus expects analysis to use contemporary data as far as practicable through strategy development.

In reviewing the baseline, the Council would highlight the importance of including agriculture as an economic sector and specifically employment and main activities description therein. This would complement analysis already present on fisheries within the EIA Scoping Report. Its' inclusion would represent the fact that Cumbria still has agricultural activity (e.g. upland farming) and set that in the context of the wider economy.

The Council notes that the private rented sector housing data should be included given its' importance as a potential sensitive receptor and to underpin analysis on worker accommodation.

The Council would highlight the importance of a full consideration of worklessness through a review of persons on other working age benefits (accessible for Nov 2014 last based on NOMIS (labour market statistics from the Office for National Statistics accessible data). Furthermore, there would be real value in undertaking an analysis of worklessness / areas of deprivation by geography / areas / neighbourhoods. The Council considers it highly important that NuGeneration assist in effective targeting of support to be developed and access to employment / skills and apprenticeships improved. This matter is addressed in part within 16.8 and table 16.10 (P367 onwards *EIA Scoping Report*). This will be an important consideration for Copeland and wider stakeholders and their partner organisations at community and regional levels. A reference to "pathways to employment" as part of Appendix F should also be made.

The Council notes that the youth unemployment rate is higher than for the adult population and this should be given prominence in NuGeneration's strategy. Youth under-employment is a key local issue which, with the right support and approach from NuGeneration working with the Council and wider partners could be addressed via the Moorside project.

Section 16.5.25 (P369 *EIA Scoping Report*) on Social and Community Infrastructure is too limited in its' scope and description. Community infrastructure is often used to engage disadvantaged groups and provide support for learning, careers, skills and employment either as part of community economic development or access to wider training and employment. The Council would wish to ensure that these matters are fully addressed during the development of the strategy for the project (and for this analysis to be carried through into the Environmental Statement).

The Council notes that project jobs analysis should include the incidence of outage worker and their relationship to a peak workforce. Furthermore, it is crucial that there is detailed analysis of the existing nuclear “capable” workforce as represented in Sellafield and the nuclear related defence engineering. The extent of reliance placed on existing skilled workforce will be a matter for ongoing dialogue between NuGeneration with Copeland and Sellafield Ltd.

In section 16.5.37 (P372 *EIA Scoping Report*) the Council notes the importance of a review of the Small and Medium Enterprise (SME) economy. This is essential as it is likely that the opportunities offered by the Moorside project will be much wider than purely nuclear engineering. The Council anticipates that there will be a number of indirect and induced effect opportunities which will need to be analysed when impacts and opportunities are explored.

The Council notes the value of assessing employment sites and premises. This is currently unclear from the Stage 1 material. It is recognised that to facilitate AP1000 construction, sites of a specific size would be helpful as storage / lay down facilities (for bringing together sub- assemblies implicit in a modular design approach) and these will be required in appropriate locations to the main site.

The Council welcomes the commentary in Section 16.7 (P375 *EIA Scoping Report*) to the potential effects requiring further assessment. In respect of people seeking employment a full consideration of youth / young people is required.

The Council notes under 16.5.2 (P360 *EIA Scoping Report*) that 2012 Household Projections are available <https://www.gov.uk/government/collections/household-projections>. In respect of enhancing the baseline, the Council would welcome the inclusion of tourism bedspace stock by type to assist with a wider understanding of accommodation provision and potential effects induced by the project.

Adequacy of Terms of Reference

The Council is encouraged by the wider policy references including the Strategic Economic Plan (SEP) and West Cumbria Economic Blueprint, and as promoted by the Centre of Nuclear Excellence (CoNE)’. At this time, the Council is content that policies / initiatives have been captured at the Scoping stage and would encourage NuGeneration to maintain an active level of engagement on these matters. Careful consideration should be given to the following Local Plan Policies:

- Policy SS2 – Sustainable Housing Growth
- Policy SS1 – Improving the Housing offer
- Policy SS2 – Sustainable Housing Growth
- Policy SS3 – Housing Needs, Mix and Affordability
- Policy ER3 – The Support Infrastructure for the Energy Coast
- Policy DM12 – Standards for New Residential Developments
- Policy DM14 – Residential Establishments
- Policy DM17 – Removal of Occupancy Conditions
- Policy ER4 – Land and Premises for Economic Development
- Policy ST2 – Spatial Development Strategy

- Policy ER10 – Renaissance through Tourism
- Policy ER11 – Developing Enterprise and Skills
- Policy ST1 – Strategic Development Principles
- Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions
- Policy DM8 – Tourism Development in Rural Areas
- Policy DM22 – Accessible Developments
- Policy ER6 – Location of Employment
- Policy ER11 – Developing Enterprise and Skills
- Policy DM3 - Safeguarding Employment Areas

Commentary on Consultation Activity to Date

The Council would seek to encourage dialogue with wider business and public sector stakeholder bodies. It is not clear from the Scoping Report that this will be a key activity to underpin the socio-economic evaluation although this is implicit in wider commitments.

Commentary on Proposed Studies

The Council notes that a gravity model has been identified as under development between Cumbria County Council and NuGeneration with a stated purpose being to inform the accommodation strategy. The Council welcomes this approach and agrees that there is a strong association between the distribution of workforce (and skills distribution therein) and accommodation strategy. It would be helpful for the Council to remain engaged on the methodology and results derived from the gravity model work as this will provide important justification and evidence for the spatial planning (plus scale) of Associated Development sites.

The Council is encouraged that there are a range of proposed studies identified which makes provision for existing businesses and tourism. The Council notes the importance of the business survey bringing out issues concerning potential displacement effects caused by existing workers moving onto the project both during construction and operation. This particular matter should also be underpinned by continuing dialogue with Copeland as well as with Sellafield Ltd in particular.

The tourism study should be programmed in such a way that data on accommodation providers can be realistically fed into the assessment process. This will be important in terms of demonstrating an understanding of occupancy issues. NuGeneration should give further consideration to long term impacts on visitor perception, supported by a robust evidence base. The Council would welcome discussion to assist in an understanding of the sampling strategy that will be used to get a balanced view of tourism impacts.

Commentary on Adequacy of Key Issues Raised & Data

The Council notes that NuGeneration is attempting to set out how the development of areas to service the needs of the project could be brought forward

as future practical initiatives. This is in part addressed by Appendix F. The potential for physical legacy and positive interventions to support employment growth is an imperative for the Council and further dialogue on these matters is encouraged.

The Council notes in the Stage 1 consultation material (4.2 P28 Stage 1 Strategic Issues Consultation) that during construction at peak (approximately 2022-2024) some 6,000 people are anticipated as being employed at the Moorside Search Area. The Council is unable to determine from the Stage 1 material whether this is a total project peak i.e. across all sites and development proposals or purely linked in to the construction programme for the 'main site' (reactors plus immediate ancillary infrastructure).

The Council notes and support NuGeneration's assertion to maximise opportunities for local people during construction and operation (4.2 P28 Stage 1 Strategic Issues Consultation). It is however unclear to the Council what level of local labour content is anticipated and how this is currently informing the employment, transport and accommodation strategies. The inclusion of Preliminary Environmental Information in the form of the draft EIA Scoping Report is welcome. However, whilst this document provides baseline information to characterise the labour market it too does not provide information allowing for estimates of local labour content to be made. The Council would recommend that in addition to the approach centred on EIA (as set out in the Scoping Report) NuGeneration adopts a wider assessment of Copeland including supply chain opportunities linked to the project and informed by reference to international data drawn from the deployment of AP1000 technology (and similar technologies) elsewhere.

The Council notes NuGeneration's intention to 'coordinate proposals and potential benefits with achieving objectives as set out in the Strategic Economic Plan (SEP) and West Cumbria Economic Blueprint, and as promoted by the Centre of Nuclear Excellence (CoNE)'. This commitment is welcomed although further detail is encouraged. The Council would recommend the production of a Skills, Training and Local Procurement Strategy with a view to driving agreement on the approach taken to ensure local opportunities are realised. As NuGeneration notes (4.2 P29 Stage 1 Strategic Issues Consultation), working with the CoNE Skills Plan, the Cumbria Local Enterprise Partnership (LEP) and the Nuclear Skills Plan will also be imperative in characterising and securing project opportunities at the local level. Wider engagement with construction, research and development and academic organisations (including the Construction Skills Centre at Lillyhall) is supported by the Council.

In particular, the Council will want NuGeneration to demonstrate how the Strategy will be tailored to different groups of people and create opportunities for growth and development. Further consideration should be given to the longer term legacy associated with worker accommodation, linked to the growth expectations highlighted through the Centre of Nuclear Excellence and links with existing sectors.

The Council notes that in respect of supporting graphical material for the assessment of socio-economic factors that the Zones of Influence should be

mapped out showing the time contours and the selected impact area for the 90 minute area. In addition, the Local Area should be described with key features described at an appropriate geographical level.

Summary Comments

In many respects the approach adopted to socio economics detailed in the Scoping Report and wider Stage 1 material brings together many of the recognised features of a socio economic assessment for new nuclear build established under the contemporary Hinkley Point C (with EDF) project and emerging practice concerning Wylfa Newydd (with Horizon / Hitachi). Supporting studies and modelling techniques (like a gravity model) to support the accommodation strategy are recognisable elements within the approach and supported by the Council. Whilst the key elements of a generic assessment are present, the uniqueness of this particular location is only partly demonstrated within the Scoping Report and wider Stage 1 material. Of all the new build locations, the Moorside proposal is one of the few locations where there is a sizable nuclear related industry/ infrastructure in the form of Sellafield, nuclear defence industries and training institutions (as noted in the Energy Coast Masterplan) located within the Zone of Interest. Currently, Section 16 of the Scoping Report does indeed identify Sellafield as a discrete issue but seems to fail to link it up with the wider industry/ infrastructure context and generic issues like “displacement”.

The presence of this infrastructure means that there is likely to be a greater opportunity to retain wider economic benefits within the supply chain (even though manufacturing has experienced decline but from a high initial baseline position) and that there is an existing pool of potentially transferrable skills for the Moorside project to draw upon. Supply chain opportunities could include companies engaged in sectors with transferrable capabilities e.g. marine and defence companies who may be skilled in meeting rigorous quality assurance standards needed in the nuclear sector.

Whilst the existence of transferrable skills might be regarded as a bonus (in terms of supplying the labour needed for the Moorside project), this could also come at an economic cost to the existing network of nuclear industry/ infrastructure providers at least during the peak construction stage of the programme (the scale of operational labour is more likely to be manageable). Displacement is, therefore, potentially more of an issue for the project than many of the other sites especially give the scale of the skills pool potentially available.

Dependent upon the entry level wage proposed by NuGeneration and its’ contractors, it may be the case that backfilling vacated positions in existing providers may be a more pressing issue than managing flows of additional workers directly into the project. Backfilling may apply across a range of skills types from professionals through to civil operatives (e.g. workers drawn from existing construction firms in the impact area). It seems likely that some level of additional churn in the labour market will result from the activities associated with the proposed project. Any significant displacement effects would mean that the net impact of the project may be less than the gross impact expected for the project during construction phase. The existing skills base may also have a wider

ramification in terms of the assessment. The standard assumptions for the level of local recruitment are typically taken from Hinkley Point C (ultimately Sizewell B). The Council would anticipate an open and constructive dialogue with NuGeneration to agree an appropriate strategy in this regard.

As an important area of addition, the Council would note that neighbourhood and business / SME data could be more expansive and this will assist in a better and more refined characterisation of baseline socio-economic conditions within which the project will be delivered.

At present, the Council considers that youth unemployment (as a key matter of focus for the Council) requires more detailed review / characterisation to underpin a proactive strategy for this group.

The Council notes that in respect of AP1000 fabrication / construction, modular construction is an area where the UK supply chain could share work with global suppliers and probably has a medium capability to deliver. The Council would welcome NuGeneration exploring this perspective in more detail in the emerging strategy.

3.3.2 Transport (S4 EIA Scoping & S4/5/6 Consultation Document)

This section details the Council's response on transport matters related to the Stage 1 consultation material. This draws upon Section 4 of the EIA Scoping Report and also the Survey and Monitoring Plan and wider consultation material.

Adequacy of Baseline

At this stage, and based on the elements of the project which can be defined the geographical scope of the assessment of transport appears logical and extensive to the Council. It is recognised that proposals in Associated Development may be subject to change and the Council would wish to ensure continuing dialogue on transport matters where such changes demand a wider search or survey area. The Council notes that the scope reflects the potential for the assessment area to be refined as design develops (e.g. location of worker accommodation confirmed) which is sensible and appropriate at this Strategic Issues Consultation stage.

The Council notes that the principal Highways England network and junctions likely to be affected by proposals are addressed in the baseline. A micro-simulation model is proposed for the local highway network and this is supported.

The Council note the focus on rail is primarily on the Cumbrian Coast Railway, with comment made that connections onto the West Coast Main Line (WCML) would also be looked at as required, again this seems logical and the Council would welcome continuing dialogue in this regard.

The Council understands that the West Cumbria strategic model is proposed to be used with Cumbria County Council operating the model under the project guidance of NuGeneration.

The Council notes that NuGeneration's rail strategy may now be well advanced. However, given that rail accessibility to the south is better than the north, NuGeneration may well derive value from including the Furness Line (WCML to Cumbria Coast Railway) within the scope of evaluation. This would be a matter for discussion with the Council and subject to wider strategies including those proposed on worker accommodation.

The Council notes the intention for the micro-simulation model to extend 'just to the south' of the Initial Scoping Land. The Council would note the imperative of ensuring that the model extends sufficiently far south to assess the full predicted effects of the development.

The Council understands that the proposed micro-simulation model is intended to cover development peaks. The Council notes there is also a need to ensure that it covers worst-case network flows, including consideration of work patterns at Sellafield and other major employers and influences upon the network.

Adequacy of Terms and Reference

The Council notes that Section 4 of the EIA Scoping Report provides a comprehensive list of legislation, policies and guidance. At this stage, the Council does not anticipate significant updates or major new additions which could amend the approach although reference should be made to Cumbria County Council - Travel Plans and the Planning Process in Cumbria: Guidance for Developers and in addition, Cumbria Local Enterprise Partnership – Cumbria Strategic Economic Plan 2014-2024.

Careful consideration should be given to the following policies from the Copeland Local Plan;

- Policy ST4 – Providing Infrastructure
- Policy ER3 – The Support Infrastructure for the Energy Coast
- Policy SS4 – Community and Cultural Facilities and Services
- Policy T1 – Improving Accessibility and Transport

- Policy ST1 – Strategic Development Principles

Commentary on Consultation Activity to Date

The Council notes that consultation activity to date has primarily been with Highways England and Cumbria County Council focussed on transport modelling. In addition, other consultation has been with port operators and the Council welcomes the commitment to a wide range of stakeholders for future consultation.

The Council notes that it would be useful to provide further details on the likely methods and frequency of consultation with each of these bodies in order to help to identify the relative importance of each of the consultees with regards to the assessment. Consultation with Network Rail and other rail stakeholders should be prioritised to ensure that a rail-first strategy is deliverable.

The Council also notes there may be an opportunity to explore shared benefits from transport interventions with Sellafield and other major employers and this engagement (alongside Copeland) is encouraged.

Commentary on Proposed Studies

The methodology proposed generally follows the Institute of Environmental Management and Assessment (IEMA) guidelines, which are appropriate for this development. A mix of quantitative and subjective assessments are proposed which is appropriate to ensure that the full range of impacts are assessed.

The Council notes that limited mention is provided on how the Environmental Impact Assessment section on transport will relate to the Transport Assessment and further information is sought in this regard. There is also a need to ensure that there is consistency with other chapters of the Environmental Statement and ensure that any cumulative effects are adequately captured, assessed and mitigated as far as practicable.

Commentary on Adequacy of Key Issues Raised & Data

The Council notes that the Scoping Report covers all of the main areas for assessment, including a multi-modal approach and a mix of qualitative and quantitative assessments. However, more detail is required on the sensitivity of the trip generation forecasts to changes in the assumed parameters relating to items such as staff numbers, location of staff accommodation and freight modes. Overall, there is a need to ensure that the transport strategy is compatible with the development proposals and is deliverable within the proposed timescales.

Issues which the Council notes as key at this time include both construction and operational phases. Decommissioning is not mentioned specifically in the transport section although a commitment to a future application underpinned by an Environmental Statement consistent with the Environmental Impact Assessment for Decommissioning Regulations (EIADR) is made within the Scoping Report. The rail strategy should demonstrate an ability to secure and deliver necessary improvements and a sustainable project legacy.

The Council notes that no mention is made to any specific requirements relating to the safe transport of nuclear materials to / from the site and this should be set out with more clarity in the Environmental Statement.

The Council would highlight a need to understand the strategy for how excavated material will be dealt with (where re-use testing confirms that it must be exported). The overall excavated volumes (subject to re-use) are potentially large and could have significant transport implications.

The Council notes that there is limited graphical material supporting the transport section of the EIA Scoping Report or wider Stage 1 material. There is only one figure that relates to transport, showing the spatial scope of the transport assessment. Further figures to illustrate the text in key areas would be beneficial in aiding the reader. For example, plans showing the survey locations and traffic model extents should be included in (or alongside) the Environmental Statement.

Summary Comments

Overall, the Council would note that the proposed scope of the assessment is exhaustive and covers all of the areas expected. In particular, the baseline and consultation sections are comprehensive. Given the scale of the development, and resulting complexity of assessment, the methodology is only presented at a relatively high level. This should be developed in more detail with key stakeholders including the Council as soon as possible.

3.4 Community and Social Topics

The following response on Community and Social Topics is informed by all material made available by NuGeneration at Stage 1 consultation. Where possible, the sub-headings below provide a commentary on the themes discussed in the EIA Scoping Report (recognising that this document provides a good level of information underpinning Stage 1). Over and above this information, the Council has highlighted those areas where further information and dialogue is sought at this time on Community and Social matters.

3.4.1 Health Impact Assessment

The Council notes that no Health Impact Assessment (HIA) is included in the Stage 1 consultation although a commitment is made by NuGeneration to provide one in the EIA Scoping Report (Table 3.2, P34 *Scoping Report*). It is unclear when this document will be provided nor what the intended content is. The Council would welcome a role with NuGeneration in scoping this report and supporting the identification of linkages with the wider project strategy. In particular, as a complex multi-phase project, the health related effects of the project will need to be characterised with appropriate control measures identified. Moreover, as noted in the Stage 1 material (4.2 P29 Stage 1 *Strategic Issues Consultation*), NuGeneration is examining a range of options in healthcare provision for workers including the potential for ‘supporting local leisure and health services, rather than separate facilities in worker accommodation’. It will be imperative that such provision is linked back to the anticipated worker needs and any balance of provision which might be accessed by the community is clearly articulated in the HIA.

A key matter for the HIA is likely to be a consideration of non-radioactive and radioactive waste and the long term impact on human health and the environment as a result of NuGeneration’s proposals. In addition, those effects characterising a major civil engineering project such as Moorside need to be captured including community level impacts on matters such as air quality and noise. The future studies setting out this evaluation should be identified and should form part of a comprehensive HIA for the project.

3.4.2 Countryside Recreation (including Leisure and Sport) (S15 EIA Scoping & S4/5/6 Consultation Document)

This section provides the Council’s response on Countryside Recreation related to the Stage 1 consultation material. This draws upon Section 15 of the EIA Scoping Report as well as wider Stage 1 Strategic Issues consultation documentation.

Adequacy of Baseline

The Council notes that the definition of the Zone of Influence (ZOI) applicable to this assessment is appropriate and has been agreed with relevant stakeholders. In order to inform the assessment and for the purposes of driving Statement of

Common Ground the Council would suggest that written evidence to show this agreement would be useful, alongside the agreed reasons for selecting this zone.

The Council notes the importance of ensuring that the ZOI is reviewed against that of other disciplines (e.g. noise, LVIA, air quality, transport) in order to ensure cumulative effects are not missed and relationships are fully explored in the Environmental Statement.

It is recognised by NuGeneration that there are gaps in existing baseline data regarding usage levels of countryside resources. Proposed use of automated devices seems a sensible approach to the Council at this time and will allow long term data collection (a minimum period of twelve months is proposed). The devices also record activity times and can therefore indicate peak usage times. Consideration needs to be given as to how the raw data will be collated and analysed. NuGeneration is aware of the potential margin of error with regards to double-counting, misinterpretation of pedestrians/equestrians and so forth and explanatory text alongside this data presentation will be important.

It is recognised that automated devices are unsuitable for monitoring water-based recreation usage. The Council supports NuGeneration's engagement with relevant user groups and clubs, and would wish to engage on the approach to and execution of supplementary surveys where these are required.

The Council would wish to stress the importance of appropriate consideration of the future baseline such as the proposed England Coastal Path. For the purposes of the full Environmental Impact Assessment, this will require a review of all proposed development supported by engagement with Copeland (this is referred to in para 15.5.12 *EIA Scoping Report*). The Council would recommend that NuGeneration provide a list of future baseline items for the Council to review. The future baseline list will need updating on a regular basis as new proposals are consented / brought forward.

The Council would note the value of defining exactly which areas / resources and users are considered within this section as it is taken forward to the Environmental Statement. In particular, it is unclear which land and water based resources are included, for example, the Council is unclear whether this includes amenity space, parks, accessible woodlands, green infrastructure, lakes, reservoirs and so forth. Equally, the Council would welcome further definition of what is proposed for scoping out at this stage. The Council notes that engagement between NuGeneration and the Canal and Rivers Trust would be valuable to provide usage data for the water bodies they monitor / control.

In addition, NuGeneration should consider the potential effects during construction including those on the recreational coast and bathing water standards. Potential impacts associated with the MOLF and AD sites require further consideration, along with an appropriate mitigation strategy.

Adequacy of Terms of Reference

The Council notes that the legislation and policy review is high level, which is broadly appropriate for the scoping stage and to underpin the Stage 1 material.

The Council is pleased to note that the baseline includes reference to the Council's Recreational Strategy.

The Council would welcome the inclusion of wider references to other relevant evidence for the Environmental Statement such as the Copeland Infrastructure Deficit Paper Delivery Plan and Open Space Copeland PPG17 Study/Open Space Assessment, which have been prepared to support the Local Plan evidence. Consideration should be given to Local Plan Policies Policy T1 – Improving Accessibility and Transport, ENV6 – Access to the Countryside, and ST1 – Strategic Development Principles.

The Council also notes that reference should be made to relevant Planning Inspectorate (PINS) Advice Notes including Advice Note Seven. This Advice Note Seven states that the Scoping Report should set out whether the guidance and best practice to be relied upon has been agreed with the relevant bodies. The Council notes this is not explicit within the Scoping Report and should be noted prior to commencing the Environmental Statement.

Commentary on Consultation Activity to Date

The Council notes and welcomes the high level engagement which has taken place with Copeland and Allerdale, Cumbria Tourism, the Marine Management Organisation and Natural England. The Council welcomes the list of proposed consultees in the EIA Scoping Report (15.4.5 P343 *EIA Scoping Report*) which is comprehensive. The Council notes the value of maintaining a wider recognition of these contacts and further details of additional local recreation groups and organisations as NuGeneration's proposals evolve.

The Council would welcome continuing dialogue on the proposed consultation strategy for wider groups e.g. methods and timescales for engagement, how will comments be collated, considered and reported on in the future.

Commentary on Proposed Studies

In respect of the proposed studies, the Council would note that consideration should be given to the following factors in the sensitivity rating of receptors (Table 15.1 P350 *EIA Scoping Report*):

- Usage levels; those who use a receptor on a regular basis would be more sensitive than one-off users;
- Ability of users to absorb change;

Consideration could be given to the following factors in the magnitude rating of change (Table 15.2 P351 *EIA Scoping Report*):

- Duration of effect; long term or permanent changes would have a high magnitude, whereas short term reversible changes would be lower;
- Ability of resource to continue functioning; high magnitude would mean the resource is closed, low magnitude would mean the resource is compromised or inconvenienced.

The Council notes that it is currently unclear how amenity versus land take effects will be assessed and presented within the Environmental Statement. The Council would suggest that separate magnitude assessments are required for each type of effect. Amenity should look at cumulative environmental effects on users e.g. a combination of noise, visual and air quality effects to ensure the entire effect of the project is characterised.

The Council understands that NuGeneration is committed to surveys with users to identify potential deterrent effects. Whilst this could provide useful qualitative context, it is recommended that a quantitative amenity assessment is included which determines cumulative environmental effects on users. Users will find it difficult to quantify how they might be deterred from using a resource without any confirmation of what the significant effects on that resource would be. The Council would recommend further dialogue on this.

It should be noted that the amenity assessment should also be applied to community and business resources (not suggested as being covered by this section of the EIA Scoping Report) and that there should be a consistent approach to the assessment of these topics. The Council notes that it is vital that the other environmental disciplines within the NuGeneration team are aware that countryside recreation, community and business resources need to be scoped into their assessments to ensure no significant effects are missed.

The Council notes that this section does not cover how mitigation would be considered/secured and how this would be taken into account in residual effects. The Council stresses that PINS Advice Note Seven states that this should be included and would be expected in the Environmental Statement.

This section of the EIA Scoping Report does not cover how cumulative effects with other proposed developments would be considered, for example with the adjacent Sellafield decommissioning programme would be considered. PINS Advice Note Seven states that this should be included and this would be expected from NuGeneration. Furthermore, the Council notes that there is no specific reference as to how construction/operation/decommission effects will be covered and this would be expected in the Environmental Statement.

Commentary on Adequacy of Key Issues Raised & Data

Section 15.7 (P349 *EIA Scoping Report*) of the EIA Scoping Report identifies potential effects on users including severance and deterrent effects. The Council would stress the importance of the methodology being clear as to how each of these effects would be assessed.

The Council notes that the list of potential effects cannot be confirmed until further design information is available (particularly in respect of Associated Development sites). Notwithstanding, the Council is encouraged by the initial list / approach to effects characterisation. The Council would though seek confirmation that this has been informed by other environmental disciplines e.g. LVIA and noise zones of influence.

Summary Comments

The Council notes that baseline coverage seems appropriate and engagement has been undertaken with the key stakeholders to confirm this position. Confirmation is required as to how current omissions in baseline data will be addressed.

Proposed surveys and / or engagement can provide useful qualitative input, however the Council notes this should to be supported by a robust quantitative assessment. The amenity assessment is important as this and NuGeneration's approach to the socioeconomics / human population sections of the proposed Environmental Statement are primary areas where cumulative environmental effects will be assessed.

It is accepted that the methodology is currently high level, therefore details will need to be agreed in due course on how different effects will be assessed (amenity and land take) and how mitigation will be identified and secured. This should be agreed through continued engagement with stakeholders with the Council.

3.4.3 Community Benefits

The Council notes the uncertainty regarding the form of development in the Associated Development sites but is encouraged by NuGeneration's commitments to legacy benefits in Stage 1 (1.1 P13 Stage 1 Strategic Issues Consultation). It is unclear to the Council whether such legacy is likely to arise as a consequence of having previously been employed to support project construction and whether this might be truly described as community benefit. The Council anticipates continued engagement on community benefits to provide a clear rationale for NuGeneration's planning of infrastructure such that it lends itself to serve the interests of communities in the future. It will be important to distinguish between proposals which are additive to community infrastructure and those which might be purely introduced to support project delivery.

The Council notes the importance of NuGeneration using Stage 1 consultation effectively to ensure that community benefits proposals accurately reflect the communities' aspirations. It is anticipated that this dialogue, including with community representative organisations such as Copeland's Parish Councils (including the recently formed Whitehaven Parish Council) will be undertaken by NuGeneration prior to Stage 2. The Copeland Local Plan set out the following policies, to be taken into consideration;

- Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions
- Policy SS4 – Community and Cultural Facilities and Services

The Council seeks NuGeneration's commitment to a community benefit package of measures (informed by dialogue with the community and representative organisations). This should be aimed at addressing the consequences of hosting the Moorside project and linked to the actual and as far as practicable perceived effects upon public health and community well-being, environment, infrastructure, economy, skills and education. The package of measures should be commensurate with the scale of the predicted effect.

The Council recommends that NuGeneration commits to a programme of community planning to identify and respond to local aspirations of the community that could be affected by the Moorside proposals. This should be aimed at deriving economic, societal and community based investment programmes addressing effects and opportunities of NuGeneration's proposals. Measures should include, as an example, benefits aimed at employment and enterprise, skills and construction training, community development and wider mechanisms which mitigate the adverse effects of the scheme to bring about positive change.

The Council would wish to secure early dialogue on the proposed governance of a community benefits programme. This should be linked with a wider commitment to engage on and resolve economic, social, community and environmental benefits beyond the welcome skills and workforce opportunities set out at Stage 1. Allied with this governance programme, the Council would recommend NuGeneration evaluate delivery and funding mechanisms (options) for community benefit likely to include examples of annual payments, lump sum arrangements, Community Trusts and capital and revenue support programmes.

The Council require more detail on the precise mechanisms for NuGeneration's commitments to the local supply chain to ensure that such measures are agreed, investment is secured and a linkage made to the long term legacy benefits arising from the project.

The Council recommends that they be actively engaged by NuGeneration in all community benefits processes / discussions to drive agreement on this matter through Statements of Common Ground and this may be reflected more widely through s106 Planning Obligations.