

DRAFT NUCLEAR POLICIES

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Summary: This documents brings together Council policies in relation to the nuclear industry to provide clarity to our community on our views. The report seeks agreement from the Council to use this as basis of further consultation before agreeing a comprehensive policy document.

Recommendation:	The draft document is agreed for consultation purposes
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Impact on delivering the Corporate Plan: Key policies need to be formulated on nuclear issues as these will have significant impact, both beneficial and detrimental on the Council's objective to "create and sustain a healthy local economy"

Impact on other statutory objectives (e.g. crime & disorder, LA21): Policies included in this report are key to the Borough's sustainability

Financial and human resource implications: There are significant resource implications arising from the pursuit and delivery of these policies. If additional resources are required over and above those already allocated they will be subject to the normal processes of budget allocation.

Project & Risk Management: Varied depending on specific activities related to individual policies.

Key Decision Status

- **Financial:** None
- **Ward:** None

Other Ward Implications: All

Introduction

1. This document brings together Copeland Borough Council's key policies in relation to the nuclear industry.

Purpose

2. It creates the potential to formally clarify the Council's position for both the industry and related governmental organisations.
3. An agreed comprehensive policy document will provide guidance to officers and members and will help to ensure the Council adopts a consistent approach.

Consultation

4. It is proposed that the document is the subject of consultation before final adoption by the Council. This process will include local partners and organisations as well as wider consultation with the community. The latter will be assisted by the production of a simplified questionnaire on some key issues including those related to the long term management of radioactive waste.
5. The consultation process will also provide further opportunities for Council members to put forward views on the contents of this draft.

Appendix A – Draft Policy

Annex A – Extracts from Copeland Local Plan

COPELAND BOROUGH COUNCIL

Policies in Relation to the Nuclear Industry and the Management of Radioactive Waste

1. SAFETY

- 1.1 The Council's priority is to scrutinise the safe operation of the nuclear industry to ensure that safety standards are of the highest possible order to protect the wellbeing of employees and the local community. The Council has a high degree of confidence in the safety regulation operated by the Health and Safety Executive (Nuclear Installations Inspectorate). The Council will scrutinise the operation of the latter through the West Cumbrian Sites Stakeholder Group to ensure all risks are minimised.

2. ENVIRONMENT

- 2.1 The Council believe that the nuclear installations in Copeland should have the minimum environmental impact. We will support the continued reduction of any emissions from the site and the reduction of on site contamination. We believe that government and the industry has a responsibility to remediate all contamination created by site activities in due course

3 NUCLEAR RELATED DEVELOPMENT

- 3.1 The council supports new development in Copeland related to the nuclear fuel cycle provided that the benefits created, particularly in terms of jobs and the economy, outweigh detriments. Such possible developments include the construction and operation of new Nuclear Power Generators, Nuclear Fuel Reprocessing and Manufacturing facilities.
- 3.2 This support is subject to any such facilities being built to the highest possible technical and safety standards and making a positive contribution to the areas reputation as an area of clean technology and world class technical excellence in the sector.
- 3.3 Employment related to the nuclear industry should only be located on licensed nuclear sites when operationally essential. Where possible office space accommodating staff should be located in Copeland's town centres. This is to ensure sustain able development and make such accommodation more useable for other purposes after decommissioning and to support healthy and vibrant town centres.
- 3.4 To ensure sustainable development any extensions of the footprint of nuclear sites will be resisted in view of the space that will be released within the site, in due course, as a result of decommissioning.
- 3.5 The current level of road infrastructure in Copeland is inadequate for the scale and nature of the nuclear activities in the Borough. The Council will continue to lobby for the allocation of resources to make significant improvements. The council will expect significant improvements to accompany any significant new development.

Attached Annex 1 sets out the land use policies related of the industry, which are included in the Councils Statutory Copeland Local (Land Use) Plan.

4. LEGACY CLEAN UP

- 4.1 The Council fully support the Legacy clean up being carried out by the Nuclear Decommissioning Authority. In principle, we support the decommissioning and clean up of the most hazardous facilities as a top priority subject only to considerations of safety.
- 4.2 Planning for legacy clean up must take into account the impact on employment of local people and the overall effect on Copeland's economy. Site programmes should be designed to maintain a steady level of employment for as long as possible. The Council would not consider it acceptable to have periods of 'boom and bust' where there are periods when jobs are considerably reduced and others where it is necessary to draw external contract labour into the area.
- 4.3 The Council expects the NDA and its contractors to undertake effective workforce planning to ensure the skills are available amongst local people to carry out the full range of clean up and decommissioning activities required in the future. Priority in any reskilling should be given to existing staff in operations that will be coming to an end.
- 4.4 The NDA has a responsibility for managing socio economic change triggered by decommissioning of the industry. The Council expects the NDA and its contractors to consult the Council on the contents of these documents as Copeland Borough Council has statutory responsibilities to manage the economic wellbeing of its area and is a statutory consultee on the NDA's Strategy and Annual Plans.
- 4.5 Socio economic plans should be compliant with the strategies agreed by Copeland Borough Council for the economic and social development of its area.
- 4.6 Copeland will work with the NDA and other partners to deliver the agreed actions to offset the impact of nuclear decommissioning on employment and the economy locally.
- 4.7 Copeland expects the NDA to maximise the opportunities through its spending power to support the development of economic transition in Copeland.

5. LONG TERM MANAGEMENT OF RADIOACTIVE WASTE

- 5.1 The Council will seek a strategic and co-ordinated approach to dealing with waste nationally and supports the concept of a hierarchy of waste management facilities with the long term management of the lower level wastes being regionally or sub regionally based and the very highest level wastes being in centralised management facilities.
- 5.2 Waste minimisation recycling and free release of radioactive waste should be pursued wherever possible and waste disposal pricing should reflect this policy.

- 5.3 The Council favours phased deep geological disposal of higher level wastes, which would be fully monitorable and retrievable.
- 5.4 In any siting process issues relating firstly to safety and secondly to environmental impact must be given priority.
- 5.5 Copeland would have serious concerns if West Cumbria were used as a centralised interim storage location for intermediate or higher level radioactive wastes. This would prejudice a future siting decision for a repository or other permanent facilities and concentrate perceived hazard and risk and associated stigma in our area to our further disadvantage. Increasing the amount of the UK's waste stored locally will increase the likelihood of a disposal facility being in West Cumbria and reduce the attractiveness of alternative options. Copeland Borough Council has maintained a consistent policy in recent years that additional LLW and ILW from outside this area should not be moved to Copeland.
- 5.6 Measures to offset the detriments created by the presence of hazardous radioactive wastes, and recognition of Copeland's strategic national importance in this respect, has been minimal. The Council does not accept the concept that it is equitable for Copeland to host waste generated in its own areas just because they have received economic benefits from previous nuclear operations. Nuclear facilities were installed to meet a national need and not a local need; the benefits have therefore been national whilst most of the detriment has been local.
- 5.7 The Council believes that any process for siting long term radioactive waste management facilities or centralised interim facilities must rely on a partnership with willing host communities. This needs to include full consideration of the community packages to offset detriment and make any such facility acceptable to the receiving community. For this process to be effective from the local communities side it must include the right to withdraw from any proposed partnership if the local community has not been able to agree the full terms of the partnership agreement.
- 5.8 Community offset packages need to recognise the length of the time period that the local community will be affected by potential detriments is unusually long and that packages to offset this must provide a positive impact for a similar length of time. A major element of any such offset package should be an intergenerational endowment fund that can be managed to the benefit of local people, by the local people, into the long-term future.
- 5.9 The partnership agreement would need to reflect the value and scale of such a service to the nation.
- 5.10 The Council believes that for any such partnership agreement to be reached, the local community will need to be fully engaged in the issue and widely consulted before Copeland Borough Council makes a final decision.
- 5.11 Copeland Council should be fully funded by Government to involve the local community in a dialogue on these issues and it should not be the responsibility of the local Council or local Council Tax payers to fund the costs of this.
- 5.12 Copeland Borough Council recognises that the UK Government will need to find one or more locations for such facilities. On the basis described above the Borough Council would be prepared to enter into a dialogue with Government to explore whether there are circumstances under which the Copeland community and the

government could enter into a partnership that agree formal arrangements for Copeland hosting a long term radioactive waste management facility.

- 5.13 With regard to Low Level Radioactive Waste in particular, the Council disagrees with any increase in capacity at the Low Level Waste Repository in Copeland until a community package is agreed with this Council

6. MANAGEMENT OF THE LOW LEVEL WASTE REPOSITORY IN COPELAND – SPECIFIC POLICIES

- 6.1 The Council recognises that there are regulatory concerns with regard to climate change and subsequent coastal erosion issues that create uncertainty for the future Low Level Waste Repository in Copeland. The current uncertainties should rule out any further disposal at the site and it should be considered as an interim storage site until these issues are resolved.
- 6.2 The Council believes that it is important to have prior agreement of an offset package in the form of an inter-generational endowment prior to any further expansion of the facility as a national repository to offset its impact for the lifetime of the waste.
- 6.3 Waste minimisation, recycling and free release for lower level wastes should be maximised. This is not best served by reducing the cost of disposal. The Council believes that consideration should be given to reviewing the cost of disposal at the LLWR as any net increase in disposal income should be used firstly to fund a local offset package and then to provide additional funding for decommissioning work.
- 6.4 All transport of radioactive materials should be by rail due to the unsuitability of the road infrastructure through Drigg village. The Council wishes to see a new access to the site bypassing the village.

7. USE OF NUCLEAR SITES AFTER DECOMMISSIONING

- 7.1 Whilst it is recognised that it will be a considerable period of time before any Copeland's nuclear sites could be used for alternative purposes it is important to start considering end uses at an early stage to ensure that work carried out early fits in with longer term plans and future budgets and liabilities can be more accurately assessed.
- 7.2 Copeland's nuclear sites should be treated no less favourably than nuclear sites elsewhere in the country. We believe users that despoil land have a duty to the local community and society at large to put right contamination and return the site to its original condition. Any intention to reclaim sites to a lower standard should not disadvantage the community affected. Incomplete clean up should only be carried out with the agreement of the community as represented by their local authority. There would need to be clear benefits to the community if it were to accept less than full restoration. In any negotiations on this issue consideration will need to be given to the length of the decommissioning process and society's rapidly changing standards of what is acceptable environmentally.
- 7.3 Any site planning processes on nuclear sites outside our area may impact on Copeland with respect to proposals to relocate contaminated materials arising. As such Copeland should be fully involved in the decision-making processes.

- 7.4 In general the Council expects to see sites progressing towards free release and delicensing. In the short term we would expects to see the Sellafield site reduce its footprint as peripheral parts of the site are decommissioned cleaned and released.

8. OTHER

- 8.1 The Council, as the democratically elected body representing the community most impacted by the nuclear industry, is the priority local stakeholder for engagement and consultation by the industry. As such, full weight should be afforded to its views. In addition the Council believes that it is important that the wider local community is able to contribute to the whole local decision making processes.
- 8.2 Whilst it the normal business of Councils to seek and represent the views of its residents and provide expert input to key decision making processes on their behalf, the requirements of the nuclear industry place an undue burden which is not reflected in the resources provided to the Council. It is not acceptable for local Council Tax payers to fund this work so special funding will continue to be sought from Government or the industry.
- 8.3 The Council expects that contractors to the nuclear industry will operate corporate social responsibility activities at the highest level to benefit the local community within which they work. This should include good neighbour support for the local community and play an active part in the local community. Tier one suppliers are expected to develop and support good liaison arrangements with the Borough Council.

ANNEX 1, EXTRACTS FROM COPELAND LOCAL PLAN

10. SELLAFIELD AND THE NUCLEAR INDUSTRY

10.1 INTRODUCTION

10.1.1 The nuclear industry plays a key role in Copeland. There are currently some 11000 employed at Sellafield and a further 2500 jobs depend on the purchasing power of the industry and workforce. The current site owner and operator, British Nuclear Group (BNG), plays an important role in the community not only as an employer but as a major stakeholder in projects to diversify the local economy. The company is a partner in the West Cumbria Development Fund which has supported major infrastructure projects including the Westlakes Science and Technology Park and the regeneration of Whitehaven harbour and which underwrites the business support role of the West Cumbria Development Agency. It also works proactively with local schools and training agencies to help them meet the skills needs of the local economy both now and in the future.

10.1.2 The future of the nuclear industry is a national issue. Copeland has been the focus of major inquiries into fuel reprocessing (the THORP Inquiry) and into the development of an underground disposal site for radioactive waste (the NIREX Inquiry). Important areas of Government policy are

- There are no current plans to invest in further nuclear power stations and the BNG business plan envisages that all reprocessing will cease by 2012.
- The clean up of the legacy of the nuclear energy programme is proposed to be the responsibility of the Nuclear Decommissioning Authority which will be based in West Cumbria.
- A review of the national radioactive waste management strategy is underway with completion not expected until 2006.

10.1.3 The wide ramifications of this policy background have been discussed in the Employment Chapter. However two crucial issues are how the local community is involved in the debate on the future of the industry and how to ensure that whatever solutions are found that they are sustainable in the widest sense of a healthy local economy, environment and community.

10.2 RADIOACTIVE WASTE MANAGEMENT

10.2.1 Reference has been made to the DEFRA review of national radioactive waste management policy. The Council is keenly aware that previous proposals for a radioactive waste deep disposal site have focused on Copeland. This is a strategic national and international issue which will be determined by the Government. As set out in the Development Strategy (2.10) the Council wishes to ensure that in so far as any decision has a spatial impact on Copeland it is based on a full consideration of all the facts.

Policy NUC 1 : Radioactive Waste Storage and Disposal

The Council will only support a proposal for disposal or long term storage of radioactive waste where it meets the requirements set out in Structure Plan Policy ST 4 and Local Plan Policy DEV 9 and in addition has

- 1. Involved and secured the support of the local Copeland community in the development and subsequent implementation of such proposals**
- 2. Included measures to meet local community needs and to mitigate the adverse effects of the proposals on the social and economic well being of the community.**

10.3 SELLAFIELD

10.3.1 The Sellafield site occupies some 300ha of land on the coast north of the village of Seascale in an area of relatively low population density. It started producing plutonium for military purposes in 1946 and later the first ever commercial nuclear power station was built at Calder Hall in 1956. An experimental Advanced Gas Reactor was built in 1963. Today none of these plants is operational and the Windscale military reactor piles are currently being decommissioned

10.3.2 At present the site supports four main activities :

- the reprocessing of irradiated fuel ;
- the treatment of waste products arising from reprocessing
- the manufacture of MOX fuel from plutonium and uranium recovered from reprocessing ;
- and the storage on site of waste products.

10.3.3 For a number of reasons reprocessing is becoming a less attractive option for dealing with irradiated fuel on both environmental and economic grounds. In addition the magnox stations are being phased out. In the foreseeable future therefore it is likely that reprocessing will cease at Sellafield and the remaining on site activity focused on decommissioning and clean up. The current British Nuclear Group business plan assumes that by 2013 all reprocessing plants and the MOX fuel fabrication plant will have been shut down. The economic implications of this have been referred to previously as a key driver for developing alternative employment opportunities. However the site based issues include

- The greater part of the UK inventory of intermediate waste and all the UK highly active waste is stored at Sellafield. The change of emphasis in national waste management policy from reprocessing to storage may lead to proposals to import fuel or other waste to Sellafield for storage. This is particularly likely in the light of the long term timetable for the DEFRA review of waste management options. The Council considers it would not be in its interest for this to happen because it would tend to influence and take the pressure off the DEFRA review. However the reality is that some decisions will have to be taken on

operational, safety and environmental grounds over the next two or three years. The Council needs to be in a position to negotiate with the industry as and when such proposals come forward.

- The decommissioning proposals for the site will extend well beyond the Local Plan timescale. However as with the decontamination of other industrial sites it is important that the end use is established and that activity on site complements and contributes to this end.

10.3.4 It should be noted that the Government is proposing to establish a Nuclear Decommissioning Authority to be responsible for the radioactive waste legacy in the UK. It will take over the ownership of the Sellafield site and other British Nuclear Group assets. A detailed decommissioning programme for the Sellafield site is being developed in the form of a lifecycle baseline incorporating milestones towards achieving a restored site. It will be subject to local consultation and agreement and will inform decisions by the Council under Policy NUC2.

Policy NUC 2 : Use of the Sellafield Licensed Site

Within the licensed site boundary development for or related to the nuclear fuel cycle will only be permitted where the development contributes towards a long term strategy for the future management of the site.

With the exception of irradiated fuel and the transfer of waste from Drigg Disposal Site no radioactive waste shall be imported for treatment or storage on the licensed site unless the proposal;

- 1. represents the best practicable environmental option and is an interim proposal pending agreement on a national disposal route**
- 2. involves and secures the support of the local Copeland community**
- 3. includes measures to meet the local community needs and to mitigate the adverse effect of the proposal on the social and economic well being of the community**

10.3.5 There are proposals to transfer office jobs currently provided within the site to locations outside the licensed site boundary. As far as possible the Council would expect these jobs to be relocated in accordance with the Development Strategy and Town Centre policies. There may be instances where there is a need to locate these jobs adjoining the licensed site boundary and so extend the area of the site. No provision is made for such development in the plan. If such development were to be approved the Council would seek an agreement to assist in the provision of compensatory investment to address the loss of the benefits of this employment from more sustainable locations, in particular town centres.

Policy NUC 3 : Relocation of Non Radioactive Development

The relocation of non radioactive development from the site shall be undertaken in accordance with the Development Strategy Policies DEV 1 to 6. The following preferred locations are identified:

- **General office in town centre or edge of town centre locations**
- **Nuclear technology related at Westlakes Science and Technology Park**
- **Workshops/processing operations on local employment sites**

10.3.6 *Where exceptional operational or other grounds dictate that non radioactive development cannot be located in accordance with NUC3, the location of development contiguous or very close to the Sellafield site would be considered favourably in the context of Local Plan Policies DEV 6 and DEV 8 subject to the applicant entering into a planning agreement or making a unilateral undertaking to address the loss of this investment elsewhere in the Borough.*

10.4 DRIGG DISPOSAL SITE

10.4.1 *The disposal of all solid Low Level Radioactive Waste (LLW) arising at Sellafield is undertaken at Drigg LLW Disposal Site about four miles to the south of Sellafield to which it is linked by rail. It has been operational since 1957 and is effectively the national LLW disposal site. It was originally tipped very much like any other landfill site but over the last few years significant improvements have been to the way in which the site is managed.*

10.4.2 **In the absence of a national strategy for radioactive waste there is no agreed long term disposal route for LLW once the Drigg Disposal Site is full. BNF has introduced high force compaction and grouting of waste which will extend the life of the consented area of the site. The Council takes the view that the use of the Drigg Disposal Site should not include processing of waste since this would be incompatible with this quiet stretch of coastline and would lead to increased traffic and disturbance to the village of Drigg. However responsibility for development proposals at the Drigg Disposal Site relating to the storage of waste lies with Cumbria County Council as waste disposal planning authority.**

POLICY NUC 4 : Drigg Disposal Site

The Council when consulted on development proposals at the Drigg Disposal Site will seek to resist any proposal for an extension to the existing consented area for the disposal of low level waste or for the introduction of processing operations associated with disposal.

POLICY NUC 5 : Transport of Materials to Drigg Disposal Site

In considering a consultation on any proposal for further development within the consented area at the Drigg Disposal Site the Council will seek to ensure that construction materials are brought to the site by rail as a condition of any consent.

EMPLOYMENT SITES

Extract from 3.1.37 There are three non-settlement based employment sites in the plan area which will be retained:

Sellafield : Over 300 ha land is within the licensed site, although there are additional facilities on land outside the security fence. On the face of it there

would appear to be space within the site for all expected operational and storage requirements over the plan period including the decommissioning phases. The Council will expect the operators to continue to reduce radioactive waste discharges in line with national and international limits and to co-ordinate the processing and storage of waste in accordance with long-term management plans which minimise any harmful effects. All new development proposals at Sellafield and the nearby Drigg Disposal site will be subject to these requirements. There will also be encouragement for the site operators to co-operate with the local authorities in producing a Green Travel Plan so as to reduce the impact of car-borne commuting to the site which is felt over a wide area. The Council will also expect all major freight and materials to and from the site to be transported by rail. Where feasible this will be achieved through the imposition of planning conditions or obligations.