



NDA ANNUAL PLAN 2007/08

COPELAND BOROUGH COUNCIL RESPONSE

1. Health, Safety, Security and Environment

Public and worker health and safety and care for our environment are the Council's primary concerns. We welcome the NDA's clear site operator expectations and monitoring arrangements, which provide agreed measures for assessing performance. Furthermore, we support the commitment the NDA has shown in operational areas and their willingness to require continual improvement by their contractors.

An issue that has arisen is the potential reduction in security at the Low Level Waste Repository near the village of Drigg. This potential future issue is as a result of work being carried out by the current site operator to remove the legacy plutonium contaminated material from the site. The local community will need assurances that the level of security currently at the site would remain at its current high standard (i.e. OCNS Police) following any competition outcome.

2. Decommissioning and Clean-up

Workforce Planning

A major potential impact of decommissioning is the loss of jobs and a loss of skills. The Council would like to suggest that this section of the Annual Plan would benefit from an area focussed on workforce planning and linked to reviews of the Lifetime Plans. Advanced notice of workforce changes will allow better consideration of socio-economic issues in the sites prioritisation programme. It will allow better advanced planning of retraining and small business development. It would also provide information, which would be of value in encouraging other new businesses to move to the area to benefit from skills being released.

Higher Hazard Legacy Facilities

The Council supports the NDA's approach to prioritising the top decommissioning projects in the UK and has been involved in developing the prioritisation process via a series of national workshops. The Council would like to continue its good working relationship with the NDA with regard to facilities at Sellafield that continue to be classed as Top Priorities such as the legacy Ponds and Silos projects.

Site Remediation - Site End States

Whilst it is recognised that it will be a considerable period of time before any of 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.

The current site management operator BNGSL has recently developed a number of options on the possible potential types of use for the site in the future. The debate is still in the early stages and it is important that the local community are involved in the decision-making process of any proposed options and engage on what they require as an End State. As a result the Council is concerned that the timescales given to this debate are unrealistic due to the immense scale and nature of the Sellafield site.

The Annual Plan states that the NDA plans to use the information gathered from consultation with stakeholders, and contractors to develop recommendations to Government. The Council recognises the excellent work undertaken by the West Cumbria Site stakeholder Group who have been working with the NDA on this issue, however as a democratically elected body representing the community of Copeland, the Council is a key stakeholder in establishing this community view. We urge the NDA to ensure the Council is fully involved and resourced to undertake this public engagement.

It is the Council's view that 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.

Furthermore, any site planning processes on nuclear sites outside our area may impact on Copeland with respect to proposals to relocate contaminated materials/waste arising. As such Copeland Council should be fully involved in the decision-making processes from the outset.

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

3. Radioactive Waste Management

Low Level Waste

The Annual Plan seems to assume that the remaining waste capacity at the Low Level Waste Repository (LLWR) in Copeland is a 'given', however this capacity is dependent on planning permission by the local Councils. The Council disagrees with any increase in future waste disposal capacity at the LLWR until a community package is agreed with this Council and the issue of coastal erosion has been resolved. Furthermore it is the Council's opinion that the waste originating from Sellafield should be given priority for disposal rather than waste from elsewhere.

High Level Waste

The Council supports the Government's decision on the arrangements for managing HLW and the return of vitrified waste to the countries of origin.

Intermediate Level Waste & Interim Storage

The Annual Plan states that during 2007/08 the NDA expects to make a decision on whether there is a case for a 'more centralised approach', having involved stakeholders in the process.

Copeland Borough Council recognises that the UK Government will need to find a location for interim storage facilities however, the Council would have serious concerns if West Cumbria were used as a centralised interim storage location for intermediate level radioactive wastes. This would prejudice any 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.

It is the Council's position 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. Indeed 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.

Furthermore, in order to be fully engaged in this process the 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.

4. Commercial Operations

THORP & Sellafield Mox Plant

The Council supports the NDA's decision to recommence the operation of the THORP plant at Sellafield. We await confirmation of the restart in 2006. We also look forward to and fully support the completion of the commissioning and ramp-up of services at the Sellafield Mox Plant.

Planned Expenditure

The Annual Plan outlines that both operating and decommissioning planned expenditure at the Sellafield site will increase by approximately £20 Million in 2007/08. The operating cost increase has been explained by the inclusion of £19.2 Million of revenue from the operation of the Sellafield Mox plant, which appears under fuel manufacture. However, the increase in decommissioning costs is not clearly explained.

5. Nuclear Materials

Uranics, Plutonium and Spent Fuel

The Council supports the NDA in their plans to engage with key stakeholders at their National Stakeholder Group in early 2007 over the issue of future management options for uranium and plutonium. However, the Annual Plan does not mention involving stakeholders on the issue of the future management spent fuel. As a key stakeholder in the management of radioactive materials, the Council expects the NDA to engage with them throughout the optioneering process for all nuclear materials.

6. Competition

LLWR

The Council is in support of the NDA's methods with regard to the current Low Level Waste Repository competition. However, the Council would like to have more input into the criteria selected and the assessment of the socio economic plans of the tenderers for forthcoming Low Level Waste Repository competition.

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.

The Council believes it is important that the use of the waste hierarchy be maximised. However, 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 recognition package and then to provide additional funding for research and development and decommissioning work.

In 2004 the UK Government set up the West Cumbria Strategic Forum in response to the decision to decommission the Sellafield Nuclear site. The Forum is chaired by the Secretary of State for Trade & Industry and brings together Government Ministers, senior civil servants, regional and local partners.

One of the early decisions made by the Forum was the signing of a Memorandum of Agreement (MOA) by The Nuclear Decommissioning Agency (HQ based in Copeland),

North West Development Agency, Central Government and the three most affected Local Authorities. The agreement sets out how they will work together to respond to this challenge. The document is attached as Annex 1.

The MoA reflects the powers and duties of the NDA in the Energy Act to give encouragement and support to activities that benefit the social or economic life of communities living near designated nuclear sites.

In taking forward this MoA, the signatories adopt the following vision statement:

“To create a sustainable economy for West Cumbria, that matches or exceeds the average economic performance in the North West region.”

All signatories agree to use their own particular role, capacity and influence in order to deliver this vision for a new economy:

Within the MoA it was agreed that the production of a Socio-Economic Plan, developed by engagement with local stakeholders, would be a contractual requirement on Site Management Contractors. This plan will set out how the contractor will contribute to the local community development and quality of life. The expectation of the community and the NDA is that the site-operating contractor will become a key local partner and commit to delivering improvements. The commitments that contractors can make to these activities within their tender will be an important factor in the evaluation of tenders.

Contractors operating at Tier 1 and indeed Tier 2 levels in the decommissioning and clean up market have a vital role to play in contributing to economic change and to our vision as the global centre of excellence.

BNG

The Council has serious concerns over the sale process for British Nuclear Group (BNG) and the proposals to break it up and contradiction of the original sale announcement. Furthermore, the local community has stood by the nuclear industry and BNG through some exceptionally difficult times for almost 40 years and it deserves better than to be deserted without reasonable consultation, communication or explanation. This issue has caused doubts to be raised over the transparency and openness of the DTI, NDA and the Site Operator and questions the trust the community has in the process and of how major decisions will be made in the future.

7. Innovation

Skills

The Annual Plan clearly shows the NDA's commitment (£13.5 million 2007/08) to work with others to establish and construct the Nuclear Institute at Westlakes Science Park; the emergence of the National Nuclear Skills Academy and its delivery arms, including the construction of the Nucleus Centre at Lillyhall, West Cumbria.

As key stakeholders the Councils are closely involved with the NDA, Partners and NWDA in assisting the development of the above initiatives, which we strongly support. We will continue to support the NDA and other partners in developing skills across the whole spectrum from NVQ to research degrees required to deliver the decommissioning remit.

It is very important that the benefits of these initiatives are, as far as possible, captured for the industry and for West Cumbria and we would urge that as much as possible of the economic activity generated is retained locally, so that we start developing a new base of activity which will offset job loss impacts in the area in which they occur.

The nuclear industry provides by far the largest pool of local skills in West Cumbria. As we attempt to transform the economy it is important we find a way of harnessing the skill the industry releases to support the development of new economic activity. It is also important that individuals no longer required by the industry are provided with support to develop alternative opportunities. We would be very interested in discussing with you the potential for the NDA supporting a local 'enterprise centre' that can develop new businesses from the local skill and knowledge resource that will be released.

8. Socio Economic Issues & Stakeholders

Socio Economic Issues

The Council supports the concept of establishing an independent socio-economic sub committee. However, Local Councils are the strategic bodies that represent the local community and it is important that the committee follows the community's vision.

The Annual Plan states that the NDA will require contractors to produce socio-economic plans and that these plans will detail how they intend to disburse funds in accordance with the NDA socio-economic strategy. It is imperative that decisions made by the socio-economic sub committee are fully consistent with local, regional and national strategies including Council Corporate Plans, Local Development Frameworks, Regional Spatial Strategies and so on. Additionally in Copeland and West Cumbria we have the 'West Cumbria Spatial Master-Plan', which is part-funded by the NDA and the sub committee will need regular interface meetings to ensure complete alignment.

The NDA has a responsibility for the socio-economic development of Copeland and it is important to listen and respond positively to the community leaders. The Council is democratically elected to represent that community of Copeland and is responsible for the areas future prosperity. It would be inappropriate for the NDA to take the sole strategic role in our local communities future development. Therefore the Council must lead the socio-economic development and the NDA is most welcome to support and advise on our decisions.

The Council would like to discuss these issues further with the NDA and come to a prior agreement on how to ensure a consistent community lead approach.

Stakeholder Involvement

The Council welcomes the NDA's commitment to stakeholder involvement however, we are not supported by the NDA in the Annual Plan as the main mechanism of public decision-making.

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.

Whilst it is 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 on such a scale as the Sellafield site 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