

NATIONAL POLICY STATEMENTS FOR ENERGY – CONSULTATION RESPONSE

EXECUTIVE MEMBER: Councillor Elaine Woodburn
LEAD OFFICER: Fergus McMorrow, Director of Development
REPORT AUTHOR: Steve Smith

Summary:

In November 2009 Government published for consultation six draft Energy National Policy Statements (NPSs). Government seeks views on whether the published draft NPSs establish national need for each of the energy sectors covered i.e. renewables, coal, gas, oil and nuclear, and for their supporting infrastructure e.g. storage capacity, pipelines and electricity grid systems,

Government also seeks views on whether it has appropriately addressed the positive and negative generic impacts of developing each sector and whether the advice it proposes to provide to the newly created Infrastructure Planning Commission (IPC), about how it should deal with applications for development consent arising from each sector, is appropriate.

The draft Nuclear NPS is unique in that it seeks views on the designation of ten specific locations in England and Wales for new nuclear station construction. Three of these proposed sites (Sellafield, Braystones and Kirksanton) are in Copeland Borough. Braystones and Kirksanton are the only 'greenfield' sites (i.e. not adjacent to existing nuclear facilities) proposed for designation in the Nuclear NPS. For each of these three sites Government identifies positive and negative impacts but considers all are needed to meet future UK climate change targets and contribute to national security of energy supply.

The consultation period runs until 22nd Feb and the Government have posed a number of questions to guide consultees in their response. Following an initial Member workshop on 14th Dec and subsequent consideration by the Council's Nuclear Working Group a further Member workshop was held on 9th Feb to consider the issues relevant to the consultation but with specific emphasis on the NPS for Nuclear Power Generation. Comments made at the workshops have been considered for incorporation in the response to Government, which is attached as Appendix A.

Recommendation:

That Council agrees the response to the Department of Energy and Climate Change to the Energy National Policy Statements as set out in Appendix A, and that the Director of Development, in consultation with the

Portfolio Holder, be given delegated authority to make minor additions and amendments to the final responses if necessary before the consultation deadline.

1.0 INTRODUCTION

The Planning Act 2008 established a new 'fast track' system for dealing with planning decisions on defined national infrastructure projects. In future decisions will be taken by an Infrastructure Planning Commission (IPC) on the basis of Government designated National Policy Statements (NPSs). The new system is intended to make the planning process faster, fairer and easier for people to get involved. Under the new system, national policy will be set out in a series of 12 new National Policy Statements (NPSs). The purpose of these NPSs is to establish national need, set out generic benefits and impacts, and provide the primary basis for the newly established Infrastructure Planning Commission (IPC) in its decision making on planning applications. Government says the NPSs must be accorded 'substantial weight' in IPC deliberations. The NPSs are intended to forestall further consideration of national need when development consent is being sought from the IPC. The opportunity to consider national need, and generic benefits and impacts, is now.

In November 2009 Government published for consultation six draft Energy NPSs and a draft Ports NPS. A further five draft NPSs are expected in 2010/11 covering other national infrastructure (railways, major roads, airports, water and waste). Government seeks views on whether the published draft NPSs establish national need for each of the energy sectors covered i.e. renewables, coal, gas, oil and nuclear, and for their supporting infrastructure e.g. storage capacity, pipelines and electricity grid systems, and for new ports infrastructure.

2.0 THE NATIONAL POLICY STATEMENTS

The Department for Energy and Climate Change (DECC) seeks views on the following six draft National Policy Statements:

- The draft Overarching National Policy Statement for Energy (EN-1)
- The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)
- The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)
- The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)
- The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)
- The draft National Policy Statement for Nuclear Power Generation (EN-6)

The draft Overarching National Policy Statement for Energy (EN-1)

The purpose of EN-1 is to establish need for each of the five draft technology specific energy NPSs (EN 2-6) and set out guidance to the IPC on generic impacts.

Government says future energy policy will: contribute towards the achievement of Government's legally binding target of 80% carbon emissions reduction by 2050; ensure investment provides security of supply through a mix of low carbon technologies; deliver a grid with greater capacity and ability to manage fluctuations in supply and demand; eliminate fuel poverty, and; contribute to sustainable development. Government believes this policy is best delivered by an energy market operating within an effective regulatory framework and strategic government interventions. 75% of UK primary energy needs continue to be met by gas and oil. Government says the regulator, Ofgem, has a key role in ensuring reasonable demands for electricity and gas are met, and that timely investment is made to strengthen the grid network. Government identifies two key challenges: increased reliance on oil and gas imports as North Sea reserves decline, and substantial and timely investment in new electricity, oil and gas infrastructure over the next two decades. Government reports that currently 20GW of investment is under construction or consented. However, Government requires total generating capacity to increase from the present 80GW to 100GW by 2020 and 110GW by 2025 so that intermittent energy generation, like wind, can be managed. Government seeks to meet the 110GW capacity in 2025 by adding 35GW of new renewable capacity and 25GW of conventional generating capacity (gas and coal both capable of backfitting carbon capture technology, and nuclear).

The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)

EN-2 covers coal fired, gas fired, integrated coal gasification cycle (ICGC), and oil fired electricity generating infrastructure over 50MW capacity. It is possibly the most controversial NPS as the technology for carbon capture and storage (CCS) is unproven. EN-1 says CCS offers the potential to reduce fossil fuel generation emissions by up to 90% and that Government 'is willing to support' up to 4 coal CCS demonstration projects by 2020. All new fossil fuel generation must be made carbon capture ready (CCR) and all, except coal, will be permitted to operate pending development of CCS. Government says that it will be policy for all new coal-fired stations to have CCS from a '*substantial proportion of their capacity*'.

The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)

EN-3 currently refers to regional strategies and plans being taken into account by the IPC. In Cumbria, the Cumbria Wind Energy Supplementary Planning

Document (SPD) provides guidance on the capacity for landscapes to accommodate onshore wind energy development. It has been developed in line with the Regional Spatial Strategy (RSS) and local planning policy and has been adopted by the local planning authorities. Also, studies have been carried out on the capacity for renewable energy across the county. Sub regional evidence, such as the adopted SPD and other evidence base information, should be taken into account by the IPC and this should be explicit in EN-3. EN3 generally sets out the main planning issues that should be covered in developing such schemes and the issues that would need to be addressed in an Environmental Impact Assessment.

The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)

New gas infrastructure will be needed to meet daily and seasonal swing demand, as well as to manage imported gas volumes. Whilst some gas storage facilities may have relatively small capacity, and hence short-term endurance, they can have high delivery rates and hence play a crucial role in meeting peaks in demand.

The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)

EN-5 covers overground electricity lines of 132KV and above including associated infrastructure (e.g. electricity sub stations). EN-1 sets out the Government's conclusion that there is a significant need for new major energy transmission infrastructure. Government instructs the IPC to work on the basis that national need has been demonstrated. Government does not seek to direct applicants to particular sites or routes.

For any new nuclear generating capacity to be developed locally the electricity transmission infrastructure within the County will need to be significantly strengthened. Where possible applications for consent to develop new generating capacity and applications to develop related transmission infrastructure, need to be submitted jointly so that the IPC can assess the totality of impacts, both positive and negative.

The draft National Policy Statement for Nuclear Power Generation (EN-6)

In EN-6 the Government nominates 10 sites that it concludes meet its Strategic Siting Assessment (SSA) criteria, are deployable before 2025, and are needed to contribute as much nuclear generation as possible towards the Government target of 25GW. Government's assumption in support of the need for 10 sites is that only one reactor per site will be available and that this would deliver in total between 12 and 17GW. In practice a very significant proportion of the 25GW target could be achieved with fewer sites.

In line with stated Government policy the draft Nuclear NPS assumes interim storage of spent nuclear fuel on site arising from the operation of new build

reactors – for up to 160 years. This is based on a 60 year reactor operating life and a conservative requirement of up to 100 years to cool ‘high burn up’ fuels before directly disposing to a geological disposal facility. Less conservative assumptions could reduce the cooling time to 50 years.

Government intends the additional waste management costs from new nuclear build to be met from funds levied on new nuclear plant operators and managed by a newly created independent Nuclear Liabilities Financing Assurance Board. Government continues to consult upon the fixed costs to be levied.

3.0 CONSULTATION PROCESS

In parallel with the DECC public consultation, the Parliamentary Select Committee on Energy and Climate Change is taking evidence on, and will report on the draft NPSs. Following consultation and Parliamentary scrutiny, including debates in both Houses, the Secretary of State will ‘designate’ the NPSs. This is very unlikely to be achieved before a General Election in the Spring. A further consultation exercise by the House of Commons Regional Select Committee for the North West has also been undertaken specifically around the future of the nuclear power industry and comments submitted. As part of the consultation process DECC have organized a number of public events around the country at sites proposed for new nuclear developments and three such events were held in January at various locations in Copeland.

The DECC consultation period runs until 22nd Feb and the Government have posed a number of questions covering all six NPS’s to guide consultees in their response. Following an initial Member workshop on 14th Dec and subsequent consideration by the Council’s Nuclear Working Group a further Member workshop was held on 9th Feb to consider the issues relevant to the consultation but with specific emphasis on the NPS for Nuclear Power Generation. Comments made at the workshops have been considered for incorporation in the response to Government, which is attached as Appendix A

4.0 RESOURCE IMPLICATIONS

There are no direct resource implications arising from this report. However, the inclusion and implementation of one or all of the potential projects will result in a major resource requirement to support the Councils input to the process. This will be focussed in the area of planning and development but will also require inputs from other parts of the Council. Without appropriate resourcing the effectiveness and success of the programme, from a local perspective, may be damaged. Considerable effort is currently being expended to try and resolve this issue. This includes lobbying at the highest level.

5.0 CONCLUSIONS

Government has identified a need for 60GW of new electricity generation capacity by 2025 and a need to strengthen infrastructure for oil, gas and ports. It seeks 35GW of new electricity generating capacity from renewable sources and 25GW from conventional sources with as much as possible from nuclear.

Generally the thrust of Government policy is supported. In order to reach the Government's legally binding target of 80% carbon emission reduction by 2050 the Country must transition to low carbon generation and a decarbonised economy. Reliance on imported oil and gas (and essential port facilities) will rise as North Sea production declines, but electricity can be expected to replace fossil fuels for heating and transportation. Government expect that this will increase demand for low carbon electricity generation by 50% between 2030 and 2050 though energy saving measures and behaviours, and waste reduction, should improve significantly as energy costs continue to rise.

Renewables and nuclear development on Copeland's Energy Coast could contribute significantly to the UK's low carbon electricity requirement by 2025 though this is dependent on grid infrastructure strengthening to 400KV capacity across the County. New nuclear power development will have a positive impact on the local economy in terms of job opportunities generated and supply chain spin-off benefits. New nuclear power developments will require significant investment in infrastructure both in term of grid and highways/rail/sea provision.

List of Consultees:

Head of Development Strategy
Head of Development Operations

Background Papers:

Draft national policy Statements as listed within this report



Consultation on draft National Policy Statements for Energy Infrastructure

Section 1 – About You

We require this information to monitor the geographical and organisational spread of responses
Please write your name and job title clearly in the spaces provided below

Name Fergus McMorrow

Job title Director of Development

Your location *(please tick one)*

Please tick just one box to indicate which county you live in if in England or Wales, or which country / territory you live in if you are based outside England or Wales

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|---|---|---|--|
| <input type="checkbox"/> Aberdeenshire | <input type="checkbox"/> County of Moray | <input type="checkbox"/> Kent | <input type="checkbox"/> Roxburghshire |
| <input type="checkbox"/> Angus | <input type="checkbox"/> County Tyrone | <input type="checkbox"/> Kincardineshire | <input type="checkbox"/> Rutland |
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| <input type="checkbox"/> Cambridgeshire | <input type="checkbox"/> Fife | <input type="checkbox"/> Newport | <input type="checkbox"/> Tyne & Wear |
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| <input type="checkbox"/> Cheshire | <input type="checkbox"/> Gwynedd | <input type="checkbox"/> Nottinghamshire | <input type="checkbox"/> West Sussex |
| <input type="checkbox"/> Clackmannanshire | <input type="checkbox"/> Hampshire | <input type="checkbox"/> Orkney | <input type="checkbox"/> West Yorkshire |
| <input type="checkbox"/> Conwy | <input type="checkbox"/> Herefordshire | <input type="checkbox"/> Oxfordshire | <input type="checkbox"/> Wigtownshire |
| <input type="checkbox"/> Cornwall | <input type="checkbox"/> Hertfordshire | <input type="checkbox"/> Peeblesshire | <input type="checkbox"/> Wiltshire |
| <input type="checkbox"/> County Antrim | <input type="checkbox"/> Invernessshire | <input type="checkbox"/> Pembrokeshire | <input type="checkbox"/> Worcestershire |
| <input type="checkbox"/> County Armagh | <input type="checkbox"/> Isle of Anglesey | <input type="checkbox"/> Perthshire | <input type="checkbox"/> Wrexham |
| <input type="checkbox"/> County Down | <input type="checkbox"/> Isle of Man | <input type="checkbox"/> Powys | <input type="checkbox"/> Other |
| <input type="checkbox"/> County Fermanagh | <input type="checkbox"/> Isle of Wight | <input type="checkbox"/> Renfrewshire | |
| <input type="checkbox"/> County Londonderry | <input type="checkbox"/> Isles of Scilly | <input type="checkbox"/> Rhondda Cynon Taff | |
| <input type="checkbox"/> County of Bute | | <input type="checkbox"/> Ross and Cromarty | |



Are you responding on behalf of your Organisation?

☒ Yes

☐ No

If you are responding on behalf of your organisation then please provide the name of your organisation in the space provided below

Organisation name Copeland Borough Council

Details of how you represent this organisation Official

Area of work / interest *(please tick one)*

Please tick what sector your organisation operates within - for example if you work for your council, please tick 'Local Authority'. If you work for (e.g.) Greenpeace please tick 'NGO'. If you are responding purely as a local resident, please tick 'Local Resident.' If you feel that your organisation does not fit under any of these headings, please tick 'other'

- ☐ Local Resident
 - ☐ Local Business Owner
 - ☐ Local Community Group
 - ☐ Energy Industry
 - ☐ Other Industry
 - ☐ Government or Government Agency
 - ☐ National NGO
 - ☐ Academic Institution
 - ☐ Trade Organisation
 - ☒ Other
- Local authority

Please write your email address in the space provided below

Email address Fergus.mcmorrow@copeland.gov.uk

How did you hear about the opportunity to comment? *(please tick one)*

- ☐ Newspaper advertisement
- ☒ Government website/email
- ☐ Non-Gov website/email
- ☐ Colleague
- ☐ Media coverage e.g. newspaper article, radio feature
- ☐ Nominator/Energy company
- ☐ Other

☒ I have attended one of the Government's local events on the consultation

☐ I have attended one of the Government's national events on the consultation



- ☐ I have attended one of the Government's stakeholder events on the consultation
- ☐ Keep me informed on any updates (tick box)

We use this information to monitor how effective our communication with you has been and therefore how we might improve in the future.

Before submitting your form please ensure you have read the confidentiality and data protection statement which is at the end of this document.

- x Yes, I have read and accept the provisions in the confidentiality and data protection statement (this is set out on the last page of this document)
- ☐ Please treat my response as confidential. If you are requesting confidentiality, it would be helpful if you could explain in the box below why you regard the information you have provided to be confidential



This consultation focuses on the consultation questions listed below. However, respondents are free to make other comments, and the Government will consider these where appropriate. When considering responses to this consultation, the Government will give greater weight to responses that are based on argument and evidence, rather than simple expressions of support or opposition.

When answering these questions please explain and give reasons for your answers.



Chapter 2: Draft Overarching Energy NPS (EN-1)

1. Do you think that the Government should formally approve ('designate') the draft Overarching Energy National Policy Statement?

Yes. We believe a significant amount of investment will be needed in the UK energy infrastructure over the next 10-15 years to replace existing capacity, to help secure energy security, and to meet the UK's climate change targets. We therefore support the introduction of National Policy Statements and the Infrastructure Planning Commission to help speed up the approval process for major energy infrastructure projects to help facilitate investment, especially in low carbon energy. We believe that quicker approval is vital, particularly given the long lead times for developments such as nuclear power. The Energy NPS and the IPC could make a significant beneficial difference to the timetable for economic development in Copeland where nuclear energy and other associated energy sectors are the cornerstone of the West Cumbria Energy Coast Masterplan.

2. Does the draft Overarching Energy National Policy Statement provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent?

Yes. We consider that this NPS, together with the technology specific NPS's (e.g. nuclear) provide clear guidance to the IPC on Government policy; on the need for new energy infrastructure; and on the assessment principles and impacts that should be taken into account in deciding on development proposals.

3. Does the draft Overarching Energy National Policy Statement provide suitable information to the Infrastructure Planning Commission on the Government's energy and climate policy?

Yes. We consider that Part 2 of the NPS provides a good summary of Government policy. We consider that, together with the technology-specific NPS's and other recent Government energy, climate change and low-carbon economy policy documents, there is sufficient information for the IPC. However we need to be assured that the cumulative impacts on local economies of related development consent applications will be considered by the Commission. This is particularly relevant in Copeland where the potential for development of 3 new nuclear power stations and related new grid provision will have cumulative impacts on the local infrastructure.



4. Does the draft Overarching Energy National Policy Statement provide suitable direction to the Infrastructure Planning Commission on the need and urgency for new energy infrastructure?

Yes. We consider that the statement of need in Part 3 of the NPS provides a very good assessment of the need and urgency for energy infrastructure. We consider that it provides a helpful indication of the amounts of energy capacity likely to be required, and the timeframe in which it is likely to be needed. The Council also takes the view that Copeland Borough has the potential to offer significant solutions to the Government's identified energy need through the provision of new power generation facilities, in an environment where the local community recognise the potential benefits that could be accrued by working in partnership with Government.

5. Do the assessment principles in the draft Overarching Energy National Policy Statement provide suitable direction to the Infrastructure Planning Commission to inform its decision-making?

Yes. We consider that the principles set out in Part 4 of the NPS provide a clear steer to the IPC on the basis which it should consent to or refuse development proposals, and the factors the IPC should take into account in taking its decision. We support the Government's approach that if a development proposal is in accordance with an NPS, then the IPC should operate on the basis that consent should normally be given. We would add however that such proposals should also be seen to conform to local development plans and in Copeland the Council is developing a Local Development Framework which recognises the positive development opportunities that an expanding energy and nuclear industry can provide to the local economy.

6. Does the draft Overarching Energy National Policy Statement appropriately cover the generic impacts of new energy infrastructure and potential options to mitigate those impacts?

Yes. We agree that the generic impacts described in Part 4 of the NPS and the related information in the technology specific NPS's cover the most likely and significant issues likely to arise. We found the Government's general approach on each of the potential impacts clear and helpful in (a) describing the impact, and in setting out (b) what is required of the potential development applicant, (c) what the IPC should consider, and (d) what mitigating measures might be required.



7. Do you have any comments on any aspect of the draft Overarching Energy National Policy Statement not covered by the previous questions?

Copeland Borough Council believes we are in a unique position to help deliver the Governments agenda for energy security into the future. Our history of nuclear power generation at Sellafield and the proposal for 3 additional new sites in the Nuclear Power NPS, the provision of the national Low Level Waste site in the Borough and the fact that Copeland has expressed an interest in the MRWS process proves that Copeland Borough Council is committed to supporting the Governments agenda for energy security. However such a range of interventions does have resource implications for the Council and this should be recognised by Government. We consider it important to emphasise that we believe the focus of Government energy and climate change policy should now be on delivery and Copeland Borough Council is keen to be at the forefront of taking forward the energy agenda.

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Chapter 3: Draft NPSs for Fossil Fuels, Renewables, Gas Supply and Gas and Oil Pipelines, and Electricity Networks (EN 2-5)

8. Do you think that the Government should formally approve ('designate'):

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

Yes. Copeland Borough Council consider it important for the UK to have diverse sources of energy supply, and support the introduction of clean-coal technology, recognising that such technology is at an early stage of development .

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Yes. We consider that a huge increase in renewable energy deployment – especially offshore wind – is necessary if the UK is to meet its renewables and climate change targets. We believe that a more streamlined planning system is a necessary component of this, along with other factors such as improved supply chain capability. However, the Council believes that the NPS could be strengthened, and the role of the IPC clarified, if the NPS addressed and emphasised;

Linkages to key issues as set out in existing Planning Policy Statements (PPSs).

Linkages to other legislation that the IPC will need to have regard to, ie Biodiversity legislation.

Reference for the IPC to seek evidence on wider sustainability and carbon accounting issues.

The need for the IPC to consider the role of sub regional plans, targets or guidance in addition to regional strategies and targets.

c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

Yes. The Council has previously expressed its support to achieving a diverse range of energy sources. We consider therefore that as the contribution of North Sea gas fields declines it is important to quickly put in place new gas importing infrastructure (including pipelines and LNG import facilities) and new gas storage capacity. We believe the NPS should be approved to help facilitate this.



d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Yes. Copeland Borough Council is of the view that a huge investment will be needed in the electricity network over the next 10-15 years to expand and reinforce the current network; to modernise it as we move towards more intelligent management systems (smart meters and grids); to adapt it to a de-carbonised energy system with e.g. more emphasis on nuclear and renewable energy, and the introduction of electric vehicles. In many cases, such investment in the electricity network will be a pre-requisite for investment in the energy infrastructure itself e.g. 400 kv power lines for nuclear power stations. Timely consents will therefore be vital. The Council recognises its commitment to protecting the environment and accepts that investment in the grid may have an impact on the wider environment across Cumbria, including the Lake District National Park, and is committed to identifying solutions that minimise environmental intrusion yet retain commercial viability.

9. Do the following draft National Policy Statements provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

No comment.

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?



Yes, in respect of various renewable energy technologies. We believe it is very clear in respect of offshore and onshore wind, and biomass/waste. In addition to comments at 8b, the NPS currently refers to *regional* strategies and plans being taken into account by the IPC. The role of the IPC would be enhanced we believe by the NPS also making reference to the role of *sub-regional* strategies. For example, in Cumbria, the Cumbria Wind Energy Supplementary Planning Document (SPD) provides guidance on the capacity for landscapes to accommodate onshore wind energy development. It has been developed in line with the Regional Spatial Strategy and local planning policy and has been adopted by the local planning authorities. In addition to this, studies have been carried out on the capacity for renewable energy across the county. Sub regional evidence, such as adopted SPD and other evidence based information, should be reflected in the NPS and then taken into account by the IPC. Existing sub regional policy from the Cumbria Joint Structure Plan have been saved and extended to support the Regional Spatial Strategy. These include Policy ST4 Major Development, Policy R44 Renewable Energy outside National Parks and Policy R45 Renewable Energy for the Lake District National Park and Areas of Outstanding Natural Beauty. We note that there is not yet a NPS on wave and tidal energy, which we look forward to in due course, given the potential for development in the Solway Firth, Duddon Estuary and Morecambe Bay.

c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

Yes broadly. The Council believes that the process could be enhanced for the benefit of the outcomes determined by the IPC if there was reference made to local development frameworks as well as consideration of the potential impacts identified through Local Impact Reports and consultation with local communities.



d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Yes. We consider the NPS offers clear guidance to developers, the National Grid and other network operators, and the IPC in terms of development proposals and decision-making, and in terms of mitigating measures the developer may need to consider e.g. in areas like landscape and visual impact. As noted earlier, we believe it is particularly important that mitigation measures are taken, where economically viable, to minimise environmental intrusion. The Council is also of the view that development proposals for grid infrastructure are submitted and approved in good time to enable the approval of the energy proposals to which they relate (e.g. new nuclear power stations). In this regard, it is particularly important for timely proposals in respect of a new 400 kv “Cumbria ring”, to support new nuclear power station opportunities in Copeland. We also consider it important that the work of the Electricity Strategy Networks Group on the electricity networks infrastructure should reflect the latest agreements between potential developers and the National Grid for the timing of connections of any potential new nuclear power stations in Copeland.

10. Do the following draft National Policy Statements appropriately cover the impacts of the specific types of new energy infrastructure covered in them, and potential options to mitigate those impacts:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

No comment.

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Yes, in respect of the renewable energy technologies covered noting that there is no current NPS for wave and tidal energy.

Through the preparation of the Energy Coast Masterplan Council has previously expressed its support to achieving a diverse range of energy sources. In addition the following comments are offered;

In terms of potential **biomass** waste plants the Council expects that developers should still need to demonstrate why the site chosen is likely to be the best site for the development in broader sustainability terms, and particularly with regard to vehicular movements and associated carbon emissions.

In terms of **Offshore Wind**, currently the NPS includes reference to the Green Belt Planning Policy Statement, it should also refer directly to the need for the IPC to refer to planning policy statements relating to nature conservation (PPS9), landscape designations (PPS7) and historic designations (PPG15 and 16). This could be a particular issue when connecting offshore developments to the current onshore grid via cabling and substations, particularly where cables cross international and national nature conservation designations. In addition the NPS could be enhanced by requiring the IPC to consider the effects of any cabling or other infrastructure crossing Natura 2000 sites comprising international nature conservation designations such as Special Protection Areas and Special Areas of Conservation.

In terms of **Onshore wind** the NPS as currently drafted makes reference to the 'temporary' nature of such schemes whereas in effect it is relatively easy to remove the above ground infrastructure and ensure that de-commissioning takes place. In addition it should include reference to the role of regional **and** sub regional strategies and plans in IPC decision making, for example, the Cumbria Wind Energy Supplementary Planning Document provides guidance on the capacity for landscapes to accommodate onshore wind energy development (see comments at 8b above).



c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

Yes.

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Yes. See 9d.

11. Do you have any comments on any aspect of the following draft National Policy Statements not covered by the previous questions:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

No.

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

No.

c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

No.

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Where possible, applications for consent to develop new generating capacity and applications to develop related transmission infrastructure should be submitted jointly so that the IPC can assess the totality of impacts, both positive and negative.



Chapter 4: Appraisal of Sustainability and Habitats Regulations Assessment for EN 1-5

12. Do you agree with the findings from the following Appraisal of Sustainability reports:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

Yes. We note that an Appraisal of Sustainability has been done for all the Energy NPS's, and that they incorporate the requirements for Strategic Environmental Assessment. We also note that other than for nuclear power, the Appraisals of Sustainability are not site or project specific, and that in terms of identifying, assessing and mitigating effects they are neither more stringent or relaxed than at present.

We agree with Government's assessment in its main conclusions for the Assessment of Sustainability that the NPS's are likely to speed up the transition to a low carbon economy; have a positive effect on climate change objectives; will provide greater clarity to developers; and through speedier decision-making should help provide greater investment certainty and improved energy security of supply.

b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

See 12a. No additional comment.

c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

See 12a. No additional comment.

d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

See 12a. No additional comment.

e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

See 12a. No additional comment.



13. Do you think that any findings from the following Appraisal of Sustainability reports have not been taken account of properly in the relevant draft National Policy Statements:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

No.

b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

No.

c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

No.

d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

No.

e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

No.

14. Do you have any comments on any aspect of the following Appraisal of Sustainability reports not covered by the previous questions:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

No.

b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

No.

c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

No.



d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

No.

e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

No.

15. Do you have any comments on the Habitats Regulations Assessment reports for the following draft National Policy Statements:

a) Habitats Regulations Assessment report for the draft Overarching Energy National Policy Statement (EN-1)?

We note that the overarching Energy NPS says that before granting a development consent, the IPC must have regard to the Habitats Regulations; that information is provided to developers on where the requirements of the Regulations can be found; which statutory bodies should be consulted; and what developers must provide to the IPC, including on mitigation.

b) Habitats Regulations Assessment report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

See 15a.

c) Habitats Regulations Assessment report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

See 15a.

d) Habitats Regulations Assessment report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

See 15a.

e) Habitats Regulations Assessment report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

See 15a.



Chapter 5: Draft Nuclear NPS (EN-6) and associated documents

16. Do you think that the Government should formally approve ('designate') the draft Nuclear National Policy Statement?

Yes. As previously stated Copeland Borough Council supports the case for new nuclear power as set out fully in the Government's January 2008 White Paper. In July 2008, Government consulted on the process it intended to follow, and the criteria it intended to use in selecting new nuclear power station sites. And in January 2009, the Government invited nominations for sites capable of deployment by 2025, on the basis of the consulted criteria. We therefore consider the draft NPS a logical next step and a proper outcome to the earlier process.

The Borough Council recognizes the need for a national Energy Strategy including a strategy for Nuclear Power Generation and supports the case made for Nuclear New Build as part of this strategy. For Copeland, new nuclear power, and associated infrastructure requirements, represents the best opportunity to lay a foundation for achieving long-term economic diversification and sustainable economic growth, as highlighted in the Energy Coast Masterplan. This scenario provides the real opportunity to attract new business and supply chain activities and the potential to retail the current skills base.

We believe that early designation of the NPS is vital if the Government is to meet its objective of deployment of the first new nuclear power station by 2025, with a significant proportion of the 25 GW of non-renewables capacity provided by nuclear power by 2025. We consider that even more nuclear power is likely to be needed (a) by 2050, and (b) if there is any shortfall in meeting the Government's targets on renewable energy.



17. Does the draft Nuclear National Policy Statement provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent?

Yes. The Council accepts that the Energy NPSs collectively provide a suitable framework for the assessment of applications for development consent by the IPC and clear guidance on the range of issues to be considered. We consider that there is very clear guidance to the IPC on the information it will need to take a decision on each of the 10 selected sites. For example, for each of the individual criteria (such as flood risk or landscape value) there is specific guidance to the IPC on a site-by-site basis.

The Council believes there is a fundamental role for local authorities (within the IPC process of considering applications for development consent) leading the process of community engagement and consultation and in preparing Local Impact Reports. The Council is keen to play a full role but recognizes the resource implications of undertaking such a role. As noted previously Copeland has the potential to contribute substantially to the Government's energy agenda through the proposal for 3 sites for nuclear new build, the siting of the national Low Level Waste site and through its expression of interest in the Managing Radioactive Waste Safely (MRWS) process all of which create resource pressures. Additionally the Council is of the view that the IPC should consider as part of the process the need to identify a programme of enabling infrastructure (to include ICT; road, rail and sea access; and grid provision) which would be implemented concurrently with the development of the power station to ensure that once on-stream the nuclear power plant is adequately served by supporting infrastructure and not reliant on existing outdated

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18. Does the draft Nuclear National Policy Statement provide suitable direction to the Infrastructure Planning Commission on the need and urgency for new nuclear power stations?

Yes. We believe the Government has set out clearly its policy on nuclear power; the need for new electricity generation capacity; the need for new nuclear power; the need for early deployment of new nuclear power; and the reasons why it has selected 10 sites in its NPS list. We agree with Government that nuclear power is low carbon, contributes to energy security, enhances energy diversity, and is proven technology. We consider that more reliance should be placed on nuclear power as the basis for a de-carbonised energy infrastructure than on other low-carbon technologies. Government says: "There can be no certainty that development consent on all sites listed in the Nuclear NPS will be granted as issues may emerge once they are analysed in detail by developers and the IPC. This Council recognises that in order to meet Government targets it is essential that the Nuclear NPS has sufficient sites to allow for the loss of some sites at the detailed site assessment level.



19. Do you agree with the Government's preliminary conclusion that effective arrangements will exist to manage and dispose of the waste that will be produced by new nuclear power stations in

Yes. The Council supports the Government's conclusion that geological disposal is the best long-term approach for the management of higher activity waste, and agree with the Government's voluntarist and partnership approach to selecting a disposal facility site. As Government notes, three Cumbrian authorities – Allerdale and Copeland Borough Council's, and Cumbria County Council – have formally expressed interest in their potential involvement [and a letter of intent has been provided to Government]. The Council is committed to pursuing this process. We consider the partnership working of the three authorities, to be good progress. We believe on the basis of experience in other countries (e.g. Sweden) that Government is right not to set a formal timetable for the selection process.

We also share the Government's view that interim storage will provide a safe and secure means of containing waste until a geological disposal facility is available, and legacy waste disposal completed.

While we therefore agree that effective arrangements will exist, we would however ask Government to reconsider in due course its approach to spent fuel which this Council believes should be considered as an asset.

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Government may also wish to consider the merits of national (or regional) interim waste stores, given that site-based facilities seem likely to be needed until at least 2130, because of the need to dispose of legacy waste first.



20. Does the draft Nuclear National Policy Statement appropriately cover the impacts of new nuclear power stations and potential options to mitigate those impacts?

Yes. In general the Council considers that the nuclear specific impacts are clearly defined, and that for each of the impacts there is clear guidance to potential developers on what should be covered in its development application; what the basis of the IPC decision should be; and what mitigating measures may be possible. We consider that the correct criteria was selected for the Strategic Siting Assessment (SSA), and the right distinction made between categories for national and local consideration.

We note the Government's view that there is potential for long term impacts in Copeland and Cumbria because of the proximity of the Lake District National Park; that the nuclear industry has a significant beneficial effect on the local economy; and that development of a number of sites within a region (such as Copeland) could have short term negative effects if the sites were developed in a similar timeframe. The Council is aware of its environmental protection role but sees no conflict through supporting nuclear new build, and where proposals have an impact on the environment is keen to explore options to mitigate and minimise those impacts which are economically viable. A failing of the high-level nature of the assessment process to date for the NPSs is that there is no proper consideration of the cumulative impacts in relation to key strategic impacts identified in the report. The Councils view is there are also cumulative *benefits* that need to be considered from the potential development of facilities and infrastructure within similar timescales and the NPS should refer to such a potential existing and for it to be included as part of the IPC appraisal process



21. Do you agree with the Government's preliminary conclusion on the potential suitability of sites nominated into the Strategic Siting Assessment, as set out below?

You can respond in general terms on the assessment as a whole, or against one or more specific sites.

a) General comments

Yes. We understand that all nominated sites were subjected to a thorough assessment by Government and its statutory consultees, against clear exclusionary and discretionary criteria. We note as testimony to the rigour of the process that not all nominated sites were selected. We also note that Government took expert advice on whether it was reasonable to conclude that the nominated sites could be deployed by 2025, as asserted by nominators. Furthermore, we note that there are firm plans by energy utilities for the construction of new nuclear power stations at five sites before 2025 – at Hinkley, Oldbury, Sizewell, Sellafield, and Wylfa].

The Council fully supports the inclusion of all 3 sites in Copeland at Sellafield, Braystones and Kirksanton, in the National Policy Statement on the basis that they currently meet the Governments criteria for deployment by 2025. All 3 sites will be the subject of further specific and detailed suitability and impact studies. All 3 sites would have a significant impact on the local economy. The Council further considers that, of the 3, the site at Sellafield is a priority site for development.



The Government considers the following sites to be potentially suitable for the deployment of new nuclear power stations by the end of 2025:

b) Bradwell

No comment.

c) Braystones

We agree with the Government's assessment of Braystones, and its inclusion in the NPS. We share Government's view that up to 25 GW of new nuclear power is likely to be needed by 2025, and that because of the uncertainty over the number of reactors to be deployed on each site, all sites worthy on their own merits – such as Braystones – should be included. Moreover, because of the proximity of Braystones to the current Sellafield site and its location in West Cumbria, we believe that Braystones enjoys several of the advantages of the listed Sellafield site (e.g. skills base, access to nuclear infrastructure – see Sellafield below). However, while we believe that both Sellafield and Braystones merit inclusion, we believe that the listed Sellafield site enjoys more advantages because it is adjacent to the current Sellafield site e.g. access to emergency services, proximity to waste treatment facilities.

d) Hartlepool

No comment.

e) Heysham

No comment.

f) Hinkley Point

No comment.



g) Kirksanton

We agree with the Government's assessment of Kirksanton, broadly for the same reasons as Braystones (see c) above, and thus its inclusion in the NPS. We recognise that Kirksanton is further away from Sellafield than Braystones, but it is likely to share several of the same benefits attributed by Government to the area. Development of Kirksanton would have positive economic benefits for the south of Copeland Borough. However, while we believe that both Sellafield and Kirksanton merit inclusion, we believe that the listed Sellafield site enjoys more advantages because it is adjacent to the current Sellafield site e.g. access to emergency services, proximity to waste treatment facilities.

h) Oldbury

No comment.

i) Sellafield

We agree with the Government's conclusion that the Sellafield site is potentially suitable and should be included in the NPS list. We believe that the purchase in October 2009 of land for deployment by Iberdrola, GDF Suez and Scottish and Southern Energy puts Sellafield in the very top rank of sites potentially capable of earlier deployment, by around 2021.

The site, at 250 hectares, is the second largest available in England and Wales (after Bradwell) and is considerably bigger than most others. We believe that it is potentially capable of hosting up to eight or nine reactors, over time.

As noted by Government, the site is close to the UK's – and the world's – first ever commercial nuclear power station, at Calder Hall – providing historical significance.

We consider that Sellafield is better placed than any other potential site in terms of its proximity to the UK nuclear industry. [The North West has been named as the Government's Low Carbon Economic Area for nuclear. And, as noted by Government, West Cumbria is host to "the largest concentration of nuclear facilities in the UK representing some 60% of the total industry, with a continuing focus on skills and education".

We agree with Government's views that Sellafield's location will give access to a qualified workforce and technical support; that there is strategic support for energy infrastructure in the region; and that new nuclear generation fits well with the sub-regional development plan ("Britain's Energy Coast) in terms of its support for a de-carbonised energy infrastructure, including also renewable energy.

We note that the site passes the Government's criteria on:

- demographics;
- proximity to military activities;
- flooding, tsunami and storm damage;
- coastal processes;
- proximity to hazardous substances;
- proximity to civil aircraft movements;
- nationally designated sites of ecological importance;
- size of site to accommodate operation; and
- access to suitable sources of cooling.



We share Government's view that the most significant issue for the site is grid infrastructure. However, as Government notes, a connection offer has been made by National Grid for 1600 MW by October 2023 and a further 1600 MW by October 2025. Similar or earlier offers have also been made by National Grid and accepted by the nominator (RWE) in respect of the Braystones and Kirksanton sites. Moreover, detailed and positive discussions have been held with local stakeholders, including local planners and the Lake District National Park Authorities, about potential options for a grid routing to the north and south of the Sellafield site.

We recognise that the Appraisal of Sustainability considered that there could be a potentially adverse landscape and visual impact, particularly including the Lake District National Park. However, we agree with the conclusion of the Sustainability Appraisal that, overall, the new power station would be seen in the context of the existing Sellafield complex, and that the direct impacts will be primarily felt at local level. We would add that West Cumbria has a mutually beneficial interest in developing both new nuclear power and promoting tourism, both inside and outside the National Park. They are the two main areas of economic development for area, and we therefore see a shared interest with others in developing both as positively and sensitively as possible.

The last point is an important one. As noted, West Cumbria has been at the heart of the UK nuclear industry for some 60 years, and around 50% of jobs in the Borough of Copeland and 25% of jobs in the Borough of Allerdale are linked with it. A new nuclear power station(s) at Sellafield would be the most significant contributor to the economic development of West Cumbria for some time. [Moreover, we believe that local stakeholders are likely to be less attracted by the possibility of additional waste management facilities in the absence of power stations.]

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j) Sizewell

No comment.

k) Wylfa

No comment.

The Government does not consider the following site to be potentially suitable for the deployment of new nuclear power stations by the end of 2025:

l) Dungeness

No comment.



22. Do you agree with the Government's preliminary conclusion that the three sites identified in the Alternative Sites Study, as listed below, are not potentially suitable for the deployment of new nuclear power stations by the end of 2025? You can respond in general terms on the sites identified in the Study as a whole, or against one or more specific sites.

a) General comments

Given the UK's potential dependency on nuclear power, we consider that Government was correct to consider alternative sites to those nominated. We do not however have specific comments on the three sites studied by Government.

b) Druridge Bay

No comment.

c) Kingsnorth

No comment.

d) Owston Ferry

No comment.

23. Do you agree with the findings from the Appraisal of Sustainability reports for the draft Nuclear National Policy Statement?

We agree with the AoS that the draft NPS could bring benefits in meeting the Government's climate change and energy security objectives. We also agree that there is potential for positive effects on local employment – these are significant in our view for Copeland. We therefore agree that a development proposal to the IPC should include socio-economic as well as environmental considerations. We are pleased that each nominated site has been subject to an assessment of sustainability in respect of nature conservancy, biodiversity and other sustainability effects, as well as the potential for inter actions or cumulative effects (such as more than one site in a region). We believe that for each of the three listed Cumbrian sites – Braystones, Kirksanton and Sellafield - the correct issues have been identified.



24. Do you think that any findings from the Appraisal of Sustainability reports for the draft Nuclear National Policy Statement have not been taken account of properly in the draft Nuclear National Policy Statement?

No, we believe proper account has been taken, at least insofar as the three Copeland sites listed are concerned.

25. Do you have any comments on the Habitats Regulations Assessment reports for the draft Nuclear National Policy Statement?

As above, we are pleased that the draft NPS has been assessed in accordance with the Habitats Directive. We note that the key findings for each site in terms of Appraisal of Sustainability and the Habitats Directive are summarised together and, as under 23 and 24 above – we therefore agree with the areas highlighted.

26. Do you have any comments on any aspect of the draft Nuclear National Policy Statement or its associated documents not covered by the previous questions?

No.

Chapter 6: Impact Assessment and other questions

27. Do you have any comments on the Impact Assessment report for the draft energy National Policy Statements?

The reports seem to be comprehensive.

28. Does this package of draft energy National Policy Statements provide a useful reference for those wishing to engage in the process for development consent for nationally significant energy infrastructure, particularly for applicants?

We cannot comment from the perspective of a developer, which we are not, but the draft NPS seems to us a useful reference for those who will be involved in the development consent process, including local authorities, the public and other stakeholders, and the IPC itself.

29. Do you have any comments on any aspect of the draft energy National Policy Statements or their associated documents not covered by the previous questions?

No.



Before submitting your form please ensure you have read the confidentiality and data protection statement which is at the end of this document.

Please return completed forms to:

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Or email them to energynpsconsultation@opm.co.uk

Confidentiality and data protection

Responses to this consultation, including names, will be made public and may be used by Parliament as evidence in the Parliamentary scrutiny process, and may be published under the authority of Parliament, unless respondents specifically request confidentiality.

However, respondents should be aware that confidentiality cannot always be guaranteed. For example, responses, including personal information, may be subject to publication or release in accordance with the access to information regimes (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

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In view of this, if you are requesting confidentiality, it would be helpful if you could explain why you regard the information you have provided to be confidential. Any confidentiality disclaimer that may be generated by your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.