

West Cumbria MRWS Partnership: Progress Report.

MEMBER: Councillor E M Woodburn
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WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS

The report ensures members are kept informed as to how this partnership is moving forward. It is important that the Council is able to ensure that our local resident's interests are fully taken into account when considering whether or not Copeland should formally participate in the national process to identify a site for a GDF (deep geological disposal facility for higher level radioactive wastes).

**WHY HAS THIS REPORT COME TO THE COUNCIL?
(Eg Key Decision, Policy recommendation for Full Council, at request of Council, etc.)**

The report provides information on the work of the partnership to allow the Council to decide whether or not to endorse its continued work.

RECOMMENDATION:

Council is asked to note the West Cumbria MRWS Partnerships' Report summarising the first round of public and stakeholder engagement activity between November 2009 and March 2010 and endorses the partnership to continue working on our behalf and provide us with regular updates on activity.

1. INTRODUCTION

1.1. Members receive regular updates on the work of the West Cumbria Managing Radioactive Waste Safely Partnership. The Partnership consists of a range of organisations working together to produce a recommendation to the Council on whether Copeland should formally decide to participate in a national process to help identify a site for a deep geological repository or not. A positive decision to take part would not result in any commitment as the Council would still retain the right to withdraw from the process in the future. The process is based one of voluntarism and the provision of balancing community benefits. The overall objective is to dispose of the country's higher level radioactive wastes, 70% of which are currently housed at Sellafield.

1.2. There are no indications that the recent changes in Government will result in any change to this process. The current Energy Minister Charles Hendry made it clear pre election that the process would continue.

1.3. The partnership has continued to work together to implement its work programme which is aimed at investigating each of the decision making criteria it had previously developed and agreed. Full details of these are available to all members and the public on the partnership website www.westcumbriamrws.org.uk.

2. PUBLIC AND STAKEHOLDER ENGAGEMENT PROGRAMME.

2.1. Public and Stakeholder Engagement (PSE) has been placed at the heart of the Partnerships work programme. Even at this early stage in the process an unprecedented range and scale of engagement has already been carried out because it recognises the importance of engaging widely on an issue of such sensitivity.

2.2. The work programme sets out three phases of PSE prior to any formal participation being considered. Each phase will build on the previous one and will lead to a fuller understanding of public views. The first phase of this has now been completed. The Index and Executive Summary are attached. The full document is available on the website.

3. OTHER PROGRESS

3.1. Progress is being made in most areas related to the decision making criteria. As well as the specific sub group designing and delivering the PSE work; sub groups are also working on understanding of the potential impacts and developing the principles for the provision of community benefits. As required by the Government White Paper setting out the process, the British Geological Survey have now been commissioned by Department of Energy and Climate Change to carry out the first desk top geological filter which is designed to remove areas that could obviously not be considered for such a facility. The criteria for this first pass were set out in the White Paper. This would determine whether there is sufficient potential to make it worth including it as one of the areas worth looking at. It would not identify areas that are necessarily suitable. A more detailed analysis of which areas might be potentially suitable would only follow later if there were a decision to engage in future stages within the formal process.

3.2. It needs to be remembered that the degree and detail of work carried out will only reflect the 'expression of interest' stage of the process we are now engaged in. In the event that a decision was taken to formally engage in the process much more detailed work would have to take place.

3.3. At the present time there are still only three expressions of interest nationally all of which relate to Copeland and Allerdale.

4. WHAT ARE THE LEGAL, FINANCIAL AND HUMAN RESOURCES IMPLICATIONS?

4.1. Copeland Borough Council is the accountable body for the work and, subject to formal approval of the annual funding agreement, the work (including staff time provided by the three Councils and use of private contractors) is fully funded by Central Government through the Department of Energy and Climate Change (DECC). The recent general election has resulted in a delay to formal approval of the 2010/11 funding agreement for the work and this exposes the Council, as accountable body, to an element of risk. However, it is worthwhile noting the funding agreements relating to the last two years of the work programme were also formally approved by DECC late in the year and, in both cases, full funding was received.

5. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?

5.1 The process is managed overall by a Steering Group of the Partnership. Private contractors (3KQ) are employed by the partnership to programme manage and facilitate and report to the Steering Group. In addition, the partnership has employed independent evaluators to review and challenge the process. The objective of this is to provide us with the confidence that the process is robust and is effective in achieving its objectives. The local authorities involved and other partners are fully aware of the importance of the decision being made and determined that the process is as good as it can be. Golder Associates were commissioned to carry out the first such assessment. They have produced their draft report which identifies the following key points:

1. The basis partnership model is sound albeit under continuous development.
2. Terms of reference are sensible although decision making processes will need clarifying.
3. Six criteria are sensible and work programme in place. Careful planning will be needed to make sure the partnership is not overwhelmed by the tasks. There is a danger more is done than is needed to take the next decision making step.
4. Members are committed, play a full part, work together well, demands on key individuals are potentially too high and will need to be managed.
5. Observing members are constructive, meetings are generally well run and meeting in public works well.
6. The public need to be able to hear alternative positions being aired and tested. Care will be needed to show conclusions are arrived at objectively.
7. PSE 1 engagement was extensive. In some areas, perhaps more than necessary. Still a need to increase awareness.
8. The whole PSE programme was well delivered. Problems with some of the activities but nothing that compromised the legitimacy of the programme.
9. The vast majority of stakeholders are generally supportive of the efforts albeit usually caveated in one way or another.
10. The convenors team and secretariat are acknowledged to be doing a good job
11. The process is less than perfect, there are tensions between members. It has laid the groundwork for the programme it needs to make its recommendations.

12. Public awareness of its efforts has not noticeably increased. Confidence in the partnerships commitment to fairness has however reduced between the two polls undertaken providing a challenge for the partnership.
13. It concludes the work programme represents a plausible strategy that addresses the Terms of Reference and was derived very largely in accordance with its guiding Principles. PSE 2 and PSE 3 and the elements of the work programme as currently envisaged do have the potential to deal with the shortcomings raised and deliver a recommendation through a process that does command broad local acceptance.
 (Note. This information comes from a draft report and is being presented now due to the timing of this meeting. The full final report will be available on the Partnership website)

6. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?

6.1 It is an agreed part of the governance arrangements for the partnership that representatives must keep their organisation/constituents informed. This reporting back is logged and recorded by the partnerships. From this report it can be demonstrated that effective governance arrangements are operating.

List of Appendices

Appendix 1- Public and Stakeholder Phase 1 Executive Summary

List of Background Documents:

Full PSE 1 Report 2010
 Partnership Meeting Reports
 All available on website www.westcumbriamrws.org.uk.

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	None directly
Impact on Rural Proofing	Significant impact in the longer term
Health and Safety Implications	Direct impact in the longer term
Impact on Equality and Diversity Issues	None directly
Children and Young Persons	None directly

Implications	
Human Rights Act Implications	May have implications as the project goes forward
Monitoring Officer comments	The work should be carried out to minimise our financial risks
S. 151 Officer comments	<p>Copeland Borough Council is the accountable body for the work and, subject to formal approval of the annual funding agreement, the work (including staff time provided by the three Councils and use of private contractors) is fully funded by Central Government through the Department of Energy and Climate Change (DECC). The recent general election has resulted in a delay to formal approval of the 2010/11 funding agreement for the work and this exposes the Council, as accountable body, to an element of risk. However, it is worthwhile noting the funding agreements relating to the last two years of the work programme were also formally approved by DECC late in the year and, in both cases, full funding was received.</p>

Key Decision? No