

## **REPORT ON NUCLEAR POLICY ISSUES**

**EXECUTIVE MEMBER:** Cllr Woodburn  
**LEAD OFFICER:** Fergus McMorrow  
**REPORT AUTHOR:** Fergus McMorrow

**Summary:** This reports progress on a number of nuclear policy issues to the Executive and recommends related actions.

<b>Recommendation:</b>	<ol style="list-style-type: none"><li>1. The County Council should be informed of this Council's view that the current and proposed planning applications related to the low level radioactive waste repository at Drigg should be refused until an 'off set' package is agreed with the Borough Council.</li><li>2. £150,000 is allocated from the Major Projects Fund to support the Council's campaign to introduce offset packages as used in other parts of the EU.</li></ol>
------------------------	--

**Impact on delivering the Corporate Plan:** The report relates to delivery of policy objectives ON2 and ON3 in the Corporate Plan. These are;

**ON2 Review and strengthen Copeland's own policies to ensure the council can effectively support any decisions that may have a positive socio, economic or environmental impact on the area**

**ON3 Lobby to get acceptance of the principle of compensatory measures to offset nuclear detriment**

These objectives are second and third in priority ranking in the Nuclear Issues section behind only the safe operation of the nuclear industry

**Impact on other statutory objectives (e.g. crime & disorder, LA21):** The issues discussed in this report impact heavily on the long term sustainability of Copeland Communities

**Financial and human resource implications:** Resources required to pursue the recommendations include £150,000 contribution to a campaign fund which would need to be allocated from the major projects fund. The latter currently stands at £1,014,818.97 subject to final accounts. In addition considerable Officer and Member time in managing such a campaign

**Project & Risk Management:** A framework plan of action will be developed.

### **Key Decision Status**

- **Financial:** Yes.  
- **Ward:** All.

**Other Ward Implications:** All.

## **1. INTRODUCTION**

- 1.1 This report updates the Executive on a range of Nuclear Policy Issues that are of importance to the Borough Council. It also focuses on European practice in managing detriments faced by host communities.

## **2. COMMITTEE ON THE MANAGEMENT OF RADIOACTIVE WASTE (CoRWM)**

- 2.1 CoRWM have carried out their second phase of public and stakeholder consultation on their proposed shortlist of options for managing higher level radioactive wastes, the criteria to be used to assess them, other ethical and implementation issues. The process involved members and officers of this Council at various stages. The Nuclear Working Group considered the matter in detail and submitted a formal response within the required timescale. The response is attached as Appendix A. CoRWM's consultation document is available on request. CoRWM will report to Government next summer after which a separate siting process will be required if CoRWM's recommendations are accepted

## **3. NDA STRATEGY**

- 3.1 The NDA is about to embark on a consultation process on its strategy that has to be submitted to the Department of Trade and Industry later this year. This will be a critical document for this Council and discussions are taking place as to how the Council will be involved in the consultation process

## **4. NATIONAL LOW LEVEL WASTE POLICY REVIEW (DEFRA)**

- 4.1 This work is being carried out by DEFRA with a view to producing a new draft strategy for consultation in the autumn. Council officers are involved in the early stages of this.

## **5. REVIEW OF LOW LEVEL WASTE REPOSITORY NEAR DRIGG (ENVIRONMENT AGENCY)**

- 5.1 The Environment Agency has begun a consultation process on the future of Drigg. A number of new issues have been discussed. Particularly interesting on the issue of coastal erosion/climate change which may impact on the site more quickly than previously expected. This raises the issue of whether the site should only be regarded as interim storage. A response to the process is required by early September. The matter will be considered further by the Nuclear Working Group

## **6. LOW LEVEL REPOSITORY AT DRIGG PLANNING APPLICATIONS**

- 6.1 Capacity problems are occurring at the Low Level Waste Repository and a planning application has been made to the County Council to increase the stacking height of containers and discussions are ongoing on other temporary measures that could be taken.
- 6.2 In addition it is anticipated that a planning application for Vault 9 to increase the overall capacity of the site will be submitted to CCC next year. The vault nine proposal is likely to provide capacity for another 750,000 m3.

## **7. COWAM 2 European Union (EU) 6<sup>th</sup> FRAMEWORK RESEARCH PROGRAMME**

- 7.1 This EU research programme, in which the Council is participating, will continue until next year when a full report will be made to the EU. This main output from this will be recommendations on good practice to the EU who, it is hoped, will then ask member nations to comply. However, in view of the major decisions taking place related to the nuclear industry in the short term it is

useful to be aware of common European practice that is emerging in the case studies. Of particular interest are case studies on “offset” packages for communities housing nuclear waste. The recent meeting in Slovenia explored the partnership approach between local and national communities. In order to find a location for a small (20,000 m<sup>3</sup>) low level and short lived radioactive waste repository, the Government sought and got volunteer communities. A financial package was offered to offset the detriments to the community of the siting of a repository. 2.3 m euros per annum is being offered to the communities and a volunteering process is well underway. Communities negotiating have a veto right until the last stage. In addition, Krsko, (28,000 population), is also recognised in the service it provides for the country and received some £ 5 m euros per annum to the Council’s investment fund. This is because it hosts the country’s single nuclear reactor and the waste it generates on an interim basis.

## 7.2 Other case studies being examined include:

Mol, Belgium: Where an ‘offset’ package is proposed to recognise the impact of a national low level waste repository. The proposal there is to cater for intergenerational issues by setting up a trust fund and using only the interest to improve the quality of life for local people. Figures are not yet agreed. The CoWAM Working Group are suggesting an initial payment of £100 m euros to the fund from the operation.

Bure, France: This is the site of a rock research laboratory examining the potential for an ILW repository. During the research period the local communities of Meuse and Haute Marne each receive £9 m euros per annum in offset funding which is invested in economic and social development and quality of life improvements for the local communities.

Further case studies include the offset package for the Low Level Waste facility at Soulaines (F) and the Spanish legal system which provides statutory offset packages in Spain. More detailed information on this will appear at a later stage. The Slovenian government advised that their approach was based on Spanish legislation. The study will also look at similar initiatives in Finland, Sweden, Switzerland and Germany.

## 7.3 Further work on similar public political issues is being carried out in the EU CARL programme which will also report next year.

## 7.4 Other CoWAM work is also important and should make a valuable contribution to policy development at European level. Areas of research include:

### Work Package 1

Implementing Local Democracy – This is about best practice in local committees and can be fed into the development of the new WCSCG.

### Work Package 2

Local Influence on National Decisions – This work package is using Copeland experience as part of the UK Case Study alongside CoRWM, the NDA and the Shetland Islands experience. Will produce good practice guidelines for national and regional governments.

### Work Package 3

Robust Decisions Making Processes: Producing good practice guidelines on decision-making processes.

### Work Package 4

Long Term Governance: Includes ethical and equity issues, including packages to ‘offset’ detriments and allow local acceptance.

## **8. DISCUSSION**

- 8.1 There are clearly policy processes taking place over the next year which could have a massive impact on communities hosting nuclear facilities, particularly Copeland. It is important that the learning arising from the European research processes is applied to ensure that our local community's interests are properly represented. Ensuring that local areas hosting Low Level waste are equitably treated is common practice all over the EU. To date we have a good degree of success in making sure the issue is on the agenda of the key decision makers but now decisions to implement any scheme has been agreed.
- 8.2 The decision processes taking place in relation to Drigg may provide the opportunity for the principles to be put in place and local Copeland communities to be given the same consideration as our European counterparts by the industry and government.
- 8.3 It is considered that the Council should seek the implementation of an 'offset' package for hosting Low Level Waste as commonly applied in other parts of the European Union prior to any further application being approved by the County Council. The County Council should be informed of this policy as part of Copeland's response on the current planning application.
- 8.4 It needs to be recognised that pursuing principles of local 'offset' packages may require resources to legal support through ongoing specialist advice and if necessary action through the courts under the Human Rights Act. An initial £150 k sum could be set aside from the major projects to pursue this initiative. Initially it would be useful to seek legal advice on legal recourse that may be open to the Council should proper consideration not be given to the principal of community equity

### **List of Appendices**

Appendix A – Response to CoRWM  
Appendix B - <Appendix Title>

### **List of Background Documents:**

### **List of Consultees:**

Corporate Team , Leader, Portfolio Holders