



Department
of Energy &
Climate Change

Implementing Geological Disposal: Working with Communities

Call for evidence summary report

26th January 2016

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Executive summary

Introduction

1. This report summarises the responses to the *Implementing Geological Disposal Call for Evidence: Working with Communities*¹. The call for evidence was open from 1 July to 4 September 2015, during which time 54 responses were submitted. The Department of Energy and Climate Change is grateful to everyone who took the time to contribute to this exercise.

Background

2. The *Implementing Geological Disposal White Paper* published in July 2014 sets out the UK Government's approach to the long-term management of radioactive waste through geological disposal. The White Paper sets out three initial actions: to carry out national geological screening, establish a clear framework for planning decisions in England and develop a process for working with communities in a partnership approach to site selection for a Geological Disposal Facility (GDF).
3. This call for evidence focusses on the third of these initial actions; working with communities. The responses to the 2013 Siting Process Review² that preceded the White Paper made it clear that addressing the challenging and complex issues related to working with communities would require further work. These issues include:
 - Developing approaches to defining 'communities' in areas interested in learning more about a GDF, and options for effective community representation;
 - Defining roles and responsibilities for community representatives and an understanding of how those roles could evolve alongside the GDF siting process;
 - Developing options for ensuring that all levels of local government have a voice in the GDF siting process;
 - Providing greater clarity around the point at which a test of public support might be considered appropriate, and the method by which such a test could be carried out;
 - Developing options for disbursement of community investment, including management of any investment package, assessment of any funding applications and the ability of communities to influence investment within their geographic areas.
4. The White Paper also highlighted the need to gather further evidence to find approaches that are clear, flexible, reflect the long-term nature of the siting process, and represent wider community groups appropriately. As set out in the White Paper, the Government has

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/440014/Call_for_evidence_FINAL.pdf

² <https://www.gov.uk/government/consultations/geological-disposal-facility-siting-process-review>

convened a Community Representation Working Group (CRWG)³ with representatives from a number of relevant fields. The role of the CRWG is to support DECC in assessing the evidence and to help address the challenging and complex issues that have been raised in relation to the processes for working with communities.

Aim of the Call for Evidence

5. Given the need to gather further evidence, the aim of this exercise was to draw together evidence and information on processes for working with communities in the siting of a GDF.
6. Interested parties were invited to provide evidence in response to a series of questions dealing with issues described in paragraph 3. A list of the questions posed in the call for evidence is set out in **Annex 1**.
7. The Call for Evidence was open to everyone and various channels were used to raise awareness about it. A response form was provided, which could be accessed from the DECC webpage or sent in hard copy.
8. As well as feeding into the CRWG discussions, the responses received will aid DECC's development of proposals on how community representation will work in practice.

Overview of responses received to the call for evidence

9. The call for evidence generated 54 responses. The largest proportion of responses received were from respondents identifying themselves as Local Government (46%), with the next largest group being those defining themselves primarily as individuals. A list of organisations that responded is provided in **Annex 2**.

Headline Issues

10. The key messages emerging from the responses included:

The key messages emerging from the responses include:

- Best Practice: The Government must follow best practice when designing a new process.
- Learn from the past: The Government should take into account the lessons learned from the previous siting Managing Radioactive Waste Safely (MRWS) process. (This refers to the siting process which ran from 2008 to January 2013. Three councils in Cumbria were formally involved but the process eventually came to an end.) There were many references in the responses to the MRWS process with examples of what went well, and where there were lessons to be learned. Other responses referred to non-GDF infrastructure developments or community involvement mechanisms. Hinkley Point C, HS2, Dungeness and Romney Marsh were cited as examples where there may be lessons to be learned.

³ Further information about the CRWG can be found on the .GOV website (<https://www.gov.uk/government/groups/implementing-geological-disposal-community-representation-working-group>).

- Complexity of the task: The responses on how best to define a community highlighted the complexity of the subject. Comments ranged from ‘the whole of the United Kingdom’ to ‘anybody impacted upon from the core location (maximum impact), radiating out geographically’.
- Learn from international experiences: There were several responses highlighting established international projects in a range of countries, including Korea, Denmark, Sweden, Finland and Canada.
- The majority of respondents linked their submissions and comments to case studies, written reports or academic research. There were over 60 different articles or reports referenced, and these will be considered along with other written documentation.

Next Steps

11. The responses described in this report focus on the following key areas: defining the community, community representation, governance and decision making, community investment and the test of public support. The responses to the call for evidence will be considered by DECC during the next stage of policy development on community representation. The CRWG is providing support and advice to DECC during the policy development process. It is important to note that the call for evidence was not a formal public consultation. It was intended as an opportunity to feed in evidence to the development of proposals. A formal consultation may be held in summer 2016, if necessary.

Territorial Extent

12. Radioactive waste management is a devolved matter. Therefore, the Welsh Government, Northern Ireland Executive and Scottish Government each have responsibility for this issue in or as regards Wales, Northern Ireland and Scotland respectively. Their respective policy positions are summarised below.
13. The 2014 Implementing Geological Disposal White Paper was issued jointly by the UK Government and the Northern Ireland Executive. It confirms the policy of geological disposal for higher activity radioactive waste including a voluntarist approach to the siting process for a GDF that is based on the willingness of local communities to participate.
14. The Northern Ireland Executive has responsibility for ensuring that any proposed GDF will not have an adverse impact upon the environment, health or safety of Northern Ireland. Northern Ireland continues to support the implementation of geological disposal for the UK’s higher activity radioactive waste, recognising that it is in the best interests of Northern Ireland that these wastes are managed in the safest and most secure manner.
15. The Scottish Government is not a sponsor of the programme for implementing geological disposal, but does remain committed to dealing responsibly with radioactive waste arising in Scotland. On 20 January 2011, the Scottish Government published Scotland’s Higher Activity Waste Policy. Scottish Government Policy is that the long-term management of higher activity radioactive waste should be in near-surface facilities. Facilities should be located as near to the sites where the waste is produced as possible. While the Scottish Government does not support deep geological disposal, it continues, along with the UK

Government and other devolved administrations, to support a robust programme of interim storage and an ongoing programme of research and development.

16. The Welsh Government has adopted a policy for geological disposal for the long-term, safe and secure management of higher activity radioactive waste⁴. The Welsh Government considers that a GDF will only be deliverable in Wales on the basis of a voluntary partnership with interested local communities willing to enter into discussions about potentially hosting a GDF and the successful conclusion of those discussions.

⁴ Welsh Radioactive Policy on the Management and Disposal of Higher Activity Radioactive Waste, 2015
<http://gov.wales/docs/desh/policy/150519-policy-on-the-management-and-disposal-of-higher-activity-radioactive-waste-en.pdf>

Summary of Responses

Level and profile of responses

17. The organisational breakdown of the respondents was as follows:

Respondent	No.	%
Local Government – all tiers	25	46
Academic/Research Advisory Organisations	2	4
Individuals	17	32
Other (including a utility company, community group and representative organisations)	10	18
TOTAL	54	100

Detailed summary of the responses to the call for evidence

18. This section provides a summary of the responses to the questions asked in the call for evidence. The questions were broken down into four key areas:

- How to define a community
- How to provide effective representation, governance and decision making
- How to manage and disburse community investment
- How to deliver a test of public support

19. A full list of questions can be found in **Annex 1**.

Call for Evidence Question 1: How to define a community

20. This question elicited the most responses of all questions asked. The question focused on how 'the community' should best be defined and for examples of how various approaches to defining the community have been applied in major infrastructure projects.

21. From a total of 54 responses, 38 of these responded to this question.

22. There was an overwhelming consensus in submissions that defining a community is challenging. This view is consistent between individuals, all tiers of local government and

academics. Despite the acknowledgement that community is a complex term to define, there are common themes expressed which show some consistency in how community is perceived. Many submissions came from areas which had direct experience of major infrastructure projects and community involvement, and there is a clear view that it is important to have a shared understanding of what a community might be in relation to a proposed development.

23. Over 35% of the responses cited the need to define “community” in relation to a fixed infrastructure development like a GDF based on the geographical area around the development. There was widespread recognition that some priority should be given to those most directly impacted in hosting a GDF. There was a general view that the definition of the community should be based on the local area. There was also equal concern expressed about the importance of recognising a wider community. The analogy to a dartboard was made, with a general view that the role of communities should be directly proportional to ‘impact’. This is most commonly expressed in terms of local government structures.
24. Examples were provided of experiences where communities have needed to be engaged, including the West Cumbrian Managing Radioactive Waste Safely (MRWS) process, Hinkley Point C⁵, Dungeness nuclear power station, the Ravenglass Rail project, and Sizewell C proposals for nuclear new build. They were cited as examples of where the local communities were successfully managed and effectively represented through communications channels and forums. The Dungeness nuclear power station was cited as an example of where three representative groups were established to represent the community effectively. The key emphasis in these examples was on openness and transparency.
25. Evidence was provided from other countries where it was felt the correct balance had been struck (Canada, Sweden and Denmark) and respondents considered there to be valuable parallels with the proposed UK approach, though it was noted that these countries have different democratic structures.
26. Over 25% of the submissions referred directly to the MRWS process. The responses cited the three-level structure with a 'host community', 'a decision making body' and 'wider local interests' represented in the process. Some felt that this provided clarity on who the decision makers were and how stakeholders could be involved in the process. However, there were others who felt there were difficulties with the level of power each level was granted. Some responses stated this did not include the smaller communities and held that there was a need for greater tolerance, reciprocity and trust in a future process.
27. Other documents referred to community assessment tools which have been successfully used in North America and which seek to identify the extent of the community and potential influence of stakeholders, as well as academic pieces which talk of communities of both place and interest.

Call for Evidence Question 2: How to provide effective representation, governance and decision making

28. This question focused on how to provide effective representation, governance and decision making, examples of community representation bodies or structures and what roles and responsibilities were necessary for the body/bodies to properly represent the community.

⁵ Further information about Hinkley Point C can be found on the following website:
<http://www.edfenergy.com/energy/nuclear-new-build-projects/hinkley-point-c>.

29. Out of the 54 responses submitted, 24 of these provided answers to this question. Most categories of respondent answered this question.
30. A quarter of responses to this question stated the developer had a key role in ensuring the community was well represented. There was a general view that the developer should actively engage and respond to any issues raised by the community with sufficient information. It was also suggested that a Terms of Reference should be developed for any community partnership. There was the view that the Terms of Reference should be clear and concise in stating how decisions would be reached throughout a new siting process.
31. In terms of who should be represented, there were responses stating that the whole community should be involved in the process and they should have representatives appointed to ensure their views are taken into account. In general the view was that there should be widespread representation at various levels.
32. Suggestions made as to how effective representation could be achieved included:
- Having a representative body with an independent chair.
 - Using Community Liaison Officers to mediate between developer and community.
 - To ensure a balanced and apolitical approach where elected councils are involved, it was suggested that independent members be appointed.
 - Awareness raising to ensure that those who want to be involved feel empowered to do so, using channels including meetings, flyers, round table forums, face-to-face dialogue and visitor centres/exhibitions.
 - Ensuring that all levels of local government can be involved, from parish through to county council.
33. These suggestions were largely taken from examples of where they have worked effectively. Around 45% the responses provided the Channel Tunnel, Moorside (a site selected for new nuclear build), the Lower Level Waste Repository (LLWR) (which manages and operates the UK's primary facility for the permanent disposal of solid low level radioactive waste) or Hinkley Point C as examples of how the community has been successfully engaged during the siting of large infrastructure projects. Other examples which were also cited as good practice included the West Cumbrian MRWS process, North West Grid and Heathrow Terminal 5. Some these submissions were made by individuals and organisations with direct experience that were either referenced in reports on websites or simply described in their submission.
34. There were a number of references to international examples, including Canada and South Korea.

Call for Evidence Question 3: How to manage and disburse Community Investment

Seventeen submissions responded directly to this question.

35. The question sought to gain knowledge on disbursing community investment on the scale anticipated for a Geological Disposal Facility. The UK Government committed in the White Paper to offer communities entering formal discussions with the developer up to £1m per community per year. If a community remains involved and the process progresses to intrusive borehole investigations, this sum would increase to a maximum of up to £2.5m per community per year. Most of the responses did not comment on this, but made suggestions

on how trust could be built and conflict avoided. All categories of respondents provided a response to this question.

36. The common themes on who should administer community investment funds focused largely on it being an independent body. A view was expressed that it needs to be an arms-length body and should have a relationship with the community representative body but it should not be influenced by it. It was suggested that this arms-length body could be a local trust fund/independent trustees overseen by a board. To build that trust and avoid conflict, a view was expressed that the administering body could team up with others such as the local authority to deliver benefits and there needs to be a flexible and hybrid approach. There was also the view that the body needed to build mechanisms to maintain interest and involvement over the long term.
37. A number of examples were referenced as evidence of good practice and/or lessons which can be learned. Hinkley C was cited in four responses and commended for its open and transparent approach to the funding arrangements. Other examples included offshore wind projects, where the benefits were economic, social and physical. The Romney Marsh Partnership was cited as an example where partners with a shared interest were brought together.
38. Six responses cited the LLWR near Drigg in West Cumbria as a good example of how to manage and disburse community investment. The LLWR has a Copeland Community Fund associated with it which is managed by a board of directors with two independent members and has a delegated panel made up of representatives from Cumbria County Council, Copeland Borough Council and the Nuclear Decommissioning Authority. The only international example cited was the Fundy Community Foundation in Canada.
39. These examples will be appraised by DECC, with the support and advice of the CRWG, along with consideration of the relevant UK government and EU constraints on public expenditure that apply.

Call for Evidence Question 4: How to deliver a test of public support

40. This question asked for responses on how the views and opinions of a community can be most effectively sought. This could include the method by which a final test of public support should be taken, and methods to identify whose views should be sought in such a test.
41. In total, 28 of the 54 submissions answered this question.
42. The responses came from all categories – local government, academics, individuals and organisations. Whilst examples were cited in many submissions, the main body of responses talked about principles, and how to gain trust to move forward.
43. Just less than half the responses stated that the test of public support could be taken by referendum. Two of the responses, from the Parish Councils, felt that a referendum should be taken in the affected Parish Councils. One submission however urged caution over a referendum and emphasised that this should only be one of the means by which public support should be tested and also expressed concerns over low turn-out and difficulties in defining the boundary for a referendum. Another response stated that a single means of testing support was not an adequate barometer of the broad views of the local community and several other approaches were needed to engage people. Other methods of testing support could include one-to-one informal discussions, open meetings, questionnaires, drop-in centres and focus groups.
44. There were various responses addressing when the final test of public support should be taken. Just under 20% of responses stated that the test of public support should be taken

later in the process once people have clear details about the plans for surface and underground facilities. There was one response stating that it should be based on clear principles that can be applied to any community entering the process. Four of the responses stated that there should be a two stage process in place, where the first test is taken at the end of national and regional discussions and the second test is taken at the end of the local scale process. Others cited the need for the test of public support to be continuous.

45. Responses also addressed where the test of public support should be taken. These included points about involvement of the surrounding areas and ensuring the local people have the final say. There was a suggestion that some form of geographical weighting of people's views might be reasonable in principle and that the voting age should be lowered to 16 for the test of public support.

Annex 1

Questions posed in the Call for Evidence

Q1.1 Siting a GDF will involve a process of working with willing communities – but what constitutes a ‘community’ in this context has not yet been defined.

Do you have evidence, examples, experience about how ‘the community’ should best be defined, in the context of a community considering whether or not it wishes to host a geological disposal facility?

Evidence could be drawn from the UK or from abroad, and from other examples of nationally significant infrastructure, however respondents should bear in mind that the eventual definition will need to be flexible enough to be applicable to different areas across the country that may wish to join the siting process.

Q1.2 Please provide examples of where this approach has been used and how it contributed to effective community representation during the delivery of a major infrastructure project. Please also identify any barriers and challenges that should be taken into account.

Q1.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press.

Q2.1 Do you have evidence, examples or experience of effective ways for the views of a local ‘community’ to be represented in formal discussions in the delivery of large infrastructure projects?

Respondents should bear in mind that the siting process for a GDF could take many decades, and representing a community will involve representing a diverse range of local views and opinions over a time period extending over many local and national electoral cycles. Please identify any innovative or best practice examples, as well as any barriers and challenges.

Q2.2 Do you have evidence, examples or experience of community representation bodies or structures that have worked well in the siting of large projects?

What roles and responsibilities were necessary for the body/bodies to properly represent the community?

Please identify any innovative or best practice examples, as well as any barriers or challenges.

Q2.3 A community representation body (or bodies) will need to ensure that the developer is held to account in providing information to the community engaging in formal discussions. It will also hold the responsibility for deciding if and when to withdraw from these

discussions.

Do you have evidence, examples or experience of governance and decision making approaches in relation to community involvement in large scale infrastructure projects that would be applicable to a community representation body for the siting of a GDF?

Q2.4 Could you provide examples of where the approach set out above has been used and how it contributed to the successful delivery of a project?

Please identify any innovative or best practice examples, as well as any barriers or challenges.

Q2.5 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press.

Q3.1 Substantial investment will be made available to communities engaging in the siting process for a GDF (up to £1m per community initially, rising to £2.5m later in the process).

Do you have evidence, examples or experience of methods for disbursing community investment of this scale – including the body that manages the funding, how capacity can be built to disburse investment in the most productive way, and the ability of communities to influence investment within their geographic areas?

Q3.2 Please provide examples of where this approach has been used and how it contributed to the successful delivery community investment projects. Please identify any innovative or best practice examples, as well as any barriers or challenges.

Q3.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press. If not, could you provide a brief summary?

Q4.1 The policy set out in the 2014 White Paper is that a GDF will not be constructed unless there has been a positive test of local support for hosting a GDF at the site in question. This test of public support will be a direct community based decision, taken by the people in the local community.

Do you have evidence, examples or experience of how the views and opinions of a community can be most effectively sought? Responses could include the method by which a final public test of support should be taken, and methods to identify whose views should be sought in such a test (e.g. territorial, interest or population extent).

Q4.2 Could you provide examples of where this approach has been used? Please identify any innovative or best practice examples, as well as any barriers or challenges.

- Q4.3 Is this approach written up and available? This could be in the form of formal reports, research papers, and articles in periodicals or the press. If not, could you provide a brief summary?
- Q5 Is there any other information or background research that you think would be useful.

Annex 2

List of organisations who provided written responses to the call for evidence (individuals are excluded due to data protection reasons)

- Aspatria Rural Partnership
- Ennerdale and Kinnerside Parish Council
- St Bees Parish Council
- Barrow in Furness Borough Council
- Lorton Parish Council
- Buttermere Parish Council
- United Utilities
- Cumbria Trust
- New Romney Town Council
- Copeland Borough Council
- Allerdale District Council
- Sedgemoor, Somerset and W Somerset
- Loweswater Parish Council
- Shepway District Council
- Kent County Council
- EDF Energy
- Community Development Foundation
- Radiation Free Lakeland
- South Gloucestershire Council
- No Nuke Dumping
- Nuclear Waste Advisory Associates
- Muncaster Parish Council
- Seascale Parish Council
- Parents Concerned about Hinkley
- UCLan Applied Sciences
- Lincolnshire County Council
- Ravenglass Village Forum
- Egremont town Council
- Holme Law Parish Council
- Silloth-on-Solway Town Council
- National Association of Local Councils
- NuLeAf
- Ponsonby Parish Council
- The British Academy
- Derwent Parish Council
- Gosforth Parish Council
- Blackwater Against New Nuclear Group
- Arup

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Department of Energy & Climate Change

3 Whitehall Place

London SW1A 2AW

www.gov.uk/decc

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