

Geological Disposal Facility – Working With Communities Response

(GDF WWC consultation response)

In this response to the consultation I have included examples to give weight to my point of view because I note that the introduction to the consultation states

“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.”

1 Do you agree with this approach of identifying communities? Do you have any other suggestions that we should consider?

I will state at the outset that, having taken part in several government consultations, I am deeply suspicious of the motives behind any government consultation, as so many of them appear to be framed in a way to achieve a rubber stamping of the decision that the government has reached prior to the consultation. If the wrong decision is reached by the public, the consultation is sidelined or ignored.

As evidence, here (below) are the results of the Waveney council and Suffolk coastal district councils consultation on whether to merge into one big council. The merger went ahead. I have also fully participated in 2 EDF consultations. The second consultation was held before answers to the first consultation had been published, and as yet answers to some of the questions raised have not been published. When I asked why the second consultation was being pushed through despite the work on the first consultation being incomplete I was told that EDF had to be seen to be doing something because it had been a long time since the first consultation. - in other words, a PR exercise.

Number of respondents

For: 17

Against 114

Other 72

Despite my cynicism, I welcome the recognition that it is sensible to try and engage local support for a project rather than to push a development onto a hostile and suspicious host community. After reading about the process for siting a repository in Sweden I can see that the government is at least attempting to mirror some of the principals of community engagement that were advocated for that process.

The cynic in me does wonder whether the loose definition of what and who constitutes a community and is therefore considered a stakeholder to the point that local councils may not be included is a response to the rejection of the continuing to stage 4 of the RWMs process by Calderdale county council in 2013. At the time, it appeared that once the Calderdale county council had put a stop to the process, the 2 local councils of Allerdale and Copeland who had voted in favour of continuing to stage 4 were approached independently, a subversion of the consultation process.

According to the Whitehaven News, Wednesday, 30 October 2013:

The Department of Energy and Climate Change has since has launched a new consultation which enables the district councils to continue without the county.

Mr Martin, who retired as the county council leader in May and lives in Crosby, said the government’s decision to exclude the county is “astonishingly undemocratic”.

Mr Wilson, a local commercial lawyer from Keswick, said: “Anyone can see what is going on here –it is a shameless, brazen, unlawful and outrageous attempt by the Government to usurp our democratic rights to get the result they want.”

The purpose of the GDF process is to pin down a site for the waste. I am wary that the vague definition of who is deemed to belong to a community will be refined by the RWM formative team and to exclude anyone who may be classed as a 'trouble maker'. As a campaigner against nuclear new build at Sizewell, I am very aware that opposition from anti nuclear campaigners is ignored by the developer and, despite being scientifically and logically rigorous, our arguments are treated as if they have no factual basis.

This is exactly what happened to Eddie Martin, the former leader of Calderdale county council. Once the county council withdrew their support, Jamie Reed, the MP for Copeland accused Mr martin and a local pressure group , Cumbria Trust, of dishonesty regarding geology; scaremongering; he claimed that Cumbria Trust aimed to launch an attack upon the people and businesses of West Cumbria and a smear campaign against the people of West Cumbria.

I would like to believe that the government is sincere in its wish to engage with the community in an honest and transparent manner .however I attended a presentation given by BEIS on the GDF consultation and it was clear that the emphasis of the presentation was on the benefits that a GDF would bring to a host community. The BEIS representative did not mention the disbenefits and problems that are associated with hosting a GDF – for example the possibility of water ingress, and the technical issues with the erosion of the storage vessels which has not been solved, so that even if a community agreed to host a repository right away, it would not be possible to build due to the technological difficulties that may in fact never be overcome.

If the RWM process is to be open and transparent, people who are currently opposed to the plans can only be convinced that the GDF is a viable plan if they are given a true representation of all the facts, and their concerns are addressed properly and not dismissed as trivial or unscientific as has happened in so many previous consultations.

2

Do you agree with the approach of formative engagement? Do you support the use of a formative engagement team to carry out information gathering activities?

I have attended numerous consultation events put on by EDF to inform the public as part of the consultation process for Sizewell C. I have generally found that the event team, though perfectly pleasant , do not have the depth of knowledge to answer specific technical questions, and as a result an information event that offers little information but does tick the necessary consultation boxes is held , which is pretty much a waste of time.

If the formative teams remit is to genuinely seek out community groups outside of the usual pale male and stale group, then that is to be welcomed, however I am concerned that their purpose which includes being 'responsible for delivering stakeholder dialogue ' will be to give out glossy brochures and to shut down debate by giving simple answers that mask the underlying difficulties of the project and confine questions to certain topics.

For example, the consultation document states that one of the duties of a formative engagement team would be to establish 'what the specific community issues and concerns are', If I ask a question about the degradation of copper cladding is this something that the formative engagement team would be able and willing to answer, or would this be deemed as not a specific community issue, and therefore a topic to sideline?

And would I, as a person who asks difficult questions be considered outside the community by the formative engagement team. There needs to be safeguards put in place to ensure that individuals who wish to be involved will not be excluded by the formative engagement team.

3 Do you agree with this approach to forming a Community Partnership? Are there other approaches we should consider?

The consultation document states:

4.46 Community Partnership members will be drawn from the Search Area . Individual appointments to the Community Partnership will be discussed and agreed by a panel comprising the independent chair and initial interested parties involved in the formative engagement team to ensure the representation is appropriate to the area . The detailed process for identifying and appointing members of a Community Partnership will be agreed by the formative engagement team, with guidance produced and published by the delivery body.

It is clear that the focus of the process is intended to be shaped by the delivery body, with guidance being published and disseminated by them. There are many community members who will not trust the evidence selected by the RWM, the delivery body . Their job is to deliver a GDF , and therefore they are not neutral and the suspicion will be that the published guidance will be biased. In a letter of support for doctor David Smythe, Eddie Martin outlines the difficulty in having to rely on one overarching source of guidance:

were we being encouraged to continue because Cumbria's geology appeared genuinely promising, or simply because there were no other options? How were we as political leaders, but not expert geologists, supposed to decide? Should we trust the experts put forward by DECC and the NDA to advise impartially? Of course we were not the only ones to face this dilemma – the general public were in exactly the same position. When two independent experts, Emeritus Professor David Smythe and Professor Stuart Haszeldine decided to speak publicly on this issue, it transformed the process. Now there was a genuine two-sided and robust debate, and while many of us may not have understood every detail of the scientific argument, the very presence of this public debate between experts was quite revolutionary. Their willingness to be questioned and to submit their research to expert, forensic scrutiny changed the process entirely. The tough questions that had to be asked were now being asked, and it was notable how these were largely going unanswered by NDA and other departments of government.

The mistrust of government government-funded nuclear authorities is understandable when one considers that in 2014, the ONR deemed the ponds at Sellafield to be 'safe' whilst at the same time the Public Accounts Committee recorded that Sellafield poses an "intolerable risk to people and the environment".

Clearly the two pronouncements are irreconcilable, so the RWM delivery body will have to be very credible, and this can only be achieved if they are absolutely open and willing to face up to difficult questions, and actively seek out opposing views and be prepared to publish and disseminate all their findings, not just the ones that support their case.

I think that the community partnership is afforded a lot of power in this process. They have control over the timing of the test of public support, and over the stage at which it is considered that the community has had sufficient information to answer all of its questions.

Both of these are critical to the outcome of the test.

Individual appointments to the community partnership will be agreed by a panel comprising the independent chair and initial interested parties involved in the formative engagement team.

It is suggested that representative community members are invited to join, though there is no information on what might happen if people wish to join but are not then deemed eligible.

The community partnership is itself chosen by a panel which includes members of the formative engagement team which is in turn appointed by the delivery body. The independent chair may be appointed through procurement by the delivery body.

There is a direct line from the delivery body through to the community partnership and it could be construed that if it wanted to , the delivery body would have considerable influence over both the flow of information through to the partnership , and the outcome of the test of public support.

I am uneasy that through the hierarchical structure of this plan it would be simple to have close control over what and who constitute a community. I think it would be more democratic to have a presumption that anyone can join, and if they do not stick to the agreed rules (agreed by all members) they would be asked to leave . It would be better to have more of a consensus based

model, and if a committee was necessary, anyone who has joined can then stand for election to a committee or working group by other members.

I think that if the community partnership did not include local authority members it could only be because there was a serious breach between the two parties. It is hard to imagine that local or county councillors would not wish to participate in the GDF process if it came to their locality, and if it were the case that they did not, there should be a clear explanation of why they reached that decision, and it would be incumbent on the community partnership to explore what would be required in order for the local authority to be comfortable in engaging with the partnership. Otherwise there could be a situation where there were no elected officials, who are in theory at least, accountable to their electorate.

The consultation document states that “ We anticipate local authorities, individuals, landowners, businesses or community groups coming forward to request further information”

I would like to know how much influence a landowner would have in comparison to an ordinary community member. If, for example a piece of land owned by an offshore trust, non-domiciled absentee landlord, investment company or foreign oligarch was put forward as a possible site, would the land owner be considered to be part of the community and if so how much would their influence hold sway.

4

Do you agree with the approach to engaging people more widely in the community through a Community Stakeholder Forum?

I agree with setting up a community stakeholder forum as long as the people involved include critics of the scheme as well as supporters. Again, there must be clear and transparent reporting of the meetings and results of investigations.

I give as an example of the wrong way to go about things, the Sizewell C JLAG in Suffolk. This is the joint local authorities group who held regular meetings with EDF but were not keen on publishing full minutes from their meetings, and when they did so, these were hard to find on the internet.

The Sizewell stakeholders group does an excellent job of asking EDF pertinent questions, though the feeling is that these questions are not always welcome, and information from SSG meetings is not always easy to find. I have been told by an SSG member that as the make-up of the SSG began to include more local people who were critical of the Sizewell site, magnox and EDF became more reluctant to engage with the ssg.

5

Do you agree with the proposal for a Community Agreement and what it could potentially include?

I think that it is a good idea to have a document that sets out clearly what the processes, roles and expectations are. I am glad that it is recognised that this agreement must have a mechanism through which updates and changes can be made to it as circumstances develop

I think that it should be made clear though that the community agreement must not be used to tie people into committing to the GDF.

6

Do you agree with the proposed approach to the way community investment funding would be provided? Are there alternatives that we should consider?

Whilst I understand that the government wishes to compensate the community that eventually hosts the GDF because it is highly unlikely that any community would be prepared to take on the waste otherwise, I think that it opens up questions from other parties and communities as to whether they should be in line for compensation for accepting a broad range of situations that impact their own lives. For example it would seem unjust for a community that has volunteered to

host the GDF to be paid compensation whilst the community that has the nuclear power station foisted upon it, with the waste in situ for 100 years or more as it will be at Sizewell gets nothing for their trouble. And if a community is to be paid to host the waste, should for example a community next to a chemical plant be paid because of the extra risk they might bear, or people living near an airport compensated for their inconvenience.

I think the principal of compensation will skew the search for the best site in terms of geology. It is clear that the funding is in effect a bribe to entice volunteer communities and that this will be much more attractive to poorer communities than rich ones. It may be that the most suitable site in terms of geology is under a rich community, but it is unlikely that people in for example the Cotswolds or Oxford are going to volunteer to take the waste.

I do not think that the delivery body should have a hand in distributing the community funds. I can see a situation where a community group may be doing excellent work, perhaps in asking difficult questions of the delivery body and holding the delivery body to account. That group might be less likely to be awarded funds to carry out this work than they would be if they were more acquiescent and less critical of the delivery body. The distribution of the funds should be done completely independently from the delivery body to ensure that applications from everybody, whether they are for or against the GDF, be treated equally

I attended a presentation from a BEIS representative on the consultation. She stated that the funding would be available for the community to seek independent advice on matters arising from the hosting of the site, because it is clear that some people, perhaps rightly, believe that the information disseminated by the delivery body would be one sided, (this was certainly the case during the BEIS presentation, when only the benefits of hosting the GDF were presented, and none of the disbenefits).

The public have seen many instances where information is manipulated by those in authority and presented in a certain light – prominent Brexiters including members of the cabinet claimed or insinuated that £350million a week would be spent on the NHS for example. As a result, the public often have a deep mistrust of the government and its representative bodies. I think that the funding should be made available for community groups to undertake things like hiring respected independent experts in the nuclear field – people like Chris Busby from the low level radiation campaign or Paul Dorfman, Founder of the Nuclear Consulting group to come and present their point of view to a community audience.

Reading through the consultation document it is not clear that the funding would be available for this type of activity because it states “Community investment funding can only be used to fund projects, schemes or initiatives that: provide economic development opportunities, enhance the natural and built environment, and/or improve community well-being.”

It could be argued that commissioning independent research that enabled a community to have a more rounded picture of the consequences of a GDF would improve community well-being, but I have my doubts that funds controlled by the delivery body would be made available for such work.

The consultation document does say that communities can ask for information from a wide range of sources, but there is no indication with regard to how this will be funded:

4.77

“It will be important that all parties involved in the siting process have confidence in the accuracy of information that is made available to communities, particularly if conflicting statements are made by different parties. Communities can ask for information from a wide range of sources which could include universities, the Committee on Radioactive Waste Management or local experts. In addition, UK Government will ensure that communities will be able to access third party expert views on contested and unresolved technical and/or scientific issues once communities are constructively engaged. There will be an agreed process whereby third party expert views can be accessed from Learned Societies, as was committed to in the 2014 White Paper. The delivery body will produce guidance to help communities understand when and how they can access the process for third party expert views “

The ethos of voluntarism that underpins this consultation is a model that is used in Sweden. In an *article entitled 'When haste makes risky waste: Public involvement in radioactive and nuclear waste management in Sweden and Finland'* which was prepared as part of the project "Public participation and civilian control on radioactive waste management in the EU and Russia." it was emphasised that in order for this model to work it is imperative that researchers and scientists are able to make An independent scientific assessment of a project. This is made possible, first and foremost, by complete transparency and access to information – and not to the abridged environmental impact assessment statement, but to project documentation detailing engineering solutions that are critical to safety. This access is what gives substance and meaning to public control over the nuclear industry's actions.

In February 2016, a special expert group appointed by the government, called the Swedish National Council for Nuclear Waste ([Kärnavfallsrådet](#)), published a 167-page report entitled "[Nuclear Waste State-of-the-Art Report 2016: Risks, uncertainties and future challenges](#)." Among other things, it identifies the repository project's risks and uncertainties having to do with earthquake impacts, with the long-term prospects of financing and monitoring the site's condition, and with the health effects of low doses of radiation.

Having participated in several UK nuclear related consultations it is inconceivable that the government here would be as open in addressing the downsides of the nuclear industry, or as willing to allow open access to scientific research connected to it. In my experience information has to be wrestled from the government through foi requests or done independently on a shoestring budget by dedicated campaigners and scientists.

7

Do you agree with the proposed process for the right of withdrawal? Do you have views on how else this could be decided? Are there alternatives that we should consider?

I think that the right to withdraw should be absolutely clear. I am however a bit sceptical about whether the government would allow a community to withdraw at a late stage, especially if the geology of the area was deemed to be suitable for a GDF.

When Calderdale county council withdrew from the GDF process in 2013, Copeland and Allerdale borough councils were approached independently. The initial consultation required all 3 councils to agree to move to the next stage of the consultation and when this did not happen, it looked as if the government tried to change the rules.

I think this is what would happen again in the same scenario.

Mr Martin, the council leader, made it clear that uncertainty over the right to withdraw influenced the decision of the council:

"Members have remained concerned throughout on the issue of the legal right of withdrawal if we proceed to the next stage. Despite assurances from Government that they intend to introduce this as primary legislation, we do believe that this could have been done far sooner to ease our concerns. The fact remains the right of withdrawal is not yet enshrined in statute and we could not take the risk of saying yes today without this being absolutely nailed down.

8

Do you agree with the approach to the test of public support? Do you agree that the Community Partnership should decide how and when the test of public support should be carried out?

EDF have held 2 consultations on Sizewell C both were held over the Christmas period. Several people, me among them thought it likely that they were held at this time in the hope that people would be too busy to respond.

It is well known that government departments time the release of unfavourable reports to the public to coincide with days when bad news will be most likely to be buried.

If the timing of the test is manipulated in this way, the test should be null and void.

In the consultation document it states:

4.87

The test would only be taken after extensive community engagement and consultation , when the community has had an opportunity to ask questions, raise their concerns and learn about the safety of a geological disposal facility.

The community is allowed to ask questions but there is no mention that these questions have to be answered to the satisfaction of anyone other than the delivery body. What will happen if people regard the answers they have received as inadequate but the delivery body presses on with the test because it regards the answers as satisfactory.

9

Do you feel this process provides suitably defined roles for local authorities in the siting process? Are there alternatives that we should consider?

I think that it is important that local authorities are involved.

10

whilst I agree that we have a duty to look for solutions to the waste storage problem, it is completely irresponsible to carry on creating more waste. There should be no new nuclear power stations built, and those we have should be shut down as soon as possible.