

**Underskiddaw Parish Council**

Question	Agree	Response
<b>1 – Geology</b>	No	<p>1.1 a) You asked yourselves if you were confident in the integrity of the BGS screening survey, and your Initial Opinion was that you were satisfied.</p> <p>1.2 a) The Parish Council would not dispute that the BGS survey is sound so far as it goes, but it does not go very far. It is a very high level screening survey which only excluded 2 kinds of area : those where coal oil or gas might be found and which might therefore attract mining operations in the future which could break into the Repository; and those where it was necessary to protect exploitable groundwater. Since the study is so limited to say there was no criticism of it is neither here nor there.</p> <p>1.1 b) You asked yourselves if there were sufficient areas remaining to make further Progress “worthwhile” {we shall assume you mean “to make it worthwhile investigating if further progress would be possible}.</p> <p>In terms of square metres you decided that there was enough land. However about 75% of this area falls within the National Park. In section 5.2 you say that siting a surface facility in the National Park “may be ruled out”. The Parish Council considers this should be ruled out and also that drilling boreholes within the National Park to investigate the underground facility should also be ruled out – in view of the destruction this would cause to the landscape in what is geographically a very small area, and in terms of landscape value a priceless and national asset. Leaving aside the National Park there is a considerably smaller area remaining about which concerns remain as to its suitability.</p>
<b>2 – Safety, security, environment and planning</b>	No	<p>Safety and Security</p> <p>The Parish Council has studied Chapter 5 carefully, including the many quite technical documents annexed to it. While a fully-informed and accurate evaluation of the information provided is beyond the resources of the Parish Council, the overall impression gained is that the endorsement by the peer reviewers of the present safety regime is somewhat lukewarm and qualified, and the findings in the scientific critique also raise a number of doubts. Even at this stage we would have hoped to be able to feel greater confidence in what is the most significant concern for local people, and in particular our own residents : i.e. that the safety regime is first class.</p> <p>Environment</p> <p>There are several Regulatory Bodies – Environment Agency, Health and Safety Executive (with several sub-divisions) ONR, with quite complex responsibilities, and some in the process of being changed. The Dept for Transport also has involvement, NDA will prepare safety cases, and the Planning system also has a regulatory although not an initiatory function. Some members of the Partnership have expressed dismay at the interlocking roles which make it difficult to identify sometimes who is responsible for what. Further more these bodies will have to undergo further change to deal with a major issue such as this.</p> <p>The Parish Council does not feel that a clear picture has emerged, and therefore it is not possible to be satisfied that the</p>

		<p>regulatory system is satisfactory or effective, nor is it confident that the system will improve in future, when responsibilities will be vastly enlarged.</p> <p>The Parish Council notes that the Partnership asked for written reassurance about liaison with a future Partnership in the later Stages, but did not find that this had been obtained.</p> <p>With regard to Communication, the local experience with the Environment Agency has not been particularly good, and this does not inspire confidence.</p> <p>Planning</p> <p>The special requirements of and duties falling on the National Park are given no prominence. By legislation the National Park has a duty to preserve the special environment of the Park – which is why the Park was set up. The Park has to conserve the natural beauty and cultural heritage of the area and this is an overriding duty. There should therefore be no question of the surface facility being placed in the Park or of boreholes being drilled from the surface within the Park while looking for a Repository site. This should be categorically stated.</p>
<p><b>3 – Impacts</b></p>	<p>No</p>	<p>The Parish council agrees that there is much uncertainty about the impacts.</p> <p>3.1 a) You asked if you were confident that possibilities exist to assess and manage environmental social and economic impacts appropriately if they occur; your opinion was that mostly an acceptable process can be put in place to manage impacts but that you had insufficient evidence to decide whether the “brand” and reputation of the area could be protected and you would decide this before reporting.</p> <p>3.2 a). Much of your evidence was taken from NDA reports – but NDA is not a disinterested party being itself a waste producer. The perception issue is of great concern to this parish and surrounding ones where tourism is the main industry, and this is not dealt with thoroughly as the research is, you say, incomplete. Presumably the evidence you acquire after the close of the consultation will not therefore be presented to the public for consultation. The Parish Council does not consider this to be convincing. Your table shows that assessments of impacts are only being made at such a high level of generality that there is little to be learnt from them.</p> <p>3.1 b) &amp; c) You wanted to be confident that the possibility of a Repository fits with the overall direction of the area and your initial opinion was that it was broadly compatible with the economic aspirations of West Cumbria although the long term implications have not yet been fully understood or properly considered.</p> <p>3.2 b) and c) You note the Vision for West Cumbria which acknowledges that West Cumbria is now nuclear dependent and likely to suffer economic fall back unless there is nuclear investment : the Vision would therefore be compatible with development of a Repository, which is not to say it is realistic. You estimate up to 1000 people would be employed during the construction period, with indirect employment increasing by 1000 to 1500 jobs. There is no certainty that these jobs would be taken up by Cumbrians – international companies tend not to recruit locally, but the indirect employment could be local. There might be a negative effect on tourism and agriculture and also on property prices. The negative and positive effects are both uncertain. As you say more</p>

		substantial evidence is required. These considerations are linked to the Community Benefits package.
<b>4 – Community benefits</b>	No	<p>4.1 You asked yourselves if you were confident that an appropriate community benefits package can be developed. Your initial opinion is that you have agreed a set of principles with the government as the basis for any future negotiations. You say you cannot be certain what the government might agree to in the future, and therefore what the amount and type of benefits might be. You say that future negotiations would need to be carefully managed. You do not say whether you were confident about this or not – therefore the Parish Council finds it difficult to say yes or no. If you feel confident, then the Parish Council would not agree with you. If you do not feel confident then the Parish Council would agree with you.</p> <p>The Parish Council does not feel confident that a suitable package can be relied upon.</p> <p>4.2 You defined 12 Principles with which a Community Benefits Package should be compatible. You asked the Government if it agreed with the Principles. The Government wrote back to say that it agreed that the Principles formed a basis for negotiations. Since the Principles themselves were at a high level of generality, with no detail, for the Government to say that they form a basis for further negotiation is not to promise any adherence to the Principles. The government’s reply is worded with extreme caution and is full of phrases like “may” and “might” and “subject to local needs, affordability and value for money considerations.” In particular no promises are offered in relation to “additionality”. Since this community is entirely dependent on the Government to decide the benefits package</p>
<b>5 – Design and engineering</b>	No	<p>5.1 You ask yourselves whether you are satisfied that the design concepts being developed are appropriate at this stage. Your Initial Opinions are that you can understand the generic designs being worked on, and they fit your expectations. You say detailed design can only be done in relation to a specific site. You have satisfied yourselves that retrievability is not being ruled out at this stage. You consider the design concepts are appropriate and flexible at this stage given that detailed design issues should not be resolved at this stage.</p> <p>5.2 You say that the design of the Repository would be tailored to the geography and specific geological structures of the actual site. The Parish Council considers this is another example of looking at things the wrong way round. Amongst the manifold uncertainties one certain starting point is that we have a large body of existing waste here in Cumbria which has to be disposed of safely (i.e., according to government policy, underground). Surely the design should be primarily influenced by the proposed contents. We know now what these are. The design should accommodate these and a search should be made for geology suitable to accommodate the design. If possible the design should allow for future waste produced in the UK. Some uncertainties might be resolved if this approach was adopted.</p>
<b>6 – Inventory</b>	No	<p>6.1 You asked yourselves whether you were satisfied with the proposed Inventory to be stored in the Facility. You say that you understand the difference between baseline and upper inventories and therefore what could go in a Repository, although there are still uncertainties. You believe that satisfactory progress has been made towards agreeing the principles that define the process for changing the inventory, including the influence of the community in this. Overall you think you have received the information you were looking for at this stage.</p> <p>6.2 You made a list of 6 principles for which you sought government agreement. You seem satisfied with the response. However : Principle 1 ~ you ask for Government to make clear its commitment to agreeing the Inventory: Answer : Decc does not provide this</p>

		<p>specific commitment. Principle 2 ~ you ask for a mutually acceptable process to be agreed in relation to changing the contents of the Inventory and for a veto on changes in the future: Answer : the Government would expect to develop a process (not a commitment) and “this process might reach decisions based on pre-agreed principles” (not necessarily these 6 Principles however). “These principles should recognise the need to provide a means to safely dispose of the higher activity radioactive waste in the UK which requires geological disposal”. In other words if it needs to be disposed of it will be disposed of. There was no agreement to the veto.</p> <p>There is reference to the right of withdrawal but changes to the Inventory might occur after the right of withdrawal has lapsed – when waste is already being stored. If it is not possible to obtain a commitment from the government that the local community should always be able to veto the contents of the Repository, then these could be changed at any future time, and the point of having had an agreement about contents in the first place would be lost.</p>
<p><b>7 – Siting process</b></p>	<p>No</p>	<p>7.1 You said you wanted to be confident the siting process is robust and flexible enough to meet our needs. Your Initial Opinions are that you “ are confident, at least during Stage 4. No further assurances can be expected from the Government. Everyone is committed to consensus and fairness : however the practical challenges of making voluntarism work should not be underestimated.”</p> <p>7.2 Concerns centre on how voluntary this process really is. Stage 1 (where councils expressed interest in participating) and the present stage (where the 2 councils who have volunteered to participate decide whether to move into Stage 4) are entirely voluntary : no-one was forced to participate or give reasons for doing so or not doing so. Once the volunteers move into stage 4 the picture changes. Potential Host communities have no right to withdraw – although they would be the actual sites concerned they have no decision making powers. On page 94 you state that if a Host Community wished to withdraw, and if this was based on reasoned justification and demonstrable community support, and if the Partnership decided it could manage without these communities, then the Host Community could be left out. If the Partnership decided it needed that Host community then “it could recommend its inclusion if it could produce a reasoned justification and explanation” – in other words at that point for the Host community the process has become compulsory. During Stage 5, once the expense of Stage 4 had been incurred, withdrawal becomes difficult even for the decision making bodies. The government White Paper states 6.5 “6.5 In the event that at some point in the future, voluntarism and partnership does not look likely to work Government reserves the right to explore other approaches. “</p> <p>The result is that having volunteered to get into the process West Cumbria might not be able to volunteer to quit it.</p> <p>A Host Community which finds itself volunteered to host a facility which it had not sought and does not welcome is faced with the problem of acquiring the detailed knowledge necessary to make a reasoned argument against having the facility, and the likelihood that in any opinion poll or referendum or District Council vote it will be outvoted by people living elsewhere.</p>
<p><b>8 – Overall views on participation</b></p>		<p>Underskiddaw Parish Council does not wish Allerdale and Copeland Councils to move into Stage 4 or to continue to participate in the process of searching for a site for a Repository.</p> <p>This decision is based on a close reading of the Consultation Report and of many of the attached documents, discussions in Council Meetings and listening to the views of Parish residents.</p>

The following points are relevant to our decision :

- The process is mis-conceived, and by recommending withdrawal from it we hope that the process will come to an end, and the government will have to start again. It is important to find the best site for the Repository : the best site is the safest: safety depends primarily on geology. Therefore the first consideration should be : where is the best geology. Instead of looking for the best site, the voluntarism principle has produced only a range of sites where the population is willing. Enough is known about the geology of England and Wales, and Cumbria in particular, to be able to say with certainty that there are better areas. The 1986 study recommended suitable sites, none of which was in Cumbria, which were turned down for political reasons. Other countries look for suitable geology first – they are more logical.
- The next stages will cost many millions of pounds : the Council believes that this public money should not be spent as their view is that it is more likely than not that either a second-best site will emerge, or no site will be found. If the former then the money will not have been well spent; if the latter then it will have been totally wasted.
- The Parish Council does not believe that Cumbria should be left to wrestle with this problem alone. They do not believe there is the expertise amongst the decision-makers to engage effectively with the enormous complexity of this task – nor should a decision with national and international consequences be left to relatively small local authorities. There are signs in the documentation of highly trained civil servants running rings round the Partnership as it attempts to extract promises for the future.
- The Parish Council also believes that this process should be stopped at this stage because they do not have faith in the Right of Withdrawal promised to be exercisable up to the end of Stage 5. A close reading of the Report shows that this right is always limited, and as the process goes on it becomes increasingly illusory. The community most affected either by the surface facility or the drilling of boreholes to explore for the underground site (the Host Community) does not have a right of withdrawal. It is the decision making bodies (Allerdale and Copeland) who can withdraw. A small town or village affected by a proposal would be helpless if the remainder of Allerdale wished it to go ahead. This is clear from reading pages 93 to 97. Even the DMB's could be overridden by the government (see White Paper). The expenditure of large sums of money on the forthcoming stages itself creates a momentum for pressing ahead.