

This Report will be made public on 28 March 2018

**Folkestone**

Hythe & Romney Marsh  
Shepway District Council



Report Number **C/17/97**

**To:** Councillor David Godfrey – Special Projects  
**Date:** 28 March 2018  
**Status:** Non-Key Decision  
**Head of service:** Katharine Harvey – Economic Development

**SUBJECT:** Geological Disposal Facility – Consultations

**SUMMARY:** This report provides background to the government's current Working With Communities and National Policy Statement consultations in relation to its Geological Disposal Facility (GDF) programme, and proposes a response to the draft Working With Communities policy.

**REASONS FOR RECOMMENDATIONS:**

a) Submission of the responses will help government to develop its final proposals for the GDF programme.

**RECOMMENDATIONS:**

1. To receive and note report C/17/97.
2. To approve the proposed responses to the draft GDF Working With Communities policy.

## 1. BACKGROUND

- 1.1 The government's preferred permanent disposal solution for Higher Activity Wastes from nuclear power stations is via a Geological Disposal Facility (GDF). The GDF would hold these wastes in an underground repository between 200 and 1,000 metres deep, and extending 10-20 square kilometres, and would be served by a surface facility with new rail and road connections which is expected to cover 1 square kilometres. Subject to finding a community willing to host the facility, and geological conditions being suitable, the GDF would open by 2040, and operate for some 100 years prior to its being permanently sealed.
- 1.2 Benefits to the GDF's host community would include long term employment during construction and operation; engagement funding during the formative engagement stage; community investment for economic, social and environmental projects during the constructive engagement stage; and additional investment during the construction and operational stages. The community investment package would be in the scale of up to £1 million pa once a community partnership is in place, and up to £2.5 million pa during site investigation stages. Additional benefits would be made available once the facility is under construction and during operation. Disbenefits may include environmental impacts, possible falls in land values, negative perceptions of an area, and disruption to communities.
- 1.4 The GDF programme is led by the Department for Business Energy and Industrial Strategy (BEIS) but will be delivered by Radioactive Waste Management (RWM) – a subsidiary of the Nuclear Decommissioning Authority. The policy context for GDF was set by the 2014 "Implementing Geological Disposal" White Paper, since which efforts have been made to improve the quality of information available to communities considering participating in a siting process. This work has focused on Geology, Planning, and Ways of Working with Communities.
- 1.5 Work on geological information materials is nearing completion, and as a precursor to launching the siting process BEIS is consulting on two policy documents:-
  - Working with Communities (WWC) which considers:
    - How communities should be identified and represented.
    - How early community investment could be provided to communities that participate in the siting process.
    - How a right of withdrawal could operate throughout the siting process.
    - How a test of public support could be carried out before construction and operation of a geological disposal facility.
    - The role of local authorities.
  - Draft National Policy Statement (NPS) which will guide:
    - Developers when preparing, and the Planning Inspectorate and the Secretary of State when considering, applications for development consent relating to geological disposal infrastructure (GDF and boreholes).

- 1.6 These consultations are about the processes that would be involved in implementing a GDF, and are not an invitation to participate in a siting process. Responses to the consultations are required by 19th April 2018, following which the government will issue a final policy on how it will work with communities. Once complete a siting process inviting communities to participate will be launched. No date is set for this but it is likely to start in late 2018 or early 2019. The NPS is expected to be finalised in early 2019.
- 1.7 Having reviewed the draft policies no specific comments are to be made regarding the draft National Policy Statement. However, a number of points have been identified regarding the draft Working With Communities Working policy, including:
- The introduction of what could be an effective right of veto for principal authorities – this was a key issue when GDF was considered in Cumbria and was not included in the 2014 White Paper but has been introduced into the draft WWC policy.
  - Lack of clarity on the support available from government for any work carried out by communities prior to their formally engaging with the siting process
  - The readiness of RWM to become an engagement body (and not just an engineering organisation)
  - Long term commitment of government to the programme
  - A lack of detail on the mechanics of the process and the need for a new overarching document to pull together the various work streams which make up the GDF programme to make it easier for communities to understand and engage with should they wish to do so
- 1.8 The responses are attached at Appendix 1.

## 2. RISK MANAGEMENT ISSUES

- 2.1 The current consultations relate only to the proposed process for implementing a GDF and are not an invitation to participate in a siting process. Responding to the consultations does not imply a commitment to participating in the process and consequently carries little or no risk to the council, but may helpfully guide government in its consideration of the way forward.

| Perceived risk  | Seriousness | Likelihood | Preventative action   |
|---|-------------|------------|---|
| The government's deadline for receipt of responses is missed and the council's views are not transmitted. | Medium      | Low        | The timing of this report will allow the deadline to be met. The council has also discussed this matter with the Nuclear Legacy Advisory Forum, a Local Government Association Special Interest Group, and has contributed to its response. |

## 3. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

**Legal (DK)** There are no legal implications arising directly out of this report. Legal Services, will upon instruction, advise on contractual and related issues in the event of intention by BEIS to implement the GDF in the District.

**Resources (CS)** – There are no direct financial implications contained within this report.

**Equalities (DI)** – This report has no impact on equalities and no Equality Impact Assessment is required.

**Communications – (MR)** The suggested approach is appropriate for this consultation in communications terms.

**Transforming Shepway (SR)** – There are no direct transformation implications to the transformation project as a result of this report

#### **4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

David Illsley - Economic Development Officer  
Telephone: 01303 853474.  
Email: [dave.illsley@shepway.gov.uk](mailto:dave.illsley@shepway.gov.uk)

The following background documents have been relied upon in the preparation of this report:

- 1 Consultation: Working with Communities – Implementing Geological Disposal – BEIS and DEFRA January 2018.
- 2 Consultation: National Policy Statement For Geological Disposal Infrastructure – Implementing Geological Disposal – BEIS and DEFRA January 2018.

#### **Appendices:**

Appendix 1: Working With Communities – Consultation responses