

CoRWM E bulletin No. 15 March 2007

Main business covered:

- Chairman's report
- Implementing CoRWM's recommendations – advice to government
- Forward programme
 - Bilaterals
 - Citizens' Panels
- Government's announcement on the 25th October
- Judicial review of the Government's energy review

The main business was to review the papers prepared by the three CoRWM team leaders in respect of the implementation policy issues on which the Government had asked CoRWM to offer advice.

The Chairman reported that the advice to Government was the key issue for discussion. This was due by the end of April and the Committee – now smaller than last summer – was only one of a number of organisations reporting to Government. Internally, the Implementation Planning Group led by Defra, was taking the lead on most areas. While CoRWM would test how far its advice was consistent with that from organisations such as the NDA and NuLeAF, it was important that CoRWM gave Government its own independent advice.

Most of the remainder of the meeting was given over to papers on the advice to Government that had been commissioned from CoRWM, together with the bilateral meetings and other events supporting this advice.

Forward programme: reports were given on the meetings which had already taken place (including those with the Community Development Agency, NuLeAF, NDA, Cumbrian meetings with NGOs, local authorities and strategic partnerships) and reports on the arrangements for future meetings with other NGOs, academics, the overseas experts and citizens. The NGOs were slow to offer dates for meetings and nothing had thus far been arranged. The overseas meeting was on schedule and took place on the 27th and 28th February.

The arrangements for the Citizens Panels, to be held on 17 and 24 March, were well advanced and the report to the meeting outlined the dates, venues, participants, inputs and outputs expected. The draft reports from the panels were to be presented to CoRWM a week after the last meeting on the 24th March, leaving CoRWM with the month of April to assimilate information from all sources, seek a consensus view from members and write its report.

The three papers on Communities and Volunteering, Partnerships and Packages and Staged Decision Making Processes were reviewed.

Communities and Volunteering:

Document 2139, not yet discussed by the other members of the CoRWM working party on communities and volunteering, was designed to provoke debate. It acknowledged that CoRWM had made little progress on the issue of communities but did propose, for the purpose of discussion, that 'community' should relate to those living in the area most directly affected by the development and that affected communities, living further away or suffering less directly, should be treated as possibly having varying and smaller 'weights' allocated to their views. It was pointed out that for some communities, the siting of a repository or other nuclear facility might not be seen as an impairment but as a positive aid to regeneration. The paper also proposed that subsidiarity should be a principle used in the notion of volunteering in that it should be the most local level of community which made the decision - to volunteer or not - through a local referendum. This view was not universally acceptable to CoRWM members although it did enjoy a degree of support. There were major issues around the timing and control of a referendum as well as the problem of avoiding bias in the relevant wording.

Partnerships and Packages:

The discussion centred on representation, trust and the way in which a truly collaborative partnership could be created in which 'openness and equality' could be seen to operate. It was proposed that the objective of the partnership and the packages of benefits which accompanied them, should lead to 'wellbeing' being enhanced and that this should be seen as going beyond monetary compensation into such things as the 'development of a positive self-image' for the community. Openness and equality should lead to the goals of both major parties being satisfied - the aspiration of the community to enhance its wellbeing and the aspiration of the implementer to build the repository – through the process of partnership. The role of the implementer was also discussed and NuLeAF's position of opposing implementer participation in decision making was noted. Representation within the partnership was discussed, with some favouring local authorities making the relevant decisions. The applicability of CoRWM's guiding principles were also felt to be valuable in any process relating to the implementation of a nuclear facility.

Staged decision making process:

CoRWM's advice in this area had to reflect ongoing developments across Government and in the regulatory and planning sectors, for example the Planning White Paper and future arrangements for major infrastructure projects.

One view was that effective progress had to be balanced against the needs of the local community. But planning for the decisions that need to be made, and logging the financial commitments flowing from them, is aided by taking

early opportunity to assess proposals. One problem is that the planning and regulatory regimes do not necessarily make this possible. For example, the Radioactive Substances Act does not provide for staged applications.

It was agreed that the notes from the discussion on these topic areas would be further refined for debate at the next plenary meeting.

Response to Government announcement of the 25th October.

CoRWM has yet to finalise its response although there was satisfaction expressed that the latest draft from the Chair, aided by a fine paper from Professor Lynda Warren on 'overseeing' and 'supervision', had dealt with this issue well. What remained was the issues felt by some relating to the process of appointment of the NDA as implementer and some of the implications of that decision. It was however agreed that the appointment of the NDA was now a fait accompli. There were issues about the implications of the NDA appointment especially in relation to stakeholder engagement, its role vis-a-vis Government and (most important) the possible clash of cultures between an organisation hitherto devoted to rapid clean-up and the need in long-term waste management to move at a different and slower pace.

It was felt that on balance, the issue of waste arisings from new build – an issue which had caused some CoRWM members concern in relation to the way in which CoRWM's views had been characterised in the recent judicial review – should be dropped from the 'response' paper and dealt with separately.

These issues were to be reviewed again by the Chair and members would review a – hopefully final – draft at the next meeting.

Judicial review of the Government's 2006 energy review consultation:

It was noted that Greenpeace had won a judicial review of the Government's consultation process for its 2006 energy review. During the hearings, it seemed that CoRWM's view on the issues surrounding waste from new build – which CoRWM regards as ethically and politically different from those surrounding legacy wastes – had been misrepresented. CoRWM had been at pains to underline that its recommendations were neither supporting nor opposing new build, that the recommendations came as an integrated package and that any arisings beyond the existing inventory should be subject to a separate process. One member had produced a draft on this subject and Members would consider whether or not to respond to these issues again at a later CoRWM meeting.

Pete Wilkinson
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