

MWLP EXAMINATION: MATTER 2. SOUNDNESS.**ED33**

The promulgation of our plan has been tortuous and does not satisfy the requirement for openness and transparency. Over the whole lengthy and contradictory process I have contributed objections to its soundness which are archived and which, by and large apply equally to the current version.

Respondents to the Inspectors soundness matter No. 11, will differ, largely about the meaning of 'flexibility'.

There may be some common ground over the proliferating uncertainties, for example, HMG equivocation over Plutonium. And HMG apparent revocation of the Annex B of the National Policy Statement for Nuclear Power Generation (EN-6) etc.

Operators argue for a plan so 'flexible' that it may as well not exist.

CCC are responsible for emergency services as well as most other infrastructure that underpins the industry: their plan should enable proactive oversight.

While HMG keep us all waiting for the updated policy statements they will offer as proof of compliance with the EC Directive from 2011, it is a total nonsense to oblige local Govt. to put forward their plan for submission-for the very reason the Inspector has identified here-namely, the lack of a strategic objective with respect to Radioactive Waste.

In an ideal world treaties are adhered to, local government is empowered to mitigate environmental pollution if not curtail it altogether. And if mishaps occur, priority is given to informing the public.

In a Brexit world none of these certainties need apply. Not a few of these doubts arise from the contradictory positions adopted by central Govt.

Nor is it clear if our EU partners will proceed with their action against subsidised newbuild reactors. It is not clear How the identification of a host for GDF will be affected by the commissioning of new reactors. Where we were told that a destination for HLW will have to be found before they come on stream, it is now two decades since the NIREX appeal foundered, but we are no closer.

As regards LLW we are told only last week that much of it will now remain in situ following decommissioning.

<https://www.theguardian.com/environment/2016/nov/10/nuclear-waste-to-remain-at-old-uk-plants-rather-than-moved-off-site>

Previously, I would add the objection that although the core strategy has not been reviewed, it has been abrogated as regards the reasonable premise that Drigg should not be allowed to become the default destination for all LLW of whatever antecedence.

This is serious because there will inevitably arise the necessity to relocate it in entirety as rising sea-level will threaten inundation. Although this may not seem a pressing issue for a plan that has currency only for a decade and a half, it would be purblind to formulate any policy that does not envisage an eventual alternative and that provides for its evacuation.

In so disconcertingly incoherent and changeable a national policy context it is not conceivable that a local plan can be considered sound unless its terms are entirely

vacuous.

In Jan 2012, I made representations to what was then the MWDF. They were ably summarised by the Inspector on page 27 of the Cumbria MWDF Repeated site allocations pre-submission consultations statement (Jan 2012) . They have yet to be dealt with in the new local Plan.

4. THE POLICIES IN GENERAL

Objections

Representor reference 22 (Mr S Balogh)

4.1

Mr Balogh's objection is that no changes have been made to bring the policies for radioactive wastes into line with national policy. He refers to the Core Strategy Examination Inspectors' requirement for the County Council to commit itself to a review of these policies. This commitment is set out in paragraph 8.5 of the Core Strategy (Document reference CSD14). It is for a timely review of the Core Strategy policies if they are no longer consistent with, or reflect progress on, the detailed implementation of national policy.

4.2

A programme for reviewing the Core Strategy in 2011 had been agreed by the County Council. This had to be delayed due to budgetary matters and the unanticipated requirement for this current process of repeating the procedures for the Site Allocations Policies. It is anticipated that the Core Strategy review can be commenced within the next few months.

4.3

Mr Balogh's objection relates, in particular, to the possibility of a deep geological repository being constructed in Cumbria for the UK's higher activity radioactive wastes. Mr Balogh suggests that the Site Allocations Policies should have considered what provision would need to be made for the "gargantuan" volumes of material that would be excavated during the construction of a repository.

4.4

There is no proposal for a deep geological repository in the county. West Cumbria is the only part of the country that has been willing to consider participating in the Nuclear Decommissioning Authority's process of looking for potentially suitable sites under the Managing Radioactive Waste Safely (MRWS) procedures. Those procedures are based on areas volunteering to take part.

4.5

The current stage is that the West Cumbria MRWS Partnership has launched a formal public consultation to consider whether West Cumbria should take part in the search for a site for such a repository, without any commitment to have it. That consultation process runs until 23 March 2012.

4.6

Core Strategy Policy 11 – 'High and intermediate level radioactive waste geological disposal', does not propose that there should be a disposal repository. It only sets out the planning application stages that would be expected should an area of suitable geology within Cumbria be volunteered for consideration. This is made clear in Core Strategy paragraph 8.16.

4.7

It is agreed that it is now timely to commence a review of the policies for radioactive wastes. However, this will be a review of the Core Strategy. It would be inappropriate to seek to pre-empt the Core Strategy review considerations, by including policies or proposals in the Site Allocations Policies.

The inspector has drawn attention in the introductory briefing to the lack of a strategic objective as regards RW . This is symptomatic of a logical inversion that hitches the local plan cart before a national strategy horse (which enables said horse to face both ways) because, while the UK is in default of the 2011 directive, national policy will have to be agreed by the devolved administrations, and so far all that has been offered by way of compliance is the 2015 lead paper.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457893/UK_National_Report_-_final.pdf

In the meantime, there are lacunae in National Policy subject to the legislative amendments intended to improve nuclear safety according to the EU Convention on Nuclear Safety and the Safety Fundamentals established by the IAEA. This means that over a number of years of the local plan's being in force, it could prove to be the only legally enforceable restraint on the Nuclear Industry's objective to dispose as much HVVLLW as legal loopholes such as these allow, in local landfill.

SP 5 & 6 should be written appropriately.

Steve Balogh 14/11/2016