

RESPONSE FROM AINE KELLY

1. Do you agree that a test of public support should be taken before the representative authority loses the Right of Withdrawal?

No. Right from the start the previous process to determine public support was deeply flawed. The only way to determine real community support is to have a referendum. The term "community" has never been defined – either in the previous process and by yourselves. The local district council and MP are not the community, nor are the most vociferous groups.

In the current situation of Cumbria, you are already ignoring the democratically expressed will of the local community in embarking on another attempt to establish a GDF in this region.

That you can ask the question re right of withdrawal is deeply worrying – are you actually questioning whether it would be better not to have public support before the authority loses the right of withdrawal? I do not believe there should be any time when the right of withdrawal can be lost – it should remain as a legally enshrined democratic right.

2. Do you agree with the proposed amendments to decision-making within the MRWS siting process? If not how would you modify the proposed phased approach or alternatively, what different approach would you propose?

No. I totally oppose the changes in arrangements that allow District Councils to act as the Representative Authority. I also disagree with the suggestion that the Leader of the Representative Authority should chair the Steering Group.

There should be a new representative authority set up involving the whole of Cumbria, including such groups as National Trust, Tourism Board etc and down to the level of parish councils. The process will not be credible if devolved down to the level of district council. This is a nonsense. This is not an issue impacting only on the local district! The language of democracy is used here to sanitise what is really proposed, namely to bypass a properly democratic process involving bodies with a more regional stake, namely the County Council.

3. Do you agree with this approach to revising roles in the siting process set out in the White Paper? If not, what alternative approach would you propose and why?

No. The proposals will allow for a body, most likely the District Council, to express an interest. This body will then be responsible for steering the project and finally, as Representative Authority, it will decide upon a right of withdrawal. These powers should not be held by one body. A new regional body needs to be set up.

A clear definition of who is the community needs to be set out from the outset, not some vague phrase.

4. Do you agree with this proposed approach to assessing geological suitability as part of the MRWS siting process? If not, what alternative approach would you propose and why?

No. Pre-screening on the grounds not only of geology but also existing landscape and natural protections such as AONB, SSSI, National Park, local population, agriculture, infrastructure etc . If this is not done, more waste of public money will be the result, as the process grinds to a halt further down the line.

The previous process was deeply flawed because it did not do this. How much money has already been wasted on this? This area would not be in the picture at all if a rational site selection was set up by DECC. DECC is now again misrepresenting the facts in this review in an abjectly transparent way, in order to get the outcome it wants.

An alternative approach to early stages of planning is:

1. National pre-screening exercise 2. Selection of potential areas of search 3. Expressions of interest 4. Comprehensive examination of all issues to confirm suitability 5. Referendum to establish public support to go ahead with costly further research 6. Site investigations and negotiations on community benefits

5. Do you agree with this proposed approach to planning for the geological disposal facility?

No. Of course, the 'representative authority' role should not be delegated to a district council. The County Council inconveniently threw out the proposal so now you wish to bypass it. How can this be a good approach to planning? It is laughable and anti-democratic.

There will be conflict of interest if the final decision about a GDF application is adjudicated by the Secretary of State for ENERGY. This is not acceptable.

6.Do you agree with this clarification of the inventory for geological disposal – and how this will be communicated with the volunteer host community? If not, what alternative approach would you propose and why?

No. DECC appears to be ignoring the government's Committee on Radioactive Waste Management (CoRWM) recommendations by including waste from a new build programme in the revised Baseline Inventory.

Why set up an advisory committee if you choose to ignore inconvenient conclusions?

7.Do you endorse the proposed approach to community benefits associated with a GDF. If not what alternative approach would you propose and why?

No. The question of community benefits should not be a primary consideration. Otherwise they become a bribe. In the previous process, the local community were being told by the local MP that unless they agreed to a GDF, their whole economic future was threatened, in particular by the withdrawal of a new nuclear power station. This became a charade of a process.

The whole process of decision making is tainted by outlining community benefits - this should only be done much further down the line, after the pre screening process and after public support has been established with no doubt, ie after a referendum of the whole population of the county.

8.Do you agree with the proposed approach to addressing potential socio-economic and environmental effects that might come from hosting a GDF? If not, what alternative approach would you propose and why?

No. It is madness to install a GDF where it could adversely affect any nationally and internationally protected areas (National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites, Special Areas of Conservation, Ramsar Sites, Special Protection Areas). Neither of the potential sites (Solway coast, Ennerdale) emerging from the previous process would have withstood such scrutiny for a moment. These issues should be examined in pre screening.

A national properly independent panel should be set up on day 1 to evaluate geological, environmental and socio economic pre screening issues in order to determine where the best sites are in the whole

country, before then looking at these issues on a local basis once a potential site has been established. The geological experts should be wider than just the British Geological Society - ie some international experts experienced in site selection from countries where a successful process has occurred.