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Further to your meeting of the West Cumbria MRWS Partnership on 29 July 2011 and subsequent discussions with my officials, I understand that you have requested some clarifications to our response to the proposed community benefits principles included in my letter dated 6 July 2011.

I would like to make it clear that I agree that all the 12 principles you have outlined form a basis for negotiations in a potential Stage 4 and this is consistent with the Managing Radioactive Waste Safely (MRWS) White Paper, which has cross departmental support. Obviously the detail underlying these high level principles will need to be explored in the next stages of engagement, though it's clear we will need to reach an agreement which is mutually satisfactory.

I understand you specifically wanted clarification on the principles relating to additionality (4), impact mitigation (5) and scale (6). I attach the detailed commentary sent previously with some revised text on these particular principles.

I trust that this will assist in your current considerations.

*I hope all is well and much look forward  
to seeing you on my next visit.*

*With all best wishes*

  
**LORD MARLAND OF ODSTOCK**





## PRINCIPLES FOR COMMUNITY BENEFITS

**Principle 1: Overall: International best practice shows that community benefits are commonly used to ensure a positive contribution to the well being of host and other affected communities, and are therefore worthy of consideration.**

The 2008 Managing Radioactive Waste Safely White Paper, which set out UK Government's policy on implementing geological disposal recognised that in addition to the significant benefit to host communities of hosting a geological disposal facility there may be other benefits which may be commensurate with developing the social and economic wellbeing of a community that has decided to fulfill such an essential service to the nation. This position was informed by international practice and the recommendations of the Committee on Radioactive Waste Management. I am happy to confirm that it remains the Government's view.

**Principle 2: Timescale: Any benefits must deliver both short and long-term community well being.**

Geological disposal is a very long- term programme and Government recognises the lengthy timescales involved in developing and operating a geological disposal facility. The local needs arising from the development are therefore also likely to have an intergenerational element. I therefore agree that the need for any agreed community benefits to contribute to long-term as well as shorter-term social and economic well-being should therefore be a consideration in future discussions between Government and local communities if a decision to participate is made.

**Principle 3: Making a Difference: Benefits must put the area in a better position, both economically and socially, than if no repository were to be developed.**

Clearly, as part of the voluntarist approach to siting a geological disposal facility participating communities are likely to consider the extent to which the socio-economic benefits associated with hosting a geological disposal facility and any other benefits agreed with Government enhance community well-being in deciding whether or not to exercise their right of withdrawal.

We expect the net benefits of hosting a geological disposal facility to be an important part of the discussions between Government, siting partnerships and decision making bodies, which would take place at later site specific phases of the programme if a decision to participate is made.

**Principle 4: Additionality: Benefits must be additional to existing and planned investments, rather than replacing them. Other government funds or opportunities must not be displaced, and the approach must be at no cost to the community. Benefits must also be in addition to the investment that will be necessary to create a repository and its associated facilities.**

In future discussions to agree what benefits may be commensurate with developing the social and economic well-being of a community which is considering hosting a geological disposal facility; those communities will want reassurance that benefits would be additional to what would occur in the absence of a facility.

We agree that the community benefits package agreed with a community should relate to benefits in addition to the investment necessary to create a repository and its associated facilities and not replace existing or planned investments. It will of course be



important to co-ordinate the agreed community benefits package with wider social and economic development programmes.

**Principle 5: Impact Mitigation: Preference should be given to mitigating rather than compensating for impacts recognising the long timescales over which impacts could potentially occur. Reasonable steps should be taken to mitigate and/or compensate for any impacts arising from the siting process itself, as well as from hosting a potential facility.**

While any facility must be safe, like other large construction projects there may be local impacts such as construction noise or increased transport. For impacts relating to the construction and operation of the facility, we would expect many of these to be considered and dealt with as part of the planning process. The nature of both potential benefits and impacts of hosting a geological disposal facility will become clearer during the later, more site specific stages of the process, if a community decides to participate. Where potential impacts are identified as a result of hosting a geological disposal facility we agree preference should be given to reasonable steps to avoid or mitigate their impact rather than compensating for them.

As regards impacts arising from the siting process itself, I strongly believe Government and the local communities must work closely together to thoroughly analyse such impacts and work constructively to ensure they are mitigated. To the extent that impacts cannot be avoided, then clearly consideration will need to be given to what action might be taken. The possibility of compensation for negative impacts that cannot otherwise be mitigated is not being ruled out at this stage. We would like to take forward more specific discussions on how to identify the nature and magnitude of any impacts and what action may be appropriate to address them.

**Principle 6: Scale: The scale of any benefits must have the potential to transform the economic and social well-being of West Cumbria (taking into account best practice from other countries).**

We recognise, as shown in the Partnership's own review, that the benefits agreed in some other countries can be substantial and local communities in discussing a community benefits package will want to be satisfied the effect of any benefits on social and economic well-being is sufficient before they ultimately decide whether to host a facility.

In addition to the significant skilled employment for hundreds of people over more than a century and potential spin off benefits, the Government has been clear that there will be an additional community benefits package. The details on the scale of benefits would need to emerge through discussions in the next stage, but we must clearly reach an agreement that is mutually satisfactory. This will be informed by the approaches to community benefit packages in some other countries.

**Principle 7: Defining Scale: The magnitude of benefits must bear a clear relationship to the overall scale, nature and national significance of the development.**

While it is too early to fix the details of community benefits, the Government recognises that agreed benefits should reflect the scale, nature and significance of the development. It will have the potential to contribute greatly to the local economy and wider socio-economic framework.

**Principle 8: Flexibility: There must be flexibility over how community benefits are distributed over time and between different communities.**



It is too early to specify what specific mechanisms could be used, or to define the level or nature of benefits. Any benefits packages should be developed between communities, the Government and NDA as discussions progress, taking into account local needs, affordability and value for money considerations. This should allow for flexibility in future discussions on how any community benefits are distributed over time and between communities to ensure they reflect local priorities and circumstances. These will become clearer during the site selection process which would take place if a community decides to participate.

**Principle 9: Distribution: Benefit distribution must be equitable, in terms of the scale of the impact on different stakeholders, both locally and nationally.**

The scale, nature and distribution of any community benefits should be both reasonable and equitable as well as representing value for money. We would expect that if a decision to participate is made future discussions on benefits would explore to what extent distribution or distribution mechanism should be set out in any agreements on benefits and to what extent distribution should be addressed by Community Siting Partnership and local Decision Making Bodies.

**Principle 10: Delivery: Effective mechanisms must be agreed between national and local government for the provision of benefits. These mechanisms must ensure value for money and incorporate the principles of fairness, equity and flexibility in relation to communities and local businesses.**

It is not proposed at this stage to set out what mechanisms are most appropriate but they should provide value for money and incorporate the principles of fairness, equity and flexibility.

**Principle 11: Longevity: Agreements on community benefits will need to endure over a substantial period of time because of the multi-generational nature of the proposed development. These agreements could take a range of forms including legislation.**

Any participating communities will want confidence that any community benefits which are agreed will be delivered. This is particularly relevant especially given the long timescales for the implementation of a geological disposal facility and the fact that a facility may operate for a century or more, based on current planning assumptions. We would expect this to be considered in future discussions on community benefits.

As described above it is too early at this stage to specify the mechanism or mechanisms which are most appropriate to provide long-term confidence, but at this stage we would not rule out any option, including legislation.

**Principle 12: Community Confidence: In order to establish and maintain community confidence, any agreement on a community benefits package must provide a high level of reassurance that any agreed benefits will be delivered if a site is selected.**

Community confidence is crucial. If and when a decision to participate has been made and the site selection process starts it will be necessary to maintain confidence of local communities. While as described above it is too early to specify the mechanism or mechanisms which are most appropriate to provide community benefits they will need to provide a high level of confidence to local communities.

More widely, confidence in Government does not depend only on the MRWS programme in isolation from other factors, but will also reflect wider relationships between Government and local communities.

A key example of such engagement in Cumbria is the West Cumbria Strategic Forum and commitment from Government to work with local partners to help achieve the West Cumbria ambition to create and maintain a sustainable local economy for West Cumbria, recognising current dependence upon the nuclear sector.