

Report of the Director of City Strategy

## **Consultation on the Policy Framework for New Nuclear Build**

### **Summary**

1. In July 2006, the Department of Trade and Industry (DTI) published a document seeking views on the developing policy framework for new nuclear build. This report summarises the key issues raised in the document and seeks approval from Members for the Council's response letter (attached as Annex A) to be sent to the DTI.

### **Background**

2. The Government has considered the role of nuclear generation and following previous public consultation and analysis have concluded that nuclear has a future role to play in energy provision.
3. Having reached this position, the document currently out for consultation sets out how the Government intends to create a policy framework under which developers will be able to make proposals for new nuclear build. The Government's policy on new nuclear build will then be set out in a forthcoming Energy White Paper.
4. The consultation document focuses on the suggested changes to the planning process for new nuclear build and is not intended to be a debate on the appropriateness or otherwise of nuclear power, or a discussion of alternative energies.

### *Proposed Policy Framework*

5. The main proposal set out in the consultation document is as follows:

*A policy framework for new nuclear build should be developed. It would include a nuclear "Statement of Need" and set out that national strategic and regulatory issues are most appropriately discussed through processes other than the planning inquiry.*

*The planning inquiry should focus on the relationship between the proposal and the local plans, and local environmental impacts. The inquiry should address these issues in the context of the national*

*strategic or regulatory material considerations, which will already have been established. The inquiry should also examine the local benefits of the development and how specific local impacts of the construction and operation of the plant can be minimised.*

6. Essentially this proposal can be broken down into 4 key issues:

**(i) Setting a ‘Statement of Need’ for nuclear power in government policy:**

7. The Government proposes that the most appropriate process for discussion of whether there is a need for nuclear power is at a national level. This strategic position would be set out, at a national level, in the proposed policy framework, which includes a ‘Statement of Need’ and will be formalised in a White Paper. Planning inquiries should not focus on whether there is a need for nuclear power.

*Officer Response:*

8. The Government intend that the principle of need and justification for nuclear fuels should be established at the national level and should not therefore be discussed as part of the public inquiry into individual sites. Provided the opportunity for a full debate is present at the national level, this is considered to be an appropriate approach to try and facilitate a more efficient process.

**(ii) Roles and Responsibilities of the Regulators:**

9. The consultation document advocates that the safety, security and radiological impacts of proposals should be the role and responsibility of the appropriate regulators. The expectation is that planning inquiries should not consider the general high level questions of the health and safety aspects of nuclear power.

*Officer Response:*

10. The consideration of these kinds of impacts is part of a highly regulated process which the Council consider would be better dealt with outside the planning inquiry process. Furthermore, an Inspector would still be able to open up such issues as part of a planning inquiry if they felt that there were specific aspects of these issues that had not been fully considered.

**(iii) The strategic siting of new nuclear build:**

11. The document proposes that a Government-led strategic assessment, involving public consultation, should determine the high level environmental impacts of new nuclear build. The assessment should also establish the criteria for identifying the most suitable sites for nuclear power stations, and indicate how potential sites meet these criteria. As the public will have been fully engaged at a strategic level already, the same considerations should not then be re-assessed at a later public inquiry which is site specific.
12. Industry has indicated that the most viable sites for new build are likely to be adjacent to existing nuclear generating plant, although there might be other

attractive sites, for example other nuclear installations and sites with retiring fossil fuel generating stations.

*Officer Response:*

13. It is unclear from the consultation document what form the strategic siting assessment would take and how the public would be engaged in this process.
14. The document sets out that the siting assessment will identify the criteria for locations where the Government would support proposals for new nuclear power stations. However, it goes on to state that the expectation is that following a strategic siting assessment on which the public has been engaged, planning inquiries should not re-assess the question of whether there are alternative sites for a new nuclear plant, and whether the proposed site is a viable site. The implication is therefore that the siting assessment would identify particular sites, rather than simply setting out the criteria on which potential sites should be judged.
15. In terms of involving the public in the siting assessment, the document simply states that work on the siting assessment will begin in early 2007 and that the process will involve public consultation but gives no further information on what form this consultation would take.
16. In light of this lack of clarity about the form of the strategic siting assessment, and the indication that the principle of development at a particular location would effectively be established before the start of the Inquiry, we would raise concerns about the discussion of alternative sites being completely removed from the local planning process.

**(iv) The role of planning inquiries in new nuclear build:**

17. The Government proposes that the planning inquiry should focus on the relationship between the proposal and the local plans, and the local environmental impacts. It should also examine the local benefits of the development and how specific local impacts of the construction and operation of the plant can be minimised. The planning inquiry should therefore focus on the suitability of the proposal and the mitigation of potential negative impacts.

*Officer Response:*

18. As set out above the Council recognise that some issues, such as the strategic debate about need and health and safety, are more appropriately considered at the national level or as part of the formal regulatory process. In addition, we recognise that the Inspector will always have the authority to open up any matters to the Inquiry should they feel they have not been adequately discussed elsewhere. However, we would raise concerns about the approach put forward for assessing suitable sites for new nuclear build, firstly because the process for carrying out the strategic siting assessment is unclear and secondly, because the form that public involvement in this will take is not fully identified.

19. The Government recognises the importance of public involvement in the land-use planning system and the document highlights that in the context of nuclear power stations, planning inquiries will be an important part of this public involvement. However, further work and information needs to be provided, particularly with regard to issue (iii) above, to enable a full discussion to take place on whether the approach proposed in the consultation document will achieve an appropriate balance between efficient decision making and complete public involvement in the examination of the issues.

*Additional Officer Comments:*

20. Notwithstanding the points raised above and the nature of this consultation, it may still be appropriate to register overall concerns about the development of nuclear power. The Government states that nuclear has a future role, and therefore indicate that this is not the only solution. In light of this the Council could take this opportunity to emphasise the need for continuing research into the development of alternatives and in particular power from renewable resources.

## **Consultation**

21. This report concerns a consultation paper from Government raising specific issues concerning the planning process. It was therefore not appropriate to carry out any wider consultation.

## **Options**

22. That the response attached at Annex A is approved for submission to the DTI.

## **Analysis**

23. So that the response can reach the DTI before the closing date for comments (31 October 2006).

## **Corporate Priorities**

24. The report accords with the following corporate priority:
  - Improve our focus on the needs of customers and residents in designing and providing services.

## **Implications**

25. The following implications have been assessed:
  - **Financial** None
  - **Human Resources (HR)** None
  - **Equalities** None

- **Legal** None
- **Crime and Disorder** None
- **Information Technology (IT)** None
- **Other** None

## Risk Management

26. No known risks.

## Recommendations

27. That Members:

- 1) approve the letter attached as Annex A to be sent to the DTI as the Council's response to the consultation.

Reason: So that the response can reach the DTI before the closing date for comments (31 October 2006).

## Contact Details

### Author:

Claire Beech  
Development Officer  
City Development  
01904 552410

### Chief Officer Responsible for the report:

Bill Woolley  
Director of City Strategy

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**Wards Affected:** *List wards or tick box to indicate all*

All

**For further information please contact the author of the report**

### Background Papers:

DTI (July 2006), *Policy Framework for New Nuclear Build: Consultation Document.*

### Annexes

Annex A: Letter setting out consultation response to DTI.