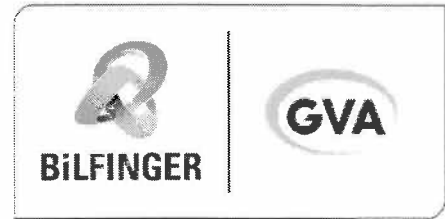


Your Ref.:  
Our Ref.: EP/04B452583/300915



30<sup>th</sup> September 2015

Minerals & Waste Core Strategy  
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Planning Regulation  
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Dear Sir/Madam,

## OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN CORE STRATEGY WRITTEN REPRESENTATIONS ON BEHALF OF MAGNOX

Bilfinger GVA is the appointed property advisers for Magnox Limited, who operate and manage the Harwell Nuclear Licensed Site. We are pleased to submit written representations, on behalf of Magnox Limited, to the current public consultation on the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy proposed submission document.

### Background

The site is located north-west of the village of Chilton in Oxfordshire and neighbours the Harwell Science and Innovation Campus. The wider site extends to approximately 300 hectares and was used as an atomic energy research establishment between 1946 and 1990. As parts of the site are decommissioned, they are released for commercial development.

The decommissioning process at Harwell began under the United Kingdom Atomic Energy Authority and since 2005 has been under the control of the Nuclear Decommissioning Authority (NDA). Decommissioning is a long process and the site is working towards Final Site Clearance expected to be around 2064.

The site is licensed to Magnox Limited who manage and operate the site under contract to the Nuclear Decommissioning Authority (NDA).

Magnox currently have responsibility for 12 nuclear licensed sites around the UK. For each of these sites, Magnox will seek to ensure that a supportive policy context exists for the continued decommissioning work, which is undertaken in line with national strategies issued by the NDA, including those for the management of radioactive waste. As an

example, and following representations by Magnox and the NDA, the Somerset County Council Waste Core Strategy was amended at Examination to include specific reference to the national strategy for radioactive waste.

It is in this context that we provide comments on the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy. Magnox is seeking to ensure consistency exists on the approach to radioactive waste management between local authorities where nuclear licensed sites are located.

## **Written Representations**

### General Comments

The draft plan recognises the work undertaken so far at Harwell and has clearly taken account of previous representations to the Draft Core Strategy made on behalf of Magnox in February 2014. We have a few minor comments; each of these is discussed below. Elements of the plan which are considered to be ‘unsound’ or ‘not legally compliant’ are discussed, as are any changes which are considered necessary, in line with Sections 2(d) and 2(e) of the response form.

An interim intermediate level waste (ILW) store has been granted planning permission at the Harwell Nuclear Licensed Site (NLS) in July 2013 under reference number MW.0183/12. Condition 2 of the permission requires the development to be begun by 8<sup>th</sup> July 2016; however, the permission has yet to be implemented. Although it is likely that the permission will be implemented prior to this date, it is important that a supportive policy position for the implementation of Magnox’s radioactive waste strategy is maintained.

### Paragraph 5.81

In light of the context set out above, it is considered that the final sentence of this paragraph should refer to national strategy for radioactive waste management. For this reason, it is considered to be both ‘unsound’ and ‘not legally compliant’ as currently drafted.

As mentioned earlier, during the examination of the Somerset County Council Waste Core Strategy, the Inspector commented in their report that NDA Strategies represent national policy in the arena of radioactive waste management. As a result of the Inspector’s considerations, Policy DM9 of the Somerset Waste Core Strategy was amended to include reference to the national strategy for radioactive waste management. For ease of reference, Policy DM9 is set out below:

#### **DM9: radioactive waste treatment and storage**

*Planning permission for the treatment and/or interim storage of radioactive waste at Hinkley Point will be granted within the licensed area subject to the applicant demonstrating that the proposed development:*

- *is consistent with national strategy for radioactive waste management;*  
*and*

- *includes adequate measures to mitigate adverse impacts on the environment and local community or, as a last resort, proportionately compensate for or offset such impacts; and*
- *is supported by robust economic and environmental assessments.*

Magnox requests that similar provision to account for the national strategy for radioactive waste management is made within the Oxfordshire Minerals and Waste Local Plan Core Strategy. As stated previously, the change is sought to ensure a similar policy approach is taken here as for other Magnox and NDA sites. This does not necessarily reflect Magnox's plans for radioactive waste management at Harwell.

#### Paragraph 5.84

The paragraph makes reference to part of the Harwell Oxford Campus being within the designated Science Vale Enterprise Zone (EZ). For clarity, reference should be made to the fact that the only part of the Harwell NLS which is within the EZ is the Liquid Effluent Treatment Plant (LETP), which is an 'island' site separated from the main NLS.

#### Paragraph 5.85

In order to better reflect the position with regard to the extant planning permission for the ILW store, it is considered that the first sentence of paragraph 5.85 should be amended as follows:

*"Planning permission has been granted for the development of an intermediate level waste store at the Harwell nuclear licensed site; it is likely that the consented facility will meet the site operator's interim radioactive waste storage requirements throughout the plan period."*

In its current wording, the paragraph is considered 'unsound' as it is not justified. The evidence does not guarantee that the ILW store will be available as permission has not been implemented yet.

#### Policy W9: Management and disposal of radioactive waste

In line with the comments made with regard to Paragraph 5.81, it is considered that Policy W9, in its current form, is 'unsound' and 'not legally compliant'. Again, this is purely down to the fact that the policy does not reference national strategy issued by the NDA. Moreover, the policy is considered 'unsound' as it has not been 'positively prepared' in respect of the exclusion of ILW management and disposal from the scope of Policy W9. Several preceding paragraphs to the policy, including 5.83, 5.85 and 5.88 make reference to Policy W9 making provision for the management or disposal of radioactive waste, including ILW, but the policy itself only mentions low level radioactive waste. Subsequently, it is recommended that the first paragraph of the Policy should be reworded as follows:

*"Permission will be granted for proposals for the management or disposal of intermediate or low level radioactive waste where it is demonstrated that a significant contribution could be made to the management or disposal of waste produced in Oxfordshire. Proposals that provide for the needs of a*

*wider area should demonstrate they would meet a need for waste management that is not adequately provided for elsewhere and are consistent with the national strategy for radioactive waste management."*

## **Conclusions**

In conclusion, Magnox Limited commends the proposed submission document and will continue to liaise with Oxfordshire County Council, the Vale of White Horse District Council and other regulatory bodies over the decommissioning of Harwell. As outlined above, Magnox consider amendments should be made to Paragraphs 5.81, 5.84, 5.85 and Policy W9 to ensure that a consistent approach is taken to the management of radioactive waste across all Authorities that contain nuclear licensed sites.

We trust that the information within this letter will be taken into consideration as part of the plan-making process. If, in the meantime, you require any information and/or clarification with respect to anything further then please contact me on 029 2024 8911 or by e-mail at [ben.lewis@gva.co.uk](mailto:ben.lewis@gva.co.uk).

Kind regards

Yours sincerely,




**Ben Lewis MRTPI  
Planning, Development & Regeneration  
For and on behalf of GVA**

cc Mr Stuart Clark – Magnox Limited

## Part 1 – Respondent Details

<b>1(a) Personal details</b>									
<b>Title</b>	Mr								
<b>First Name</b>	Stuart								
<b>Last Name</b>	Clark								
<b>Job Title (where relevant)</b>	South Sites Property Manager								
<b>Organisation (where relevant)</b>	Magnox Limited								
<b>1(b) Agent details</b> <i>Only complete if an agent has been appointed</i>									
<b>Title</b>	Mr								
<b>First Name</b>	Ben								
<b>Last Name</b>	Lewis								
<b>Job Title (where relevant)</b>	Director								
<b>Organisation (where relevant)</b>	Bilfinger GVA								
<b>1(c) Contact address details</b> <i>If an agent has been appointed please give their contact details</i>									
<b>Address Line 1</b>	One Kingsway								
<b>Line 2</b>	Cardiff								
<b>Line 3</b>									
<b>Line 4</b>									
<b>Postcode</b>	CF10 3AN								
<b>Telephone No.</b>	02920248911								
<b>Email address</b>	ben.lewis@gva.co.uk								
<b>Are you writing as</b>	<table border="0"> <tr> <td><input type="checkbox"/> A resident</td> <td><input type="checkbox"/> A parish council</td> </tr> <tr> <td><input checked="" type="checkbox"/> A local business</td> <td><input type="checkbox"/> A district council</td> </tr> <tr> <td><input type="checkbox"/> Minerals industry</td> <td><input type="checkbox"/> A county council</td> </tr> <tr> <td><input type="checkbox"/> Waste industry</td> <td><input type="checkbox"/> Other (please specify)</td> </tr> </table>	<input type="checkbox"/> A resident	<input type="checkbox"/> A parish council	<input checked="" type="checkbox"/> A local business	<input type="checkbox"/> A district council	<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council	<input type="checkbox"/> Waste industry	<input type="checkbox"/> Other (please specify)
<input type="checkbox"/> A resident	<input type="checkbox"/> A parish council								
<input checked="" type="checkbox"/> A local business	<input type="checkbox"/> A district council								
<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council								
<input type="checkbox"/> Waste industry	<input type="checkbox"/> Other (please specify)								

<b>Please tick the appropriate boxes if you wish to be notified of any of the following:</b>	
That the Oxfordshire Minerals & Waste Core Strategy has been submitted for independent examination	✓
Publication of the Inspector's report and recommendations	✓
Adoption of the Oxfordshire Minerals and Waste Core Strategy	✓

<b>Please sign and date the form:</b>			
<b>Signature:</b>		<b>Date:</b>	30/09/2015

## Part 2 – Representation

Please complete this part (Part 2) of the form separately for each separate representation you wish to make.

You can find an explanation of the terms used below in the accompanying guidance on making representations.

### 2(a) State which part of the Oxfordshire Minerals and Waste Local Plan Core Strategy you are making a representation about

Part or policy no. or paragraph

Policy W9 and preceding paragraphs

### 2(b) Do you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is: (tick as appropriate)

- (i) Legally compliant?       Yes                       No
- (ii) Sound?                       Yes                       No

If you have answered **No** to question 2(b)(ii), please continue to question 2(c). In all other cases, please go to question 2(d).

### 2(c) Do you consider the Oxfordshire Minerals and Waste Core Strategy is unsound because it is not: (tick as appropriate)

- (i) Positively prepared
- (ii) Justified
- (iii) Effective
- (iv) Consistent with national policy

On the following pages, please set out why you think the Minerals and Waste Local Plan Core Strategy is legally non-compliant and/or unsound and any changes you are suggesting should be made to it that would make it legally compliant or sound.

**Please note** your representation should include as succinctly as possible all the information and evidence necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on your representation at this stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

**2(d) Please give details of why you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is not legally compliant or is unsound. Please be as precise as possible.**

**If you agree that the Oxfordshire Minerals and Waste Local Plan Core Strategy is legally compliant and/or sound and wish to support this, please also use this box to set out your comments.**

Please see attached covering letter.

Continue on a separate sheet or expand the box if necessary



**2(e) Please set out the changes(s) you consider necessary to make the Oxfordshire Minerals and Waste Local Plan Core Strategy legally compliant or sound, having regard to the reason you have identified at 2(c) above where this relates to soundness. You should say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Please see attached covering letter.

Continue on a separate sheet or expand the box if necessary.

**2(f) Written representations or oral hearing**

If your representation is seeking a change to the Oxfordshire Minerals and Waste Local Plan Core Strategy, do you consider it necessary to participate at the oral hearing part of the examination? *(tick box below as appropriate)*

<b>No</b> , I wish to communicate through written representations	
<b>Yes</b> , I wish to participate at the oral hearing part of the examination (go to 2(g))	✓

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated they wish to participate at the hearing part of the examination.

<b>2(g) If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.</b>
<p>Our client is keen to ensure that their potential future needs for radioactive waste management are fully accounted for through the Minerals and Waste Core Strategy. We would therefore appreciate the opportunity to oversee and contribute to the hearings.</p>
Continue on a separate sheet or expand the box if necessary

Please complete Part 2 of the form separately for each separate representation you wish to make, and submit all the Parts 2s with one copy of Part 1 and Part 3.