



HOUSE OF LORDS

Science and Technology Committee

2nd Report of Session 2007–08

**Radioactive Waste
Management
Update:
Government
Response**

Report

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Science and Technology Committee

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For membership and declared interests of the Select Committee which conducted the original inquiry, see Appendix 1 of the Committee’s 4th Report of Session 2006–07 *Radioactive Waste Management: an Update* (HL paper 109).

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Radioactive Waste Management Update: Government Response

REPORT

On 3 June 2007 the Science and Technology Committee published its 4th Report of Session 2006–07, *Radioactive Waste Management: an Update* (HL Paper 109). The Government responded to the report which was then debated by the House on 29 October 2007.¹ The Government's response is published without comment in the Appendix to this report.

¹ HL Deb., cols. 1219–48.

APPENDIX: GOVERNMENT RESPONSE TO THE HOUSE OF LORDS SCIENCE AND TECHNOLOGY COMMITTEE REPORT: RADIOACTIVE WASTE MANAGEMENT: AN UPDATE

This document provides the Government's response to the House of Lords Science and Technology Committee report entitled "Radioactive Waste Management an Update" published on 3 June 2007.

The Government welcomes the Committee's report and the opportunity that it provides to explain how the Government's thinking and planning has developed since its evidence was provided in January and February of this year. Much has moved on, not least in light of the Government's interaction with the Committee at that time. The Government will be publishing the detail of its programme proposals in its forthcoming Managing Radioactive Waste Safely (MRWS) consultation document, which will provide opportunity for wider input and comment.

The consultation document will set out the Government's proposed:

- framework for implementing geological disposal of the UK's higher activity radioactive waste, including a voluntarist/partnership approach to site selection; and
- an outline geological disposal delivery programme.

In this document Government responds to each of the recommendations summarised in Chapter 4 of the Committee's report in light of its current thinking.

Response to recommendations

Recommendation 1

The Government should acknowledge the potential for conflict and confusion inherent in their proposed institutional arrangements for the MRWS programme, and take steps to ensure that clear leadership and lines of accountability are established. (2.17)

The Government believes roles, responsibilities and accountabilities are clear. They are:

- The Government will set the policy, take final decisions and engages with all players to ensure that the objectives of the MRWS programme are met.
- NDA will be responsible for implementing geological disposal and, as part of this process, engaging with the communities and other stakeholders involved.
- Independent regulators will ensure robust, independent regulation. They have statutory responsibilities for ensuring that national, EU and international safety, security and environmental standards are met.
- CoRWM will provide independent scrutiny and advice on the Government's and NDA's plans and programmes for delivering geological disposal.
- Communities with a potential interest in hosting a geological disposal facility will have the opportunity to work with the NDA and others in a partnership approach during the implementation process.

- Local Government will be fully engaged in the potential partnership approach and will play a part in decision-making during the site selection process and operation of the planning system.

Bodies such as the Managing Radioactive Waste Safely Implementation Planning Group (IPG) and the Repository Development Monitoring Committee essentially provide communication and discussion channel linkages between these key players. In practice, there will need to be other such linkages to help ensure effective and efficient delivery of the programme. But the fundamental roles and responsibilities as set out above are clear.

Recommendation 2

We therefore urge the Government to look again at our 1999 recommendation for a wholly independent, permanent body, subject to regular endorsement by Parliament, to oversee implementation of the MRWS programme. However, if they are unable to recognise the merits of that proposal, we would strongly endorse the setting-up of an independent overseeing body, as recommended by CoRWM. (2.18)

David Miliband's statement to Parliament of 25 October 2006 made clear that responsibility for securing the geological disposal of radioactive waste will lie with the Nuclear Decommissioning Authority (NDA). This serves to create a single national waste management organisation with statutory responsibility and accountability for the management of all radioactive waste categories through all stages of the waste management chain.

The role of the reconstituted CoRWM will be to provide independent scrutiny of and advice on the geological disposal implementation programme. The terms of reference of the Committee have been further developed since the draft included in the Government's October 2006 response to CoRWM. The current version, used as the basis for advertising appointments to the reconstituted Committee in March 2007, is at Annex A. Key paragraphs to note in respect of this recommendation are:

"2. The role of the reconstituted Committee on Radioactive Waste Management (CoRWM) will be to provide independent scrutiny and advice to UK Government and Devolved Administration Ministers on the long term management, including storage and disposal, of radioactive waste. CoRWM's primary task is to provide independent scrutiny on the Government's and NDA's proposals, plans and programmes to deliver geological disposal, together with robust interim storage, as the long term management option for the UK's higher activity wastes.

Sponsoring Ministers (from Defra, DTI and the Devolved Administrations) will agree a three-year rolling programme and budget for CoRWM's work on an annual basis. Any in-year changes will be the subject of agreement by sponsoring Ministers.

CoRWM will provide appropriate and timely evidence-based advice on Government and Nuclear Decommissioning Authority (NDA) plans for the delivery of a geological disposal facility for higher activity wastes under the Managing Radioactive Waste Safety programme. The work programme may include review of activities including waste packaging options, geological disposal facility delivery programmes and plans, site selection processes and criteria, and the approach to public and

stakeholder engagement. Testing the evidence base of the plans for the delivery of a geological disposal facility will be a key component of the work. As well as ongoing dialogue with Government, the implementing body, local authorities and stakeholders, the CoRWM will provide an annual report of its work to Government.

CoRWM shall undertake its work in an open and consultative manner. It will engage with stakeholders and it will publish advice (and the underpinning evidence) in a way that is meaningful to the non-expert. It will comply, as will sponsoring departments, with Guidelines on Scientific Analysis in Policy Making (<http://www.dti.gov.uk/files/file9767.pdf>) as well as other relevant Government advice and guidelines. Government will respond to all substantive advice. Published advice and reports will be made available in respective Parliaments/Assemblies, as will any Government response. CoRWM's Chair will attend Parliamentary/Assembly evidence sessions as and when required".

Government believes that these arrangements fully meet the requirements for dependent scrutiny of and advice on the implementation programme.

Recommendation 3

The Government must make it clear how they intend to approach the site screening process. If it is not already their intention, we recommend that they accept CoRWM's recommendation on initially "screening out" geologically unsuitable sites. "Screening in" runs contrary to the voluntarist principle and will inevitably lead to anxiety among local communities. It would not only impede and even hinder the partnership process but would also constitute a waste of time and resource. (2.26)

The Government explained its proposals for the development of site screening criteria in its evidence to the Committee on Science and Technology in January 2007. Subsequently, two expert groups—established on the basis of recommendation from the Royal Society, the Geological Society, the Royal Academy of Engineering and the Defra Chief Scientific Advisor, Professor Sir Howard Dalton—were asked to develop criteria for the purpose of initial "screening out" geologically unsuitable areas. These criteria will be included in the Government's consultation document proposals.

The two groups were a Criteria Proposals Group (CPG) and a Criteria Review Panel (CRP). Starting in February 2007, the CPG, consisting of nine members led by Professor Peter Styles of Keele University, developed the initial screening criteria proposals. These were then independently peer reviewed by the CRP, consisting of six members led by Professor Howard Wheeler of Imperial College. These two groups have operated in an open and transparent way in carrying out their work (see www.defra.gov.uk/environment/radioactivity/waste/hilw/disposal.htm). The two groups were also assisted in their deliberations by discussion at a stakeholder workshop held in Reading on 14 May 2007. A copy of the joint CPG/CRP report, that takes account of the outcome of CRP review and of the workshop, may also be found on the Defra website.

The Government's proposal is that once communities have expressed an interest, the British Geological Survey (BGS) be asked to apply the Annex B criteria consistently to all the areas in question, in order to eliminate from the process any that are obviously unsuitable and so avoid further unnecessary work. The BGS would make a draft report available for appropriate discussion and review (e.g. by

other experts, the community concerned, the NDA, the regulators and CoRWM) prior to completion and publication in its final form.

The Government believes that applying the criteria on the basis of request is the right approach, as the criteria do not by their nature lend themselves to application, in advance, in every part of the UK, and doing so would be prohibitively expensive and time-consuming. Subject to demand and (if appropriate) vetting of expressions of interest, Government will fund this initial screening work.

Recommendation 4

We recommend that the Government conduct a phased site-selection process. The Government should begin by using scientific criteria to screen out unsuitable areas of the country. Subsequently, socio-economic criteria would need to be considered in parallel with the partnership process. In our view, rushing through this process in three or four months is disproportionate to importance and length of the overall project. We recommend that the Government reconsider the timescale for this process, which forms the foundation of the geological disposal programme. (2.31)

The Government will be presenting proposals for a phased site selection process in its consultation document. It is acknowledged that this process will take years. There has never been any suggestion that it will take three or four months.

This process will involve the progressive evaluation of community expressions of interest through to the identification of a preferred host community and site. The process will begin by using the initial screening criteria, developed by the CPG and CRP groups to screen out any geologically unsuitable areas as part of this process. The criteria which have been produced and formally agreed by the two groups will be offered for comment in the MRWS consultation document.

Once a preferred host community and site has been identified, through a process that will be explained in the Government's consultation document, further, more detailed characterisation and assessment of the site will follow. This will include the excavation of shafts and tunnels several hundred metres deep for the purpose of underground investigations, drawing on a range of scientific and technical disciplines such as geology, geophysics, hydrogeology, chemistry, etc. Appropriate land-use planning and regulatory approvals would need to be obtained for this stage of work. The aim of the investigative work would be to evaluate more thoroughly a site's suitability to host a geological disposal facility that would comply with regulatory safety and environmental requirements.

European legislation² requires that certain public-sector plans and programmes likely to have significant effects on the environment are subject to assessment during their preparation to ensure that these effects are fully taken into account before the plan or programme is adopted. This process is known as "strategic environmental assessment" or SEA. It is good practice to integrate SEA³ within a

² European Parliament and the Council of the European Union, "Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment", *Official Journal of the European Communities*, L197, 2001.

³ Department of Environment, Office of the Deputy Prime Minister, Scottish Executive and Welsh Assembly Government, *A Practical Guide to the Strategic Environmental Assessment Directive*, 2005.

wider sustainability appraisal (SA) which also considers social and economic factors and tests the effects of plans and programmes against sustainability criteria.

Furthermore, European legislation⁴ also requires 'environmental impact assessment' (EIA) of certain individual projects. For proposals requiring EIA, the developer is required to prepare an environmental statement on the impacts of the project, which must be considered when deciding whether to grant planning permission.

The Government is committed to ensuring that the NDA's geological disposal facility programme fully assesses and accounts for environmental impact and sustainability issues through the application of SEA, SA and EIA. The Government will require the NDA to prepare and publish for consultation its proposals for doing this as part of the planning for its geological disposal facility development programme.

Recommendation 5

Progress on the MRWS programme must, as we first noted in 1999, be steady and measured. We therefore recommend that the Government delay the publication of the consultation document until the terms of reference of the successor to CoRWM have been finalised and the new Committee has been appointed. We regard the consultation as the first important step in the implementation process, and one which should also involved the new CoRWM. (2.35)

While progress must be steady and measured, we must also look to maintain the momentum of the forward programme. In their 1999 report the Science and Technology Committee said that it requires a determined effort on the part of Government and the public to arrive at a solution without unnecessary delay. The terms of reference of the reconstituted CoRWM published at the time of the Government's October 2006 response have been amended in light of subsequent discussions both within Government and with bodies such as CoRWM and NULEAF (see Annex A), and are currently being used as a basis for appointment of the reconstituted Committee. The appointment process will follow fully the Code of Practice issued by the Office of Commissioner for Public Appointments. It commenced in March and should be complete by August. It is proposed to issue the Government's consultation document prior to the summer recess with a closing date of in the autumn of 2007. This timing will allow opportunity for the new CoRWM to comment. Government has been working energetically on the implementation programme proposals for many months now. It therefore sees no need for delay to its consultation.

Recommendation 6

We recommend that the Government, at an appropriate time in the future, amend the Energy Act in order to reflect the changing nature of the NDA's responsibilities as it approaches the end of the current decommissioning process. (2.41)

The Government notes that the Committee on Science and Technology does not dispute Government's view that the terms of the Energy Act 2004 allow for the NDA to implement and operate a geological disposal facility for the UK's higher activity radioactive waste. However, taking account of the Committee's comments,

⁴ Directive 85/337/EEC as amended.

the Government will give consideration to any needs for amendment of the Energy Act 2004, or appropriate Ministerial direction to the NDA, as its work proceeds. As the decommissioning programme referred to by the Committee is likely to continue for many decades, consideration of such changes is an issue for the longer term.

Recommendation 7

We recommend that in coming to their conclusion on how best to engage at local level, the Government and the NDA should take advice from all relevant local organisations, and in particular NULEAF, rather than relying on the NDA's existing stakeholder groups. (2.48)

The Government agrees with this recommendation and will expect the NDA to tailor its public and stakeholder engagement in accordance with the needs of the geological disposal programme and also advice received from CoRWM and stakeholders. The Government itself has been in discussion with NULEAF concerning the future programme since its October 2006 announcement. The NDA has also participated in these discussions with NULEAF regarding the implementation programme and NDA's plans to progress it.

Recommendation 8

Decisions on how to implement the geological repository programme should be evidence-based. Simply "believing" something to be the right approach is not an adequate foundation on which to build. We recommend that the reasons and evidence for policy decisions in this area, in particular for the decision to set up an advisory committee instead of an overseeing body, should be published in full. (2.61)

As the Government stated in its evidence the reconstituted CoRWM will "have teeth" and its advice will have a real influence on the geological disposal programme. This is reflected in its revised terms of reference (Annex A) and, in particular, the paragraphs referred to in the response to recommendation 2. The Government is committed to an evidence-based approach in all its activities, and paragraph 4 of the CoRWM terms of reference provided in Annex A states clearly that Government expects CoRWM to provide advice on this issue.

Points taken into account by the Government in arriving at its organisational proposals are that:

- It is difficult for any body to retain an "independent" advisory status if that body itself acquires executive functions; and
- The responsibility and accountability of the NDA, as the implementing body, would also become blurred if any second body were to be allocated such executive functions.

To give an example, if there were two bodies with potentially overlapping executive functions, there could be potential confusion as to which body is accountable for expenditure decisions and the effective use of public money and also which is ultimately accountable to the independent regulators (e.g. in respect of safety case development).

Recommendation 9

We have already recommended that the Government reconstitute the new CoRWM as an independent, overseeing body with strengthened scientific,

technological and social science expertise. It should have a clearly defined authoritative role in scrutinising geological disposal strategy development and implementation. In doing so, it should submit periodic reviews to the MRWS Implementation Group and the Repository Development Monitoring Committee. These reports should be properly responded to and form an integral part of the MRWS policy process. The Committee should have regular access to Ministers and its Chairman should, when necessary, have access to the Secretary of State. (2.62)

The Government agrees. The reconstituted CoRWM will be an independent body, with strengthened scientific, technological and social science expertise. It will have a clearly defined and authoritative role in scrutinising disposal strategy development and implementation (see terms of reference at Annex A). It will submit periodic reviews to the MRWS Implementation Planning Group and the Repository Development Monitoring Committee as part of the process for advising Government. All substantive reports will be responded to by the Government and will form part of the MRWS implementation process. The Committee will have regular access to sponsoring Ministers and the Chair will, when necessary, have access to the Secretary of State.

Recommendation 10

Even if the Government's current proposals are accepted in outline, the proposed remit of the new CoRWM is highly confusing, and raises questions about the committee's independence. These in turn may undermine the integrity of the scrutiny it is intended to deliver. If the Government decide to proceed with their current proposals, at the very least the terms of reference will require substantial revision. We therefore recommend:

- **Any scrutiny function assigned to the new CoRWM, and the required responses to such scrutiny, should be clearly defined and made explicit in the terms of reference.**
- **The relationship between the new CoRWM and the NDA should be clarified, so as to avoid the prospect, which currently looks likely, that the NDA will find itself both liaising with CoRWM in developing advice to Government, and also, through the Repository Development Monitoring Committee, itself considering and responding to that advice.**
- **The relationship between the new CoRWM and the NDA, as implementing body for geological disposal, should also be defined in the NDA's revised governance arrangements. (2.68)**

CoRWM's terms of reference have been substantially revised since the draft included in the Government's October 2006 response, upon which it appears the Science and Technology Committee is commenting. The current terms of reference make clear the scrutiny function assigned to the Committee and how Government will respond to such scrutiny.

The originally mooted Repository Monitoring Committee has now been renamed the Waste Managing Steering Group to reflect its now somewhat widened role. The Steering Group will monitor all of the NDA's long-term waste management planning and development programmes, ensuring a holistic approach to the management of all radioactive wastes, including both higher activity and low level

waste. However, the development of a geological disposal facility for higher activity waste will be the main focus of the Group's work.

As part of its work, the Steering Group will consider the NDA's long-term waste management planning and delivery programmes in light of advice received from the reconstituted CoRWM committee and make proposals on how Government, in conjunction with the NDA, should respond to such advice. The Chair and appropriate members of CoRWM will be invited to attend Waste Management Steering Group meetings as necessary.

The Waste Management Steering Group will also be responsible, on the basis of its engagement with the NDA and CoRWM, for providing advice to Government on progress with implementation of geological disposal, and any decisions that need to be taken by Government as the staged implementation programme proceeds.

Recommendation 11

We recommend that the Defra Chief Scientific Adviser should play a prominent role in developing the new CoRWM's terms of reference and membership. We further recommend that the Government look to the relevant Learned Societies for advice on the Committee's membership. (2.71)

Government agrees. The Defra Chief Scientific Adviser has been fully involved in the development of the reconstituted CoRWM's terms of reference. He has also offered input on the appointment programme. Adverts for the appointments were published in relevant national, regional and specialist press in March 2007. The learned societies were invited to draw these advertisements to the attention of their fellows and members.

Recommendation 12

A legal opinion, casting doubt on the legality of the merger between Nirex and the NDA, has now been released. We recommend that the Government now publish in full their view of this legal opinion and their reasons for proceeding with the merger in spite of it. (3.17)

As was made clear in the Government's evidence to the Committee, the Nirex legal opinion was taken into account by Government in arriving at its response to CoRWM. There was suggestion that Nirex was perceived to have had certain functions that came close to regulation. The answer given to Parliament by Ian Pearson, the Minister of State for the Environment, on 17 July 2006 set out the clearly separated functions of Nirex and the independent regulators.

Recommendation 13

We agree with the Environment Agency that the setting of packaging standards from within the NDA can only be a transitional arrangement, and we recommend that, in order to ensure rigorous independent regulatory scrutiny, an implementation contractor should be appointed within the next two years. (3.18)

The arrangements for the conditioning and packaging of waste will be agreed between the NDA and the independent regulators, including the environment agencies and HSE. This will include any arrangements for the contracting out of this work. It will be for the independent regulators to make clear their requirements to the NDA.

Recommendation 14

We therefore urge the Government to consider giving responsibility for the long term planning and co-ordination of the required R&D and MRWS programme to a strategic overseeing body constituted with scientific, technical and socio-economic expertise. This would ensure that the programme was optimally integrated with policy needs. The research itself could still be carried out at the National Nuclear Laboratory. (3.25)

The NDA, as the implementing body, has statutory responsibilities under the Energy Act 2004 for carrying out research to support the activities for which it is reviewed. Where appropriate, this research will involve the National Nuclear Laboratory. Government will expect all the NDA's research to be appropriately quality controlled and peer reviewed. CoRWM's terms of reference (see Annex A) make it clear that testing the evidence base of the plans for delivery of a geological disposal facility will be a key component of its future work and advice.

Recommendation 15

We welcome the different initiatives undertaken by the NDA and by the Government to ensure the supply of specialist nuclear skills. However, particular attention should be paid to training up and maintaining the specific expertise and skills required for the long term geological disposal programme. (3.29)

The Government agrees. The NDA will set up and consult on a skills plan for the implementation programme. A key issue will be the extent to which the UK should "grow its own" versus relying on international expertise.

Recommendation 16

The Government must engage in a much more open dialogue with local communities and other stakeholders regarding the risks presented by current temporary storage and the steps taken to address them. We therefore recommend that the Government review the amount and level of detail of information on nuclear security that is made available to stakeholders or published. Security arrangements form an integral part of the implementation programme and information on their nature should be readily available. (3.35)

The NDA is currently undertaking a national review of waste storage arrangements. These will form part of its next strategy statement, to be published in 2008, which will be the subject of national consultation. There will also be discussions with local stakeholders with an interest in the storage sites involved.

Nuclear installations must have a site-specific security plan approved by the Office for Civil Nuclear Security (OCNS) and any proposed changes to security plans must also be approved in advance by OCNS. The security plan needs to provide details on site security management, policing and guarding and to describe in detail the site security measures and arrangements for managing and reporting incidents. Approved carriers and, where necessary, approved transport plans will also be required by OCNS where movement of nuclear material to the repository is involved.

It is not Government policy to publish security plans for obvious reasons. It will be for the NDA and its contractors to agree with OCNS how much security planning information they could reasonably and safely be made available to stakeholders to help provide appropriate reassurance.

Annex A: Terms of reference for the members of the new Committee on Radioactive Waste Management (CoRWM)

Introduction

1. Following the announcements by UK Government and the devolved administrations (Government), on 25 October 2006, a new Committee on Radioactive Waste Management (CoRWM) will be appointed under these revised terms of reference designed to meet the future needs of the Government's Managing Radioactive Waste Safely (MRWS) programme. The Committee will be jointly appointed by UK Government and devolved administration Ministers. Details of its roles, responsibilities and membership are outlined below.

CoRWM's Role and Responsibilities

2. The role of the reconstituted Committee on Radioactive Waste Management (CoRWM) will be to provide independent scrutiny and advice to UK Government and Devolved Administration Ministers on the long term management, including storage and disposal, of radioactive waste. CoRWM's primary task is to provide independent scrutiny on the Government's and NDA's proposals, plans and programmes to deliver geological disposal, together with robust interim storage, as the long term management option for the UK's higher activity wastes.

3. Sponsoring Ministers (from Defra, DTI and the Devolved Administrations) will agree a three-year rolling programme and budget for CoRWM's work on an annual basis. Any in-year changes will be the subject of agreement by sponsoring Ministers.

4. CoRWM will provide appropriate and timely evidence-based advice on Government and Nuclear Decommissioning Authority (NDA) plans for the delivery of a geological disposal facility for higher activity wastes under the Managing Radioactive Waste Safety programme. The work programme may include review of activities including waste packaging options, geological disposal facility delivery programmes and plans, site selection processes and criteria, and the approach to public and stakeholder engagement. Testing the evidence base of the plans for the delivery of a geological disposal facility will be a key component of the work. As well as ongoing dialogue with Government, the implementing body, local authorities and stakeholders, the CoRWM will provide an annual report of its work to Government.

5. CoRWM shall undertake its work in an open and consultative manner. It will engage with stakeholders and it will publish advice (and the underpinning evidence) in a way that is meaningful to the non-expert. It will comply, as will sponsoring departments, with Guidelines on Scientific Analysis in Policy Making (<http://www.dti.gov.uk/files/file9767.pdf>) as well as other relevant Government advice and guidelines. Government will respond to all substantive advice. Published advice and reports will be made available in respective Parliaments/Assemblies, as will any Government response. CoRWM's Chair will attend Parliamentary/Assembly evidence sessions as and when required.

6. With the agreement of CoRWM's sponsoring Ministers, other parts of Government, the NDA and the regulatory bodies may request independent advice from CoRWM. Relevant Parliamentary/Assembly Committees may also propose work to sponsoring Ministers, for consideration in the work programme. CoRWM's priority role is set out in paragraph 2 although sponsoring Ministers

may also ask the Committee to provide advice on other radioactive waste management issues as necessary.

7. In delivering its annual work programme, and where there is a common interest, the Committee will liaise with appropriate advisory bodies including Health and Safety Commission advisory bodies, and any advisory bodies established by the environment agencies.

8. CoRWM shall consist of a Chair and up to fourteen members, one of whom will be appointed by Ministers as Deputy Chair on the recommendation of the Chair. Seats will not be representative of organisation or sectoral interests and the skills and expertise which will need to be available to the Committee will vary depending on the programme of work. For example, the relevant skills may include: radioactive waste management, nuclear science, radiation protection, environmental law, environment issues, social science (including public and stakeholder engagement), geology/ geochemistry/hydrogeology, finance/economics, civil engineering/underground construction technology, geological disposal facility performance/safety issues, materials science, environmental impact assessment, local Government, planning, regulatory processes and ethics. Sponsoring Ministers may review the membership of the Committee, and the skills and expertise required.

9. Appointments will be made following the Office of the Commissioner for Public Appointments (OCPA) code of practice. Initial appointments will be for three years and sponsoring Ministers retain the right to terminate appointments at any time in light of individual members' performance, changes in CoRWM's work requirements, or completion of the work required of CoRWM.

10. The Committee, as agreed in the annual plans, may co-opt additional expertise to form or support temporary sub-groups set up to examine specific and defined problems.

Programme of work

11. To support its work, CoRWM will need to familiarise itself with Government policy in this area, including ongoing meetings with relevant Government departments and the NDA. The outline framework within which CoRWM is then expected to work is:

- (i) recognising the policy framework within which it will operate including the roles and responsibilities of Government and the NDA in relation to CoRWM's own advisory role;
- (ii) scrutinising Government and NDA proposals, plans and programmes to implement geological disposal and other radioactive waste management issues on which Government might seek advice as agreed in CoRWM's work plan;
- (iii) formulation of advice and reporting to Government based on the best available evidence and informed by the views of stakeholders and the public;

12. CoRWM will prepare its draft work programme, within this outline framework, in conjunction with Government, the NDA and regulators, taking account of work by other advisory bodies (see paragraph 7 above). The programme will include details of specific areas of work, reports which it intends to produce, the proposed use of sub-groups and any other activities or events, including proposals for public and stakeholder engagement. CoRWM will submit

its first draft three-year work programme proposal to its sponsoring Ministers for discussion and agreement at an appropriate early stage following appointment of the full Committee. Subsequent three-year work programmes will be agreed annually on a rolling basis.

13. In familiarising themselves with the relevant background and issues, Members will make themselves aware, and take account, of previous engagement and reports in the Managing Radioactive Waste Safely programme, the UK Radioactive Waste Inventory and the nature of current and expected future UK holdings of plutonium, uranium and spent nuclear fuel. CoRWM will take account of existing technical assessments and research into radioactive waste management in the UK and elsewhere. In particular, it is recognised that CoRWM will need to engage with the NDA given that the Committee's advice will directly impinge on the long-term responsibilities of the NDA. CoRWM will also take account of other relevant policy developments.

14. The Chair will submit a report to Ministers by 30 June each year on the delivery of the agreed work programme. This will be made available in the UK and Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

Access to other sources of expertise

15. Members of CoRWM itself will not have all the skills and expertise necessary to advise Government. The Committee will need to decide how best to secure access to other appropriate sources of expert input during the course of its work. Within this, it will have option of setting up expert sub-groups containing both Members of CoRWM itself and other appropriate co-opted persons. A member of CoRWM will chair any sub-group of this nature and ensure its effective operation, as well as provide a clear line of responsibility and accountability to the main Committee, and hence to Ministers. This approach will enable the Committee to draw on a broad range of expertise in the UK and elsewhere.

16. The number of such sub-groups will be kept to the minimum necessary. Their role will be that of providing advice for the main Committee to consider and assess as it sees fit, and managing any activity which CoRWM delegates to them. It will be for the main Committee to assess and decide upon the advice it receives from such sub-groups. CoRWM may also utilise other appropriate means of securing expert input, such as sponsored meetings and seminars. The Chair will ensure that sub-group work and all other activities are closely integrated.

Public and stakeholder engagement

17. CoRWM must continue to inspire public confidence in the way in which it works. In order to secure such confidence in its advice it will work in an open and transparent manner. Hence, its work should be characterised by:

- a published reporting and transparency policy;
- relevant public and stakeholder engagement as required;
- clear communications including the use of plain English, publishing its advice (and the underpinning evidence) in a way that is meaningful to the non-expert;
- making information accessible;

- encouraging people to ask questions or make their views known and listening to their concerns;
- providing opportunities for people to challenge information, for example by making clear the sources of information and points of view on which the Committee's advice is based;
- holding a number of its meetings in public.

Responsibilities of the committee and its members

18. CoRWM will have a corporate responsibility to deliver its advice to sponsoring Ministers in accordance with agreed work plans. It will be for Ministers, with appropriate reference to their respective Parliaments and Assembly, to take decisions on the advice it receives and to give directions to the NDA as necessary on any subsequent changes required in the delivery of geological disposal of the UK's solid radioactive waste.

19. All members will need to be effective team workers, with good analytical skills and good judgement besides a strong interest in the process of decision-making on difficult issues. A number of them will need experience of project management, advising on scientific and technical issues directly relating to radioactive waste management, public and stakeholder engagement, excellent drafting and communication skills, or business experience and knowledge of economics.

20. The Chair, in addition, will be capable of successfully and objectively leading committee-based projects, grasping complex technical issues, and managing a diverse group effectively and delivering substantial results, presenting progress and outcomes in public. He or she will be a person with appropriate stature and credibility.

Role of the Chair

21. The Chair will be responsible for supervising the CoRWM work programme and ensuring that the Committee's objectives are achieved. The Chair will be responsible for advising Ministers promptly if he or she anticipates that the Committee will not complete its agreed work programme indicating what remedial action might be taken. He or she will be the main point of contact with the public and the media, in presenting progress and answering questions. The Chair will meet Ministers on appointment, and then at least annually along with other members as appropriate. Notes of these meetings will be published. The Chair will ensure CoRWM submits its annual written report to Ministers, by 30 June of each year. The Chair may be required to present the position of CoRWM to Parliament or Assembly committees and representatives as appropriate. The report will set out, among other things, CoRWM's progress with the agreed work programme, advice deriving from it and costs incurred. Ministers will also appoint a Deputy Chair who can assist the Chair as the latter sees fit.

Role of Members

22. Members will work, under the Chair's supervision, to the programme agreed with sponsoring Ministers, so as to ensure its satisfactory delivery. Members will have a collective responsibility to ensure achievement of CoRWM's objectives and delivery of its work programme. Individual Members may be appointed by the Chair to undertake specific, active roles, for example chairing

sub-groups or in representing CoRWM in meetings with the public, organisations who are contributing to the work, or the media. All members will abide by CoRWM's Code of Practice and will be subject to individual performance appraisal as laid down by the Cabinet Office guide (see next paragraph).

Standards

23. CoRWM is set up by, and answerable to Ministers and is funded by the taxpayer. It must therefore comply with the Cabinet Office guide "Public Bodies: a Guide for Departments"

(http://www.civilservice.gov.uk/other/agencies/publications/pdf/public_bodies_2006/1_case_assessment.pdf).

24. These and other relevant procedural requirements will be set out in CoRWM's Code of Practice which Members will agree to, prior to appointment.

Resources

25. Sponsoring Ministers will provide CoRWM with resources—both staff and financial—to enable it to carry out its agreed programme of work. These will include a secretariat which will help CoRWM carry out its work programme including, at the outset, providing reading material and arranging for any further briefings and visits. The Chair and Members will have a collective responsibility for delivering the work programme within the agreed budget, although the Chair may request sponsoring Ministers for adjustment to this budget should this be considered necessary.

Payments

26. The Chair and Members will be paid for their work for CoRWM at agreed daily rates. They will also be fully reimbursed for all reasonable travel and subsistence costs incurred during the course of their work.



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- 4th Report Pandemic Influenza
- 5th Report Annual Report for 2005
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