

Appendix 6

1st UK Case study

Public and Stakeholders Engagement in the Decision- processes of the Committee on Radioactive Waste Management (CoRWM)

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COWAM 2 – Work Package 2:

Influence of local actors on national decision-making processes

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Introduction

The activities of the UK Committee on Radioactive Waste Management (CoRWM) were identified by WP2 stakeholders as of particular interest in the context of exploring the scope for local actors' influence on a major national decision making process. Thus, they agreed to focus on this Committee as one of the case studies.

The final rejection of a planning application by Nirex to develop a rock characterization facility at Sellafield in 1997 signalled the requirement for a comprehensive review of national policy relating to the management of long-lived and high-activity radioactive wastes in the United Kingdom. In 2001 the UK Government started the Managing Radioactive Waste Safely Programme (MRWS) to develop UK policy. This ultimately led to the appointment in 2003, by the national Government and the devolved authorities of Wales, Scotland and Northern Ireland of the Committee on Radioactive Waste Management (CoRWM). The role of CoRWM was to provide an independent review of strategic options for the long-term management of such wastes and to recommend an option, or combination of options, that will satisfy requirements for protection of people and the environment which had public confidence. The deadline set for CoRWM to submit its recommendations was July 2006.

A member of CoRWM, Dr Mark Dutton, was invited to participate in WP2's stakeholder reference group (SRG). At the 2nd SRG meeting in Berlin July 2004 he made an introductory presentation of the committee's terms of reference, its principles and work progress (see Annex 1). This was followed by a second presentation to the Madrid meeting in February 2005 (3rd SRG meeting), where he explored CoRWM's design for public and stakeholders engagement (PSE) (see Annex 2). Finally for its 5th SRG meeting in February 2006 he made available CoRWM's draft proposals for policy implementation (see final report: Committee on Radioactive Waste Management, Doc 1703). During these meetings stakeholders had the opportunity to exchange views, keep in touch with CoRWM's on-going activities and to some degree influence the views of Dr Dutton who was actively participating in the policy process. Added to these interactions, members of WP2 had access to CoRWM's website (<http://www.corwm.org.uk>), where they could find information about the process and get access to a wide range of reports.

This case study reports the stakeholders' deliberations and also discusses CoRWM's final report (CoRWM Website Doc 700, July 2006) in the light of the issues that emerged in the SRG meetings and in the independent evaluation of its work (Faulkland-associates, Nov 2006). To a large degree this was not a retrospective case study but one that was developed as events unfolded. Stakeholders were able to influence, through their discussions and reflections, CoRWM's policy process. This case study was also influenced by the WP2 Expert Resource Group (ERG) working papers, particularly their contributions about mechanisms for local influence on national decision-making processes (Espejo and Heriard-Dubreuil, January 2005) and about principles and good practices for local influence on national decision-making processes (Espejo, September 2005).

From the perspective of the case study, interesting features of this policy process are CoRWM's:

- set up and aims
- decision-making process to reach its recommendations
- methods for engaging with the public and stakeholders, and in particular with local actors, and
- proposals for implementing its recommendations

CoRWM's set up and aims

The Committee on Radioactive Waste Management (CoRWM) was the second stage of the UK Government's on-going Managing Radioactive Waste Safely programme. This committee was set up as an independent body appointed by UK Government Ministers, concerned with the review of options for managing solid high activity radioactive waste in the UK. Its main task was to recommend the option, or combination of options, that could provide a long-term solution to this management, providing protection for people and the environment and had public support. Their priority task was to recommend what should be done with the wastes for which no long term management strategy currently exists; that is high and intermediate level waste now in storage or likely to arise over the next century or two, and some low level waste unsuitable for near-surface disposal. Additionally, the Government, in setting the Committee's terms of reference required it to engage stakeholders in its work and build confidence in its proposals. The Committee delivered its recommendations to Government in July 2006. As well as recommending a waste management strategy, it included in its report a package of recommendations relating to the implementation of the strategy and the bodies that would be involved in delivering it.

As CoRWM's programme progressed, the Committee concluded that implementing waste management recommendations required considering issues such as siting and also future institutional arrangements to manage related processes and that these were not a secondary consideration, but were in fact central to the successful delivery of any technical strategy and to achieving consensus within it. As its work progressed they set up an Implementation Working Group to advise on measures that would help

inspire sufficient public confidence and so enable the recommended option to be taken forward. CoRWM did not see its task as just choosing the best long term solution but also constructing a wider package that included implementation issues (Faulkland-associates p. 23).

The Terms of Reference made it clear that the Committee should include members with a range of expertise, able to offer scientific, social, economic, environmental and public perspectives on the issue of radioactive wastes. They were not there to ‘represent’ a constituency, but members *were* chosen for their spread of backgrounds and perspectives, for (in some cases) their previous involvement in this area, and for their good contacts with a wide range of organisations. Equally, they were not there to represent particular governmental or nuclear related institutions, and therefore they were independent of either nuclear related R&D institutions, or of previous implementers such as Nirex, or of regulators such as the Environment Agency or the Nuclear Industry Inspectorate. Furthermore, it was not envisaged that Committee Members themselves would be responsible for day-to-day work activities “*but rather in deciding what these should be, overseeing their delivery, and reviewing and being responsible for the reports and other output delivered under CoRWM's name*” (Faulkland-associates p.2).

Thus, CoRWM had a diverse membership, with individuals participating in their own right, rather than representing specific institutions or interest groups. Members of CoRWM were, among others, an economist and energy policy consultant in the Chair, consultants and experts in nuclear issues, academics in risk management and environmental sciences, health and safety experts and a former Chair of Greenpeace UK and co-founder of Friends of the Earth. This member was participating as an environmental consultant *educating* the other CoRWM members in related environmental issues and not as a representative of any environmental NGOs¹.

The emphasis on options rather than sites was consistent with the fact that ministers did not see the need to appoint a representative of communities in the vicinity of Sellafield, which is where the majority of the UK’s high level waste is in storage and was previously considered a candidate disposal site by Nirex. Nevertheless, this lack of specific local membership as well as members of governmental and nuclear related institutions and civil society was consistent with CoRWM’s terms of reference. In practice this meant that ministers felt the need to set up a committee to uncover the *values* of the public, stakeholders and experts about radioactive waste management rather than set up in motion a political process to resolve through its outcomes the political, institutional and social interests and concerns in this topic.

A process aimed at uncovering values implied building up trust with the public and stakeholders from the beginning. An early concern of the Committee members was to make explicit the guiding principles of their activities. In their website (www.corwm.org.uk) they stated five principles.

They say:

¹ One of the 2nd the Spanish participants informed the WP2 SRG that in Spain ‘Friends of the Earth’ did not want to participate in the nuclear waste management debates for as long as the government did not renounce nuclear energy.

1. *To be open and transparent.*

Our aim is to earn public trust by securing confidence in our actions. Openness requires that we operate in public and are accessible both in person and through our publications. Transparency means that we aim to make as clear as possible how, and why, we have formulated our recommendations.

2. *To uphold the public interest by taking full account of public and stakeholder views in our decision making.*

Our objective is to identify and evaluate the options and decide on the recommendations for the future management of radioactive waste. We shall achieve this through encouraging discussion and deliberation with the public, local political representatives, and a wide range of stakeholders. Through this process, we aim to make recommendations that are both practicable and acceptable.

3. *To achieve fairness with respect to procedures, communities and future generations.*

We consider fairness (equity) to be fundamental in order to inspire public confidence. We shall try to ensure that anyone who wants to participate in the process has the opportunity to do so. We shall strive to avoid favouring particular groups, stakeholders, communities, or regions. But, we also recognise that some may have a greater interest in the process and its outcomes than others, for example, people living close to sites where waste is currently managed. Fairness also involves recognising the rights of future generations.

4. *To aim for a safe and sustainable environment both now and in the future.*

This principle applies to present and future generations and embraces the natural, as well as the human environment. In seeking to fulfil this principle, we recognise the need to apply the best available sound science and other specialist input and acknowledge that achieving a safe and sustainable environment requires its integration with social science through an interdisciplinary approach. We accept that proposals for the long-term management of radioactive wastes should seek to avoid placing undue burdens on the environment, both now and for future generations.

5. *To ensure an efficient, cost-effective and conclusive process.*

We recognise we must operate within resource and time constraints. We must maintain the direction and objectives of the programme, keeping within budget and reaching conclusions within an appropriate timescale. We will ensure that other matters that are raised are considered in appropriate ways. But, above all, we will endeavour to present recommendations which have broad support and which we believe will provide a solution to the problem.

CoRWM's Process

WP2 SRG wanted to understand CoRWM's decision-making process. Stakeholders received a detailed overview of the process as designed by CoRWM to produce its recommendations for ministers (see Annex 1). In summary its programme was divided into three phases. The first phase - Framing - ran from March to September 2004 and was primarily focussed on information gathering, testing methods, drawing up the long list of potential options for managing radioactive waste, and deciding how to undertake a Shortlisting process. The second phase - Shortlisting – ran from September 2004 to July 2005 included the shortlisting process and deciding how to assess that shortlist. Plans for the assessment phase were developed and consulted on. The third and final phase – Assessment - lasted a year from August 2005 until July 2006 and included the assessment of the shortlisted options, the formulation of recommendations, and drafting the report to Government. This process is graphically described in Fig 1 (CoRWM Doc 700). This graphic also makes apparent that Members did not limit their deliberations to recommending an option or combination of options but most significantly they carried out activities aimed at offering advice to ministers about the implementation of their recommendations.

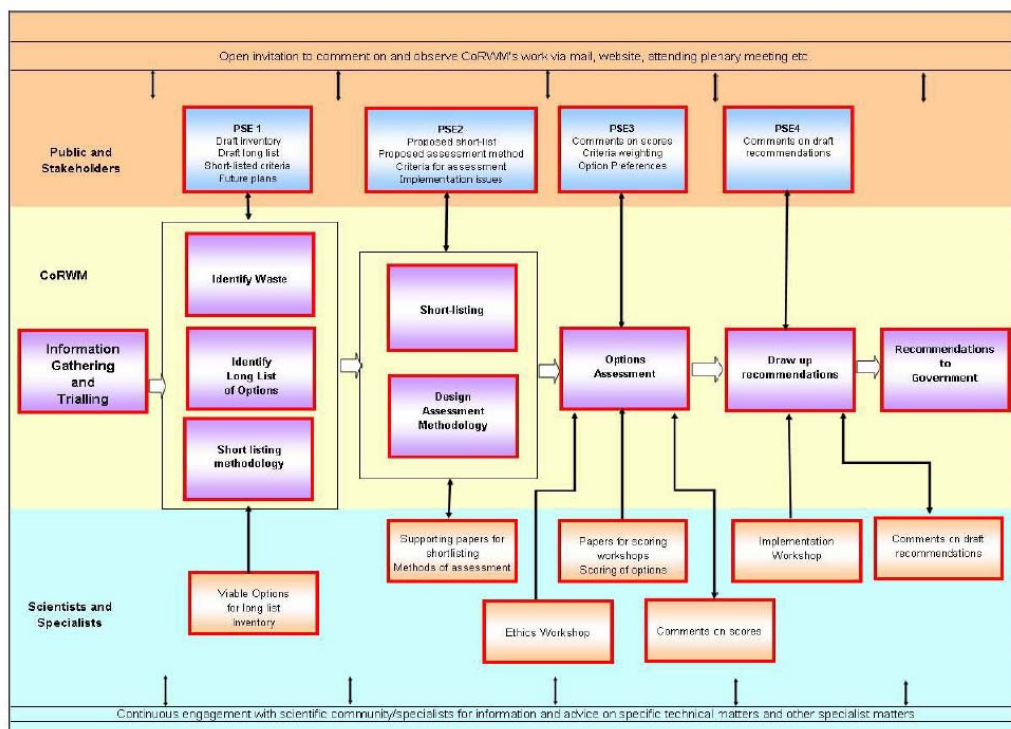


Figure 1 CoRWM's Process (from CoRWM 700)

Figure 1 shows that the sources of knowledge for this process were the public and stakeholders, scientist and specialists and CoRWM's members. The reliance of their work on stakeholders and experts was a key element for the committee's legitimacy and for the stakeholders' engagement with the process. CoRWM mobilised a wide range of experts in order to represent the diversity of experts' views regarding the RWM issue. The choice of experts was made through a mutually agreed procedure

with the stakeholders. Local communities were also recognised as a source of expertise for aspects of local sustainability.

CoRWM's process was focused on a decision-making process of its own (i.e. recommending an option or combination of options for radioactive waste management) and not on the UK decision-making process for the management of radioactive waste. As it is apparent in their report their brief was circumscribed to recommendations related to the exiting political situation and not to consider issues such as a future UK energy policy that might include the build up of new nuclear power plants:

“CoRWM takes no position on the desirability or otherwise of nuclear new build. We believe that future decisions on new build should be subject to their own assessment process, including consideration of waste. The public assessment process that should apply to any future new build proposals should build on the CoRWM process, and will need to consider a range of issues including the social, political and ethical issues of a deliberate decision to create new nuclear wastes” (Report 700, p14).

However, in the expectation that ministers will accept their radioactive waste management recommendations the Committee also offered recommendations about their implementation, in particular they recommended the development of partnerships with potential communities prepared to host the waste.

This process was discussed at the 3rd SRG meeting, where stakeholders mooted that CoRWM's process, as presented, appeared as a *cognitive process*, with very limited intertwining with real *political processes*; the phases of CoRWM's work did not appear to need political processes at the affected territorial levels. That would have been necessary should their deliberations have implied committing resources and reducing options for the future. It would appear that neither national nor local politics were playing a role in the Committee's deliberations. Some stakeholders suggested that this approach could backfire at a later stage of the UK policy process. It is only when politicians confront situations such as, for instance, a global public opinion against a deep repository, at the same time that a local community agrees to host it that the policy process starts to take real meaning (cf. Annex 2). This view does not diminish the value of the process but helps to recognise its scope in managing the UK radioactive wastes.

CoRWM's Approach to Public and Stakeholders Engagement

The extent to which CoRWM's recommendations will secure broad political support remains to be tested in the coming stages of the UK decision-making process, but it is apparent that these were reached after extensive consultations and engagement of members of the public and local stakeholders.

CoRWM used five main strands of consultation and engagement (Faulkland-associates, p 28):

- Direct and on-going engagement with key stakeholders.
- Structured consultation with stakeholders at national and 'nuclear communities' level.

- Structured consultation with the public from nuclear communities.
- Structured engagement with a cross-section of the wider public.
- Opportunities to comment for any interested organisation or individual.

CoRWM implemented processes of Public and Stakeholders Engagement (PSE) for all the phases of their work. These processes were considered necessary to create trust in their recommendations. Figure 1 makes clear that CoRWM distinguished three sets of actors intertwined in parallel streams of activities and debates; the public and stakeholders, CoWRM Members and experts.

The initiative to define, develop and implement national policy stemmed from central government, and opportunities for public and local engagement in the process were largely defined by CoRWM, rather than from grass-roots initiatives. CoRWM was clear that a top down approach, based on first studying, then deciding and only then consulting stakeholders was not going to work; it had been responsible for earlier failures. From the outset of its work, the committee was sensitive to the fact that previous initiatives in this arena, including investigations by the House of Lords select committee on science and technology, had been driven largely by technical evaluation, rather than attempting to secure effective public engagement from the outset. CoRWM took the view that this engagement was necessary throughout their deliberations to align values and obtain public and stakeholders' support for their recommendations. The public response on CoRWM's programme and proposals was sought through four stages of public and stakeholder engagement. For phases 1 and 2 of the process there were two periods of public and stakeholder engagement, usually referred to as PSE1 and PSE2. There were two further periods of public and stakeholder engagement, PSE3 and PSE4 in phase 3 of the process (see Fig 1).

“The four phases of engagement were:

- PSE 1 (November 2004 – January 2005)
To seek views on the inventory of radioactive wastes and materials, a long list of long-term radioactive waste management options and the criteria that should be used to screen out options.
- PSE 2 (April 2005 – June 2005)
To seek views on the proposed shortlist of management options, the criteria that should be used to assess them, participatory processes for options assessment, and implementation issues.
- PSE 3 (October 2005 – February 2006)
To enable participation in the assessment of shortlisted options, including the expression of views on the importance of different criteria, on specialist judgements of option performance ('scores'), and preferences for long-term management options.
- PSE4 (May 2006)
To seek comments on CoRWM's draft recommendations, including proposals on how they should be implemented, and ways of increasing public confidence.” (CoRWM's Final Report p48)

The Committee identified stakeholders and opened channels to allow the public's influence on the process. Identified stakeholders included groups such as regulators, environmental groups, the nuclear industry, local government and the broader scientific community; they also included communities (such as those of and in the

vicinity of existing nuclear sites) that had a close interest in the implications of future policy for wastes currently held in storage.

WP2's SRG were particularly interested in these strategies to engage with local stakeholders. As said before since CoRWM was *not in a siting process* but in an option definition process, no specific communities were involved in its work. For WP2 stakeholders this posed the questions: What is local? Who are local stakeholders for a process like CoRWM's? CoRWM's answers were that all communities in the UK had the right to influence its processes.

However, CoRWM's long-term concerns suggested that they had to be particularly sensitive to the risks of radioactive waste for individuals and communities. In spite of their lack of specific focus on particular communities CoRWM's work was designed in such a way that local involvement was enabled and enhanced.

“The Committee decided to focus on communities near nuclear sites, as being more likely to want to be involved and more likely to be involved in implementation. Each round of PSE therefore included facilitated Round Tables for local stakeholders e.g. representatives of the local authorities, NGOs and nuclear sites. The Round Tables met locally in PSE1, 2 and 3 but in plenary for PSE4.” (Faulkland-associates, p 31)

In addition, the committee's business meetings were open to the public and took place in the regions (e.g. in cities like Bristol, Manchester, Ipswich, Southampton and Birmingham). Members of the committee visited the major nuclear sites in the UK (e.g. Sellafield and Dounreay) and met local representatives from local government and NGOs.

Beyond groups such as scientists, the nuclear industry and environmental groups, CoRWM also wanted to engage a wider cross section of the general public as expressed in a letter of CoRWM's Chair to stakeholders early in the process (see: [http://www.corwm.org.uk/pdf/letter to stakeholders on 16 july 2004.pdf](http://www.corwm.org.uk/pdf/letter%20to%20stakeholders%20on%2016%20july%202004.pdf)).

Also CoRWM set up a National Stakeholder Forum, involving representatives from around 20 national organizations and representatives from local government.

CoRWM sought to engage a wider cross section of the general public through a programme that was composed of 'intensive' and 'extensive' strands. In support of the intensive strand, four Citizen Panels, each involving 12 to 16 people, were recruited as demographic representatives of the 'general public' (South of England, North of England, Scotland and Wales) not previously involved in questions of radioactive waste management. Meetings over weekends allowed time for detailed discussion of issues. These panels were involved in assessing the options for managing wastes in phases 2 and 3 of the process.

CoRWM talked to stakeholders and the public (not experts) to identify relevant issues to managing radioactive waste (i.e. criteria to use). But their recommendations had to embrace sound science. Experts carried out assessment of options against criteria. An issue was how to choose the specialists involved. CoRWM asked stakeholders to identify experts in each area of the assessment. For the assessment to be legitimate it had to use 'experts' trusted by the different stakeholder groups and also acknowledge

that in aspects such as local sustainability the experts were local stakeholders. Local fears and trans-generational concerns were difficult to measure but needed to be taken into account as much as the more structured views of the experts.

The difficulty was combining the assessments of options against specific criteria into an overall assessment. This involved bringing in the values of a wide range of stakeholders about the importance of the different criteria. CoRWM talked to a wide range of stakeholders to identify the assessment criteria and their weight.

CoRWM had to bring the different assessments together and make a recommendation, including how to take polarised views into account.

As far as the extensive strand of its engagement work, CoRWM sought to engage with members of the public and other interested parties on a wider basis, principally through consultation documents made available in print and via its website (<http://www.corwm.org.uk>). They engaged a media consultant to broadcast their activities.

CoRWM's engagement activities are summarised in its final report Table 7.1 (Table 1 in this case study).

“The time and effort put into studying what methods were available allowed CoRWM to design a PSE programme that used a variety of different methods, and involved a wide range of people. Each phase of PSE was planned to meet the aims of that phase, and the resulting mix of activities was chosen to maintain a balance between engaging with members of the public and engaging with stakeholders who have a known interest in the issue. Balance was also required between national stakeholders and local nuclear site stakeholders from different parts of the UK, and between open access events and those which were by invitation only (see Table 7.1 for further details).” (CoRWM's Final Report p. 46)

However early efforts in public and stakeholder engagement were not without their difficulties suggesting that throughout these processes it is necessary to keep in mind best practice:

“Nevertheless, we were left at the time with a sense of unease. Because shortlisting was completed before the majority of the PSE reports were finalised, stakeholders could well be left with an impression that Members had formulated their positions and taken their decisions without adequate consideration of the views expressed. The likelihood is that these timing problems were the result of a combination of PSE1 reporting delays and the short time allowed within the overall programme for reporting and deliberation on PSE1 outputs. Some of this was outside the Committee's control (e.g. due to illness) but some could have been anticipated.” (Comment of Faulkland-associates in their assessment of the CoRWM process, p20)

Table 7.1

Activity	Participants	Main Aims
Discussion Groups	Eight groups of 8 recruited citizens at different locations across the UK.	To elicit basic views and concerns about radioactive waste management (PSE1).
Citizens' Panels	Four panels of 12-16 citizens met three times. The panels covered Scotland, Wales, North and South England. Citizens were recruited to ensure a mix of gender, age and social class, but to avoid people who work for the nuclear industry or belong to an anti-nuclear group.	To participate in shortlisting, options assessment and review of draft recommendations (PSE2, 3 and 4).
Discussion Guide	568 self-selecting groups from across the UK, including community groups, environmental groups, older people and schools	To discuss issues relevant to the assessment of shortlisted options and provide feedback (PSE3).
Schools Project	1305 students (aged 11-18) from 15 schools in Bedfordshire.	To identify and discuss the issues considered important to the assessment of options and provide feedback (PSE3).
National Stakeholder Forum	20-25 participants from national bodies, including Government Departments, Non-Departmental Public Bodies, the nuclear industry, the regulators, local government and campaigning groups. The NSF met four times.	To participate in shortlisting, options assessment and review of draft recommendations (PSE1, 2, 3 and 4).
Nuclear Site Stakeholder Round Tables	Meetings in eight locations for stakeholders from local organisations around a total of 14 nuclear sites (covering civil and military, public and private sector and different types of facilities). The RTs met three times, with a fourth round of events for nominees from each area.	To participate in shortlisting, options assessment and review of draft recommendations (PSE1, 2, 3 and 4).
Open Meetings	Two rounds of open meetings were held in eight areas close to nuclear sites.	To identify views and concerns about radioactive waste management, including shortlisting (PSE1 and 2).
'Bilateral' Meetings	A series of meetings between CoRWM members and representatives from stakeholder organisations.	To obtain information and discuss issues as appropriate to the aims of each period of PSE.
Consultation Documents	Various stakeholders and members of the public	To seek views on a formal consultation document over a three month period (PSE1 and 2).
Web-based	Various stakeholders and members of the public.	To provide opportunity for comment on consultation papers, specialist judgements of option performance, and draft recommendations (PSE1, 2, 3 and 4).

Table 1: Activities for Public and Stakeholders Engagement
(CoRWM's Final Report p. 46)

To direct its strategy for public and stakeholder engagement the Committee used the Renn model for *cooperative discourse* (Renn 1999). In this it involved a wide range of stakeholders through a variety of participatory activities (see Table 1 above).

“Environmental policy makers are faced with a difficult dilemma: On the one hand, technical expertise is a necessary but not sufficient condition to make prudent environmental decisions. Without the input of public values and preferences, decisions cannot be legitimized. On the other hand, public perceptions are at least partially driven by biases, anecdotal evidence, false assumptions, about potential environmental impacts of human actions ... We live in a pluralist society with different value systems and worldviews.” (Renn Doc 847)

It does not make sense to replace technical expertise with vague public perceptions nor is it justified to have the experts insert their own value judgments into what ought to be a democratic process. The much cherished solution of the past of having expert panels feeding in the facts and having democratically elected representatives reflecting upon these facts on the basis of public values to make informed decisions was not acceptable (Renn Doc 847). This so called decisionistic model of communication has several major flaws, among others it separates the selection and assessment of facts from values used to reflect upon them. The CoRWM process tried to avoid this flaw by using Multi Criteria Decision Analysis (MCDA) coupled to a holistic assessment of options. MCDA ranks options using a numerical model produced by stakeholders and experts according to their values and knowledge respectively. However these rankings in *cooperative discourse* are not used as final judgements but used to improve the participants’ holistic judgments. By pointing out potential discrepancies between the numerical model and the holistic judgments, the participants are forced to reflect upon their opinions and search for potential hidden motives or values that might explain the discrepancy. The final recommendations are based on a holistic judgment by stakeholders and experts.

Most significantly from the perspective of public engagement these processes were carried out in public:

The Shortlisting plenary and the Phase 3 MCDA, ‘holistic’ analysis and ‘recommendations’ plenaries were a bold attempt to conduct decision-making as far as possible in public. Members of the public who attended these plenaries will have had a genuine impression of the nature of the debate and Members’ perspectives. Members deserve credit for taking the risk. We are not aware of an equivalent body that has done anything comparable (Faulkland-associates p 11)

In summary CoRWM’s PSE programme gave the public and local stakeholders opportunities to influence their final recommendations. This influence was focused on a process aimed at eliciting the values and preferences of a wide range of stakeholders in order to produce recommendations fully supported by them. But, this process did not entail experts and institutional players’ debates aimed at reaching strategic recommendations for RWM decisions nor did it involve local stakeholders in a siting process with the participation of national stakeholders, implementers, experts and policy-makers. This latter aspect was a Committee concern from early on in its activities but most notably in Phase 3 and PSE 4 and the inclusion of implementation recommendations in its final report.

Emphasis on Implementation

Phase 3 of CoRWM's process emphasised the issue of implementation (see Fig 1). To develop implementation principles the Committee had its guiding principles, the public and stakeholders inputs, and the benchmarking and ethical work that supported the MCDA and Holistic Analysis.

As the final evaluation of CoRWM's work states:

“The Principles and Integration Working Groups were right to anticipate that the most challenging part of CoRWM's task would not be deciding on the best strategy but devising an implementation approach that stood a reasonable chance of being implemented.” (Faulkland-associates p26)

The issue of implementation came strongly in the 3rd SRG meeting of WP2 (see Annex 2). In that meeting, following Mark Dutton's presentation of CoRWM's PSE programme WP2, stakeholders' comments mostly emphasised implementation issues:

“Cumbria feels disempowered in the (CoRWM's) process and believes that many communities think that all the waste should go to Copeland. Copeland would only feel empowered if they had local veto in the (siting) decision-making process.”

“It is necessary to have sustainable, autonomous, local communities to enable local communities to participate in the decision-making process and influence it. By sustainable it is meant that a community has the power and ability to develop and express its views and have an influence on the outcomes of the process over time.”

“Participants need to understand the roles of the organisations in the decision-making process, so that they can understand the opportunities available to influence and what links need to be developed.”

“Copeland is worried that there is a lack of communication between the Nuclear Decommissioning Authority (NDA) and CoRWM. NDA is looking at interim storage at a few sites and this could influence siting in the long term because of the desire to reduce transport, so interim storage sites could become long-term management sites. 60% of the UK waste is already in Copeland therefore people there fear that Copeland will become the long-term site by default.”

“The Shetland Islands Council believes that Dounreay's waste should be dealt with at Dounreay, but no additional waste should be brought into that site; it should not be a national repository.”

Additionally, WP2 stakeholders engaged in CoRWM's programme gave their views of their experiences with engagement and the extent they were able to influence CoRWM's work. For example, notwithstanding the opportunity presented to contribute on a personal basis through CoRWM's broader consultation process, one UK member of the reference group, with long-standing interests in the question of

national policy, indicated that “they feel disempowered by a process that has attempted to draw on ‘local’ public inputs from a wide and diverse range of sources.”

One way or the other, apparently, these debates in WP2 had an influence on CoRWM’s process as is recognised by Faulkland-associates’ Final Evaluation Statement:

“Participation in EU-sponsored COWAM workshops seems to have been a valuable input to consideration of implementation issues.” (see Faulkland-associates p43)

As part of their process CoRWM set up an Implementation Group. A draft of their report was tabled to the 5th SRG meeting. This report recommended considering all local communities as stakeholders and enabling the involvement of the affected communities, beyond potential host communities, in the next steps of the decision making process.

Furthermore, in a step by step decision making process, the report suggested one way of enhancing the influence of local actors on the decision making process was enabling their participation in the design of each successive step. CoRWM’s final report makes recommendations about further steps of the decision making process and the mechanisms for stakeholder participation. It recommends using volunteerism, relying on an open and equal partnership between the potential host community and the implementing body, allowing the local actors to take an active part in the definition of both the generic technical aspects of the proposed facility and the socio-economic provisions. It also recommends enhancing the transparency of the decision making process, setting up an independent national organisation responsible for overseeing the decision making process and ensuring that proper consultation and monitoring of stakeholders’ engagement at the different stages of the decision making process takes place. They also recommend setting up as soon as possible an implementing organisation that among other aspects should be the mechanism to set up partnerships with local communities.

In the final report, of their 15 recommendations to Government, seven relate to implementation:

Recommendation 9: *There should be continuing public and stakeholder engagement, which will be essential to build trust and confidence in the proposed long-term management approach, including siting of facilities.*

Recommendation 10: *Community involvement in any proposals for the siting of longterm radioactive waste facilities should be based on the principle of volunteerism, that is, an expressed willingness to participate.*

Recommendation 11: *Willingness to participate should be supported by the provision of community packages that are designed both to facilitate participation in the short term and to ensure that a radioactive waste facility is acceptable to the host community in the long term. Participation should be based on the expectation that the well-being of the community will be enhanced.*

Recommendation 12: *Community involvement should be achieved through the development of a partnership approach, based on an open and equal relationship between potential host communities and those responsible for implementation.*

Recommendation 13: *Communities should have the right to withdraw from this process up to a pre-defined point.*

Recommendation 14: *In order to ensure the legitimacy of the process, key decisions should be ratified by the appropriate democratically elected body/bodies.*

Recommendation 15: *An independent body should be appointed to oversee the implementation process without delay.*

Conclusions

It was particularly valuable for WP2 to shadow with its own deliberations CoRWM's process. The key issue for WP2 stakeholders was how to make more effective local influence on national decision-making processes. CoRWM's deliberations were set up with particular concern for public and stakeholders engagement, and as illustrated by this case study local stakeholders had several mechanisms to influence the Committee's process. Though Members were responsible for recommendations to ministers they understood that without local stakeholders' commitment the chances for long-term successful implementation were significantly reduced. CoRWM's Final Evaluation Statement backs the position that overall they succeeded in achieving this engagement, however:

“Participation from NGO representatives and the specialists they recommended was less than might have been hoped and questions of balance and bias are relevant. There are several reasons why the balance between alternative perspectives, and between high-calibre academics with a broad perspective and industry practitioners, was not what Members might have wished. In some areas there were simply no (or very few) established counter-experts. Some counter-experts did not want to participate, perhaps because they saw the process as too narrow or open to misrepresentation. For academics especially, an earlier start in recruiting experts might have alleviated the situation somewhat.” (Faulkland-associates p. 37)

The same report states that CoRWM's decision-making framework was of quality and that its methodology worked:

“The MCDA plenary was excellent and very well managed. The sensitivity analysis was thorough and took alternative views into account. The MCDA results did not disproportionately affect the recommendations – if anything, the Holistic Analysis dominated. Our conclusion is that, though not without flaws, the MCDA was valid, had value, and made a significant contribution to the decision-making.” (Faulkland-associates p. 50)

As for local influence, this case study has helped us to reflect upon the CoRWM's process in the wider national decision-making perspective. It would appear that CoRWM was mostly a cognitive process that helped Members, stakeholders and experts to clarify and align their values. In that sense the process did not allow the public and stakeholders to stretch politicians, civil servants and nuclear experts in the quest of siting options for the long-term management of radioactive waste. This political process most likely will take place in the near future once the government decides how to proceed with managing radioactive waste safely. At that point CoRWM's implementation recommendations will be of particular significance and it is only then that local stakeholders will be engaged with political interactions.

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Glossary

CoRWM	Committee on Radioactive Waste Management
COWAM 2	Community Waste Management 2
Defra	Department for Environment, Food and Rural Affairs
ERG	Expert Resource Group
MCDA	Multi Criteria Decision Analysis
NDA	Nuclear Decommissioning Authority
Nirex	UK agency formed to provide radioactive waste disposal services
PSE	Public and Stakeholders Engagement
RWM	Radioactive Waste Management
SRG	Stakeholder Reference Group
WP2	Work Package 2

Annex 1: Minutes about CoRWM's process in 2nd SRG Meeting²

“In its first meeting (April 2004) the UK SRG thought that CoRWM offered a practical case of an on-going decision-making process in the UK, with a similar time frame to that of COWAM (i.e. 2006), which could be influenced by its deliberations.

This case study is focused on the strategy of the UK Government to deal with the long-term solution of radioactive waste. The final rejection of Nirex's application for the development of a Rock Characterisations Facility in Sellafield, in 1997 made it necessary a full revision of the issue of radioactive waste management in the UK, which eventually led to the constitution of the Committee on Radioactive Waste Management (CoRWM) in 2003. This committee is an independent body appointed by UK Government Ministers, concerned with the review of options for managing solid radioactive waste in the UK and recommend the option, or combination of options, that can provide a long-term solution, providing protection for people and the environment. Their priority task is to recommend what should be done with the wastes for which no long term management strategy currently exists; that is high and intermediate level waste now in storage or likely to arise over the next century or two, and some low level waste unsuitable for disposal at Drigg in Cumbria. The deadline for this recommendation is July 2006.

It is with this consideration in mind that Dr Mark Dutton, member of CoRWM, was invited to the WP2 SRG second meeting in Berlin. Dr Dutton offered to the meeting a complete presentation of CoRWM's terms of reference, principles and current work (see Appendix 1). His presentation was followed by a brief questions and answers session, which is reported in what follows.

From COWAM's perspective the aim of this case study is exploring how CoRWM is envisaging the involvement of local stakeholders in its work and assessing the quality of this involvement. Since *CoRWM is not working out a siting process* but is advising about the option, or combination of options, for a long-term solution of RWM, no specific communities are involved in its work. Stakeholders in this case are groups such as scientists, the nuclear industry and environmental groups, but they also want to engage a wider cross section of the general public as expressed in a letter of CoRWM's Chair to stakeholders (see: http://www.corwm.org.uk/pdf/letter_to_stakeholders_on_16_july_2004.pdf). This focus on options rather than on sites appears to be consistent with the fact that ministers did not see the need to appoint a Cumbria representative in the committee.

However, CoRWM's long-term concerns suggest that they have to be particularly sensitive to the risks of radioactive waste for individuals and communities. In spite of this lack of specific focus on particular communities CoRWM's work is being designed in such a way that local involvement is enabled and enhanced. The committee's business meetings are open to the public and are taking place in the regions (e.g. in cities like Bristol, Manchester, Ipswich, Southampton and Birmingham). Members of the committee have visited the major nuclear sites in the UK (e.g. Sellafield and Dounreay) and have met local representatives from local

² This Annex and the next one have been taken verbatim from the minutes of the 2nd and 3rd meetings of the SRG.

government and NGOs. They have engaged a media consultant to broadcast their activities.

In any case, their focus on options makes it is less obvious how to articulate local engagement in their deliberations. CoRWM has set up a working group in *Public and Stakeholder Engagement* and has a programme to enable the committee to capture views from a wide range of people in particular those who have an interest in nuclear issues (the stakeholders) as well as the wider public.

The mechanisms for stakeholder engagement and influence on CoRWM's decision making process are still being tested and have yet to be formally defined. However, it is intended that there should be both 'intensive' and 'extensive' strands of consultation, involving smaller groups and the general public, respectively. It is not currently clear what basis will be adopted for identifying participants in the intensive strand, or whether particular arrangements for intensive consultation might be adopted in relation to specific local stakeholder groups.

The participatory implications of issues such as a possible global public opinion against (the option of) a deep repository at the same time of local agreement to have one in their own locality are of interest to investigate (cf. case of Finland).

CoRWM is focused on a decision-making process of its own and not in a UK decision-making process. However, if the evidence they receive suggests that there are other significant issues that need to be considered in tandem they will consider them. In particular reference was made to policies about the future of nuclear energy in the UK and the amount of waste to be considered in the long run. There was interest to understand CoRWM's own decision-making process, in particular its mechanisms to deal with minority positions and disagreements. These are evolving aspects that need further consideration.

It was noticed that members of CoRWM are, among others, an economist and energy policy consultant in the Chair, consultants and experts in nuclear issues, academics in risk management and environmental sciences, health and safety experts and a former Chair of Greenpeace UK and co-founder of Friends of the Earth. This membership appears as an interesting aspect to investigate further from the perspective of local influence in CoRWM's decision-making process.

In Spain 'Friends of the Earth' does not want to participate in the nuclear waste management debate for as long as the government does not renounce to nuclear energy. It was clarified that in the UK Pete Wilkinson, the former Chair of Greenpeace UK, is participating as an environmental consultant 'educating' the other CoRWM members in these environmental issues. He is not representing environmental NGOs in the committee.

The next step of this case study is to explore further key issues raised by Dr Dutton in his presentation as well as some of the issues that emerged in the conversation with him."

Annex 2: Minutes about CoRWM's process in 3rd SRG Meeting³

“Mark Dutton then proceeded to discuss the options assessment procedure they are using in CoRWM. His presentation is reported next as the 1st Case Study.

1st Case Study: CoRWM (Committee on Radioactive Waste Management) as a mechanism to engage stakeholders in a policy process.

CoRWM's brief is to offer UK ministers advice about an option or a combination of options for a long-term solution to the country's radioactive waste management. The committee has agreed to report in July 2006 and for that time they want to engage the public and stakeholders in a process that gives legitimacy to their propositions. It is this aspect of engagement that is core to this case study.

Mark Dutton gave an overview of the process that has been agreed for CoRWM to produce a final report for ministers (c.f. Agenda's documents 2 -CoRWM: Flowchart for Options Assessment- and 3 CoRWM: Public and Stakeholders Engagement Activities in phase 2). A document to support the diagrams presented by Mark is CoRWM's "First Annual Report 2004" (http://www.corwm.org.uk/pdf/735%20-%20First%20Annual%20Report%2020041130%20_latest.pdf)

Key aspects of CoRWM's planned work are processes of Public and Stakeholders Engagement (PSE) in all phases of their planned work. These processes are considered necessary to create trust in their recommendations. CoRWM are distinguishing between local stakeholders, 'experts' and CoRWM members.

CoRWM will be considering implementation issues of their proposed options.

To identify important issues (i.e. criteria to use) CoRWM are talking to stakeholders and the public (not experts). But CoRWM recommendations need to embrace sound science. Experts will carry out assessment of options against criteria. An issue is how to choose the specialists involved. CoRWM are asking stakeholders to identify experts in each area of the assessment. The assessment will only be valid if it involves 'experts' that different stakeholders' groups trust.

There are some areas where stakeholders are the experts (e.g. socio-economic impacts).

Fears and public attitudes also need to be taken into account, but these are very difficult to measure. This will also involve talking to stakeholders.

The difficulty will be combining the assessments of options against specific criteria into an overall assessment. This will involve bringing in values about the importance of the different criteria. Therefore, CoRWM will talk to a wide range of stakeholder to identify the weighting of the criteria.

Current host communities will be affected whatever happens with the waste.

³ This Annex and the previous one have been taken verbatim from the minutes of the 2nd and 3rd meetings of the SRG.

CoRWM plan to use citizen's panels to do the assessment. An issue to address is the representation of current host communities and other communities in the process.

The National Stakeholder Forum that CoRWM have set up will also undertake an assessment of the options.

Social networks (e.g. Women's Institute) will be provided with toolkits to undertake the assessment of options and the website will enable an assessment to be done.

CoRWM will have to bring the different assessments together and make a recommendation, including how to take polarised views into account.

During the debate the following points were made:

The implementation debate will be of great interest to COWAM WP2.

Cumbria feels disempowered in the process and find that many communities feel all the waste should go to Copeland. Copeland would only feel empowered if they have a local veto in the decision-making process.

It is necessary to have sustainable, autonomous, local communities to enable local communities to participate in the decision-making process and influence it. By sustainable it is meant that a community has the power and ability to develop and express its views and have an influence on the outcomes of the process over time.

Participants need to understand the roles of the organisations in the decision-making process, so that they can understand the opportunities available for influence and what links need to be developed.

Copeland worry that there is a lack of connection between NDA and CoRWM. The NDA are looking at interim storage at a few sites and this could influence siting in the long term because of the desire to reduce transport, so interim storage sites could become long-term management sites. For example, 60% of the UK waste is already in Copeland therefore there is a fear that Copeland will become the long-term site by default.

The Shetland Islands Council believe Dounreay waste should be dealt with at Dounreay, but no additional waste should be brought into Dounreay, it should not be a national repository.

In SRG meeting local representatives engaged in CoRWM's programme gave their views of their experiences of engagement and the extent of their capacity to influence CoRWM's work. For example, notwithstanding the opportunity presented to contribute on a personal basis through CoRWM's broader consultation process, one UK member of the reference group, with long-standing interests in the question of national policy, indicated that they felt disempowered by a process that had attempted to draw on 'local' public inputs from a wide and diverse range of sources.

CoRWM's process as presented in this meeting was very much a *cognitive process*, with very limited intertwining with on-going *political processes*; the phases of

CoRWM's work do not appear to go hand in hand with political processes in progress at the several territorial levels affected by their deliberations. All is discussed in consultation processes where politics plays no role. This approach may backfire at a later stage of the policy process.”