

Nuclear Free Local Authorities Secretariat

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Chair: Baillie George Regan Secretary: Sean Morris



Planning Department (Attn Mr Clive Inwards)
West Berkshire Council
Council Offices
Market Street
Newbury
RG14 5LD

20th September 2010

Dear Mr Inwards,

Planning Application 10/01695/COMIND Hydrodynamics Research facility, AWE Aldermaston

The Nuclear Free Local Authorities (NFLA) Secretariat is writing to give its views on the planning application received by West Berkshire Council for a new hydrodynamics research facility at the Atomic Weapons Establishment (AWE) Aldermaston ('Project Hydrus'). As local councillors representing Councils in England, Scotland, Wales, Northern Ireland and the Republic of Ireland, we share the concerns of members of West Berkshire Council that planning applications should be handled in an open and transparent way, and that the interests of the general public are considered fairly during the planning process.

The NFLA would like to make the following comments on the Project Hydrus planning application.

1. Important information about the risks to public safety and the environment posed by the new facility has not been disclosed to the public or the Council. The planning application for Project Hydrus is accompanied by a 'Defence Exempt Environmental Appraisal' report, rather than a full environmental impact assessment study. The Defence Exempt Environmental Appraisal report does not include key information about processes, risks, and wastes associated with the facility, and thus it will be very difficult for a planning committee to assess the scale of these impacts and come to an informed decision on any potential risks which may be posed by the proposed development.
2. It appears that the West Berkshire Council Planning Committee has only the assurances provided by the developer to guide its thinking on risks associated with the proposed development. The Council will be aware of the dangers in relying on information provided by a single interested party as a sole source of advice, and we should point out that safety assessments provided by the applicant, the Ministry of Defence, are not necessarily well prepared and can under-rate risks (see, for example, independent assessments of safety plans commissioned by MoD for HM Naval Base Clyde at <http://bit.ly/96w1oe> and <http://bit.ly/bBHUvm>). Members will be acutely aware of the recent fire at AWE Aldermaston, which shows that accidents can and do happen. The NFLA has written to the Health and Safety Executive about this incident to ensure a full, open and transparent inquiry is undertaken to ensure any emergency planning gaps are filled. Local authorities play an important role in safeguarding the public through the planning process and there can be no room for complacency on this matter.

3. It is unlikely that planning permission would be granted to a commercial developer who submitted an application for a similar facility without demonstrating how these risks would be mitigated. The Planning Committee may therefore wish to ask the Ministry of Defence to provide further information about the potential impacts of the proposed development, and if this information is not forthcoming, invite the Secretary of State to call in the application for determination at a public inquiry.
4. The NFLA appreciate that the proposed development is to be located on a defence establishment and that there are national security implications associated with the release of information about its operations. If the Ministry of Defence is unable to provide information on risks associated with the development to the planning committee, a route exists to allow the planning application to be dealt with at an appropriate level of confidentiality. A local planning authority is entitled to refuse to give its consent to development or ask for the matter to be called in if it considers that it lacks the information needed to make an informed decision on the application. The Secretary of State for Communities and Local Government then has the power under section 321(7) of the Town and Country Planning Act 1990 to give a direction restricting to appointed 'special advocates' the examination of the relevant evidence at the ensuing inquiry ('Crown Application of the Planning Acts.' Communities and Local Government Circular 02/2006, 7 June 2006. Paragraph 7, page 4).
5. Finally, there appears to be no evidence that the developer has made any effort to engage in dialogue on the application with AWE's neighbours, local communities, or the wider public. This represents poor practice – especially from a corporation of the scale of AWE – and evidence of public opinion on the development may be helpful to the planning committee before coming to a decision on the planning application.

The NFLA hopes these comments are helpful and will be received by the planning committee in the constructive spirit in which they are intended.

Yours faithfully,



Bailie George Regan
Chair of UK and Ireland Nuclear Free Local Authorities

Please note: This letter was discussed and endorsed at the meetings of the NFLA Scotland Forum on the 10th September and the NFLA UK and Ireland Steering Committee on the 17th September.

This letter has also been emailed to all NFLA member representatives and is also being sent directly to the members of the West Berkshire District Council Planning Committee.

The members that attended the NFLA meetings noted above (or sent their apologies and support the letter subsequently) are:

NFLA representative	Local authority
Bailie George Regan	Dundee City Council
Councillor Ralph Pryke	Leeds City Council
Councillor David Blackburn	Leeds City Council
Councillor Rilba Jones	Hull City Council

Councillor Peter Morrison	Manchester City Council
Councillor Afzal Khan	Manchester City Council
Councillor Euan McLeod	Glasgow City Council
Councillor Allison Hunter	Glasgow City Council
Councillor Audrey Doig	Renfrewshire Council
Councillor Brian Goodall	Fife County Council
Councillor Rick Nickerson	Shetland Island Council
Councillor Greg McCarra	West Lothian Council
Councillor Ray Davies	Caerphilly County Borough Council
Councillor Ed Bridges	Cardiff City Council
Councillor Stephen Churchman	Gwynedd County Council