

Response to Radioactive Waste Management's Consultation on Site Evaluation in Wales

March 2019

1. The Campaign for National Parks is the independent national voice for the 13 National Parks in England and Wales. Our mission is to inspire everyone to enjoy and look after National Parks – the nation's green treasures. We have been campaigning for over 80 years to ensure that our National Parks are beautiful, inspirational places that are relevant, valued and protected for all. Our response has been endorsed by the National Park Societies in Wales.
2. This response starts with some general comments about National Parks and geological disposal infrastructure and then sets out specific responses to some of the consultation questions. Our comments focus primarily on National Parks in line with our remit. However, many of the points we raise would also apply to Areas of Outstanding Natural Beauty (AONBs).

National Parks

3. We are very concerned that the proposals set out in this consultation document do not give adequate consideration to the national interest in National Parks. Their statutory purposes as set out in the *Environment Act 1995* are:
 - to conserve and enhance wildlife, cultural heritage and natural beauty; and
 - to promote opportunities for public enjoyment and understanding of their special qualities.
4. In pursuing these purposes, National Park Authorities (NPAs) also have a statutory duty to seek to foster the economic and social well-being of communities living within the National Park. Furthermore, the *Environment Act 1995* states that in those cases where there is a conflict between the purposes and reconciliation proves impossible, the first purpose should take precedence. This is known as the Sandford Principle.
5. National Parks contribute significantly to the well-being of the nation, by providing safe, attractive, healthy places for recreation. They also deliver key environmental resources and services, like water provision and carbon storage in peat soils and forests, which can mitigate the effects of climate change. As well as being inspiring places for people to enjoy and improve their health and well-being, National Parks make a significant contribution to the economy through tourism, farming, and other related businesses. The Welsh National Parks

currently attract nearly 12 million visitors a year, who spend more than £1 billion and support thousands of tourism related jobs¹.

6. The need for the specific circumstances which apply in National Parks to be taken into account in this process is something that we have raised in response to previous consultations relating to decisions on geological disposal infrastructure but so far our concerns have not been addressed. National Parks are national assets, created for the benefit of the nation and financially supported by the tax payer. As we highlighted in [our response](#) to the consultation on working with potential host communities last year, the community of people with a legitimate interest in what happens in National Parks extends right across the country. The only way of ensuring that all those affected have a reasonable opportunity to contribute to decisions relating to the siting of geological disposal infrastructure in a National Park would be to seek the views of people nationally at appropriate stages in the process and this would clearly have significant resource implications.
7. There are also other strong reasons why geological disposal infrastructure should not be located in a National Park as set out in [our response](#) to the consultation on the draft National Policy Statement (NPS). We believe that the alternative version of the NPS which excludes National Parks and other sensitive sites should have been selected and we have urged the Welsh Government to rule out National Parks in Wales as possible locations for geological disposal infrastructure.

Responses to selected consultation questions

Q1. Are there any other sources of high level Requirements, other than the Siting Process Requirements and the Legal Requirements identified, that you think should be reflected in the Site Evaluation and why?

8. Yes, all public bodies have a duty to take account of the potential effect of their decisions and activities on National Park purposes, including activities undertaken outside National Park boundaries which may affect land within them². This means that Radioactive Waste Management (RWM) should be seeking to conserve and enhance National Parks and their settings through all of its activities and should be placing a much stronger emphasis on ensuring that the creation of geological disposal infrastructure does not have a detrimental impact on National Parks and their settings, including in the site evaluation process.
9. This statutory duty must be reflected in the site evaluation process alongside the other legal requirements already identified. Failure to do so would mean that RWM is not taking proper account of the additional protections which apply in National Parks.

¹ http://www.nationalparkswales.gov.uk/__data/assets/pdf_file/0009/389727/Valuing-Wales-National-Parks-.pdf

² This requirement is in Section 11A(2) of the *National Parks and Access to the Countryside Act 1949* as amended by Section 62(2) of the *Environment Act 1995* and is often referred to as 'the S62 duty'.

Q4. Is there anything else that you think we should consider in our site evaluations and why?

10. It is also essential to consider the impacts of all the associated infrastructure requirements as well as the geological disposal infrastructure itself. For example, it is extremely unlikely that any location within a National Park or its setting would already have the appropriate transport infrastructure in place to deal with the additional traffic associated with the geological disposal infrastructure. There is a long-established presumption against significant road widening or the building of new roads in National Parks which is another reason why it is extremely inappropriate to consider these areas as possible locations for geological disposal infrastructure. The evaluation considerations for transport (as set out in Table 6) should also take account of all relevant policy, including details of the presumption against road-building in National Parks.

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