



2 MARSHAM STREET  
LONDON SW1P 3EB  
01-212 3434

My ref:

Your ref:

21 March 1986

*Dear Mark*

PRIME MINISTER'S MEETING WITH MR DOUGLAS HOGG: 21 MARCH

I attach, as requested, some briefing for the Prime Minister's meeting with Mr Douglas Hogg at 4.30pm today.

The briefing may well be rather too full for your needs and you may therefore think that Flag D in particular is not necessary. The Prime Minister will in any case be able to reply on the line that Mr Hogg is due to meet my Secretary of State on Monday night and can raise with him any specific points of detail.

The briefing is as follows:

- Flag A - Special Development Order and Mr Hogg's request for a debate on Select Committee Report
- Flag B - NIREX's past and proposed activity around Fulbeck
- Flag C - Mr Hogg's letters
- Flag D - Consolidated Fund Debate

I would be grateful for a short note of the meeting as soon as possible in order that we can prepare for Mr Hogg's meeting with my Secretary of State at 9.45pm on Monday 24 March.

*Yours sincerely*

*Sue Vandervord*

MISS SUE VANDERVORD  
Private Secretary

Mark Addison Esq



# TEMPORARY FILE TF/

ISSUED BY:—

[HQ Registry prefix  
and building  
or Region]

**SUBJECT** BRIEFING FOR THE PRIME MINISTER'S  
MEETING WITH MR. HOOG MP  
MREX NOTES.

RELATED REGISTERED FILE NO.....

LOCATION .....

**IMPORTANT** On completion of action the papers in this temporary file including this cover should be restored to their parent file **IMMEDIATELY**. They may only be removed from this cover by staff of the parent registry.

Referred to	Date	Referred to	Date	Referred to	Date
Asst Secretary of State M16/05	21/3/88				

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- (a) action is required on some documents only and the main file is not immediately available
- or (b) making a submission to the Secretary of State, Ministers or Senior officers (Dep. Sec. and above or Directors of Detached offices).



STATUTORY INSTRUMENTS

1986 NO.

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (NIREX) Special Development Order 1986

Made

Laid before Parliament

Coming into Operation

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 24 and 287(5) of the Town and Country Planning Act 1971 (a), and of all other powers enabling him in that behalf, hereby makes the following order:-

1. (1) This order may be cited as the Town and Country Planning (NIREX) Special Development Order 1986 and shall come into operation on 1986.

(2) This order shall apply to the areas of land described in the Schedule hereto.

2. Subject to the provisions of this order, the Town and Country Planning General Development Orders 1977 to 1985 (b) shall apply to the land to which this order applies.

3. Permission is hereby granted for the carrying out on land to which this order applies of development of any description specified in article 4 for the purposes of enabling United Kingdom NIREX Limited (in this order called "NIREX") to carry out geological investigations of land, or to have such investigations carried out on their behalf, to assess whether that land will be suitable

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(a) 1971 c.78;

(b) S.I. 1977/289; 1980/1946; 1981/245; 1569; 1983/1615; 1985/1011.  
and 1981.



for depositing low level or shorter-lived intermediate level radioactive waste, or both.

4. Subject to the conditions set out in article 5

the development permitted by this order is development by:-

- (a) the drilling of boreholes,
- (b) the making of trial pits and trenches,
- (c) the levelling of land,
- (d) the removal of topsoil,
- (e) the extraction and removal of materials for examination,
- (f) the carrying out of geophysical, geotechnical, geochemical and hydrogeological tests,
- (g) the temporary use of existing buildings on the land as offices, laboratories, workshops or stores or for any other purpose ancillary to the investigation of the land,
- (h) the stationing on the land of any temporary buildings, plant, equipment or other structures or erections needed in connection with the operations,
- (j) the laying down of hard-core for the stationing of any such temporary structures or of vehicles.

5. This permission is granted subject to the following conditions:-

- (a) no operations shall be carried out on Sunday or between the hours of  $\overline{\quad}$   $\overline{\quad}$  and  $\overline{\quad}$   $\overline{\quad}$ ;
- (b) where it is proposed to carry out further work on any borehole it shall be secured by the fitting of a suitable cover; and
- (c) when the investigation of the land has been completed:-



- (i) any boreholes shall be suitably sealed or secured;
- (ii) all temporary buildings, plant, equipment and other structures or erections used for the purpose of the operations shall be removed from the land;
- (iii) all use of existing buildings on the land for purposes connected with such investigations shall cease, and
- (iv) the surface of the land shall be restored to its condition before the development took place.



## SCHEDULE

### Land to which this Order applies

#### Elstow Storage Depot

1. Approximately 178 hectares of land, known as the Elstow Storage Depot, which is situated 12 km south of Bedford in the north part of the Marston Vale and which is edged with a bold black line on the map, four copies of which have been prepared, and marked "Map No 1 referred to in the Town and Country Planning (NIREX) Special Development Order 1986" of which one copy is deposited in the offices of the Secretary of State for the Environment, one copy is deposited in the offices of the North Bedfordshire Borough Council and the Mid-Bedfordshire District Council and the other copy of which is deposited in the offices of NIREX.

#### Fulbeck Airfield

II. Approximately 200 hectares of land, known as Fulbeck Airfield, which is situated south of the A17 trunk road, approximately 12 km to the east of Newark and 1 km south of the hamlet of Stragglethorpe and which is shown edged with a bold black line on the map, four copies of which have been prepared and marked "Map No 2 referred to in the Town and Country Planning (NIREX) Special Development Order 1986" of which one copy is deposited in the offices of the Secretary of State for the Environment, one copy is deposited in the offices of the North Kesteven and South Kesteven District Councils and the other copy of which is deposited in the offices of NIREX.

#### Bradwell

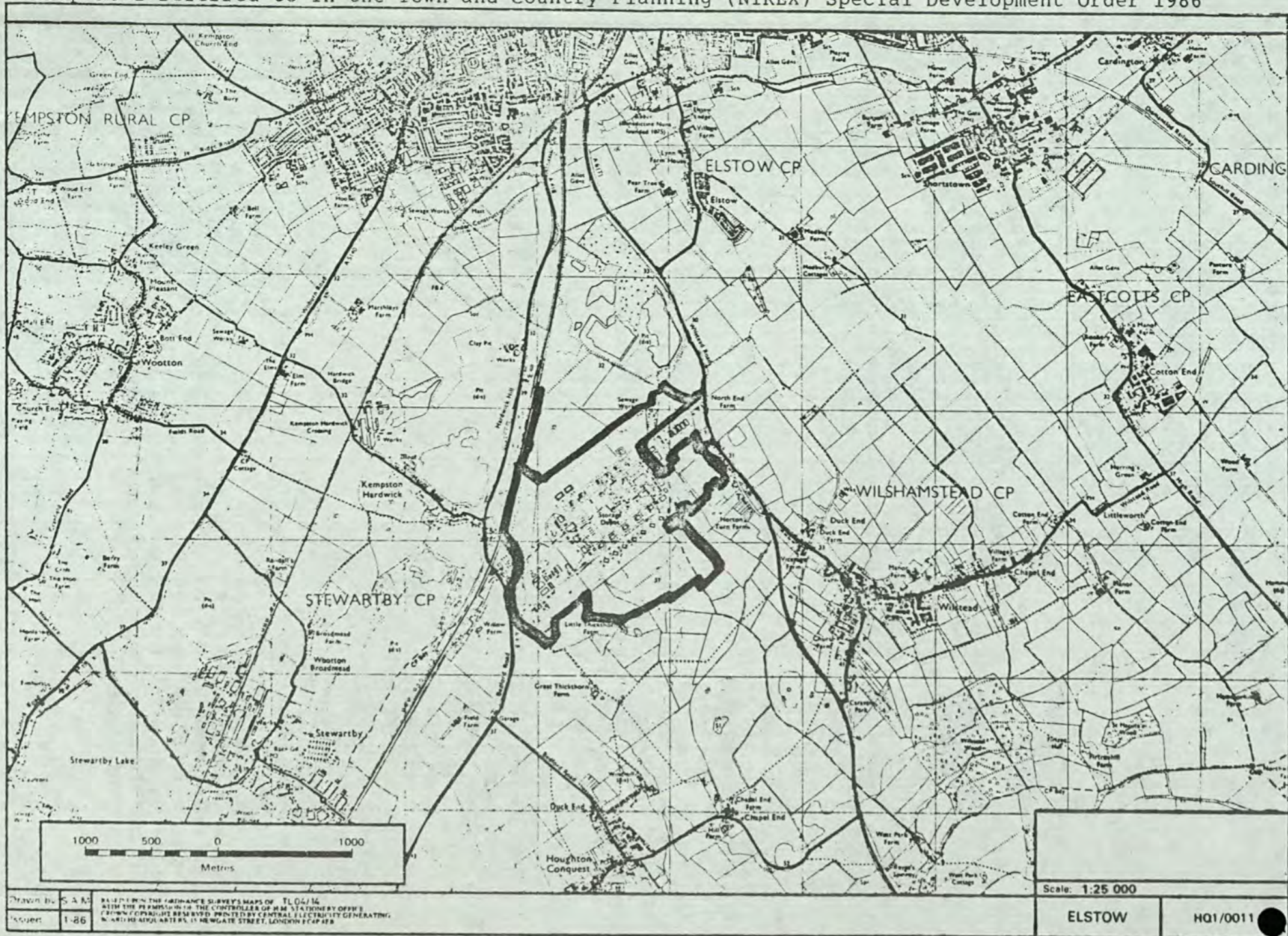
III. Approximately 210 hectares of land, forming part of the Bradwell Nuclear Power Station site, on the southern bank of the Blackwater Estuary, and which is shown edged with a bold black line on the map prepared in triplicate and marked "Map No 3 referred to in the Town and Country Planning (NIREX) Special Development Order 1986" of which one copy is deposited in the offices of the Secretary of State for the Environment, one copy is deposited in the offices of the Maldon District Council and the other copy of which is deposited in the offices of NIREX.

#### South Killingholme

IV. Approximately 260 hectares of land in five sections, known as the Killingholme Power Station site which is situated between the village of East Halton and the river Humber approximately 11 km south east of Kingston upon Hull, and which is shown edged with a bold black line on the map prepared in triplicate and marked "Map No 4 referred to in the Town and Country Planning (NIREX) Special Development Order 1986" of which one copy is deposited in the offices of the Secretary of State for the Environment, one copy is deposited in the offices of the Glenford Borough Council and the other copy of which is deposited in the offices of NIREX.



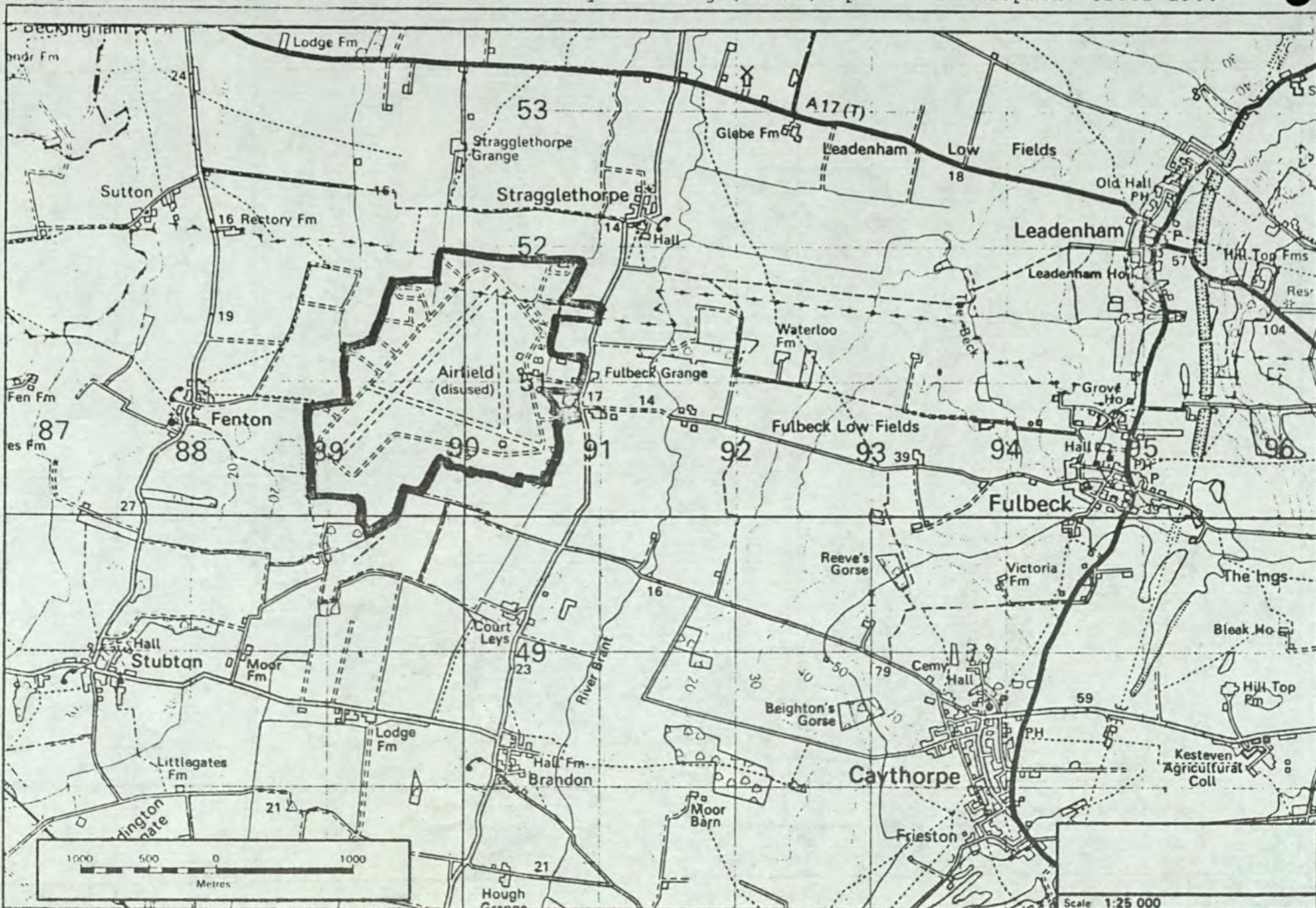
Map No 1 referred to in the Town and Country Planning (NIREX) Special Development Order 1986



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Map No 2 referred to in the Town and Country Planning (NIREX) Special Development Order 1986



Drawn by S.A.M.  
 1-86  
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Scale 1:25 000  
**FULBECK**  
 HQ1/0012





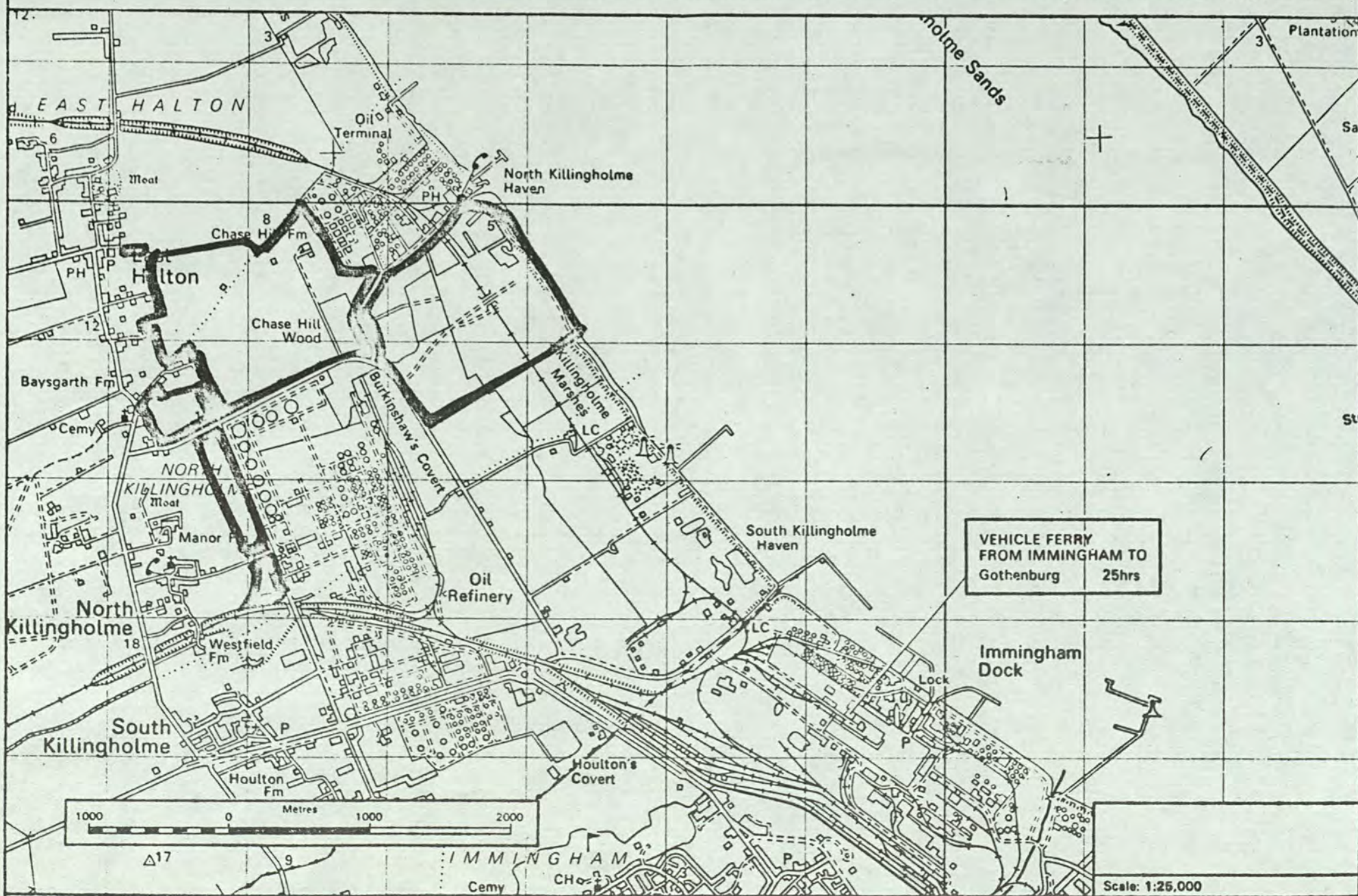
Drawn by RS  
 Issued 11-85

BASED UPON THE CURRENT MAPS & PLANS OF THE PERMITTED OF THE CONTROLLER OF HIS MAJESTY'S STATIONERY OFFICE. COURTESY OF THE DISTRICT COUNCIL OF BRADWELL-ON-SEA. THE DISTRICT COUNCIL OF BRADWELL-ON-SEA HAS AGREED TO BE THE AUTHORITY GENERATING THESE PLANS. A FURTHER LIST OF THE STATIONS GENERATING THESE PLANS IS AVAILABLE FROM THE DISTRICT COUNCIL OF BRADWELL-ON-SEA. TAKEN FROM O.S. SHEET TA 11, 12, 21 & 22

Scale: 1:25,000	
BRADWELL	GEN/1/2/16306



Map No 4 referred to in the Town and Country Planning (NIREX) Special Development Order 1986



VEHICLE FERRY  
FROM IMMINGHAM TO  
Gothenburg 25hrs



Scale: 1:25,000

Drawn by RS  
ISSUED UNDER THE ORDINANCE SURVEY'S MAPS BY  
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Taken from O.S. Sheets TA 11, 12, 21 & 22

KILLINGHOLME GEN/1/2/16307

-VII-



## NIREX SPECIAL DEVELOPMENT ORDER: TIMING

1. Special Development Orders (SDO) are statutory instruments subject to negative resolution. They lie before Parliament for 40 days. There is no statutory requirement for the Government to consult anyone over SDOs. In view of public sensitivity over NIREX sites, however, DOE Ministers sent a draft of the Order to the local authorities and water authorities for the areas concerned for comment (a copy is opposite).
2. The consultation period ends on 11 April. It is hoped to lay the Order before Parliament in late April.
3. Mr Hogg has written to the Environment Secretary telling him that he intends to move that the Order be negatived. The Lord Privy Seal's office have been asked to reserve a slot provisionally in early May for a debate.
4. Technically, SDOs can come into effect 21 days after being laid but in this instance NIREX will not start work on site before the full 40 day period has elapsed. NIREX hope to be on site in June.

## DEBATE ON ENVIRONMENT SELECT COMMITTEE'S REPORT ON RADIOACTIVE WASTE

5. Mr Hogg may press for the report to be debated before the SDO.
6. Line to take: Ministers are considering the form and timing of a response to the Select Committee. Such a wide-ranging report ~~the~~ must be given the consideration it deserves. This is unlikely to be completed before the SDO debate [If it takes longer than the 2 months we should respond in, the Chairman of the Committee will be told.]



## NIREX ACTIVITY AROUND THE SITE SINCE THE ANNOUNCEMENT

1. Since the sites were announced on 25 February NIREX have attended several public meetings in local villages. They have also met the tenants currently farming the Fulbeck site, other local farmers and local councils on separate occasions. They have given a presentation to county councillors and, the day after the announcement, held a press conference at Fulbeck.
2. The press conference gave rise to some bad feeling locally. A local land-owner, Mr Julian Fane, wrote to the Prime Minister as a result. A copy of his letter and a proposed draft reply are at flag B1. The main complaint is that the NIREX representative, the deputy M.D., Mr Ginniff, initially refused to allow a local person to attend the conference, yielding only under pressure.
3. The Chairman of NIREX has written to Mr Fane, offering to meet him and suggesting that Lord Marshall visit Fulbeck to speak on radioactive wastes. Mrs Rumbold's meeting with local councillors, which Mr Fane attended, on 11 March also seems to have had a beneficial effect.
4. The presentation (by Mr Ginniff) to the county council appears to have been reasonably well received. Some of the facts of NIREX's case alarmed councillors however.

## PROPOSED NIREX ACTIVITY UNTIL END OF CONSULTATION ON THE SDO

5. Further public meetings are planned, including a debate with Friends of the Earth at Grantham. A meeting with South Kesteven District Council is in hand. Mr Ginniff will only be involved in a few of these.
6. NIREX hope to open a local information office in Grantham. Possible premises have been found. No opening date has been fixed.



NIREX'S PUBLIC RELATIONS GENERALLY

7. NIREX are bound to attract criticism whatever they do because of the inherent unpopularity of their activities. Nonetheless, they appear to have got off to an unnecessarily bad start at Fulbeck (the launches at Bradwell and South Killingholme appear to have gone better). The Secretary of State for the Environment proposes to discuss NIREX's public relations with their Chairman and the Energy Secretary shortly, subject to the Energy Secretary's agreement.



I am sorry to write at length about nuclear dumping at Fulbeck but I do feel that the Cabinet should know how NIREX treated the local people in the first few days of the announcement.

On Tuesday 25 February the people of this area heard of the proposal either via Radio Lincolnshire or by reading "The Guardian". It is difficult to put into words the sense of shock. National and local press and television descended on what you know is a very attractive conservation village and our first introduction to Mr Ginniff, Deputy Chairman of NIREX, was on the evening news. His comment on Fulbeck was "It has only 500 people" (4,500 people live within 3 miles).

Mr Ginniff, as spokesman for NIREX planning to come to Fulbeck for 300 years, can hardly have stated in a less endearing way by dismissing us as just 500 people.

At 9 am on Wednesday 26 February I introduced myself to Mr Ginniff in the Hare and Hounds suggesting he could have been more careful in his approach to the people of this area. He was immediately very aggressive and asked me what I mean't. He had booked the pub sometime before this for his 10 am press conference. At this stage he had made no contact at all with John Parbardy who is Chairman of the Parish Council. I asked him if he would allow a member of the Parish Council to be present. His immediate reply was NO. Eventually he agreed to our Rector being at his press conference.

I then left to go about my work but after his conference he spoke to some local people who were naturally angry and replied to one person stating "Now come on laddie".

Trust has to be earned and Mr Ginniff certainly managed to destroy all trust we could possibly have had.

I understand from a director of East Midland Electricity Board that the Nuclear Industry have a confidential document laying down guidelines on how NIREX should behave on such an



occasion. I would suggest that Mr Ginniff has not adhered to this policy although obviously I have not seen this document.

Mrs Rumbold is coming to Lincolnshire to speak to the local District and County councils. At present Fulbeck has been refused, when we asked for one person to be at this meeting. Once more we seem to have no chance to say anything to Government. I hope before Tuesday this lack of representation will be rectified.

Shock and complete despair are our present feelings.



DRAFT LETTER FROM PRIME MINISTER TO JULIAN FANE

Thank you for writing to me on 13 March about the way in which the announcement on 25 February was handled locally at Fulbeck. I am naturally concerned.

NIREX were not able to warn the local people in advance because of the need to make the announcement first to Parliament. This was done by Kenneth Baker at 3.30pm. Unfortunately, the names of the sites to be announced were leaked to the media in advance and this accounts for the stories carried on Radio Lincolnshire and the Guardian.

This does not, however, explain the particular difficulties you encountered with NIREX. I understand that the Chairman of NIREX, John Baker, has written to you subsequently and I hope that this will have been of some reassurance. I would certainly encourage you to take up his suggestion that you might invite Walter Marshall to give a lecture on radioactive wastes. I am sure that this will help to promote understanding locally.

I also understand that you were able to see Angela Rumbold when she visited Lincoln on 13 March. She found the meeting with you helpful. From your subsequent letter to her I see that you did too. After what has clearly been a shaky beginning I hope it will be possible to establish a constructive relationship between NIREX and the local community.



① To see  
 ② Mr Ballard  
 FULBECK MANOR.  
 GRANTHAM,  
 LINCOLNSHIRE. NG32 3JN.  
 LOVEDEN (0400) 72231.

advice please  
 PS/SRS  
 PS/WW  
 17 March 86

JAB  
 17 MAR 1986

Dear Sirs,  
 Thank you very much for allowing  
 me to join the Legation in Lovel on  
 Tuesday night.

I felt it was very valuable  
 and at least the local people now  
 feel we have some contacts with  
 your Ministry and someone we can  
 trust.

It is very sad NIREX treated  
 us so badly in the first few hours  
 and I enclose a letter from their



to Baker - I shall reply to this  
after my next LAND Steering Co. meeting  
meeting on Mon 17 March.

I am writing this while the  
debate is going on in the House and  
will be interested to hear the results.  
The Select Committee report has not  
helped McRae's case and I was  
interested to note the members for  
Newark was a strong committee.

The evidence, to stop and  
think again, seems overwhelming. I  
have today heard of another case of  
blight in Suffolk and details will be  
sent to Douglas Hoag.

My Committee and myself



2

my well be it kind again  
as the whole drama unfolds.

Once again thank you for  
allowing me to come to W. Col. I  
still cannot understand why the  
Committee were against my presence.

Yours Sincerely

Julian Pine.

P.S. You will always be welcome in  
Pulbeck anytime.

P50



I have just opened that letter.  
again having heard NIREX's  
offer to compensate blast victims -  
1 mile of the Airfield. Fulbeck  
is the immediate name and that  
offer is pathetic. How can  
they annoy the local people  
any more - Fulbeck is 2 1/2 miles  
away. LAND will simply not  
accept such an offer.

Tulsa Press.



A

CENTRAL ELECTRICITY GENERATING BOARD

*Sudbury House, 15 Newgate Street, London EC1A 7AU. Telephone 01-634 5111*

*From: John Baker  
Board Member*

12 March 1986

Julian Fane JP  
Fulbeck Manor  
Grantham  
Lincolnshire

*Dear Mr Fane,*

I am writing to you as Chairman of Nirex, though on CEGB note-paper, following a most helpful discussion with Geordie Boyle. He told me of the difficulties that have arisen from the way in which the announcement of NIREX's interest in the Fulbeck site was handled. I had in fact begged Ministers to allow me to talk to people in the locality at each site before the announcement was made but I am afraid I did not prevail.

I understand, of course, why people at Fulbeck will be concerned and anxious at their inclusion on the list of possible sites. If however there is anything I can do to help understanding of what is involved or to make sure I have heard correctly the nature of people's concern, then I would want to accept that opportunity.

Two possibilities immediately occur. First, if you would find it helpful, I would be very happy to come to see you to talk the whole matter through, since I do regard it as an important part of my job to ensure that you are fully informed as to what is going on.

Second, the gap between expert and popular understanding about the nature of radioactive wastes and the means of dealing with them must be one of the largest communication failures any of us have ever known. My CEGB Chairman, Lord Marshall, has developed a lecture specifically addressed to this issue which includes a demonstration of the nature of radioactive wastes. He has told me that he would be willing to come to Fulbeck sometime in the next few weeks to give this lecture to a local audience if that would be helpful. Normally I would look to the Chairman of the Local District Council or someone similar to issue such an



invitation. I wonder if you would like to think about whether there would be merit in an invitation reaching Lord Marshall to give his lecture locally and, if so, whether you feel that it could come from yourself or whether you could arrange for it to come from elsewhere.

In short, I realise we may have got off to a bad start. I do not wish to excuse that but I would like an opportunity to see what we could do to improve communications between Fulbeck and NIREX, particularly since I am concerned that if there is public anxiety then it should at least be on the basis of a full understanding of what is involved.

Please let me know whether any of these suggestions are helpful to you.

Yours truly  
John Bal

P.S. I am not sure what material you may have seen about NIREX and its activities, but in case we have missed you out, you may like to browse through the three enclosed publications.



## LETTERS FROM FM HOGG

1. Mr Hogg has written three letters recently to the Environment Secretary. copies are at Ci. A portmanteau draft reply is in hand. The final draft will take account of the outcome of the Prime Minister's meeting. Briefing on the points raised by Mr Hogg is below.

Letter of 4 March

2. NIREX should disclose information from the geological investigations of the site as it arises.

3. Line to take: this would be inpracticable. Data needs analysis. NIREX would however be willing to make information available at an interim stage, before the final results are known. Mr Hogg may wish to suggest when this should be.

4. Lincolnshire County Council should be funded by NIREX to enable them to analyse the data.

5. Line to take: this is a matter for NIREX. We doubt if analysis by the Council is required. DOE/MAFF will arrange for an independent assessment to be made of proposals from NIREX to ensure that radiological requirements are met. Furthermore, such funding would cut across the long-established principle that objectors at public inquiries should meet their own costs (the geological data is bound to be produced as evidence at any inquiry into NIREX's proposals for development).

6. NIREX should pay fuller compensation than currently proposed to those whose property loses value because of their activities.

7. Background: NIREX have said they will compensate property owners within a mile of a site's boundary, where loss of value can be attributed to their activities. This will only apply once one of the four sites is chosen for development.

8. Mrs Rumbold thinks this inadequate. We are about to discuss with NIREX the possibility of them paying compensation.



- a. within a wider geographical area (possibly 5 miles);
- b. before a site is chosen; and
- c. not only paying compensation, but ~~to~~ buying affected property outright.

9. Line to take: the Government will be discussing this with NIREX.

First letter of 12 March

10. NIREX's proposals for drilling at the sites should be subjected to independent scrutiny by British Geological Survey or the Environment Secretary and made subject to their prior approval.

11. Line to take; the SDO, which requires parliament's approval, will give permission in general terms for the drilling. The work will be carried out by independent contractors (~~with advice~~<sup>from</sup> the British Geological Survey). The results, as I have said, will be independently analysed by the DOE.

Second letter of 12 March

12.

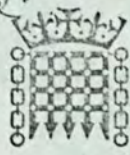
12. this merely records Mr Hogg's intention to oppose the SDO.



CI  
MR. HOGG'S  
LETTERS

Adv. ph. for Mr. Wally... DOUGLAS HOGG, M.P.  
Mr Hogg Ballard

PS/Mr Wadegrave

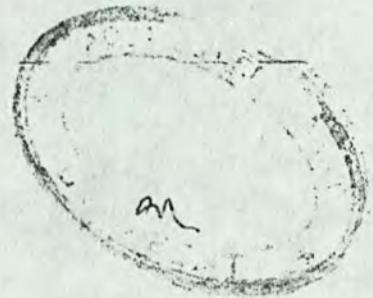


HOUSE OF COMMONS  
LONDON SW1A 0AA

March 4th 1986

DEPARTMENT OF THE ENVIRONMENT  
- 7 MAR 1986  
PRIVATE MAIL

The Rt. Hon. Kenneth Baker MP  
Secretary of State  
Department of the Environment  
2 Marsham Street  
London SW1



\* Dear George Kennell

RE: FULBECK AIRFIELD

I have had an opportunity of studying the draft Special Development Order which you have prepared and which is to be laid before the House of Commons at the end of April.

I think that I should make it absolutely clear to you that my constituents and I are wholly opposed to this scheme. We do not believe that the technology is proven. We do not think that Fulbeck is the appropriate site. We have grave reservations about the safety of what is proposed. We believe that quite undue financial hardship will be caused to individuals.

Unless and until we can be satisfied on each of these points my constituents and I will resolutely oppose this scheme.

I would in the meantime like to draw your attention to the terms of the Special Development Order. There are three additional 'conditions' which I would like you to consider.

The first condition is that NIREX should disclose to the Lincolnshire County Council (and indeed all relevant County Councils) all the data that is obtained from the surveying and exploratory work carried out at Fulbeck and the other three sites. Time limits would have to be imposed with regard to disclosure. The object of this would be to enable local residents to be fully acquainted with all relevant facts. This surely is an essential element which must be satisfied?

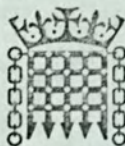
The second and related matter is that cost to local residents of analysing the data thus disclosed. I would suggest that NIREX should set up a fund and be required to pay during the initial exploratory period a sum of up to (say) £100,000. so as to enable interested bodies to finance an independent scrutiny of the data disclosed. Clearly we would have to discuss the identity of the payees. My initial suggestion is that the money should be paid to the Lincolnshire County Council and dispersed by them.

continued/...

\* Apologies: my mind was wandering!



DOUGLAS HOGG, M.P.



HOUSE OF COMMONS  
LONDON SW1A 0AA

Page 2

The third condition which I would like to suggest to you relates to compensation for financial loss. You will appreciate that the announcement of NIREX's scheme is likely to lead to prospective vendors of land being unable to sell their property or alternatively being able to sell that property only at undervaluation. It seems to me that NIREX should pay the cost of such a loss. I would therefore suggest that a further condition should be that NIREX should be required to fund the difference between the sale price and the market price - the latter to be assessed without regard for the blight caused by NIREX's proposals.

In the event of property genuinely on sale not being sold at a reasonable price, NIREX should be under an obligation to purchase that property at market value.

I realise that all of these proposals are novel in character. The circumstances are however unusual and grave.

I would greatly welcome a meeting with either yourself or with William Waldegrave to discuss these proposals further.

I look forward to seeing you in the near future.

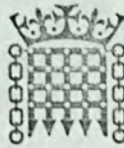
Yours ever,

A handwritten signature in cursive script, appearing to read 'D Hogg', written in dark ink. Below the signature is a long, thin horizontal line.



DOUGLAS HOGG, M.P.

PJ/WW



HOUSE OF COMMONS  
LONDON SW1A 0AA

Adv ple for Mr Wallace

Mr Ballard

cc ~~Mr Rumbold~~  
~~Dr Hodge~~

~~Mr Bonford~~

March 12th 1986

The Rt. Hon. Kenneth Baker MP  
Secretary of State  
Department of the Environment  
2 Marsham Street  
London SW1

Mr. Chapman.

If NIREX don't get it  
right they won't be able  
to mount a convincing case for  
the public inquiry.

243  
12/3/86

Dear Kenneth

RE: SPECIAL DEVELOPMENT ORDER - FULBECK

You will by now have received the letter that I wrote to you last week suggesting three conditions which should be incorporated into the Special Development Order which you intend to lay before Parliament next month.

I have a further proposal to put to you;-

I would like to see some scheme adopted which subjected NIREX's proposals for boring to preliminary scrutiny. My constituents are concerned that NIREX will not chose for their test bore holes within the Fulbeck complex sites which are either sufficiently numerous or well placed in their siting as to ensure the proper and comprehensive survey.

I would therefore like to suggest that a condition of the Special Development Order is that before NIREX should commence test boring they should submit to independent scrutiny a scheme for that boring and that the actual undertaking of the bore holes should be subject to prior approval. I would suggest that either the Secretary of State or(say) the President of British Geological Survey should be asked to approve the siting of the bore holes prior to the exploratory work being carried and that this approval should be a necessary precondition to the work being carried out.

Yours ever,

Douglas Hogg

4.

I think that a  
meeting with you or  
William would be helpful

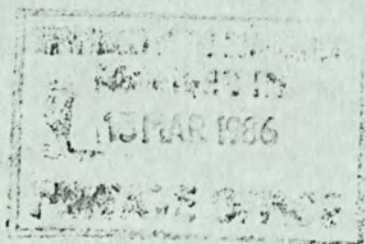


4-3  
DOUGLAS HOGG, M.P.

PS/VW 1



HOUSE OF COMMONS  
LONDON SW1A 0AA



March 12th 1986

The Rt.Hon. Kenneth Baker MP  
Secretary of State  
Department of the Environment  
2 Marsham Street  
London SW1

Adv ple for  
Mr Waldegrave :  
Mr Baller  
a PS / Mr Brentnall  
Dr Holdgate  
Mr Ponsford

Dear Kenneth

Mr. Chapman  
Mr. Bates  
Empire m.  
WBL  
1810

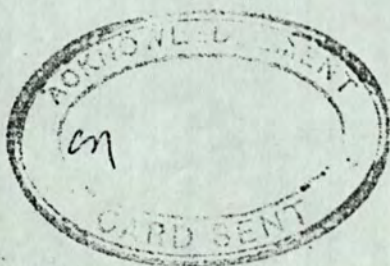
RE: SPECIAL DEVELOPMENT ORDER

I refer to the Special Development Order which you are going to lay before Parliament in April regarding four possible sites for the disposal of nuclear waste.

This is to give you formal notice that I intend to move that the Special Development Order should be negated.

Accordingly I would be extremely grateful if you could give me ample warning of the date when you propose to lay the Special Development Order before the House of Commons. Two or three days prior notice would be most welcome.

Yours  
Douglas





## CONSOLIDATED FUND DEBATE ON 13 MARCH

1. Radioactive waste disposal was one of the subjects debated. Mr Hogg spoke. Mrs Rumbold replied. Extracts from Hansard are at flag D. Mr Hogg made several points.
2. Near-surface land disposal is not safe; few other countries practice it.
3. Line to take: Research here and abroad shows it to be technically feasible and safe. France, the USA and Canada all practice such disposal; Japan is considering it.
4. NIREX's proposals conflict with the recommendations of the Environment Select Committee's Report on radioactive waste
5. Line to take: It is true that the Committee favoured near-surface disposal for shorter-lived, low level radioactive waste only, whereas NIREX wish to dispose of longer-lived low level, and shorter lived intermediate level wastes in that way as well. However, the Committee endorsed NIREX's role generally. We shall formally respond to the Committee in due course.
6. Final details of what can be sent to any specific site, however, will be subject to the detailed site investigations and the need to meet the Government's criteria for authorising a site contained in the "Assessment Principles": copy opposite 7.
7. Alternative disposal methods should be considered.
8. Line to take: The recent study of best practicable environmental options (BPEO's) for radioactive waste management, supervised by DOE, considered all the main methods. It found near-surface disposal on land to be BPEO for most low level, and some intermediate level, wastes.



## Orders of the Day

### Consolidated Fund (No. 2) Bill

*Order for Second Reading read.*

*Question, That the Bill be now read the Second time, put forthwith pursuant to Standing Order No. 113 (Consolidated Fund Bills), and agreed to.*

*Bill accordingly read a Second time.*

*Question, That the Bill be now read a Third time, put and agreed to.*

*Bill accordingly read the Third time, and passed.*

### Nuclear Waste

*Motion made, and Question proposed, pursuant to Standing Order No. 113(2) (Consolidated Fund Bills), That this House do now adjourn.—[Mr. Sainsbury.]*

4 pm

**Mr. Douglas Hogg (Grantham):** The disposal of nuclear waste material has now become an issue of general and intense concern to the British people. Therefore, I am grateful for this opportunity to discuss at such an early time those matters that lie at the heart of the report published yesterday by the Environment Select Committee.

One consequence of that general interest is that so many of my right hon. and hon. Friends are present now to show their interest. I am particularly glad to see my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell), my hon. Friends the Members for Gainsborough and Horncastle (Mr. Leigh), and for Brigg and Cleethorpes (Mr. Brown), my right hon. Friend the Member for Castle Point (Sir B. Braine), and Opposition Members.

**Mr. D. N. Campbell-Savours (Workington):** What about the Chief Whip?

**Mr. Hogg:** I am coming to the Chief Whip. I have no doubt that all of them will seek to catch your eye, Mr. Speaker, during the debate.

We who can speak in this place on this matter are a great deal more fortunate than those who by reason of their office are precluded from speaking. I am referring to my right hon. Friend the Member for Colchester, South and Maldon (Mr. Wakeham), the Patronage Secretary. His opposition to the suggestion that this material should go to Bradwell in his constituency is matched only by my opposition to the suggestion that it should go to Fulbeck—

**Mr. Kenneth Carlisle (Lincoln):** and mine.

**Mr. Hogg:** It is also matched by that of my hon. Friend the Member for Lincoln (Mr. Carlisle). We welcome the presence of the Chief Whip on the Front Bench because he will lend powerful support to my arguments.

On 25 February 1986 my right hon. Friend the Secretary of State for the Environment made a statement to the House that to the effect NIREX had identified four possible sites for the disposal of low-level and short-lived intermediate level nuclear waste. Those places are Elstow, Bradwell, South Killingholme and Fulbeck airfield, which is in my constituency. I wish to make it plain that my constituents wholly and utterly reject the suggestion that nuclear waste should be brought to Fulbeck airfield. We

shall fight this proposal on three grounds. First, we shall contend that a near surface disposable system is not a proper, safe or necessary way of disposing of intermediate level waste. Secondly, we shall say that the hydrological and geological properties that are to be found at Fulbeck airfield are inappropriate for the construction of a near surface disposal site. Thirdly, we shall say that we believe that the road communications to the site are such that no safe system of transporting nuclear waste to the airfield is possible. Those will be our main, but not our only arguments.

Today, I should like to concentrate on one argument, the proposition that surface or near surface disposal systems are not a safe, necessary or appropriate way of disposing of intermediate level waste.

**Mr. Campbell-Savours:** On several occasions, I have given what I believe to be the solution to the problem. Will the hon. Gentleman make it clear during his speech how he thinks we shall ultimately resolve this difficulty? I trust that he will not suggest putting the site in another constituency. Will he put a real and sensible proposition to the House?

**Mr. Hogg:** I agree entirely with the hon. Gentleman, and I hope that I shall satisfy him on that point.

The proposition that lies at the core of all the arguments is that near surface disposal facilities are not a proper, safe or necessary way of disposing of intermediate level waste. I am supported in that argument by my right hon. Friend the Chief Whip and my hon. Friends who represent affected constituencies and who are present, especially my hon. Friend the Member for Lincoln.

**Mr. Kenneth Carlisle:** If there is to be any storage of nuclear waste, the method must be absolutely safe. All of us would support my hon. Friend in that.

**Mr. Hogg:** I entirely agree with my hon. Friend. The core of our argument is our grave doubt whether near surface disposal facilities are safe for the purposes of keeping intermediate level nuclear waste. We are at one on that point because we do not believe that it is a safe system.

I recognise that some people will say that we are making narrow constituency points. *[Interruption.]* I am glad that Opposition Members deprecate that idea, and I hope to persuade them that that is not so. The argument of my constituents and of myself is backed by the great weight of informed opinion. Moreover, it is backed by past practice, and justified by policies that are being or are about to be implemented in most OECD nuclear nations.

Let us take first the report of the Select Committee. Hon. Members will bear in mind that without exception none of the Members of the Select Committee had a direct constituency angle to express. Their report is categorical in its terms. Paragraph 99 states:

"The poor research in the United Kingdom means that it is impossible at this stage for us to recommend any disposal options with total confidence . . . We recommend that near surface disposal facilities are only acceptable for short-lived low-level wastes and must be fully engineered on a complete containment basis."

NIREX is suggesting that a near surface disposal facility should be used, not only for low level waste, but for intermediate level waste having a half life of 30 years. Therefore, NIREX's proposal flies directly in the fact of one of the major conclusions of the Select Committee's report. That brings me to my second point.



[Mr. Hogg]

NIREX's proposals are contrary to what is becoming general practice in the nuclear nations. With the exception of the United States and France, all nuclear nations are proposing to store all nuclear waste material in deep geological sites. France has a near surface site at Centre de la Manche near Cherbourg. That site is disposing of intermediate level waste in an engineered container but the site is close to the sea. Therefore should there be an accidental outflow of tainted material it will flow into the sea and be dispersed. For reasons appreciated by Lincolnshire Members that is not true of Fulbeck.

In every other nuclear country—Germany, Sweden, Switzerland, Belgium, Canada and Finland—all nuclear waste material, low level or intermediate level, will be disposed of in deep geological sites. These sites are usually thousands of feet below the surface and are protected from mankind by strata of rock. NIREX's proposals are directly contrary to what has become an accepted policy within all OECD nuclear countries.

**Mr. David Alton** (Liverpool, Mossley Hill): Is it not true that the United States is also looking at deep disposal sites? There is a proposed site at Hanford near Seattle, in the state of Washington. Therefore the United States is moving towards deep geological sites for disposal rather than using the option that NIREX has put forward.

**Mr. Hogg:** The hon. Gentleman is quite right. However I wish to be strictly accurate. In the case of the United States and France intermediate waste has been, and continues to be, disposed of at near surface disposal sites.

It is frequently argued either expressly or by implication that there is no alternative to near surface disposal sites. That is manifestly untrue. West Germany has a deep geological site in Lower Saxony at Gorleben which is in the process of construction and will be ready to receive nuclear waste shortly. However, no sites in Britain are being examined for that purpose. That is despite the fact that the Select Committee on the Environment was informed by no less a person than Dr. Feates of the Department of the Environment that some 15 per cent. of this country may be suitable for the disposal of high level radioactive waste.

There are other methods by which this problem can be resolved. There is the seabed option which could use any of three methods. First, there is the method of using oil drilling techniques to drill deep boreholes into the continental shelf, where the waste could be stored. Secondly, waste could be disposed into the deep ocean seabed either by drilling or by emplacement. Thirdly, material could be disposed of in horizontal tunnels and caverns excavated under the seabed and from the coast.

These are no idle or academic dreams and they are already being brought into existence. In Sweden, for example, there is a planned operational site at Forsmark on the east Baltic coast. In three years' time that site will be ready to receive low level and intermediate level waste. The technology is already available for implementing the oil drilling option. The problem is not technology but the fact that the nuclear industry has been so slow to investigate the possibilities that technology offers. I was concerned to learn from paragraph 93 of the Select Committee on the Environment's report that it was not until March 1985 that NIREX placed a contract for examining the oil drilling option.

There are alternative methods for disposing of low level and intermediate waste. The fact that NIREX does not come forward with alternatives to the near surface system does not reflect any lack of available alternatives but reflects the failure on its part to follow any sustained and consistent research into the alternatives. We have the right to expect that research. As long ago as 1976 the Flowers report said:

"the United Kingdom now appears conspicuously backward among nations with significant nuclear programmes in its consideration and funding of studies related to geological disposal of the radioactive waste".

I note with concern that the Select Committee echoes that view when it states:

"All that we have seen confirms that impression, save that we are now nearly ten years further behind."

It is wrong to suppose that there is an immediate and pressing need to find another site for the disposal of intermediate nuclear waste which in any way overrides the paramount need for appropriate research. There is no such pressing and urgent need. It is clear that we have enough capacity for a long time. The life of the facility at Drigg can be greatly extended if the operators on that site would show more discrimination as to the volume and type of material that they store there. If the operators could be induced to use the modern techniques of incineration and compaction Drigg could carry on longer still. Those materials which are not suitable for Drigg can be stored at existing facilities, most notably at Sellafield, until proper alternatives can be devised.

I do not believe that a near surface disposal system for the disposal of intermediate level nuclear waste will ever be willingly accepted by my constituents at Fulbeck—or indeed by any other community. That is a fact that the House and as a consequence, the country, has to face. The scheme put forward by NIREX is contrary to the recommendations of the Select Committee. It is contrary to the weight of informed opinion and it is contrary to what we have learnt in the past. It ignores the existence and the establishment of alternative methods of disposal. It reflects a certain complacency, a lack of sensitivity, a lack of research and, dare I say, a certain incompetence on the part of the British nuclear industry.

Those of us who represent the people of Bradwell, South Killingholme, Elstow and Fulbeck—we are all present today—will not deliver the British nuclear industry from the consequences of its own omissions or the consequences of its past errors.

4.19 pm

**Mr. David Alton** (Liverpool, Mossley Hill): It is a pleasure to follow the speech of the hon. Member for Grantham (Mr. Hogg). He said that there is no pressing or urgent need to take decisions on the NIREX sites. I agree that it is too soon to take these far-reaching decisions, and I have the feeling that we are being bounced into taking decisions that will have enormous consequences for the communities to which the hon. Gentleman referred.

I am glad that the hon. Gentleman talked about some of the other longer-term options. He mentioned Forsmark, and I had the privilege, as a member of the Environment Select Committee, of visiting Forsmark with the other members of the Committee. In the longer-term we shall have to examine such options, although I plead with the



we shall have a debate on the special development order by which means the Government will bypass the local planning authorities on the four specific sites.

As my hon. Friend the Member for Walton said, we are all deeply concerned. Whether it is a civil nuclear engineering problem, or a military one, we have to face the fact that even if we decommissioned every nuclear power station tomorrow—and I am not saying that we should—we shall still have to face the problem of nuclear waste. We expect this problem to be tackled in a much more sensible way than it has been tackled so far and we commend the report to the attention of hon. Members. I am sure that they are reading the report, but it is difficult to comprehend everything. The report is right when it says that we are literally 40 years behind in the way in which we are tackling the nuclear waste problem.

Many hon. Members have put points relating to their own constituencies. Let me just emphasise the fact, because it needs emphasising and re-emphasising, that there are 5,000 sites in this country where we use radioactive material. Much of that activity is beneficial to us. I shall cite simply the radium treatment in our major hospitals and the battle against cancer. All the material involved in that procedure has to be dumped, and I do not think that we can store it all above ground. It may well be that very low-level material will have to be stored in trenches.

Whatever decisions are made, we must ensure that that if mistakes are found the situation is retrievable. I think that that is what worries many Government Members. They feel that trenches and concrete bunkers will be placed in their constituencies and that, if it is found that a mistake has been made, there will be no way of retrieving the situation.

I take issue with the hon. and learned Member for Mid-Bedfordshire (Mr. Lyell) on one point, and I think that he would expect me to do so. In a sense I am agreeing with him, because I feel that NIREX has been insensitive in the way in which it has gone about this operation. I agree that NIREX should have a much wider membership and ought not to be the narrow grouping that it is. The anhydrite mine at Billingham may be an ideal site on purely technical grounds. However, we are dealing, not with a technical issue, but with an emotional one, and I see that the hon. and learned Gentleman agrees with me. It does not make sense to dispose of waste under a major conurbation, with a major chemical complex above it. I know that my hon. Friend the Member for Stockton, North (Mr. Cook) would have been most active if he had been here.

I think that there is agreement, and that the message from the House to the Minister is that we are not convinced. We have seen the Committee's report, we want to study it, we want a full day's debate on it and we want the Government to take a number of the issues seriously. I think that almost all hon. Members agree with the Select Committee's report that our approach to the dumping of nuclear waste has been "amateurish and haphazard" and that we have tried to do it on a shoestring. I impress upon the Minister the fact that the people of this country do not expect the problem of nuclear waste to be tackled in such a miserly fashion, although perhaps the Committee used the wrong expression when it talked about Rolis-Royce, because that implies cost. I believe that what the report is saying is that we should have the best possible means of tackling this problem of nuclear waste.

It is a matter of deep regret that one of the first things that the Government did on taking office was to stop the deep geological search for sites for radioactive waste. I am not saying that that was the way, but we should have continued with that research, and we have lost five years because of that mistaken decision. We are talking about 200 or 300 years, and we cannot see that far ahead. It may well be that we shall find that we have made mistakes, so whatever course of action we follow, it must be reversible.

5.17 pm

**The Parliamentary Under-Secretary of State for the Environment (Mrs. Angela Rumbold):** I want to start by saying how grateful I am to my hon. Friend the Member for Grantham (Mr. Hogg) for raising this issue today and making such a powerful and well-argued case. This is the first of probably a number of occasions on which we shall discuss what is clearly a very important matter.

I am sorry that not all the hon. Members whose constituencies are involved in this matter were called, particularly my hon. Friends the Members for Glanford and Scunthorpe (Mr. Hickmet) and for Gainsborough and Horncastle (Mr. Leigh), who I know were anxious to have a say and whose constituencies will most certainly be affected in the same way as those of many other hon. Members who have expressed very real fears during the debate.

I should like to extend my gratitude to my colleagues from the Ministry of Agriculture, Fisheries and Food for their support throughout the whole of this debate.

I must make it absolutely clear that the Government take the public concern on this issue very seriously indeed. I am extremely grateful to the House for the high level of understanding that hon. Members who have spoken on this matter have brought to the debate today. I certainly appreciate why so many of the constituents of my hon. Friends and of other hon. Members have been alarmed by the recent announcement by NIREX of the four potential sites for the disposal of radioactive waste, and some things need to be said to put that announcement in context. I hope that I can allay some of the fears that have been so eloquently expressed.

It is important to emphasise four general points. First, the Government have a range of strict controls on radioactive waste disposal; in exercising those controls, our paramount concern will be public health and safety. Secondly, only one of the four sites announced is needed, and only if the Government's controls and requirements can be satisfied will one be developed. Thirdly, we shall try to ensure that the process of selecting and evaluating a site is as open as possible. Fourthly, we shall ensure that any radioactive doses from a disposal site are insignificant.

**Mr. Richard Hickmet (Glanford and Scunthorpe):** My hon. Friend has outlined four points which the Government will bear in mind, but may I add a fifth point? Whatever may be the truth or the facts of the dangers or lack of dangers surrounding the disposal of nuclear waste, until public fears can be allayed, it will be impossible to persuade those who live in the areas affected that this is a satisfactory or safe method of disposal. Unless the general public accepts that, the Government have no alternative but to accept the forthright opposition of Members of Parliament who are affected by the decisions of NIREX.



**Mrs. Rumbold:** I fully understand and accept my hon. Friend's point. It is essential that the Government, NIREX and all those involved with radioactive waste disposal have a better understanding of the matter.

My hon. Friend the Member for Grantham outlined three key areas to which he and his constituents object. He said that the geology at Fulbeck is inappropriate for waste disposal and that there is a lack of communications, as he sees it. They are two of the major criteria that NIREX will use. His main objection was that near-surface disposal systems are not a safe, necessary or proven way of disposing of radioactive waste. That is the point that I must answer. My hon. Friend asked whether alternatives to near-surface disposal had been considered. The study of the best practicable environmental option, which was published today, considered alternatives to the near-surface disposal of waste. It examined deep disposal on land or in tunnels under the sea. It considered disposal in bore holes drilled into the coastal seabed, disposal in the deep ocean and long-term monitored storage. It concluded that near-surface disposal is the best practical environmental option for low-level wastes and some short-lived, intermediate-level wastes.

My hon. Friend mentioned the way in which other countries practice or plan near-surface disposal of low-level waste. He mentioned the French site at Centre de la Manche. Canada also practices such disposal and the option is being considered in Japan. Much research has been undertaken nationally and internationally into the seabed option. This relates to the eventual disposal of high-level waste under the seabed. NIREX recently commissioned two feasibility studies into the disposal of waste under the seabed, and that option is also being considered as a possible way of disposing of longer-lived, intermediate-level wastes. However, some significant legal uncertainties and problems with international agreements must be overcome before any such action could be implemented. We shall consider that recommendation carefully.

Any disposal in or under the seabed would require a licence from my right hon. Friend the Minister of Agriculture, Fisheries and Food under the Food and Environment Protection Act. The legal position on sub-seabed disposal is extremely complex. There is as yet no agreement among the contracting parties to the London dumping convention on whether the matter falls within its remit.

My right hon. Friend the Member for Castle Point (Sir B. Braine) made a powerful speech. I couple his anxieties with those of my right hon. Friend the Member for Colchester, South and Maldon (Mr. Wakeham), which I share and understand fully. My right hon. Friend the Member for Castle Point made some telling points about the criteria upon which NIREX makes its suggestions for suitable sites. He mentioned population, accessibility, conservation and geology. Of course, all those matters will be revealed in the general geological investigations that have been proposed by NIREX, and all those considerations will be subject to full consultation through public inquiries. We have commissioned research by the National Environment Research Council on the potential role of microbiological processes in releasing radioactivity at a wet disposal site. I assure hon. Members that the results of the research will be taken fully into account in

assessing the suitability of any site for radioactive waste disposal. I shall pass my right hon. Friend's request for information on the foundations of Bradwell power station to my right hon. Friend the Secretary of State for Energy.

NIREX carried out exhaustive studies before selecting those sites. It could not have consulted county councils before announcing its choice. I understand that it considered several hundred sites; had it consulted the councils involved, unnecessary anxiety would have been caused in many places that were not chosen. Hon. Members will understand that point.

**Sir Bernard Braine:** I am grateful to my hon. Friend for trying to meet all the points that I raised, but was NIREX aware that Bradwell is on a fault line and that seismic disturbance has been a factor in the mind of the United Kingdom Atomic Energy Authority? Was NIREX aware of the history of flooding in the area?

**Mrs. Rumbold:** If it was not aware, I am sure that it will soon become aware of the fact when it carries out its geological investigations.

I assure hon. Members of the importance that the Government attach to openness in the investigations. We wish to be as open as possible at every stage, especially during consultation.

It is important to mention Government control. Hon. Members do not always appreciate that NIREX and the Department of the Environment are separate organisations. I stress the rigorous controls to which the NIREX proposals will be subject from the Government. The nuclear industry is probably the most highly regulated in the country, and NIREX will be no exception. We shall provide an independent assessment of the results of the site investigations and of NIREX's proposal for the facilities. NIREX will require planning permission and, assuming that that is given, it will require an authorisation from the Department to dispose of wastes.

My hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) mentioned the nature of the waste to be disposed. At such a facility, NIREX will wish to dispose of low-level wastes and some shorter-lived, intermediate-level wastes. But I give the House a categorical assurance that neither high-level wastes nor longer-lived, intermediate-level wastes will be disposed of at such a facility. The Government would not allow a near-surface facility to be upgraded subsequently to higher-grade wastes, which involve a different and far greater risk.

**Mr. Lyell:** Would my hon. Friend consider carefully the wisdom of looking at the difference between very low-level waste, which might not frighten anyone—an alarm clock or a pair of gloves perhaps—low-level waste and intermediate-level waste? Separating those three might help the public a great deal.

**Mrs. Rumbold:** I am extremely grateful to my hon. and learned Friend. This is one of the points to which the Government will address themselves clearly.

I have little time left in which to deal with many of the points which have been made in this extremely interesting debate, but I want to assure the House that there will continue to be many opportunities for discussing this particular subject and for reaching a clearer understanding of it. It is of enormous concern to the whole country. I hope that this is the first of many such debates.



