

The Vale of Glamorgan Council

Cabinet Meeting: 9 October, 2017

Report of the Cabinet Member for Neighbourhood Services and Transport

Disposal of Dredged Material Associated with the Construction of Hinkley Point C Power Station

Purpose of the Report

1. To inform Cabinet of the current position relating to a proposal to dispose of dredging material arising from the construction of Hinkley Point C power station at the Cardiff Grounds disposal site and to propose a course of action aimed at addressing the significant public interest to the proposal as it currently stands.

Recommendations

1. That Cabinet note the content of this report.
2. That the Leader of the Council writes to the Cabinet Secretary for Environment and Rural Affairs and the Chief Executive of Natural Resources Wales (NRW), expressing this Council's concerns to the proposal to dispose of dredged radioactive material at the Cardiff Grounds disposal site, given the time that has elapsed since issuing of the licence in July 2014.
3. That within the above letter consideration is requested to be given to the methodology to be used for the new radiological assessment of the material, suggesting greater sampling of the material, to full excavation depth and over the entire excavation area.
4. That within the letter, NRW is requested to formally consult this Council on the details of the new, more thorough, radiological assessment prior to any disposal works progressing.
5. That the Leader of the Council seeks a meeting with the Cabinet Secretary for Environment and Rural Affairs, the Chief Executive of NRW and the Leaders of all neighbouring authorities along the Severn Estuary to seek the necessary support for a review of the position by WG and NRW as detailed in recommendations 2 to 4.
6. That the report be referred to the Scrutiny Committee (Environment and Regeneration) for further consideration and discussion.

Reasons for the Recommendations

1. To update Cabinet on the current position with the dredging and disposal position of the material associated with the construction of Hinkley Point C power station.
- 2-5. To demonstrate the concerns of our residents to this proposal as it stands, to reflect the passage of time since the issuing of the licence in July 2014 and to ensure that all the necessary safeguards are in place to protect public and animal health should this disposal arrangement progress.
6. To enable further consideration of the issue by the Scrutiny Committee (Environment and Regeneration), given the significant public interest.

Background

2. Cardiff Grounds is a licensed disposal site for materials arising from marine dredging. The location is shown in [Appendix 1](#) and is the closest licensed disposal site to the area of proposed dredging.
3. As part of the construction of the Hinkley Point C power station, marine dredging is required in the location of the new cooling water intake and outfall sites and to enable provision of a temporary jetty.
4. Following an application made in August 2012, a Marine Licence (12/45/ML) was granted in July 2014 by NRW to NNB Genco, a subsidiary of EDF Energy, to dispose of the dredged materials arising from the above works. The Licence is attached at [Appendix 2](#). The Licence is valid until the 4th March 2019 and it permits a quantity not exceeding 304,885 tonnes to be deposited at the Cardiff Grounds site. The Licence is valid until 4th March 2019.
5. This Council was consulted, as Local Planning Authority by Welsh Government, on the application in September 2012. The application at that time was for 200,000 metres cubed of material and the conclusion of our planning officers was that without detailed expertise, and in the limited timescale for making comments, it was difficult to make an informed conclusion of the application and hence no objection was raised. It was however noted that it 'appeared' that the major issues of concern to this authority and of wider interest have been the subject of detailed research, conclusions of which seemed to indicate that the proposal could be carried out without significant impact.
6. As part of the application a full radiological assessment was undertaken which concluded the proposal was acceptable and this was further reviewed by internal experts in NRW who agreed with that conclusion. The radiological assessment is attached at [Appendix 3](#).
7. No material from Hinkley Point has yet been deposited at the Cardiff Grounds site and due to the time that has elapsed since the licence was granted, a further radiological assessment must now be undertaken before this can occur.
8. The assessment will be based on a new set of sediment samples taken as part of a structured sampling programme agreed by NRW and will include all relevant radiological determinants.

Relevant Issues and Options

9. There has been concern expressed by individuals about the adequacy of the radiological assessment that was undertaken and the potential health implications of

the proposed deposit of material. There is currently an open e-petition to the Welsh National Assembly calling for NRW to suspend the Licence pending a Public Inquiry, a full hearing of independent evidence and a Public Consultation. The text of the e-petition is included in [Appendix 4](#). In addition it should be noted that the Cabinet Secretary for Environment and Rural Affairs issued a written statement on 29 September 2017 setting out the proposal the timeline and the current position. It sets out the nature of the marine licence and the conditions for sampling of materials ([Appendix 5](#)).

10. The radiological assessment that accompanied the Licence Application was undertaken by CEFAS (Centre for Environment Fisheries and Aquaculture Science) an executive agency sponsored by DEFRA and a recognised expert in this field. It has been reviewed by the regulator, NRW, who have agreed with the conclusion that there was no objection to the material being dredged and dumped.
11. The new radiological assessment being undertaken will be based on a methodology agreed in advance by NRW. As the Licence issued runs until March 2019 there is no legal requirement for NRW to consult with the Vale of Glamorgan Council on the findings of the assessment and the local authority plays no formal regulatory role. Officers remain however in dialogue with NRW on this issue and will be able to update Cabinet on the conclusions of the assessment. Due to the specialised nature of this field of work, no internal Council expertise exists to critique the findings of the radiological assessment or the conclusions of the regulator.
12. Cabinet is requested to agree to the Leader of the Council raising concerns with WG and NRW regarding the current position as well as engaging with Leaders of neighbouring authorities. In addition, and given the time that has elapsed since the issuing of the licence it is recommended that a request be made for further formal consultation of the details of any new radiological assessment.

Resource Implications (Financial and Employment)

13. In this regard the leader is already in communication with leaders, given the significant public interest. Officer time associated with consideration of this matter will be funded by existing budgets.

Sustainability and Climate Change Implications

14. The radiological assessment undertaken by CEFAS and the regulator concluded that the dump of materials dredged during the construction of Hinkley Point C was acceptable from a radiological standpoint.

Legal Implications (to Include Human Rights Implications)

15. The Marine Licence 12/45/ML was granted under the Marine and Coastal Access Act 2009 and the regulator is National Resources Wales.

Crime and Disorder Implications

16. None.

Equal Opportunities Implications (to include Welsh Language issues)

17. None.

Corporate/Service Objectives

18. Consideration of this matter links to the Corporate well-being outcome of an Environmentally responsible and Prosperous Vale.

Policy Framework and Budget

19. This report is a matter for Executive decision by Cabinet.

Consultation (including Ward Member Consultation)

20. No ward member consultation has taken place as this is very much a Vale of Glamorgan wide issue.

Relevant Scrutiny Committee

21. Environment and Regeneration.

Background Papers

None

Contact Officer

William Lane, Operational Manager, Shared Regulatory Service

Officers Consulted

Legal Services Committee Reports
Head of Shared Regulatory Service
Head of Regeneration and Planning

Responsible Officer:

Miles Punter - Director of Environment and Housing Services.