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Our ref: 902832.30

19th May 2025

SENT BY EMAIL

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Dear Helen,

**OUTLINE APPLICATION AT LAND OFF BASINGSTOKE ROAD, SPENCERS WOOD
(APPLICATION REFERENCE: 250517).**

We write further to the recent meeting with emergency planners to discuss the draft Development Specific Emergency Plan ("DSEP") which we have put forward. The purpose of this letter is to:

- a. Provide a further (3rd) draft of the DSEP.
- b. Provide a list of the principal changes between the 1st and 3rd drafts of the DSEP, as requested at the last meeting.
- c. Respond to and comment on various observations made by emergency planners at the last meeting, or in written comments provided in February 2025.

The 3rd draft of the DSEP:

We had tabled a 2nd draft of the DSEP a fortnight or so before the recent meeting, but unfortunately this did not appear to have been reviewed by emergency planners in advance of the meeting due to time constraints. The attached 3rd draft DSEP amends the 2nd draft in limited respects, to take account of various suggestions made at the meeting. It was agreed with emergency planners at the last meeting that written comments would be provided in relation to this further draft DSEP. We trust that, consistent with LPA responsibilities to engage proactively and constructively in the planning process (see NPPF §§39-43), such comments will be directed to improving and making the DSEP more robust, to the extent necessary. It was unfortunate that, at the last meeting, the AWE representative observed that there was no

development specific plan that could be devised that would cause AWE not to object to this highly beneficial development. We trust that planning and emergency planning officers will put aside such an unconstructive and unjustified approach, and assess our proposals fairly and with an open mind. In our assessment, there is a compelling case that this much needed scheme can come forward in a manner that does not prejudice public safety or the operational functionality of AWE(B).

We look forward to receiving any such comments, and agree with the sentiments expressed at the last meeting that it would be helpful to hold a further meeting with yourselves and the emergency planners once we are in receipt of the same.

The principal changes between the 1st and 3rd drafts of the DSEP. In summary, the principal differences are these:

- i. Removal of use of volunteers and focus on paid Management Company (MC) staff.
- ii. Reduction of liaison with LPA to approval of planning condition schemes, reducing claimed burden on the LPA.
- iii. Increased emphasis on community resilience via MC initiatives in the local community (ie, on site and beyond the site itself), to reduce burden on LPA and increase public safety by improving preparedness and emergency response more broadly. See in particular §2.3.6 of the 3rd draft DSEP. An associated benefit of this is the enhancing of wider community preparedness and household preparedness including against other emergencies such as extreme weather.
- iv. Further details are provided on the Management Company (MC), and the numerous advance arrangements it is to make / configuration of its facilities to cater for a radiation emergency.
- v. Specification of a two person on-site presence (RC1 and RC2) for emergencies (increased from 1 person in the 1st draft DSEP).
- vi. Expansion of the required training for members of the MC Team to include for example additional radiation and emergency first aid related training. All MC Team members to be advance DBS checked.
- vii. The MC Team must have 24/7 ability to contact the MC's appointed Radiation Protection Advisor, who must advise before any shelter advisory is broken.
- viii. Includes a guarantor system to ensure the enforceability of the MC's performance and compliance with the emergency plan.
- ix. Clarifies what requirements will fall on GP surgery (and Care Home) staff and in what circumstances.
- x. Site Emergency Refuge space moved from the Care Home to the Local Centre.

- xi. Introduces a phased delivery of the plan based on the number of residential occupations (1-150, 151-300, and over 300).
- xii. Expands on communication strategies, including the use of newsletters and community briefings to enhance awareness and preparedness.
- xiii. Similar provisions for air monitoring but includes more detailed specifications regarding the number and placement of air monitors.

Comments and queries on various emergency planner oral/written comments:

We trust it assists to set out some further comments and queries on observations made by the emergency planners at the last meeting and in the written commentary received in February 2025. These are:

- i. In the course of the meeting, emergency planners indicated that their approach to future housing schemes would likely change if the Wates appeal which is currently under consideration by the Secretary of State were allowed. So that we can understand what was being said, please indicate how emergency planners' approach would be likely to change in this scenario? In particular, would emergency planners take steps to encourage West Berkshire Council to re-draw the DEPZ to cover a smaller area outside the UPA if the Wates appeal were allowed?
- ii. At the meeting, the emergency planners queried whether a school was an appropriate location for an RMU or rest/reception centre. This query appears not to recognize that HPA advice identifies schools as locations to be considered for siting RMUs and rest/reception centres (to which RMUs should if possible be adjunct). See section 3.2.1 of the guidance that can be found at https://assets.publishing.service.gov.uk/media/5a7d860ced915d497af6ff5a/HPA-CRCE-017_for_website.pdf. Anyway, it is not presently intended that the school be used for rest/reception centre or RMU purposes while children were in situ. Such use would only apply after the shelter advisory for the Site has been lifted or the children evacuated if that occurs sooner. Please confirm this concern has now been addressed.
- iii. In addition, emergency planners commented on the location of the potential RMU and rest/reception centre location within the current DEPZ. Of course, the proposed location is outside the UPA and was not required to be included within the DEPZ, although it currently is. However, more importantly, it seems to us, (a) around 96% of radiation emergencies at AWE(B) will not blow radiation towards the site, (b) of

the residual 4%, only around 10% occur in category F conditions (ie, 99.6% of radiation emergencies would either miss the site or doses would be extremely low (around normal background), and well below the category F doses used to set the UPA), and (c) even if the site were contaminated, the RMU and any rest/reception centre would not be operated on site until the shelter advisory had been lifted. In these circumstances, the proposal offered in the DSEP to configure the school as capable of being used as an RMU and rest-reception centre puts forward a proximate and custom-designed potential facility which could, in almost all circumstances, expeditiously be identified for use in preference to other, further flung facilities that might be available to the LPA. Please confirm it is accepted that the availability on the school site of facilities useable for RMU and rest/reception centre purposes is a material benefit of the DSEP.

- iv. Comments were made at the meeting to the effect that staffing of the RMU and rest/reception centre was not proposed in the DSEP. This is correct. However, the RMU would be staffed by trained NHS staff, and the application scheme would not cause the need for additional RMUs. (Nor does the developer consider that any material issue arises even in the unlikely event that the presence of the application scheme caused – subject to the triage advice given in the event of an emergency - some limited additional “demand” on the RMU, which would simply mean the RMU would take a little longer to fulfil its mission.) Please confirm that these matters are agreed.
- v. More generally on the topic of rest/reception centres, the developer understands that it was confirmed at the Wates appeal that provision has been made for rest/reception facilities that could accommodate many thousands of people. In addition, we are not sure the emergency planners have taken on board the substantial availability of local hotel rooms (in particular in Reading and surrounding towns) that could accommodate those displaced by a radiation emergency. In short, from what the developer has seen so far, it is not persuaded by the LPA or emergency planners that an additional rest/reception centre would be required should the application scheme proceed. Please confirm this assessment is accepted, and if it is not (having regard to the matters we have identified), please indicate what level of need the application scheme would introduce that cannot be accommodated within existing identified facilities, setting out the full reasoning behind any calculation or assessment.

- vi. If and insofar as the LPA or emergency planners wish to contend in response to the preceding queries that the application scheme would introduce and/or exacerbate a need for additional rest/reception centre capacity, please can you propose (with justification) a CIL regulation 122 compliant proposal in relation to the funding of staffing, for the developer's consideration.
- vii. At the recent meeting, it was commented by emergency planners that the DSEP did not provide mitigation for the scenario where a radiation plume passes over the application site. This is not correct, there are numerous mitigation arrangements for such a scenario. There is a PA/siren system to improve the effectiveness of the "take shelter" advisory. This is a crucial addition, as the key opportunity to avert radiation dose is by ensuring residents take shelter before the plume arrives or change their minds about making a journey that would otherwise take them into the plume. There are also significant measures to reinforce the importance and value of advance preparations. The on-site MC team arrangements will facilitate the rapid identification and addressing of any emergency scenarios during a shelter period, as well as providing delivery of provisions in non-emergency but otherwise inconvenient situations. HEPA filters will be installed in school buildings where the children may need to take shelter, providing additional protection. Please confirm the earlier relevant comments are addressed, or identify any additional measures it is suggested should be considered for inclusion in the DSEP.
- viii. Please provide copies of Emergency Plans / Business Continuity Plans which have been approved or endorsed by Wokingham or West Berkshire Councils in the last 5 years in relation to (a) primary schools, (b) care homes and (c) GP surgeries, located within the DEPZs for either Burghfield or Aldermaston, or a representative sample for each category of facility (a), (b) and (c) if there have been multiple such Plans.
- ix. Comments were made at the recent meeting about providing "additionality" for community resilience in the wider DEPZ (ie, beyond the site itself). The DSEP has been amended to seek to introduce the same. The developer considers this is a reasonable requirement to include in the DSEP because introduction of such a broader safety benefit further justifies the net safety benefits that the application scheme introduces, and does so for close neighbours of the site. Please confirm the meeting comments have now been addressed, or indicate any additional measures that should be considered for inclusion in the DSEP.
- x. Comments were made at the recent meeting, and in earlier written observations, about the enforceability of the arrangements within the DSEP. This has been further

addressed in the (2nd and) 3rd drafts of the DSEP. The DSEP will need to be approved pursuant to Grampian conditions and these conditions will require implementation of the approved scheme. The MC team (and DSEP generally) will be funded by way of a service charge collectable by the MC. In addition, section 1.4 of the DSEP proposes that there will be a “guarantor” arrangement whereby the house builders who build the homes that introduce the principal additional overnight population will be responsible for the MC living up to its responsibilities. All the above will be backed up by suitable s106 or s111 obligations. Injunctions would be available to compel the guarantors to do as they have promised. The LPA would have oversight of the “guarantor” arrangements, as it is proposed to be given the power to approve (acting reasonably) the guarantors. Further, responsibilities will be placed on facilities such as the GP surgery, care home and primary school via terms in the land transfers, which can again be controlled by suitably drafted s106 obligations when planning permission is granted, and policed via the “guarantor” and LPA oversight arrangements. Subject to the actual drafting of relevant legal obligations and conditions, there is no reason the DSEP will not be enforceable. Please take appropriate legal advice on these matters and confirm that earlier concerns on this aspect have been assuaged.

- xi. The DSEP explains (p3) why the MC team (and others) are not emergency workers; and (§4.3) why no waste regulation issue arises. Please confirm that these explanations – which are offered in response to written commentary received in February 2025 - are accepted.
- xii. The February 2025 observations raised concerns about (i) MC staff conducting welfare visits, and (ii) new residents being asked to provide personal/private information in suggested PEPs. However, the DSEP provides that all MC staff must be advance DBS checked. And the DSEP confirms (this was in the 1st draft, and is clearly highlighted in the 3rd draft) that all necessary GDPR and other appropriate consents must be secured in relation to the holding and processing of personal data – in respect of which, there will be no question of any resident being compelled to provide such information, the DSEP proposals are voluntary and necessarily dependent on consent. Please confirm these explanations assuage the relevant concerns.

Please let us know if any queries or clarifications arise on the above and the attached. Otherwise, we look forward to receiving any further comments in response to the same, and to arranging a further meeting to discuss.

Yours sincerely

Gary Stephens
Partner

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