CONSIDERATION OF THE

SCOTTISH GOVERNMENT'S STATED POSITION

ON DEPLOYMENT OF EXISTING NUCLEAR TECHNOLOGY

IN SCOTLAND

BY

ANDREW RENTON

INTRODUCTION

In response to a written question, from Jamie Stone MP for Caithness, Sutherland and Easter Ross, the Minister for energy Michael Shanks replied ***"There is considerable potential for hosting new nuclear projects in Scotland, building on decades of experience of existing nuclear power across the country. Given the Scottish Government's presumption against new nuclear, the UK Government cannot actively consider projects within Scotland at this time."***

In May 2023- the Scottish Minister for Energy wrote to Castletown Law in response to a request for a discussion on the future of nuclear in Scotland, as follows:

As you may be aware, the Scottish Government does not support the building of new nuclear fission power stations in Scotland under current technologies. New nuclear power will take years, if not decades, to become operational and will also be expensive – pushing up household bills. Whilst we appreciate that SMRs are innovative in their smaller size and construction technique, they use the same nuclear fission technology as the power generating process you would find in larger traditional nuclear power plants and come with the same environmental costs.

Moreover, SMR technology is not currently in the position to provide us with any additional generation, and their economic competitiveness is still to be proven in practice, once deployed. Our priority continues to be to support energy efficiency, develop Scotland's huge renewable resource and to promote storage and flexibility.

Under the Scotland Act Schedule 5 stating the matters reserved for the Westminster Government in relation to specific areas include:

Nuclear energy and nuclear installations, including—

(a) nuclear safety, security and safeguards, and

(b) liability for nuclear occurrences.

The Office for Nuclear Regulation.

Exceptions

The subject-matter of:

(a) Part I of the Environmental Protection Act 1990, and

(b) the Radioactive Substances Act 1993.

A simple reading of the terms of the Schedule to the Act may lead a reader to the conclusion that provision of nuclear installations and nuclear energy in Scotland is a matter reserved entirely for Westminster. The SNP as leaders of the Scottish Parliament with support from the Green Party have stated a policy of adversity to nuclear power in Scotland. My understanding is that this policy or

"principled" approach is flawed in a number of respects, some of which I rehearse below based on the research of others.

In the 2014 paper written by the Energy Policy Research Group at Cambridge University the summary of the paper includes the following statement:

A recurrent theme in the analysis is that whether one is for, against, or indifferent to new nuclear energy development, it highlights a major gap in Scotland's energy and environmental policy goals. Too often, the energy policy debate from the Scottish Government perspective has been reduced to a low-carbon energy development debate between nuclear energy and renewable energy. There is little reflection on how to reduce Scottish dependency on fossil fuels. For Scotland to aspire to being a low-carbon economy, to decarbonising its electricity market, and to being a leader within the climate change community, it needs to tackle the issue of how to stop the continuation of burning fossil fuels.

The consensus view and the conclusion of the paper was that dependence on renewable energy includes a dependence on fossil fuels as the back up power source for when renewables are unavailable.

In the later 2025 IEA paper ***The Path to a New Era for Nuclear Energy*** – key criteria include a consideration of the increase in capacity and dependability required for future industrial needs and energy security. The conclusion clearly states that without nuclear power as part of the planned available power source by 2050 most developed countries will be unable to fulfil the countries energy needs, with resulting escalating prices and unrest over lack of availability.

The gap in the consideration of the requirements for the transition away from fossil fuels to a low carbon economy with robust energy independence and affordability is now a critical component in the resolution of the energy transition which is almost universally accepted as being required.

The Frazer of Allander Institute Report from May 2025 makes a strong and clear case for continuing with the development and deployment of renewable energy but it makes no mention of the use of nuclear power.

The question posed in the introduction to this paper is whether there had been discussions between the two governments on the potential impact of the "ban" on future employment opportunities. The simple answer – somewhat surprisingly is that there have been no material discussions.

Ministers have stated that Sizewell C will support 10,000 jobs directly and many more in the supply chain. The importance of this to the Scottish and UK economy cannot be overlooked. The nuclear sector sustains thousands of direct and many more indirect jobs in Scotland. The future of nuclear power in new nuclear power station projects using existing and developing technologies and deployment on a national and international basis is viewed by most global industrial and commercial businesses as an essential component of a secure national economic model. The potential of re-energising the Scottish ship building industry by establishing facilities for a nuclear powered ocean going surface vessel fleet, the potential for naval fleet refitting for nuclear powered propulsion, in additional to the existing strategic importance of nuclear naval sites in Scotland at Rosyth, Faslane, Coulport, and elsewhere is not difficult to envisage. The question in my mind is what is the basis on which the SNP balance the national economic, security and energy interests against its own policy. The requirements to re-power industrial areas at Grangemouth, Mossmoran and elsewhere aligned

with the ambitions to make Scotland a leading centre for hydrogen technologies and production and for the creation of large data centre campuses will all be dependent on the investors in such facilities and other industrial sectors being assured of the availability of secure long term 24/7-365 power supply.

As the IEA paper points out in some detail the demand requirement is unlikely to be met using renewable sources alone.

The analysis of the development of the SNP policy and its failure to keep abreast of the changes in technology and its adherence to data from unreliable and outdated sources suggests that the SNP are placing policy of party above national interests. Given the obligations of the Scottish Government to put the economic and social interests of the country first – this may seem surprising and to some extent illogical.

IF A NEW NUCLEAR POWER STATION WAS PROPOSED IN SCOTLAND

If the Westminster Government and the Office for Nuclear Regulation (ONR) were to approve a technology for deployment onto a licenced nuclear site in Scotland and the SNP were to try and block it using planning powers the dispute between the two governments would have to be resolved. It may be that the resolution would be quite quick with the Scottish Government taking notice of the majority view of the people in the country being in favour on nuclear power with a relatively small minority actively opposed to nuclear power generation in Scotland.

If the position is not resolved quickly then a dispute between the government would develop and potentially end up after several years before the Supreme Court. The process set out in 2022 for resolving issues between the governments sets out a detailed bureaucratic process to address the issues.

The mechanism is set out in a largely untested inter- parliamentary process using a non-statutory three-tier intergovernmental relations (IGR) structure established in January 2022.

The IGR system is designed to promote collaboration and avoid disagreements, with the goal of resolving issues at the lowest possible level.

- **Lowest Tier: Interministerial Groups (IMGs)** These groups focus on specific policy areas where officials and ministers aim to resolve most issues informally.
- **Middle Tier: Interministerial Standing Committee (IMSC) and Finance Interministerial Standing Committee (F:ISC)** These committees handle cross-cutting and financial issues, respectively. If a dispute is not resolved at the IMG level, it can be escalated here.
- **Top Tier: Prime Minister and Heads of Devolved Governments Council (the Council)** This is the ultimate escalation point for unresolved disputes. The Council oversees the entire IGR system.

If an issue cannot be resolved through informal discussion at the policy level a formal process is initiated facilitated by an impartial IGR Secretariat. This involves:

1. **Referral and Assessment:** Any government can raise a dispute with the IGR Secretariat, which assesses if it meets the criteria for a formal dispute (e.g., has been discussed extensively at lower levels, has wider implications).
2. **Ministerial Meeting:** If the criteria are met, the relevant ministers meet within 10 working days, chaired by a minister not party to the dispute or an independent third party. The chair's role is to facilitate discussion, not to make a decision.
3. **Escalation to the Council:** If no resolution is reached at the IMSC or F:ISC, the dispute is escalated to the Council.

Mediation/Third-Party Advice: Before or during the Council stage, non-binding impartial advice or mediation from a third party should be sought unless all parties agree otherwise.

Reporting: If the Council cannot reach a resolution each government must make a statement to its respective legislature explaining the circumstances.

In my view if the position gets to this stage it will be immensely divisive and destructive and drive deep divisions. It will damage intergovernmental relationships and create an unnecessary diversion from achieving a transition to low carbon energy.

I am not competent to comment on constitutional issues which arise but I believe the voting public will not thank either government for being in the middle of an entirely unnecessary argument. Unnecessary because the SNP point of view is an embedded partly emotional response founded in a historic misrepresentation of nuclear power and which in current thinking has two fundamental misconceptions.

Firstly that nuclear power is expensive and the cost of developing power stations cannot be justified. Local examples at Hunterston and Torness demonstrate that to be a false premise and even the final assessment of the levelised cost of electricity from Hinkley Point C shows it to be well within the range of cost of all power generation. This position is maintained by the Scottish Government but is more seriously challenged:

A FoI request shows at FMQs on At FMQs on 20th June 2024, John Swinney said this:

"Evidence shows that new nuclear is more expensive than renewable alternatives." The Contracts for Difference (CfD) Allocation Round 6 core parameters are availablehere: https://www.gov.uk/government/publications/contracts-for-difference-cfd-allocation-round-6coreparameters

They demonstrate that numerous renewable technologies which the Scottish Government supports (including floating offshore wind and tidal) are more expensive than new nuclear.

Bearing this in mind, the information I am seeking is the evidence to which John Swinney was referring at FMQs on 20th June 2024.

The Scottish Government response was to cross reference the offshore wind strike price against the CfD for Hinkley Point C and used the first of a kind cost base for new nuclear power as an comparator but did not take an overview of the whole life cost and levelised cost of electricity from renewables

based on the support for intermittency required for renewable energy production (with the possible exception of hydro) on an equivalent basis to the secure and always on capacity delivered by nuclear power.

The premise of the ongoing objection based on the cost of electricity from nuclear power stations is subject to serious questions. My understanding is that most economists who understand the full picture of power generation comparisons, believe that nuclear power is highly cost competitive against renewable power sources.

If that understanding is correct the first leg of the Scottish Governments position would be untenable in a fully informed debate.

Secondly the "environmental cost" is said to be the residual waste and storage requirements for spent nuclear material on decommissioning. In September 2025 Scottish Green MSP Lorna Slater said: *"Nuclear is a costly and dated technology that can take years to get up and running and it leaves a long and toxic legacy for future generations."*

The volume of waste from nuclear power generation is relatively low in comparison to other forms of power generation. Although wind power has a high level of recyclable material this also applies to nuclear. Solar and battery have residual issues for disposal routes and the mining and sourcing of raw materials is a major area still being evaluated. In looking at the comparative studies on the waste and environmental impact of power generation covering wind, solar and nuclear, the consensus of the assessed positions is that each of solar, wind and nuclear have similar environmental and waste footprints and the main issues on the progress of development of each is largely a public reaction perception.

The management of long-term high level nuclear waste is undoubtedly an aspect that has to be managed. The growth in the past 12 months of the realisation of the absolute need for long term dependable and affordable energy with a resultant global move towards nuclear power indicates that there are high levels of confidence in the provision of a solution which is safe and can be monitored by resilient and trusted international agencies.

The comparative position of the Scottish Government between Carbon Storage in underground caverns and sequestration, is stark- considering the comparatively small amount of nuclear waste that may require deep geological storage over long periods.

Logically my assessment is that the Scottish government objections could not withstand a fully informed debate and successful use of the planning and environmental devolved powers to stop development of new nuclear power stations in Scotland, is unlikely to be successful or a vote winner in the context of the economic, national interests, international relations and trade, which Scotland aspires to.

CONFLICTING POSITION

I have looked at the background to the SNP policy position which I believe is based on historical inaccurate information and data. I look at this in more detail later. The question which has prompted this paper is whether the national interest of Scotland and the UK are different in respect of energy having regard to planning and environmental policies and if so why is the decision on energy in

Scotland reserved to the UK Government and whether the respective governments have discussed the issue. The point of debate this leads to is whether the Scottish government can legitimately use a devolved power for planning and the environment to prevent the UK government from implementing its desired approach in Scotland under reserved powers.

The recent debates around new developments at Chapelcross, Hunterston and elsewhere in East Ayrshire, Torness and Dounreay have brought in to focus the conflict between economic interests, energy security, energy affordability, skilled employment and development and the SNP policy on preventing new nuclear power station developments in Scotland. The issue creates a conflict of interest not just between the policies of Westminster and Holyrood but within the policies of the Scottish National Party and the Scottish Government bearing in mind the Scottish Government is also charged with the national economic interest, education and training and employment.

The need for reconsideration by the SNP is also borne out in the recent analysis particularly by the Cambridge Nuclear Energy Centre (CNEC) which has published its summary paper on its **Radiological and Nuclear Risk Summit** which updates the approach on Radiological Safety:

"Threaded throughout the discussions was the theme of proportionality: how it is understood, implemented, and, at times, neglected in practice. These conversations aimed not only to explore tensions in current practice but to help shape a future research agenda. In doing so, the researchers at CNEC aim to build enduring links between the fields of radiological protection and nuclear engineering - an intersection we believe is too often overlooked."

The conclusion being that nuclear and radiological protection is one of the most regulated and therefore safest areas of industrial activity in the world.

If as the IEA has said the world energy markets will depend to a large extent on availability of nuclear power generation in the future, the question is why would a government tasked with the role of looking after the national economic interest exclude participation in a global market that Scotland is well placed to share in based on Scotland's long, proud and successful history as leader in engineering in the energy (including nuclear) sector.

The policies of the SNP on nuclear leave me thinking does this make sense. For example the policy of independence stated by the Frist Minister to be:

"*That does not mean a Scotland standing alone, but rather a nation that has worked out its place in the world, and the contribution it wants to make to the world. An ongoing deep and rich partnership with the other nations of these isles, absolutely, but ultimately as a nation state in our own right, as a Member State of the world's largest trading block, the world's biggest social and economic community, the European Union."*

The policy seems to be to leave the union of the UK to join the union of the EU where if reports are correct our small nations voice and economic contribution will give us even less of a representative position.

The SNP policy on civil nuclear is no less confusing and I discuss how it came about below.

EVOLUTION OF SNP POLICY

The SNP policy position is complicated and to some extent obscure because of the evolution of the SNP policy from a policy aligned with the CND, Friends of the Earth (FoE) movement and Greenpeace

activists, which aligned with the green party and from which SNP wished to gain votes by adopting the "green agenda" including an anti-nuclear rhetoric. This historic conflation of anti-nuclear weapons rhetoric and anti-nuclear power protesting is now largely discredited and it is accepted by almost all that the use of civil nuclear power has a clear disconnect from the proliferation of nuclear material into nuclear weapons. Such proliferation is now regarded and as illegal under the international treaties and the position is monitored closely by the IAEA.

Rather than thinking the policy comes from opposition to nuclear arms escalation, or waste from civil nuclear operations being "dumped" in Scotland you have to take a longer look. The historic opposition to civil nuclear in Scotland and in England had two openly opposed factions, the agricultural movement who feared a loss of the low paid agricultural work force to higher paid industrial jobs and the landscape protection lobby who didn't want areas of natural beauty destroyed – initially in north Ayrshire and East Sussex. Farming and fishing interests in the late 1950's and early 1960's carried much more lobbying power than they seem to have now.

From very little demonstrable opposition to Dounreay and Hunterston A, by around 1980 there were around 100 anti-nuclear organisation in Scotland. Some just a handful of local people with a specific agenda, others large global organisations with significant resources such as CND, Friends of the Earth and Green Peace, some of them reportedly backed by the oil and gas industry owners who feared the impact of escalation of large deployment of nuclear power, based on the famous Atoms for peace speech by president Eisenhower. It is credibly reported that Greenpeace was funded and prompted in many of its anti-nuclear activities by oil industry family institutions such as the Rockefellers.

The importance of the involvement of these large organisations cannot be underestimated. The level of conflation between civil nuclear and promotion of the use of nuclear weapons was an open position of many of them, with no real counter positions being stated by the nuclear industry.

More recently for Scotland this meant the "anti-nuclear warriors at Faslane" were seen as equally opposed to civil nuclear power as they were to nuclear arms being bunkered in Scotland.

The other major distorting influence on the decision on policy in Scotland was the highly pejorative and biased media reporting on the nuclear industry. In hindsight it must be embarrassing to almost every news outlet in the UK that they were so anti-nuclear in their reporting, whilst ignoring other than a few bylines, that major disasters and harm to populations around the world were being caused by the extractive industries and fossil fuel processing. The choice of editors to ignore the scientific data published on the damage arising from fossil fuel and mineral extraction suggests this was successful deployment of policy by global oil and gas (the Seven Sisters) and the coal and mining industry to keep the adverse information out of public reach and to undermine the position of nuclear power.

It was not until the UK head of Friends of the Earth (Tony Juniper) made a public statement that the opposition to civil nuclear power was being reconsidered that things began to move in the other direction. The report at the time in 2014 in the Guardian stated:

"Nuclear power in the UK has turned out much safer than environmentalists worried it would be. Friends of the Earth, which feared the threat of a catastrophic Chernobyl-style meltdown in the UK, is

now less concerned. Fear of nuclear armageddon was a driving force for the green movement in the UK – Greenpeace has its name for a reason.

But Friends of the Earth have revealed that their old ideological opposition to nuclear has crumbled, to be replaced by a new pragmatic opposition based on cost and build time. In the old days nuclear was fought because of the health threat; now it's opposed because it's the wrong option in an energy system designed to tackle climate change."

The change to a logistics, cost and time argument was in effect an abandonment of the "principled" opposition which had preceded it. Maybe the SNP should consider the position in a similar light.

By the time Torness opened in 1989, as part of UK wide nuclear deployment programme, the Westminster government (at that time conservative) had become so unpopular in Scotland, that almost anything that was coming out of Westminster was seen as anti-Scottish. Scotland was becoming increasingly insular and the introduction of the hated Poll Tax cemented the strong foundations which later led to the labour led independent Parliament in Scotland.

A further factor and one which still resonates was the need for a waste repository location based on the recommendation of the Royal Commission which said the UKAEA had paid insufficient attention to repository provision. The resulting studies on possible locations registered several sites in Scotland including Mullwharchar Hill in the Galloway Hills in Ayrshire near loch Doon. The site was later ruled out in the early 1980's but by then a strong public sentiment had developed that the siting of Dounreay, the lack of public consultation on Chapel Cross or Hunterston A and the proposal for Mullwharchar Hill were all indicative that Scotland was being treated as a nuclear test site, which when taken with the nuclear weapons at Holy Loch and Faslane and the nuclear service facilities at Rosyth and elsewhere, gave a lot of fuel to the misinformation campaigns being developed and manipulated by anti-nuclear interests. This anti-nuclear sentiment struck a chord with many in the farming, fishing, the developing oil and gas sector and in the coal mining industries across Scotland. The NUM came out strongly against nuclear power, and so a string across societal movements reflecting different interests and objectives coalesced to some extent to make the voting public consensus against civil nuclear development in Scotland.

In reality Scotland was not being treated very differently from other parts of Great Britain as evidenced by the development of research facilities in England and early development of commercial nuclear at Chapel Hall, the Windscale name remains in social memory, but the connotations of that name are very different form what is now thought of as the world leading spent nuclear fuel (waste) facility at Sellafield.

The politically astute leaders of the SNP in the late 1980's through to the early noughties, kept the differentiation points alive and once the Scottish Parliament was voted into existence, the work had to start in earnest in not only opposing nuclear energy as a power source for Scotland, but proposing a realistic alternative. Initially this focussed around gas but in the realisation of finite resources, this morphed into a "green" renewables agenda. Ultimately this was reflected in the 2007 policy and manifesto of the SNP.

The impact of Three Mile Island, Chernobyl and Fukushima has to be mentioned in the context of policy decision making. The division of Great Britian during the Thatcher administration had become

a deep scar on the public psyche in Scotland and the sensationalist reporting of the three events increased a deep rooted Scottish mistrust of institutions involve in nuclear power and the governments involved in the development of it. By nurturing this inherent national discontent, when the SNP began to look to differentiating policies, they did not have far to look and the post 1999 Scotland political landscape began to develop based on the history of the peace movements, anti-waste, movements, the CND and Friends of the Earth propaganda and the impact of lobbying from farmers, fishermen, miners and others.

[https://www.tandfonline.com/doi/full/10.1080/13619462.2023.2293745#d1e552]

SNP CURRENT POLICY

The world where we are today is very different and moves at a different pace and in a different way from the period in which the SNP policy was developed and from where it evolved. In essence it piggy backed on the CND and FoE and Greenpeace agendas, utilising alignment with unions against the labour party and politicising nuclear energy production utilising the adverse press coverage.

In 2025 we now have civil nuclear power generation contained within the taxonomy of “green infrastructure”. The IEA a globally respected and uniquely well-informed authority, has stated that nuclear energy is a vital component for reaching global net-zero emissions targets and ensuring energy security.

The IEA's position on the necessity of nuclear power supported by other international institutional agencies and bodies main points are:

- To stay on track for net-zero by 2050, the IEA's scenarios require global nuclear power capacity to more than double from its 2022 levels.
- Nuclear is the second-largest source of low-emission electricity globally, after hydropower, and is expected to continue its role in complementing variable renewables like wind and solar.
- The IEA warns that failing to invest in existing and new nuclear plants would make a clean energy transition "drastically harder and more costly".
- Nuclear power plants provide dispatchable, round-the-clock electricity. This makes them a crucial complement to variable renewable sources by ensuring grid stability and supply during peak demand.
- Using nuclear power helps reduce a country's reliance on imported fossil fuels, improving energy independence.
- The IEA notes a growing trend of technology companies turning to nuclear power, including small modular reactors (SMRs), to meet the massive, reliable, and low-emission energy needs of data centres and artificial intelligence.
- The IEA emphasizes that achieving a new era for nuclear will require tripling annual investment globally to over $100 billion by 2030, a goal that requires robust government policies to attract financing.

- Extending the operating life of existing nuclear power plants is identified as one of the most cost-effective sources of low-emission electricity.
- The IEA supports the acceleration of small modular reactors (SMRs), which could overcome some of the financing and construction challenges of larger projects due to their smaller size and potential for serial production.
- With a highly concentrated market currently led by Russian and Chinese reactor designs, the IEA highlights the need for greater diversity in technology providers and supply chains.

With most of the rest of the world embracing the integration of nuclear power generation as part of the energy transition away from fossil fuels, towards decarbonising industry, increasing jurisdictional energy security, reducing energy cost and creating an investor friendly industrial economy, why does the SNP maintain its opposition and what exactly is the SNP opposed to.

The Scottish National Party (SNP) remain firmly opposed to new nuclear power stations in Scotland. Whilst they control the Scottish Parliament it will also remain opposed unless their policy changes. The SNP has stated its policy is to use its devolved planning powers to prevent consent for the construction of any new nuclear facilities, including small modular reactors (SMRs). The actual wording of the policy however states the opposition is to use of existing technologies which at the time stated, were generally Pressure Water Reactors (PWR's). This seems to ignore the facts that reliable academic and institutional research shows that civil nuclear power is one of the cleanest, safest and potentially cheapest forms of power generation globally.

Summary of SNP Energy Policy

- The SNP believes that significant investment in renewable energy, storage, hydrogen, and carbon capture is the best and most affordable way for Scotland to achieve net-zero emissions by 2045. The Scottish government views renewable energy as a climate-friendly alternative that is cheaper for consumers than nuclear power.
- The official government position is clear: "**We oppose the building of new nuclear stations using current technologies"**. This stance has been consistent since the SNP came to power in 2007.
- While acknowledging interest in SMRs, the SNP considers them to be based on the same fission technology as traditional plants, with similar environmental concerns. The party also questions their economic competitiveness.
- The policy is maintained even as Scotland's last operating nuclear plant, Torness, is scheduled to close (subject to any further extensions) by 2030.
- Although energy policy is largely a Westminster matter planning is devolved, giving the Scottish Government the potential to block new projects within Scotland's borders. This has enabled the SNP to implement an effective ban on new nuclear development.

So while the number of countries now adopting a pro-civil nuclear power approach steadily increases – Scotland is going in the opposite direction – excluding Scotland from a global market with investment potential of multi-trillion dollars and a scientific and engineering opportunity that would once have been embraced with confidence.

For how much longer the SNP can maintain their position is part of the debate I hope this paper will promote.

ALR 31.12.25