

Statement on behalf of the Claimant
Witness: Person AE
First Statement
Dated: 23 February 2026
Exhibits: AE1 to AE2

IN THE HIGH COURT OF JUSTICE
IN THE MATTER OF PROCEEDINGS

Claim No. KB-2025-004667

BETWEEN:-

WEST BERKSHIRE COUNCIL

Claimant

-and-

- (1) UK LAND HOLDINGS 1 LTD**
- (2) CAROLINE BERRY**
- (3) NORA CONNORS**
- (4) PATRICK FAGAN CONNORS**
- (5) JIMMY O'CONNORS**
- (6) JOHNNY WALL**
- (7) PATRICK JAMES CONNORS**
- (8) JOHN JUDE O'BRIEN**
- (9) MICHAEL WALL**
- (10) JERRY GROGAN**
- (11) RICHARD O'BRIEN**
- (12) JOSEPH DOYLE**
- (13) NOREEN FLYN**
- (14) PATRICK STOKES**
- (15) BERNARD STOKES**
- (16) TOMMY STOKES**
- (17) VINCENT CRUMLISH**
- (18) HUGHIE STOKES**
- (19) BENJIT SINGH DHESI**
- (20) THOMAS FLYNN**
- (21) MARTIN STOKES**
- (22) PERSONS UNKNOWN (THOSE WITH AN INTEREST IN OR INTENDING TO UNDERTAKE WORKS OR INTENDING TO OCCUPY THE LAND KNOWN AS "LAND SOUTH OF READING ROAD" AND THOSE WHO ARE KNOWN TO HAVE AN INTEREST IN THE LAND)**
- (23) GHEORGHE GHEORGE**
- (24) RODICA GHEORGHE**
- (25) OWEN STOKES**
- (26) THOMAS STOKES**
- (27) PATRICK CRUMLISH**
- (28) CHRISTOPHER RYAN**
- (29) CHRISTOPHER STOKES**
- (30) JAMES FLYNN**
- (31) SERGU CACUI**
- (32) NICOLE FILIPOPILSCHI**
- (33) PATRICK STOKES**

Defendants

WITNESS STATEMENT OF PERSON AE

I, Person AE, AWE plc, AWE Aldermaston, Reading, Berkshire, RG7 4PR say as follows:

1. I am the Environment Safety Health (ESH) Head of Delivery for AWE's Operational Facilities and am employed by AWE plc ("AWE"). I make this witness statement on behalf of AWE in support of the Claimant's claim for an Injunction against the Defendants pursuant to s.187B of the Town and Country Planning Act 1990 (the Act).
2. The facts and matters set out below are within my own knowledge and are true, except where I state otherwise, in which case they are true to the best of my knowledge and belief, and I identify the source of my knowledge and belief.
3. There is now produced and shown to me a paginated bundle marked "AE1 to AE2" which I attach to this statement containing a true copy of the following documents:
 - 3.1. AWE Aldermaston Consequences Report (November 2019) (AE1/05)
 - 3.2. Planning Appeal Decision APP/X0360/W/24/3354607 in relation to land east of Hayes Drive and north of Church Lane, Three Mile Cross, Reading, Berkshire (22 September 2025) (AE2/16)
4. I use the reference AEx/xx which refers to my exhibit followed by the relevant page number.

BACKGROUND AND QUALIFICATIONS

5. I have a degree in Physics with Lasers and Photonics (BSC Hons) with over 20 years of experience in the field of Nuclear Safety.
6. For 10 years, I worked as a consultant, writing safety case assessments both nationally and internationally. I was responsible for the production of safety cases for clients such as the United Kingdom Atomic Energy Authority, European Bank for Research and Development, Atomic Energy Canada Limited, International Thermonuclear Experimental Reactor, AWE and others. I was the technical lead for the safety case teams for design projects, change control projects and decommissioning projects. One of the contracts that I led was to write a safety case which derived the urgent protection actions distance for AWE Aldermaston. This is a key underlying document for emergency planning purposes.
7. In 2016 I joined AWE and moved into the role of safety case manager. I have rotated through each of our high hazard nuclear facilities ensuring AWE meets operational capability and legal compliance. I occupied this role when the Radiation (Emergency Preparedness and Public Information Regulations 2019 (REPPiR 2019) came into

force and have had detailed involvement in the production and implementation of various documents required to be prepared by AWE under this legislation.

8. At present, I am the ESH Head of Delivery for all AWE operational facilities. My role is to ensure that our safety cases meet the requirements of AWE process, maintain operational capability and ensure compliance with all applicable legislation including nuclear site licence conditions.
9. I also lead the interface on safety cases and safety case implementation between the US and UK (through a Joint Working Group) to ensure that common practice is shared where relevant to advance safety case production.

SCOPE OF EVIDENCE

10. This statement is made on behalf of AWE plc (AWE) in support of the Claimant's claim for an Injunction, notably in response to the evidence of Dr Keith Pearce of Katmal Limited in his report submitted as part of the Defendant's Evidence Bundle (on page 80 to 91 of the Defendant's Evidence Bundle) (the "Katmal Report").
11. This witness statement relates to land known as "Land South of Reading Road", Aldermaston RG7 4PR (hereafter referred to as "the Land") as described in detail in witness statements by the Claimant.
12. The Katmal Report leans heavily on the low radiation risk to members of the public. Whereas this statement is concerned with the totality of consequences to the public following a radiation emergency, and the continuity of operations for AWE Aldermaston (AWE A) in light of the unauthorised works on the Land. It sets out the requirements of REPIR 2019 and provides evidence to support the concerns raised by the Claimant on public safety grounds in Carolyn Richardson's Witness Statement dated 17 December 2025 by setting out how an increased local population could adversely affect AWE's operations. This evidence also explains how the individual risk argument has minimal to no bearing on compliance with REPIR 2019.

BACKGROUND TO AWE

13. AWE is a Non-Departmental Public Body, wholly owned by the Secretary of State for Defence. AWE is the operator of the two nuclear sites licensed under the Nuclear Installations Act 1965 at Aldermaston (AWE A) and Burghfield (AWE B). These sites are critical to UK defence and the delivery of the Continuous At Sea Deterrent (CASD). They are the only sites in the UK which design, manufacture, maintain, and when

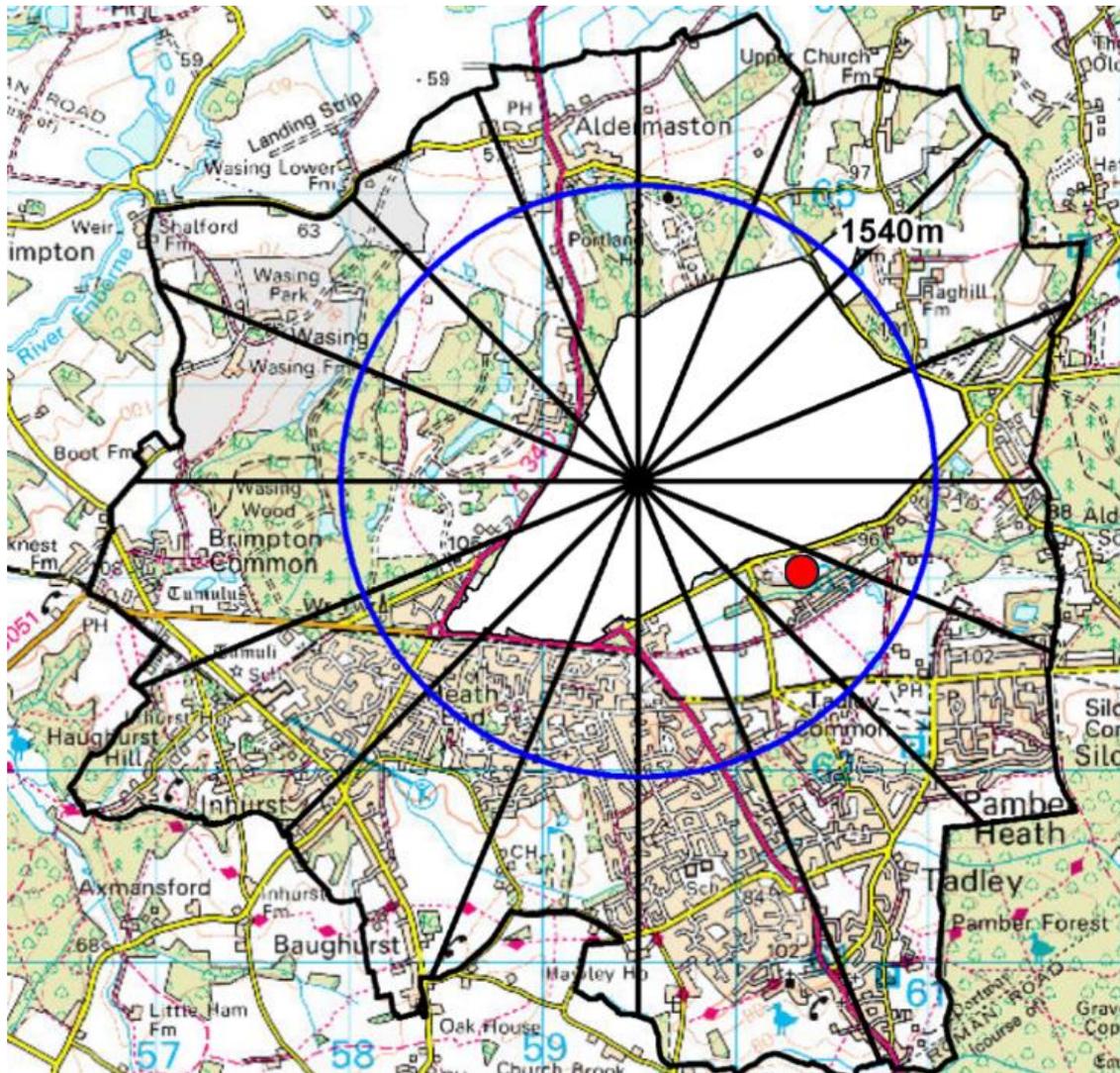
required, disassemble our nuclear warheads. They are unique and irreplaceable sites. Their long-term operability must be ensured.

14. For brevity and to avoid duplication, I refer to Tom Bennington's statement (paragraphs 11 to 23) on behalf of the MOD and also in support of the Claimant's claim for an Injunction, explaining the national and international importance of these two sites and their critical role in delivering the defence of the UK.
15. The demands placed on the AWE A and AWE B sites by MOD are not static. The risks that CASD must respond to are dynamic, and the sites must be capable of responding to MOD's evolving requirements of them.
16. This is an enduring commitment by MOD for decades ahead and the significance of CASD, and the irreplaceable nature of AWE A and AWE B in delivering it, means that a precautionary approach should be taken when considering matters which impact or have the potential to impact AWE's operations.
17. AWE has a number of regulators, including the Office for Nuclear Regulation (ONR), the Defence Nuclear Safety Regulator (DNSR), and Chief Inspector of Explosives (reporting to ONR on nuclear licensed sites). Both ONR and DNSR are independent Regulators whose purpose is to ensure that AWE as an operator demonstrates that risks from its activities have been reduced As Low As Reasonably Practicable (ALARP).

AWE'S AND THE CLAIMANT'S DUTY UNDER REPPIR 2019

18. AWE's duty under REPPIR 2019 is to identify and evaluate all hazards which have the potential to result in a radiation emergency and assess the potential consequences. The output of this assessment is the Consequences Report (AE1/05) which AWE is legally required to issue to the Claimant. The Claimant then has a duty to determine the Detailed Emergency Planning Zone (DEPZ) for AWE A and AWE B using the information in the Consequences Report (AE1/05). The Claimant is also required to prepare and maintain an adequate Off-Site Emergency Plan (OSEP) under Regulation 11 of REPPIR 2019 which sets out the urgent protective actions that are required to take place to protect the health and safety of the public in the event of a radiation emergency. It also sets out the arrangements for transition to the recovery phase.
19. The ONR provides regulatory oversight and assurance by assessing AWE's compliance with REPPIR 2019, reviewing the adequacy of AWE's assessments and on-site emergency arrangements. ONR also regulates the Claimant's legal duties under REPPIR 2019, including the adequacy of the OSEP.

20. The figure below (taken from the November 2019 Consequences Report (AE1/05)) shows the DEPZ. The black line represents the DEPZ within which WBDC must generate and maintain an adequate Off-Site Emergency Plan (OSEP). A red dot has been added to show the location of the Land. The Land is adjacent to AWE A and well inside the DEPZ.



ON THE DEFENDANT'S USE OF INDIVIDUAL RADIOLOGICAL SITE RISK

21. AWE continues to demonstrate that the risk of harm to operators and members of the public has been reduced to ALARP.

22. The Katmal Report provides an argument stating a low risk of harm to the public in the unlikely event of a radiation emergency at AWE A. Whilst this is technically correct, this individual risk approach is not relevant under REPPiR 2019. Unlikely events can happen. The Claimant has a duty under REPPiR 2019 to ensure the public are protected, defined in an adequate OSEP.

23. This public protection is a key component of international nuclear safety law which is in place to address the particular risks associated with nuclear sites. It is not optional. The UK's legal obligations under international nuclear safety law are set out in REPPiR 2019. The operator, the local authority (the Claimant) and the regulator (ONR) all have legal responsibilities to make sure the requirements of REPPiR 2019 are in place.

24. I am aware of a planning appeal decision in 2025 (AE2/16). AWE and MOD objected to the proposed development which was to be located inside the DEPZ of AWE B. A colleague at AWE gave evidence at the planning appeal public inquiry on public safety and REPPiR 2019. That proposed development site is different from the occupation of the Land, it was further away from AWE B and was also a large residential scheme providing houses rather than caravans with a day room which would be used for sheltering in the event of radiation emergency. Nevertheless, I have read the appeal decision, and I note the Secretary of State specifically concluded there would be significant harm to public safety and wellbeing from additional population within the DEPZ and that this should be accorded substantial weight in that decision. I include this because I think it is relevant here also.

25. The Secretary of State's decision letter (AE2/16) says:

“Overall, the Secretary of State agrees at IR15.55 that although there is a tiny chance of an accident occurring, the consequences would be significant throughout the DEPZ as a whole; that the radiation dose at the appeal site is highly unlikely to cause physical harm but there could well be psychological harm; and there may also be harm resulting from the shelter period; and that there would be many resources required in an emergency which would be diverted from elsewhere and there would undoubtedly be strain on Blue Light and other public services. Like the Inspector, he concludes that the appeal proposal would cause an unacceptable risk of harm to the safety and wellbeing of future residents of the proposed development, and the wider public (IR15.58, IR15.67). He considers that this carries substantial weight against the proposal.” (SoS Decision Letter, paragraph 23).

26. I also note that the Secretary of State agreed with the Planning Inspector's conclusions and the Inspector's report which is attached to the Secretary of State's decision letter said the following:

“The Appellant's Emergency Planning witness's individual radiation risk calculations are of no assistance in assessing any of the other harms that could

arise from a radiation emergency at AWE(B). There is a myriad of other types of harm that could flow from a nuclear accident, and which must be planned for under REPPIR 19.” (The planning inspector’s report, paragraph 10.38).

ON THE DEFENDANT’S FOCUS ON RADIOLOGICAL HEALTH EFFECTS

27. The Katmal Report correctly acknowledges that the Land is close enough to AWE for potential radiation doses to be higher than the 7.5 mSv dose than which REPPIR 2019 uses to base the minimum distance for detailed emergency planning. Dr Pearce calculates the potential dose at the site to be in the range of 20 mSv noting that the dose is a ‘non-trivial dose but not obviously damaging to health’. The assessment does not include other aspects that can cause ‘harm’ from the accident such as the psychological effects of an accident and the potential impacts to physical health because of enacting urgent protective actions for prolonged periods of time.
28. Whilst Dr Pearce focuses on the potential health effects associated with a 20 mSv dose to support a low-risk argument for the immediate effect at the site, the critical point that is missed is that the doses are significant enough to warrant the urgent protective action of sheltering which is part of the protections the OSEP affords through its arrangement.
29. Dr Pearce does not consider long term impacts following an accident scenario and therefore misses the intent of REPPIR 2019 and ONR’s expectations for public safety. These include (for example) relocation, medical, surveillance, decontamination and clean-up and personal injury and property damage compensation.
30. I agree with the statement made by Dr Pearce that a dose of 20 mSv is not trivial. The effects of a dose (and non-radiological health effects) at this level could be exacerbated for anyone considered to be vulnerable, noting that the Defendant’s evidence has identified that this is a vulnerable group.

INCREASED POPULATION WITHIN DEPZ AND EFFECT ON AWE’S OPERATIONS

31. Regulation 10(4) of REPPIR 2019 states that an operator must not require any person to carry out work with ionising radiation if the local authority has not met its duties with regards to maintaining an adequate OSEP, therefore the adequacy of the OSEP is fundamentally linked with AWE’s ability to operate and undertake its critical role in CASD. The defendant does not take into account the detrimental impacts on AWE that would arise from the burden of increased population on the OSEP.

32. AWE A and AWE B are the only sites in the UK that can provide the capabilities they do for the nation's nuclear deterrent. AWE needs flexibility to be able to develop, expand and/or change its activities in response to MOD requirements for supporting CASD. Increasing the population within the DEPZ can affect this support to CASD in 3 ways:

32.1. A population increase carries a significant risk that regulatory permissions would be subject to new restrictions which may limit AWE's operations. In particular, if further residential development meant that the Claimant could not demonstrate to ONR that it had an adequate off-site emergency plan, under Regulation 10(4) of REPPIR 2019, AWE would be unable to continue to carry out work with ionising radiation, preventing AWE's ability to meet MOD's requirements in support of CASD.

32.2. An increased risk of refused planning permission for AWE, and/or other operating consents, which would result in a limitation to its future operations. For AWE to meet MOD's future requirements it is likely there will be a need to amend, expand and develop operations at AWE A. Future operational changes could be deemed unacceptable given a larger population in the vicinity of AWE A and required permissions, licence amendments and other consents refused. Preventing AWE's ability to obtain future operational permissions and consents would threaten the delivery of CASD.

32.3. An increase to the risk of public challenge or complaints against AWE's operations.

CONCLUSIONS

33. AWE generates a Consequences Report (AE1/05) which it issues to West Berkshire Council. The Council then use this information to define the Detailed Emergency Planning Zone and Off-Site Emergency Plan (which is required to be demonstrably adequate).

34. The Katmal Report presents an argument suggesting that there is a low risk of death from residents on the proposed Land in the unlikely event of a radiation emergency at AWE(A). However, this is not a recognised approach under REPPIR 2019. These are my key points:

34.1. Under REPPIR 2019 an individual site risk is not used for determination the DEPZ, development of the OSEP, or to determine the adequacy of the OSEP. Something that is unlikely can still happen and that is what West Berkshire Council must demonstrate that it has prepared for. An increase in the population so close to

AWE will cause greater pressure on West Berkshire Council's ability to provide adequate support in an accident scenario.

34.2. Dr Pearce does not assess any detriments of an inadequate Off-Site Emergency Plan that might have the direct ability to affect AWE's continued operations. REPPIR 2019 Regulation 10(4) requires that continued operations at AWE(A), both now and in the future rely on having an adequate Off-Site Emergency Plan. Therefore, an increased demand on the Off-Site Emergency Plan can directly affect AWE's programme. This is intolerable in terms of AWE's required ability to support the significant strategic programme; the Continuous At Sea Deterrent.

DECLARATION

35. I confirm that I understand my duty to the court and have complied with that duty; and that I am aware of the requirements of Part 35 of the Civil Procedure Rules, Practice Direction 35, and the Guidance for the Instruction of Experts in Civil Claims 2014.

36. The opinions I have expressed represent my true and completed professional opinions on the matter to which they refer.

37. I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Person AE*

Print Name: Person AE

Date: 23 February 2026