

SCRUTINY STUDY OF THE POTENTIAL FOR FRACKING IN PENDLE

To - Scrutiny Management Team

Date of meeting – 17th March, 2015

Notes of - Scrutiny Manager

BRIEFING NOTES – POSITION STATEMENTS

Background

1. At the last meeting the Team began a study of the potential for and implications of shale gas exploration in Pendle.
2. A briefing note setting out background information was considered and evidence was taken from local residents both in favour and against shale gas exploration.
3. A draft study plan has now been prepared for the Team's consideration and this is set out at **Appendix A**.
4. Two Lancashire authorities, Fylde and Preston, have already carried out their own scrutiny studies into onshore gas exploration and the resulting reports can be accessed via the following links –

[Fylde Borough Council Final Report](#) and [Preston City Council Scrutiny Report](#)

5. It was agreed that representatives of various organisations should be invited to this meeting to discuss the topic further.
6. Invitations were therefore sent to the following -

Department for Energy and Climate Change (DECC)
Environment Agency (EA)
Health & Safety Executive (H&SE)
UK Onshore Oil & Gas (UKOOG)
Lancashire County Council (LCC)

7. The DECC, EA and H&SE will be represented at the meeting to explain their role.
8. The DECC guide 'Facts about Fracking' is attached at **Appendix B**.

9. Further detailed DECC information can be accessed via the following link - [About shale gas and hydraulic fracturing \(fracking\) - Publications - GOV.UK](#)
10. H&SE guidance for planners is attached at **Appendix C**.
11. Further detailed H&SE information is available via the following link - <http://www.hse.gov.uk/offshore/unconventional-gas.htm>
12. Lancashire County Council and UK Oil and Onshore Gas were both of the view that it would be premature to participate in the meeting and have submitted position statements as follows.

UKOOG

13. No onshore licences currently exist in Pendle. This may well change as a result of the next licensing round. However, as this is commercially confidential, UKOOG has no information about potential new areas or operators and so therefore it is difficult for us to comment on the potential in Pendle for shale gas reserves.

Lancashire County Council

14. Shale gas exploration and extraction has become the subject of considerable attention at local and national level, with the actions of the County Council often at the centre of this attention.
15. The views of the County Council are frequently sought. In turn, this has required the County Council to adopt a position to help safeguard its role as the mineral planning authority for determining the current shale gas applications.
16. It is very important that the County Council must be fair and neutral in the way it approaches these issues, and officers and County Councillors have avoided being drawn into discussion that might suggest the Council has adopted a formal position on matters of this nature that could be seen to have prejudged planning applications. With both sides of the debate scrutinising our actions, it is particularly important that 'opinion' discussions are avoided to ensure the Council does not make statements that might be seen as a predetermined view.
17. Planning applications have now been submitted to the County Council for the exploration of shale gas at two sites in the Fylde; one at Preston New Road, Little Plumpton, and one at Roseacre Wood, Roseacre. An assessment of the proposals is currently underway and the County Council is taking great care to ensure that a fair and neutral assessment is undertaken. Decisions will be taken on the applications in the near future.
18. There is no active interest in unconventional gas in Pendle at the moment and any such interest will not be known until after the publication of the next round of petroleum exploration development licences to be issued by DECC. I understand they may not be published for some time yet; without such a licence no interest can be pursued. It may be that no licence is issued for Pendle. This would mean there would be no shale exploration in the borough.
19. Irrespective, I appreciate your authority's interest in this subject matter and its wish to understand what the regulatory processes may be in the event licences are issued and interest is pursued. As part of this process, it is possible that the County Council could

contribute to Pendle's scrutiny study at some stage. There is much that we can advise upon to assist the Council.

20. However, given the above, I do not think it would be appropriate for the County Council to be part of your process at the time you propose, particularly within the remit of debate and discussion. We could only advise on the planning process in a similar way that we have advised to other authorities or which your own planning officers could advise; Preston and Fylde have undertaken similar scrutiny exercises and to which we contributed – but that was at a time when we did not have current planning applications before us awaiting determination. It may assist to look at the studies they carried out and the conclusions they came to and which I understand may still be available to view on their web sites.
21. We would be happy to provide answers to written questions on the planning process if that would assist in your scrutiny study but feel at this stage it would be inappropriate to attend in person whilst we have undetermined applications before us and for which decisions will be taken soon after the date you propose. Once the applications are determined it may be that we could make a further contribution if required.

Town Hall,
NELSON

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Date: 5th March, 2015

BOROUGH OF PENDLE



**SCRUTINY STUDY OF
THE POTENTIAL FOR SHALE GAS EXPLORATION IN PENDLE**

STUDY PLAN

Scrutiny Team Membership 2014/15	<p>Councillors: A. Aziz A. Mahmood A. J. Beckett N. McEvoy S. Benson G. Roach (Chairman) K. Hartley M. Sakib M. Horsfield D. Whalley A. Kerrigan S. Wicks</p> <p>Co-optees:</p>
Relevant Exec Member(s)	<p>Planning and Development – Cllr. G. Waugh Communities and Public Health – Cllr. J. Purcell</p>
Public Participation	<p>All meetings to be open to the public</p>
Background	<p>At its December meeting the Team agreed to add to its current work programme a piece of work relating to the potential for and implications of hydraulic fracturing (“Fracking”) in Pendle. At a subsequent meeting of the full Council the team was requested to gather evidence on the practicability, likelihood and desirability (or otherwise) of possible shale gas exploration and exploitation in this area.</p>
Links with Corporate Objectives	<p>Achieving successful regeneration and sustainable development Successfully engaging and leading our community</p>
Issue	<p>What potential exists in Pendle for the exploitation of shale gas reserves and would extraction be in the best interests of our local community.</p>
Terms of Reference	<ol style="list-style-type: none"> 1. To gain a clear understanding of the availability of shale gas within Pendle and the potential commercial viability of any future exploration and extraction. 2. To gain an awareness of the regulations, procedures and processes governing shale gas exploration/extraction. 3. To consider the potential environmental and public safety impact of exploration/extraction. 4. To consider the potential benefits that could result from shale gas extraction such as reduced energy prices, improved energy security and job creation. 5. To draw conclusions and make recommendations for consideration by the Council. 6.

Information Requirements		Source (e.g. documents, briefing notes witnesses, site visits, case studies, surveys, public view, mystery shopping)				
<u>Current Situation</u> Initial background information Shale deposits in Pendle Regulatory processes etc. governing exploration and extraction		Scrutiny Manager's briefing note British Geological survey Planning Manager Lancashire County Council Department for Energy & Climate Change Environment Agency Health & Safety Executive				
<u>Relevant Future Issues</u> Industry view on commercial viability of exploration/extraction in Pendle Evidence of potential benefits Evidence of potential negative environmental impact and public health risks		United Kingdom Onshore Oil and Gas (UKOOG)				
<u>Comparisons</u> Evidence from areas where exploration/extraction is/has taken place						
<u>Resources Issues</u>						
Publicity						
Officer Support	Lead Officer: Kath Haydock Committee Administrator: Lynne Rowland					
Timetable	ACTION/ MONTH	JAN	MARCH			
	Plan	X				
	Documents	X	X			
	Witnesses		X			
	Interim Report		X			
Report to	Council On:					
Monitor Progress						