

CABINET MEMBER DECISION

Decision:

Petitions

(i) Details of decision

That the response to the petition, attached as Annex 1, be approved.

(ii) Reasons for decision

To respond to the petition.

(iii) Details of any alternative options considered and rejected

None

(iv) Details of any consultation and representations received not included in the published report

The Cabinet Member stated that the Lead petitioner, Mr John Nolan, would receive a written record of the conversations which took place at the meeting.

Conflicts of Interest and any Dispensations Granted

(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)

None

Decision taken by:

(i) Name: Mike Goodman

(ii) Portfolio: Cabinet Member for Environment and Planning

Date of Decision: 10 October 2016

Date of Publication of Record of Decision: 10 October 2016

CABINET MEMBER DECISION

Decision:

BISLEY COMMON SANG - LEGAL AGREEMENT

(i) Details of decision

The Cabinet Member for Environment and Planning, following consultation with the Strategic Director of Environment and Infrastructure and the Deputy Leader of the Council, agreed:

1. the execution of the legal agreement for the creation of a suitable alternative natural greenspace (SANG) on Bisley Common following consultations of financial details and recommendations outlined in the Part 2 report; and
2. the ring fencing of the landowner payment for the future maintenance of the Bisley SANG, until such time as the remaining capacity of the SANG is utilised by future developments, to ensure that the maintenance liability is underwritten until further developer payments are received

(ii) Reasons for decision

The potential benefits of SANGS are that they assist in the protection of the bird species which are considered to be at risk due to the ability of SANGS to influence the behaviour of visitors to the heathland areas known as the Thames Basin Heaths Areas Special Protection Area.

The use of County Council land as SANGS provides capital, maintenance and management improvements on the land, at no cost to the County Council through developer contributions and/or works in kind, at the same time as supporting those affected local authorities in achieving their housing targets.

Use of County Council land as SANGS also releases land for new development for which the County Council receive a landowner charge in recognition of the uplift in value that the SANGS bestow on the proposed development site, in accordance with the County Council SANGS Policy adopted on 18 December 2012.

The legal agreement is required to ensure the necessary enhancement works detailed in the management plan to create the SANG on Bisley Common are carried out by the developer and that a commuted sum for the 'in perpetuity' costs of maintaining the SANG, and a sum by way of a landowner payment are received from the developer before the residential units are occupied.

The creation of the SANG will increase the attractiveness of Bisley Common, for both local residents and the new occupiers of the adjoining residential development, as it will improve the routes across the Common for general exercise and dog walking, at the same time improving and protecting the natural habitats and biodiversity of the Common.

(iii) Details of any alternative options considered and rejected

None

(iv) Details of any consultation and representations received not included in the published report

The Cabinet Member was informed that the policy on the creation of Suitable Alternative Natural Greenspaces (SANG) was agreed by Cabinet in 2010 following which it was amended by the Cabinet at its meeting in December 2012 to require developers to pay by square footage of the SANG rather than a flat rate fee.

Conflicts of Interest and any Dispensations Granted

(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)

None

Decision taken by:

- (i) Name:** Mike Goodman
- (ii) Portfolio:** Cabinet Member for Environment and Planning

Date of Decision: 10 October 2016

Date of Publication of Record of Decision: 10 October 2016

Date decision effective (i.e. 5 working days after date of publication of record of decision unless subject to call-in by the Economic Prosperity, Environment and Highways Board): 18 October 2016

RESPONSE TO PETITION CONCERNING STOPPING ALL UNCONVENTIONAL AND INVASIVE TECHNIQUES INCLUDING HIGH VOLUME HYDRAULIC FRACTURING IN SURREY

The Petition

There is a growing body of evidence of serious and long term consequences. HEALTH: Cancer, preterm birth, silicosis, workplace deaths, etc. Letter published in BMJ Copy and paste link: <http://goo.gl/t6l8Jd> The Medact Report Copy and Paste Link:

http://www.medact.org/wp-content/uploads/2015/04/medact_fracking-report_WEB4.pdf

ENVIRONMENT: Methane leakage (Greenhouse Gas), Polluted aquifers, Earthquakes, Radon gas in homes, crop contamination. FINANCIAL: Short term profit, housing market destabilisation, cost of clean up, medical costs etc. EVIDENCE: Findings to date from scientific, medical, and journalistic investigations combine to demonstrate that unconventional and invasive techniques including high volume hydraulic fracturing poses significant threats to air, water, health, public safety, climate stability, seismic stability, community cohesion, and long term economic vitality. Copy and paste link:

<http://goo.gl/bK4zXA> Evidence shows that regulations are simply not capable of preventing harm i.e. claims of safety are based on wishful thinking. Germany, France, Scotland, Wales and many regions have banned it.

Submitted by John Nolan

Signatures: 554 confirmed, 78 unconfirmed

Response

Thank you for your petition requesting that Surrey County Council puts in place an energy policy to stop all unconventional and invasive techniques including high volume hydraulic fracturing (“fracking”) in Surrey. This on the basis of your concerns about potential long term environmental and health impacts. Surrey County Council does not have an energy policy that can regulate third party development but it is responsible for minerals & waste land use planning. Hence this response relates to the county council’s statutory responsibilities for land use planning.

I can assure you that I take your concerns about the environmental and health impacts of development involving fracking very seriously. I am therefore reassured that in the UK we have in place one of the most rigorous environmental protection regimes in the world. It is therefore not relevant to take examples of harmful environmental or health impacts arising from fracking in other countries, including the USA, and applying these to the UK.

The policies in our Minerals Plan, together with national policies and environmental protection legislation, will ensure that all potential environmental and public health impacts of proposed hydrocarbon development are fully taken into account before any planning permission is granted. In addition, before a company can start drilling for oil and gas, they will need an environmental permit from the Environment Agency, a well consent from the Oil & Gas Authority and permission to proceed from the Health & Safety Executive.

I must emphasise that all oil and gas exploration and appraisal in Surrey is for conventional oil and gas. There is no fracking for shale gas or oil taking place or proposed in Surrey. The British Geological Survey estimates that there is unlikely to be shale gas in the Weald Basin, only shale oil. It is therefore unlikely that any proposals for fracking will come forward in Surrey in the foreseeable future.

The Government's position on shale gas exploration and planning is set out in its [Shale Gas and Oil Policy Statement](#) and its [Guidance on Fracking](#). These policy documents emphasise the Government's commitment to the very highest safety and environmental standards for extracting oil and gas. Reports by the Royal Society and Royal Academy of Engineering, Public Health England and others have considered a wide range of evidence on hydraulic fracturing in the UK context, and concluded that risks can be managed effectively if the industry follows best practice, enforced through regulation.

The independent [Task Force on Shale Gas](#) chaired by Lord Chris Smith considered a wide range of evidence and concluded in December 2015 that:

- Shale gas can be produced safely and usefully in the UK provided that the Government insists on industry-leading standards.
- The risk from shale gas to the local environment or to public health is no greater than that associated with comparable industries provided, as with all industrial works, that operators follow best-practice.

Recent legislation gives additional protection. Section 50 of the Infrastructure Act 2015 sets out a number of safeguards on developments involving fracking including the protection of groundwater source areas and areas of outstanding natural beauty

Hence it would not be reasonable to change local policy and impose a blanket ban on any particular technique. Any development proposal that may give rise to unacceptable risks to the environment or public health can already be prevented given existing Government and local planning policies and the rigorous UK regulatory system.

More information on oil and gas development in Surrey is available on our website: see [Oil and Gas Development Q & A February 2016](#).

Mr Mike Goodman
Cabinet Member for Environment and Planning
10 October 2016