

Planning and Regulatory Committee

27 November 2024

PROCEDURAL MATTERS – PUBLIC QUESTIONS

4

1. Question submitted by Jackie Macey

This week the government's approval of the Rosebank oil field will be challenged in court, however following the Supreme Court's ruling on the need to assess downstream emissions within EIAs the government has withdrawn its defence. Will the planning committee also now recognise the significance of this ruling and issue an enforcement notice to UKOG to ensure no future unlawful activity occurs at the Horse Hill site?

Reply:

The Council is aware of other on-going court cases and will consider the implications of any future decisions in relation to our own work, including whether or not formal enforcement action is taken at Horse Hill. The consideration of formal action at Horse Hill remains a live matter with the Council's Enforcement and Monitoring team.

2. Question submitted by Deborah Elliott

Following the questions raised by the public at the last planning meeting can you advise if an enforcement or stop notice has now been served on the Horse Hill oil extraction site?

Reply:

No formal enforcement or stop notice has been issued to date at the site. The matter remains subject to on-going review alongside the work necessary to review the voluntary cessation by the operator.

3. Question submitted by Neville Kemp

Has the council set dates for UKOG to restore the site and if so, how will this be monitored?

Reply:

The current position is that the development at site is unlawful and the operator should therefore be remedying the situation as soon as possible. No formal date has been agreed by the Council by which the restoration of the site must have been completed. On-going monitoring of the situation, both in discussion with the operator and by site visit, is taking place.

4. Question submitted by Sarah Freeman

How will Surrey County Council clearly inform the public that they have endorsed the Supreme Court's 'Finch' ruling on EIAs, by their action in closing UKOG's Horse Hill oil extraction site?

Reply:

The Supreme Court Decision relates to the need for downstream greenhouse gas emissions to be considered as part of an Environmental Statement submitted in support of the (now) undetermined planning application. As previously confirmed, the Council will ensure that

information is submitted with any new documentation in support of the planning application and will fully consider it as part of the assessment of that planning application.

The enforcement related issues stem from the Supreme Court's quashing of the previous permission rendering what has occurred at site unlawful. The subsequent considerations regarding whether or not formal enforcement action are separate matters.

5. Question submitted by Cllr Bob Barnes (Parish)

Can you please confirm what Surrey County Council's enforcement policy is for managing timescales for illegal waste dumping on a major scale which has been allowed to continue for over 30 days when planning enforcement team were notified on the first day of activity when HGV waste was brought onto site? Specifically, can you please confirm what policy Surrey County Council has to not expediently action enforcement to cease activity on site and what is the policy for no enforcement/ temporary stop notice being served and action taken to collectively ensure that work does not then recommence again immediately after the period of the stop notice has ended?

Reply:

Enforcement action has been undertaken at this site. In recognition of the ongoing harm SCC has served a Temporary Stop Notice and a Stop Notice together with an Enforcement Notice, which remains extant. Regrettably it is not possible to extend the time period after such a Temporary Stop Notice has expired.

Whilst a Temporary Stop Notice can temporarily seek the cessation of the activity it is clear that in order to achieve full compliance with the enforcement notice to both cease the activity and remediate the site, further action is required. As a consequence, Officers are actively progressing this case to apprehend the unauthorised waste activity occurring at the Site whilst also working to ensure that any action the County Planning Authority take will be sufficiently robust to ensure an immediate remedy of the most harmful aspects of the unlawful development. Once authorisation and documentation regarding proposed formal action has been agreed, a further update will be provided to all interested parties.

Edward Hawkins
Chairman of the Planning and Regulatory Committee
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