

TO: PLANNING & REGULATORY COMMITTEE
BY: PLANNING DEVELOPMENT TEAM MANAGER

DATE: 17 OCTOBER 2018

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TITLE: GOVERNMENT SHALE GAS CONSULTATIONS – OFFICER REPORT ON COUNTY COUNCIL MOTION

1. Since the 1950s, conventional oil and gas exploration and appraisal has occurred at a number of locations across the southern part of the County. Small quantities of hydrocarbons are currently produced by conventional means in the Weald Basin, to the south of the North Downs. There are two operational sites producing oil, namely Felton's Farm in Brockham and Palmers Wood Oilfield in Godstone; and two with permission to produce gas at Kings Farm, South Godstone and at Albury. There is a further site at Horse Hill near Horley with permission for well appraisal.
2. There is no fracking for shale gas either taking place or proposed in Surrey. The Government proposals currently under consideration would not have any direct impact on Surrey at this time. Indeed, the British Geological Survey (BGS) estimates that there is no significant shale gas potential in the Weald Basin including southern Surrey – shale oil rather than gas is likely to be present. The focus for exploration for shale gas will therefore remain in the north of England for the foreseeable future.
3. The Government Written Ministerial Statements on energy and planning policy of 17 May 2018 announced a range of measures to facilitate timely planning decisions in respect of shale planning applications. There was a stated intention to consult on the criteria required to trigger the inclusion on shale production projects into the Nationally Significant Infrastructure Projects (NSIP) regime and on the principle of whether non-hydraulic fracturing shale gas exploration development should be granted planning permission through a permitted development right. These consultations are being carried out by the Department for Business, Energy & Industrial Strategy (BEIS) and the Ministry of Housing, Communities & Local Government (MHCLG) respectively. The consultations both commenced on 19 July and both end on 25 October 2018.
4. The County Council has already responded to both of these consultations. Planning Officers drafted a response to both consultations, which were subsequently signed off by the Portfolio Holder and Executive Director, in line with the County Council's procedure for responses to formal Government consultations, and then submitted. The response letters are included as an Annexe to this report. The detailed County Council responses do not agree with the Government proposal that non-hydraulic fracturing shale gas exploration development should be granted planning permission through permitted development or that shale gas production projects should be included within the Nationally Significant Infrastructure Project (NSIP) regime and in this respect agree with the Motion to Council.
5. Whilst the sentiment of the Motion that shale gas development should continue to be determined via existing local democratic structures is in line with the County Council's response to the consultations, the Motion does not accurately reflect the Government's consultations. The Government is not proposing to '*allow the exploration phase of hydraulic fracturing (fracking)*' to be allowed under permitted development as stated in the Motion but are consulting in respect of '*non-hydraulic fracturing shale gas exploration development*'. It is very specifically not fracking – it may be a pre-cursor to exploratory fracking, but it is not fracking. Additionally, it is a matter of conjecture that this could be extended to other types of oil and gas exploration. While officers agree with the

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sentiment of the Motion, it is recommended that it be amended to reflect the Government consultation prior to adoption, should Members wish to support it.