

Planning and Regulatory Committee

30 October 2024

PROCEDURAL MATTERS – PUBLIC QUESTIONS**1. Question submitted by Deborah Elliott**

I have read the Supreme Courts ruling issued on 20 June which clearly removes UKOG's operating licence at the Horse Hill oil extraction site, which is located on the Horley/Reigate border. I do not understand why the company is being allowed to continue its unlawful activity after such a lengthy period of time. Please could the committee explain why the ruling has been ignored by SCC and why oil extraction has not been halted by the council?

Reply:

The decision of the Supreme Court related only to the decision to grant planning permission in relation to planning application reference RE18/02667/CON. It does not relate to any licence for oil extraction.

The County Council position is that the continued extraction in the absence of planning permission is unlawful. The development continues at UKCOGS own risk.

The Planning Enforcement Team is actively investigating the case, which includes gathering information as to the precise nature of the development at the site. Detailed and precise information gathering is a necessary, but time-consuming, step to inform a sound decision as to whether formal enforcement action is expedient.

Given this is a live enforcement investigation, we cannot comment further at present.

2. Question submitted by Jackie Macey

In September 2019 I sat with many others and listened to Surrey County Council approve the drilling of four new oil wells at Horse Hill, this was shortly following their declaration of a Climate Emergency. I am aware that this decision reflected government policy but in the real world of floods, droughts, crop failures, earthquakes and declining air quality it made no sense at all. It has taken five years of effort by many people to have this reality recognised in law, however in the months that have followed the Supreme Court judgement I have not been aware of any actions taken by the council to cause UKOG to cease their now unlawful activity at Horse Hill, what message does this give to any Surrey resident about the significance of planning permission? I hope the committee can clarify its position.

Reply:

The County Council position is that the continued extraction in the absence of planning permission is unlawful. UKOG has been put on notice and therefore the development continues at its own risk.

The Planning Enforcement Team is actively investigating the case, which includes gathering information as to the precise nature of the development at the site. Detailed and precise information gathering is a necessary, but time-consuming, step to inform a sound decision as to whether formal enforcement action is expedient.

Given this is a live enforcement investigation, we cannot comment further at present.

Surrey residents can be assured that the County Council recognises that effective enforcement is important to maintain public confidence in the planning system and is pursuing the matter accordingly.

3. Question submitted by Sarah Freeman

I am concerned that the June 2024 Supreme Court ruling (20 June 2024) has not led to the stopping of the Horse Hill extraction operation, or any sign of a decrease in activity at the Horse Hill site. This flies in the face of the Surrey Climate Change Strategy which the Council had brought into action in 2020, based on the declaration of a climate emergency. Is the Planning Committee working urgently on an official closure of the Horse Hill site while the environmental impact assessments are revisited and the Supreme Court ruling applied? Is a timeline to impose this action available?

Reply:

Decisions as to enforcement matters are delegated to officers at Surrey County Council.

The Planning Enforcement Team's investigations at Horse Hill are ongoing and will determine whether formal enforcement action is expedient. If formal enforcement action is considered expedient, then time limits will be imposed in any formal notice. With regard to the redetermination of the planning application, officers are in active discussion with the applicant. Any additional information submitted will be subject to full public consultation.

4. Question submitted by Jacqueline Phillips

As I understand it, following the Supreme Court Judgment of 20th June 2024, there is no longer hold any planning permission for the oil well site at Horse Hill. Have UKOG put in a new planning application, or should they now be reinstating the site to agriculture and woodland as mandated in the now lapsed planning permissions?

Reply:

The County Council have not received a new planning application to date. The application subject of the Supreme Court decision remains to be redetermined and we understand that the applicant intends to submit further information to enable the County Council to do so.

With regard to reinstatement this is a matter for the Planning Enforcement Team and will form part of the decision as to what action is considered expedient in this case.

5. Question submitted by Neville Kemp

In light of the Supreme Court judgement of 20 June 2024, what action has the council taken to ensure UKOG's cessation of unlawful operations at Horse Hill?

Reply:

The County Council position is that the continued extraction in the absence of planning permission is unlawful. UKOG has been put on notice and therefore the development continues at its own risk.

The Planning Enforcement Team is actively investigating the case, which includes gathering information as to the precise nature of the development at the site. Detailed and precise information gathering is a necessary, but time-consuming, step to inform a sound decision as to whether formal enforcement action is expedient.

Given this is a live enforcement investigation, we cannot comment further at present.

Edward Hawkins
Chairman of the Planning and Regulatory Committee
29 October 2024

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