

**HAMPSHIRE COUNTY COUNCIL****Report**

<b>Committee:</b>	Environment and Transportation Select Committee
<b>Date of meeting:</b>	5 November 2013
<b>Report Title:</b>	Fracking
<b>Reference:</b>	5346
<b>Report From:</b>	Director of Economy, Transport and Environment

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## 1. Purpose of Report

- 1.1. The purpose of this report is to assist the Select Committee in responding to the resolution of the County Council on 23 May 2013 that the motion “In view of the potential environmental risks, this Council considers the controversial impact of fracking” be referred to the Environment and Transportation Select Committee, to report to the County Council at a future meeting.

## 2. Contextual Information

- 2.1. At County Council on 23 May 2013 a Motion regarding fracking was put forward by Councillor Adam Carew, seconded by Councillor Martin Tod. The Motion stated: “In view of the potential environmental risks, this Council considers the controversial impact of fracking.”
- 2.2. The Resolution was ‘That the Motion (as amended) be referred to the Environment and Transportation Select Committee to report to the County Council at a future meeting.’
- 2.3. The Chairman of the Select Committee agreed to put the item on the Committee’s agenda for 5<sup>th</sup> November but requested that a briefing on the background to fracking be arranged for the Committee Members in advance of the November Committee meeting. The briefing took place on 23 September. A copy of the PowerPoint presentation from the briefing is set out in Appendix 1. During the briefing Members asked factual questions but did not discuss the Motion or form a view on what the Committee should report back to Full Council.
- 2.4. The presentation on 23<sup>rd</sup> September provided Committee Members with facts about conventional and unconventional oil and gas (shale gas),

including extent of potential shale gas deposits in the UK and Southern England. Officers provided factual information and described the technique of hydraulic fracturing (fracking) to produce gas from the shale.

- 2.5. This was followed by an explanation of how the main environmental issues relating to shale gas extraction are addressed by the national Regulatory regime. This included an explanation of the roles of the Department of Energy and Climate Change (DECC), Environment Agency (EA), Health and Safety Executive (HSE) and the Mineral Planning Authority (MPA). In terms of the geographic area of Hampshire, the MPAs are Hampshire County Council, South Downs National Park Authority, New Forest National Park Authority, Southampton City Council and Portsmouth City Council (the 'Hampshire Authorities') within their respective areas. The Hampshire Authorities have jointly produced, and resolved to adopt, the Hampshire Minerals and Waste Plan, which sets out the relevant planning policies for considering proposals for both conventional and unconventional oil and gas development.
- 2.6. The Planning Practice Guidance for onshore oil & gas (July 2013) identifies the principal environmental issues of hydrocarbon extraction that should be addressed by MPAs. These environmental issues, which are addressed in the policies of the adopted Hampshire Minerals and Waste Plan are:
- Noise associated with the operation
  - Dust
  - Air quality
  - Lighting
  - Visual intrusion
  - Landscape character
  - Archaeological and heritage features
  - Traffic
  - Risk of contamination to land and soil resources
  - The impact on best and most versatile agricultural land
  - Flood risk
  - Land stability / subsidence
  - Environmental / habitat designations
  - Nationally protected geological / geomorphological sites / features
  - Site restoration & aftercare
- 2.7. In addition to these issues, there are also environmental concerns related to the potential impact of shale gas exploration, and appraisal of production (extraction) on water resources and seismic activity.

- 2.8. Regarding water resources the concerns relate to the quantity of water required for the fracking process and also the potential impact on the quality of ground water resources. This impact is both in terms of quantity and also the potential for pollution/contamination of ground water resources. The EA is the main regulator for this aspect, as Environmental Permits are required for water abstraction, waste water treatment and disposal. In addition the HSE are the main Regulator with regard to well design and integrity. In considering any planning applications for oil and gas development the MPA is required to take into account these additional detailed and rigorous controls and Regulations operated by the EA and HSE.
- 2.9. There has also been concern raised at the potential for fracking to trigger seismic activity. This was because a small scale seismic event occurred in Lancashire, which resulted in a temporary ban on fracking in the United Kingdom pending further research. Following that research, there are now more stringent requirements and controls in place on drilling, fracking and monitoring in order to minimise the potential for triggering such an event. The DECC requires these stringent measures through their approval process, in addition to the need for planning permission and the necessary Environmental Permits and HSE well design approvals

### **3. Conclusions**

- 3.1. Oil and gas exploration, appraisal and production (extraction), including shale gas and associated fracking, is subject to detailed and rigorous regulations and controls from the DECC, EA, HSE and the County Council as a Mineral Planning Authority.
- 3.2. The newly adopted Hampshire Minerals and Waste Plan has up to date robust planning policies to help address and consider the environmental concerns and risks which are relevant when making planning decisions for oil and gas development, including shale gas and fracking. In coming to its planning decisions, the County Council must also take into account the guidance provided by other regulators (such as the DECC, Environment Agency and HSE). It should also note the stringent, detailed controls, monitoring and Regulations which other regulators operate to address specific areas of environmental concern and risk.

**CORPORATE OR LEGAL INFORMATION:**

**Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>OR</b>	
<b>This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:</b>	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

None

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1. The proposals in this report have been developed with due regard to them requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. The website contains a summary [assessment of the impacts](http://documents.hants.gov.uk/equality-impactassessments/ete/delivering-infrastructure.doc) on <http://documents.hants.gov.uk/equality-impactassessments/ete/delivering-infrastructure.doc>.
- 1.2. It is considered that the issues covered by this report will not have impacts requiring further specific actions by the Council above those already established in its existing policies and working procedures.

### **2. Impact on Crime and Disorder:**

- 2.1. None.

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

Sustainable minerals development contributes to the reduction of the carbon footprint of Hampshire

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Nothing is being proposed.