

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Economy, Transport and Environment
Date:	7 October 2013
Title:	Revised requirements for oil and gas applications – consultation response
Reference:	5253
Report From:	Director of Economy, Transport and Environment

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1. Executive Summary

- 1.1. The purpose of this paper is to seek views on, and formal approval of, the attached consultation response.

2. Contextual information

- 2.1. The process of shale gas extraction known as “fracking” is a highly sensitive local issue. Not least in view of the public’s response to proposals for oil and gas exploration in Balcombe, West Sussex.
- 2.2. The Government has launched a consultation on proposals to revise arrangements for dealing with planning applications related to oil and gas exploration and extraction. In particular it focuses on how landowners and tenants are notified by applicants of applications for onshore oil and gas development.
- 2.3. The consultation paper can be found here:

<https://www.gov.uk/government/consultations/revised-requirements-relating-to-planning-applications-for-onshore-oil-and-gas>

3. Consultation Response

- 3.1. A proposed response to the consultation is attached as an appendix to this report.

4. Recommendation

- 4.1. That the attached consultation response be approved for submission to The Government by the statutory deadline of 14 October 2013.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes/æ
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes/æ
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes/æ
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Hampshire Minerals & Waste Local Plan	<u>Reference</u>	<u>Date</u> September 2013
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

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.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1 The proposals in this report have been developed with due regard to the 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](#) on 'Enhancing Hampshire's Quality of Life'.
- 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:

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?
- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Oil and gas exploration and extraction has implications for our carbon footprint and climate change. However, this consultation is about procedural matters related to the planning application and consultation / notification processes rather than oil and gas exploration / extraction itself.

APPENDIX - SUGGESTED CONSULTATION RESPONSE

Dear Sir/Madam,

Revised requirements relating to planning applications for onshore oil and gas

Thank you for affording Hampshire County Council the opportunity to comment on this draft guidance. The County Council has a number of concerns about the proposed changes to the requirements relating to planning applications for onshore oil and gas. These are laid out below in response to each of the five points suggested in the consultation document.

1. The proposed approach to notice requirements for planning applications for underground operations for onshore oil and gas extraction.

Hampshire County Council considers it important that all landowners in Hampshire are informed about, and provided with the opportunity to engage in, all relevant aspects of proposed oil and gas developments which affect their land.

It is recognised that, in terms of unconventional oil and gas extraction, this is likely to entail contacting a large number of landowners. However, due to the significant public interest in this matter and the potential for unforeseen environmental consequences to arise from the shale gas extraction process, we believe this is justified.

Applicants should (continue to) use the more comprehensive notification method to ensure any landowner which may be affected by underground exploration/extraction for oil/gas developments is made aware of the potential development and given the opportunity to comment

For information, Hampshire County Council intends to revise its Statement of Community Involvement to make it clear that, in the case of oil/gas developments, notification of proposed developments will generally be provided to all landowners/tenants, residents and communities that could be affected by underground operations. This amendment will be subject to consultation in due course.

2. An alternative option to retain the requirement to notify owners and tenants individually where works are required for oil and gas developments where the underground operations take place above a certain depth.

Hampshire County Council does not believe an alternative option is justified due to the risk of potentially significant consequences arising from the extraction of shale gas. These risks and perceptions of risk remain regardless of the depth of drilling.

3. The proposed contents, questions and structure of the standard application form.

Hampshire County Council welcomes the proposal to create a standard application form for use across the country.

4. The proposal to clarify that fees for planning applications for onshore oil and gas developments should be calculated by reference to the site area of the above-ground works.

Hampshire County Council considers that the proposal to calculate fees on the basis of the above-ground works is adequate and clarification on this matter is supported.

Yours faithfully,

Councillor Seán Woodward
Executive Member for Economy, Transport & Environment