

NOTICE OF MOTION - FRACKING

To be proposed by Cllr Rob Devey. Seconded by Cllrs Darren Clifford, Claire Cozler and Janet Hall:

“Lancaster City Council notes the ongoing consultation which ends on September 29 and could result in licences being granted for oil and gas exploration which could involve fracking in the south of our district. We also note the recent report published by Preston City Council into the process and that council’s subsequent resolution. While we would always respond as a consultee to any individual planning application on a case by case basis on planning grounds and carefully weigh up its merits, we believe considerations when it comes to fracking go above and beyond pure planning grounds. Therefore, this council agrees to:

a) Oppose fracking in the Lancaster district, or fracking outside our district which could affect residents within our district, and call upon the Government to re-consider its policy of encouraging fracking because:

- This council considers the focus across the country ought to be on developing sustainable sources of clean renewable energy, especially including tidal energy given that we are an island, but also including off-shore windfarms, solar power and kinetic energy generated by the movements of people and vehicles.*
- This council considers that fracking has the potential to spoil our countryside and adversely affect wildlife and habitat.*
- This council has doubts as to the safety and impact of the process for reasons including the earthquakes caused by recent fracking investigation works in Lancashire, the release of significant quantities of methane gas and, as recently evidenced in a major study by the United States Environmental Protection Agency, impacts on the integrity of drinking water supplies.*

b) Urge the Government to scrap proposals to remove responsibility for determining fracking planning applications from local councils (in our area Lancashire County Council) if they are not determined within a 16-week period, and recognise that these are sensitive proposals which should be judged locally and which, if anything, need more time for consideration and public consultation, not less.

This motion should be sent in writing to the Department for Energy and Climate Change and the Oil and Gas Authority as part of the ongoing consultation, which ends on September 29, but also to the relevant secretaries of state at the Department for the Environment Food and Rural Affairs and the Department for Communities and Local Government.”

OFFICER BRIEFING NOTE:

The City Council is not the relevant planning authority in terms of applications for onshore oil and gas explorations and does not duplicate what the County Council is tasked to do. It does not have the specialist expertise or the capacity to engage in consultations outside its own specialist areas of planning.

The consultation referred to is very specific to Habitats Assessment for Oil and Gas exploration, rather than the issue of exploration generally. Whilst it is open to anyone to respond to the consultation, the relevant planning authorities are the County Councils and Unitary Authorities and they, together with national bodies such as Natural England, Wildlife Trusts, the RSPB etc. would have the most relevant expertise to enable them to comment

However, to assist members, it may be worth referring to a piece of work produced recently by Preston City Council which helpfully explains the current position.

The relevant link to the Preston website is set out below. Agenda item 9 is the relevant one.

<http://preston.moderngov.co.uk/ieListDocuments.aspx?CId=145&MId=5067>

Monitoring Officer Comments

This motion falls within Council Procedure Rule 15.4, as it broadly relates to a matter which might affect the district.

To the extent that the motion simply provides for the Council to express its current views, there are no legal implications for the Council should the motion be carried.

As the Council is not the relevant planning authority, it is unlikely that Members will be required to make any decision on this matter in the future. However, individual members should be mindful that any public statement which appears to indicate that they have formed an intractable or uncompromising opinion on the matter could potentially lead to challenge on the grounds of predetermination if they were to be involved in any decision making in the future.

Section 151 Officer Comments

The Section 151 Officer has been consulted and has no comments.