

MARK MENZIES MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Oil and Gas Exploration and Production Team
Department for Business, Energy & Industrial
Strategy,
Orchard 2, Third Floor
1 Victoria Street
London, SW1H 0ET

26 July 2018

Dear Greg,

RE: Inclusion of Shale Gas Production in the Nationally Significant Infrastructure Project Regime Consultation

I am writing in response to your department's ongoing consultation into whether all shale gas production phase projects should apply for development consent within the Nationally Significant Infrastructure Project (NSIP) regime. As my constituency has a shale gas well site that is in the advanced stages of construction and I have considerable experience of these matters I would hope that you will give significant weight to my submission.

Taken in conjunction with the Ministry for Housing, Communities and Local Government's proposals that shale gas exploration sites could be given planning permission through a permitted development right, your department's proposals are deeply concerning. In combination, these plans deny local mineral rights authorities the opportunity to scrutinise the suitability of shale gas sites at both exploration and production phase. This will – quite unacceptably – increase the prospect that shale gas sites will be sited in wholly inappropriate locations.

It is vital that local authorities are able to have a significant impact on whether both shale gas exploration and production sites should be constructed. This is because local authorities have practical, on-the-ground experience of the local area and have a better understanding of their suitability than an Examining Authority that may have little to no knowledge of the location of proposed developments.

A pressing example that demonstrates the impact that this could have is at Roseacre Wood in my constituency. I made clear to the planning inquiry, I am of the considered and firm view that the proposed exploration site should not be built because traffic management concerns cannot be overcome. The Planning Inspectorate is yet to complete its report but my view is shared by a considerable number of independent experts, local residents and both Fylde Borough Council and Lancashire County Council.

If the proposals outlined in the joint written ministerial statement of May this year were to proceed this would be entirely irrelevant – Cuadrilla Resources could have progressed with the exploration phase at Roseacre Wood without any consideration of the traffic implications having taken place. Not only this but under your department's plans, if exploration is allowed to proceed and the

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company then makes an application for production, Lancashire County Council – the body responsible for managing traffic around the site – would have been excluded from the entire planning process. Taken to its ultimate conclusion, under these plans there would be few of the safeguards that are currently in place, providing greater potential for preventable road traffic accidents to take place.

I do accept, moreover I welcome the introduction of an overarching national planning body to ensure that planning policy in relation to shale gas is applied uniformly across the country. This will ensure that there is not a significant proliferation in the number of sites in any given area, removing potential inconsistencies in the number of sites that develop across different local authorities. It could be monitored and enforced by a national body as part of the planning process, however, and need not require shale gas sites to be included in the NSIP regime.

Alongside – what would be – this welcome change, local authorities and local people must not be cut out of the planning process. The danger is that these plans will completely bypass local people's concerns and remove the substantive powers that local authorities have to properly scrutinise shale gas planning applications using the benefit of their knowledge of all the circumstances.

The fact is that this consultation is not being conducted in isolation. On its own, giving shale sites NSIP status may not be a cause for concern, providing that exploration applications are still determined by local mineral rights authorities. As the government's overall approach appears to be to cut local authorities out of these extremely important considerations, I am unable to and will not support this should you decide to proceed with this policy in conjunction with plans to make shale gas exploration sites a permitted development right. In isolation, however, I welcome an increasing degree of national oversight over shale gas planning applications.

Yours sincerely,



Mark Menzies MP