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CHAIRMAN: Good morning, ladies and gentlemen. It appears that we are not doing a fire alarm test so if the fire alarm does go off please note that the fire exits for both those in the gallery and those in the chamber are at the back of the chamber.

Welcome to this meeting of the Planning and Licencing Committee. We will start, as ever, with the minutes of the last meeting of the 20th of September. Quite happy with those. Those in favour.

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CLLR SADDINGTON: Fine.

CHAIRMAN: Thank you very much. Do we have any apologies for absence? David, are you going to…

C

MR FORSTER: I haven't. Sorry.

CHAIRMAN: It's fine. Okay, we now come to the point where we have declarations of interest by members and officers. Firstly, disclosable pecuniary interests. No. Secondly, private interest, pecuniary and non-pecuniary. No. Thank you.

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Item 4 is any declarations of lobbying. It will not surprise you that I will declare on behalf of all of us that we have had various emails, messages, etcetera, which constitute lobbying, and we thank, I think, all the people who took the time to give us their views and opinions.

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So we move to our one item agenda, which is agenda item 5. Before I ask Mr Smith to introduce this I just want to give an indication of how I hope to do this. We have a number of special representations, we have five, and then we have, as usual, our public speakers. Obviously it will depend, because after each presentation colleagues will be entitled to ask questions, and Mr Smith will summate at the end of each set of questions should he feel the need. Ideally I'm looking at getting through all the presentations before we break for lunch, but let us see how we go. So, with no more adieu, Mr Smith.

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MR SMITH: Thank you, Chair. Just before I do start, for the benefit of those here, in addition to Sally and myself I just want to introduce Oliver Meek, who's been the Case Officer for this planning application, and to my right is Nick Crouch who's the County Ecologist who will be able to answer any queries that members might have on ecological issues as the day goes on.

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Right. So the report considers an application to develop a hydrocarbon well site and drill up to two exploratory hydrocarbon wells, the first vertical and the second horizontal, on land off Springs Road to the north of Misson village. No hydraulic fracturing or fracking is proposed as part of the planning application. The application site is approximately 3.2 kilometres northeast of the centre of Misson village, close to the county's boundaries with Doncaster Metropolitan Borough and North Lincolnshire. The villages of Finningley and Blaxton are approximately 3.5 and 4.2 kilometres northwest of the site, respectively, and Westwoodside approximately 4 kilometres northeast. Robin Hood Airport is approximately 4.3 kilometres

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west of the site. The application site is located on land owned by Elwood Jackson & Co, which operates a business selling ex-military vehicles and equipment. There are a large number of industrial buildings on the site associated with this business.

The site was historically used a surface to air guided weapon facility, as a launch site for the MKI Bloodhound Missile, and there are two fire units, each containing 16 missile pads. This

photo shows one of the missile pads. The application site, shaded red on this plan, is a roughly rectangular piece of hardstanding measuring 80 metres by 100 metres, located within the northernmost fire unit. The site extends to the west across an existing access road to provide access onto Springs Road. The nearest residential property to the site is Misson Springs Cottage, located just to the south of the access road onto Springs Road, although this property is within the applicant's control and is presently unoccupied. The nearest occupied properties are Levels Farm and Prospect Farm, which are approximately 130 metres north of the site access and 260 metres northwest of the well pad respectively. There are further isolated properties and farms around the site, as indicated on this plan, including the Grade II listed Newlands Farm. Approximately 125 metres to the east of the application site is the Misson Training Area site of Special Scientific Interest, highlighted in green on this plan. There are a number of other *(inaudible)* sites and local wildlife sites in the surrounding area.

The government has previously issues Petroleum Exploration and Development Licences, or PEDL Licences, across a large part of the country, including Nottinghamshire. The application site lies within PEDL area 140, which the licence held by a consortium comprising a number of companies and operated by the applicant company Island Gas Limited, or IGas. Since being issues with the licence IGas has commissioned a 3D seismic survey across a 7,000 hectare area in the north of the county, which was carried out in 2014. At the beginning of this year members of the Committee resolved to grant planning permission for up to four sets of ground water monitoring boreholes within the application site, and the boreholes have been subsequently drilled and installed and are being actively monitored.

The proposed development comprises four phases which can be described as follows: the first phrase would involve the construction of the well site and other ancillary works and will take around 14 weeks to complete. The well pad will be constructed on top of the existing fire unit hardstanding and would comprise a number of natural and synthetic membranes. It will be generally flat with a slight fall towards the edges where there will be a surface water drainage system around the pad's perimeter. Surface water will collect and be directed to a surface water attenuation tank on the eastern edge of the pad with a capacity of 45,000 litres. Located centrally within the well pad will be a large well head cellar capable of accommodating up to two wells. Within this cellar the first of the borehole casings will be installed using a truck mounted drilling rig with the gap between the casing and the floor of the cellar filled with concrete to maintain the integrity of the well site. The well pad will be surrounded by a 2.5 metre high hoarding, and further fencing and CCTV would secure the site. On the western side of the site it is proposed to install temporary security and site officers, and an area for car parking.

The second phase would involve the drilling operations and would take around 39 weeks. It is proposed to drill a vertical well to a depth of approximately 3,500 metres and, subject to the results of the first well, a second well will be drilled first vertically and then horizontally in a southerly direction, as indicated on this plan. This slide shows the site layout during the drilling phase with the diesel fuelled generators and drilling mud pumps to the immediate east of the well head and mud tanks to the immediate south. Workshops, welfare facilities, offices and labs would be located on the well pad's perimeter.

The wells be drilled at various diameters which progressively decrease with depth. This ensures that there are multiple casing layers to protect the aquafer, isolate different pressure regimes, and ensure sufficient strength. On the completion of a phase of drilling, a section of steel casing will be run down and cemented in place to line the well before the next section is drilled using a smaller bit. The drilling will be undertaken using a drill string, which

A comprises a drill pipe, a bottom hole assembly, and a drill bit. The drill bit would create the hole, and the bottom hole assembly would add weight and direct the drill. As the borehole gets deeper additional lengths are added to the drill string. Approximately 3,700 tons of drill cuttings would be generated by the drilling process, which would be stored in contains within the well site before being removed on a weekly basis to an appropriate disposal facility.

B Two types of drill mud are proposed for use: A water-based mud which would be used when drilling through the Sherwood Sandstone; and a low toxicity oil-based mud which would be used below aquafer and during directional drilling to provide maximum lubrication. Water required during the drilling process will be tankered and stored on site. Waste fluid from the drilling process will be stored on site prior to removal to a waste water treatment works.

C The applicant has indicated that the drilling phase will comprise a one to two week period to mobilise the rig, 14 weeks to drill the vertical well, one week to move the rig from one well location to the other, a further 19 weeks to drill the horizontal well, and one to two weeks to demobilise the rig.

D The application states that there are a number of different drill rigs within the UK and Europe, but it is not possible to reserve a rig in advance of a planning application being determined. On this basis the application has been assessed based on the worst case scenario in relation to particular environmental and amenity affects, such as noise, visual, and lighting impacts. This slide shows the site layout with additional 8 metre high acoustic screening on the northern and western boundaries to protect residential amenity. Whilst this slide shows additional acoustic screening which could be required to protect birds in the SSSI from noise impacts. In terms of visual impact this slide shows one of the potential drill rigs available, whilst this slide shows a drill rig which will be acoustically clad to reduce noise impacts.

E Upon the completion of the drilling the wells will be suspended and made safe in line with industry practice and regulations. All the above-ground equipment required during the drilling phase will be removed, except for the well pad, well heads, site officers, and security fencing and gates.

F The results of the logging and coring would be assessed during this phase, taking around 14 weeks. If the results indicate that flow testing of the wells would be worthwhile, a further application would be submitted to the County Council. If the results are negative in this respect, the site will be decommissioned and restored. In the event that the site is decommissioned, all plant will be shut down and services severed and made safe. The well heads will be removed and the well plugged and abandoned in line with the requirements of the Oil and Gas Authority, the Health and Safety Executive, the Environment Agency, and

G industry requirements. The remaining site officers and security fencing would be removed, along with the natural and synthetic membranes used to cover the existing hardstanding. The well site area will be restored back to its original condition and it is anticipated that it would resume its use as part of the existing commercial activities of L Jackson and Co. The applicant anticipates the decommission and restoration of the site to take around 14 weeks to complete. In total the applicant is seeking planning permission for a three year period, and

H whilst the four phases of the proposed development, as described, would not take three years to complete, it would allow for any delays that might be experienced due to securing the drill or due to bad weather, etcetera.

This slide details the proposed operational hours, which confirm that the drilling phase will be a continuous 24 hour operation. Details of vehicle movements is also on this slide and I can

A confirm that phases one and four, the construction and restoration phases, will generate the highest number of HGV movements, with an average of 36 movements or 18 trips per day. Finally, this slide confirms the number of employees that will be required during the various phases of the proposed development.

B The application has been subject to three formal rounds of public consultation, when the application was first submitted in October last year and upon the receipt of additional information from the applicant in April and July of this year. The report confirms the receipt of 2,630 representations at the time of the report being published, with all bar six of these being an objections to the application.

C A petition has also been submitted by Misson Community Action Group containing 363 signatures objecting to the application and any future application for fracking. This slide shows the number of objections made against the wide range of issues that have been highlighted by objectors. Appendix 2 of your report breaks these objections down further based on where the objectors live and confirms that 493 objections have been submitted by residents broadly within an area contained by the M180 to the north, the River Trent to the east, the A631 to the south, and the M18 and A638 to the west. 1,850 objections were submitted by people living in the remainder of Nottinghamshire, Lincolnshire, Yorkshire, and Doncaster. 144 from the rest of the UK. 19 from outside the UK. 118 objections were

D submitted with no address.

E Since publishing the Committee Report last Tuesday a further 75 representations have been received, all of them objecting to the application. The issues raised broadly reflect those detailed on this slide and which have been considered in the report. However, particular attention has been drawn to interim accounts released by IGas after the Committee Report was published with concerns raised about IGas' financial viability. Objectors have asked that the issue of a restoration bond be reconsidered, and I shall deal with this matter later in this presentation.

F Another matter which has been subject to further correspondence is the issue of a restrictive covenant covering the application site. A letter has been received from Jake White, legal advisor to Friends of the Earth. In summary this correspondence seeks to draw the Council's attention again to a restricted covenant to which the development site is said to be subject and which benefits Nottinghamshire Wildlife Trust as the owner and occupier of the Misson Training Area SSSI. Nottinghamshire Wildlife Trust has subsequently issued a press releases to this effect. Officers have sought legal advice on this matter and the advice is that members are referred to paragraph 1393 of the Officer's Report on this application which has already dealt with this issue and which states:

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> "Restrictive covenants are a private property law right and the presence or otherwise of a restricted covenant is not a material planning consideration."

H In addition to this, consultation has been carried out with a wide range of statutory and non-statutory consultees, and these are detailed on this slide. Details of the comments made by these consultees can be found between paragraph 60 and 496 of your report, and I shall refer to many of these as I go through the various observations set out in the report.

Before considering the application in more detail it is worthwhile reconfirming the role of Planning and Licencing Committee with respect to this proposed development, and the role of other regulatory bodies. This matter has been addressed at Shell Gas event that the County

A Council organised at the beginning of July, and also at the Planning Advisory Service seminar that members attended at the beginning of September. The Oil and Gas Authority issues the petroleum licences and gives consent to drill under the licence once other permissions and approvals are in place. Although not relevant to this particular application, they also have responsibility for assessing the risk of seismic activity and for its monitoring.

B The Environment Agency protects water resources, including ground water aquafers, ensures the appropriate treatment and disposal of mining waste, emissions to air, and suitable treatment and management of naturally occurring radioactive materials. It is worth noting that the EA has already issued an environmental permit for the proposed exploratory drilling.

C The Health and Safety Executive regulates the safety aspects of all phases of extraction. In particular they have responsibility for ensuring the appropriate design and construction of a well casing for any borehole.

D On to the observations itself. The report considers that, over and above all the various issues that have been raised, there are two key planning considerations which result in policy tensions. The impact on the nearby Misson Training Area Site of Special Scientific Interest and the site's location in flood zone 3. The Misson Training Area SSSI is, at its nearest, 125 metres to the east of the application site. The potential impacts of the proposed development on the SSSI have been considered in relation to air quality from emissions and dust, hydrology in relation to water flow and water quality, hydrogeology in relation to water quality and flows, lighting and noise. The assessment of the application has concluded that there will be no significant impact arising from the development in relation to dust, hydrology, hydrogeology, and lighting.

E Detailed consideration has been given noise impacts arising from the proposed development on breeding birds within the SSSI. It is recommended that phase one, the construction of the site, is not undertaken during the bird breeding season and a condition is recommended to secure this. Training activities in phase two will take place 24 hours a day over a nine month period and, as a result, the bird breeding season, running from February to August inclusive, cannot be avoided. Natural England has recommended that noise levels do not exceed 42 decibels at the SSSI boundary during drilling operations. With the mitigation measures proposed by the applicant there could be a minor exceedance of the recommended 42 decibel threshold depending on the drill rig selected. This slide shows the areas, highlighted in pink, that would experience noise levels above 42 decibels based on four different drill rigs available. It can be seen that for three of the rigs available the 42 decibel noise level would be marginally exceeded just on the northwest corner of the SSSI. Natural England considers that, taking into account the temporary nature of the application, the slight exceedance is unlikely to affect the overall integrity of the SSSI. On this basis Natural England has not objected to the application. It is recommended that noise monitoring is undertaken to record noise at the SSSI for the life of the development.

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H Emissions from the proposed development would cause acid deposition at the SSSI above the critical load for the relevant habitats resulting in a temporary significant effect on the SSSI. Again, Natural England are of the view that, whilst there is a temporary significant effect on the SSSI, it is unlikely to have a permanent damaging effect on the notified features of the SSSI and therefore they do not object to the application.

The NPPF states that development which would have an adverse impact on a SSSI should not normally be permitted. However, exceptions can be made where the benefits of the

development at this site clearly outweigh the impacts to the SSSI. Policy M3.19 of the Minerals Local Plan takes a similar approach, requiring the reasons for development to outweigh the nature conservation interest. The site-specific benefits of the proposed development include its location on existing commercial developed land rather than a green field site, the screening of lower elements of the development by existing buildings and vegetation, the existing access which is suitable for HGVs and large vehicles, and the site's location from a rock quality perspective, which is critical in terms of what the proposed development is seeking to achieve. Noting Natural England's consideration that any impact on the SSSI will be temporary and unlikely to have a permanent damaging effect, the benefits of the development at this site are considered to clearly outweigh the harm and so it is considered that the policy test in the NPPF and the Minerals Local Plan are met.

The applicant has undertaken a site search exercise to identify a suitable location for the proposed development. The starting point was a review of existing geological data and a subsequent 3D seismic survey to understand the local geology. This slide shows an interpretation of the rock quality within the area subject to the 3D seismic survey, with the orange and red colours to the north of the survey areas being those of greatest quality. Analysis of this information led the applicant to select two areas within which a well site could reasonably be located, identified as areas A and B on this slide.

The Minerals Planning Authority has commissioned Arup to provide expert technical assistance in assessing the geological aspects of the application, specifically the criteria used to delineate the areas of search. The Arup report, which is appended to the Committee Report, concludes that there are no suitable locations outside the areas of search to support an exploration drilling campaign.

The two areas of search are wholly within flood zones 2 and 3, which represent a 1 in 1,000 year and 1 in 100 year risk of flooding respectively. Flood zone 3, the 1 in 100 year risk, is identified by the dark blue on this plan. The NPPF highlights the importance of applying the sequential test, the aim of which is to steer development to areas with the lowest probability of flooding. Within the two areas of search the applicant has taken account of surface constraints, such as designated ecological sites, access, and proximity to residential properties to select a site. The applicant has identified a number of other sites within the two areas of search which could potentially accommodate the proposed development, and these, in addition to the application site, are highlighted on this plan. Two of this, namely areas one and two, are located within lower flood risk areas than the application site. The applicant has ruled out these areas as potential application sites on the basis that they comprise best and most versatile agricultural land, there is a lack of screening, and there are difficulties relating to access.

The MPA does not agree that these are justifiable reasons for discounting areas one and two and therefore they are considered to be reasonably available. As they have a lower probability of flooding than the application site it is considered that the application does not pass the sequential test. The NPPF states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with the lower probability of flooding. Notwithstanding this, the government's Planning Practice Guidance states, in relation to the sequential test, that ultimately the Local Planning Authority needs to be satisfied that in all cases the proposed development would be safe and would not lead to increased flood risk elsewhere.

As highlighted earlier, the Environment Agency has granted an environmental permit for the proposed development. Within the permit document the EA state, and I quote:

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"The site has been assessed for flood risk and the site is located in a flood risk zone 3."

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The operator has included a detailed section in the raised Environmental Risk Assessment, the ERA, addressing the flood risks, including how the site benefits from flood defences of the River Idle. It also includes mitigation measures to protect the well site in periods of high precipitation. We have reviewed the ERA and are satisfied that sufficient measures are in place to protect the well site. The Environment Agency and the County Council, as the lead local flood authority, have been asked to comment in the event that the MPA came to the view that the sequential was not passed. The EA declined to comment on the sequential test itself, stating that it was for the MPA to take a view, but noted that it would not change their view of the flood risk of the development. The lead Local Flood Authority noted that even if the MPA came to the view that the sequential test was not passed, they would not raise an objection.

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Taking the advice of the EA and the Local Flood Authority on board, the level of flood risk does not represent a significant hazard to the proposed development and the development would not increase flood risk elsewhere. As such, it is in accordance with policy M3.9 of the Minerals Local Plan and emerging policy DM2 of the Emerging Minerals Local Plan. However, given that there are reasonably available sites in lower flood risk areas, the

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proposed development does not pass the sequential test and is therefore contrary to policy DM12 of Bassett Local Statutory and the NPPF.

On balance, and given that it is considered that the proposed development would be safe and would not lead to increased flood risk elsewhere, the MPA does not consider the failure of the application to pass the sequential test to be sufficient reason for refusal.

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The impact of traffic associated with the proposed development have been raised by around 2,000 objectors. A number of alternative routes were considered as part of the application and the proposed route is that coloured red on this slide. This requires HGV leaving site to turn right and head north along Springs Road and across a level crossing to the B1396 where they would then turn left and head to the A614 at the Blaxton roundabout, from where they could

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head either north or south. Therefore no HGVs would travel through Misson village. The level of traffic which, as described earlier, would be highest during the construction and decommissioning phases when an average of 18 HGVs would enter and leave the site per day, have been considered in terms of highway capacity, road safety, noise, and impacts to other road users and are considered to be acceptable.

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A legal agreement is recommended with respect to HGV routing and a dilapidation survey which would require the applicant to survey the HGV route before and after the proposed development and repair any damage identified to the highway. Doncaster Metropolitan Borough Council has confirmed that it would be prepared to be a signatory to the agreement given that part of the proposed HGV route will pass through its administrative area. Conditions are also recommended regarding the hours during which HGVs can access and leave the site, ensuring mud is not carried on to the public highway, and the implementation of

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a traffic management plan. Regarding the number of HGVs accessing and leaving the site, the application has been assessed on the basis of a peak of 60 HGV movements on any single day, or 30 in and 30 out, and Condition 12 has been drafted to reflect this whilst limiting the number of HGVs over any seven day period to the equivalent of the average of 36 movements per day, or 18 in and 18 out. On this basis the application is considered to accord with policy M3.13 of the Minerals Local Plan.

A Neither Nottinghamshire nor Doncaster as Highway Authorities have raised an objection to the application, and Network Rail does not object, subject to securing an asset protection agreement with the applicant. It is understood that the applicant is in liaison with Network Rail regarding potential future rail line closures relating to the level crossing.

B The proposed development is considered to accord with the NPPF which states that development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

C Many of the objections received have raised concerns about the potential for impact to surface and ground waters. In order to protect surface and ground waters the site will be lined and incorporate a perimeter drainage system. The site drainage would not be discharged into adjacent water courses but stored in a tank on site and then removed off site by tanker for disposal. The bonding around the well site has been designed to contain any failure of fluid storage containers. During drilling steel casing is cemented into the well in a series of stages to protect ground water and maintain well integrity. All casing installed will be subject to pressure testing to ensure integrity.

D The design of the well will be regulated by the Health and Safety Executive, and the use of drilling fluid is regulated by the Environment Agency. The Health and SAFETY Executive, the Environment Agency, Anglian Water and Yorkshire Water have not objected to the proposed development.

E Conditions are recommended to secure details of the surface water drainage scheme. The testing of the drainage system to ensure that it is water tight and for water level monitoring. It has bene identified that there is a degree of contamination within *(inaudible)* ground at the application site. The contamination is marginally in excess of guidance values and discrete in extent, and no objection is raised by the County Council's reclamation team or the Environment Agency. It is recommended that conditions are used to require the submission of a remediation strategy in the event that unexpected contamination or asbestos is encountered.

F Concerns about air quality impacts associated with the proposed development in raised in many of the objections received. Impacts resulting from the drilling of the associated equipment as well as traffic have been considered at 22 human receptor locations, as identified on this slide, with particular focus on nitrogen dioxide and particulate matter. The predicted changes in annual mean concentration will be below the annual mean objective at all human receptors. Bassetlaw District Council's Environmental Health Officer, Doncaster Metropolitan Borough Council's Air Quality Team, and Public Health England have raised no

G objection to the application.

H Noise associated with drilling activities would vary depending on the drill rig selected. However, noise levels have been modelled for each rig. Given that drilling operations will take place 24 hours a day mitigation is proposed to reduce noise levels to no more than 42 decibels at the nearest residential property, which is the night time noise criteria for minerals operations set out in the Planning Practice Guidance. Conditions are recommended to secure details of the specific noise mitigation to be used and noise monitoring during the operations. This slide shows the site layout with an eight metre high acoustic screen in the northwest corner of the site to protect the amenity of nearby isolated residential properties.

A With regards to traffic the applicant has modelled a 1.1 decibel increase in noise levels on Spring Road on the basis of 60 HGV movements per day. This is a worst case scenario and, as I have already stated, average daily traffic movements will be lower, at 36 per day.

B The noisiest element of the development will be during construction and restoration when noise at the nearest residential property could, at its peak, reach 64 decibels. The applicable threshold for construction activities is 65 decibels and therefore development would meet the appropriate noise threshold. There is potential for some short term annoyance, although this is based on all plant operating simultaneously, which is an unlikely scenario. Noise levels will be substantially less than this for the majority of the construction period. The County Council's Noise Engineer is satisfied that there would not be an unacceptable impact arising from noise. Appropriate noise levels for construction and drilling would be controlled by conditions and noise monitoring is also recommended.

C Vibration associated with the drilling activities is expected to be imperceptible at distances of 20 metres from the drill rig. Vibration impact associated with the proposed traffic levels is not expected to be significant.

D Landscape and visual impacts associated with the proposed development centre largely on the drill rig that will be used during phase two. At a height of up to 60 metres it will be significantly higher than the existing industrial buildings adjacent to the application site and will be set in a landscape characterised by low-lying agricultural land. The nine month duration of the drilling operations has been significant in determining that the landscape impact would not be significant. The County Council's Landscape Team considers the sensitivity of the study area has been under-assessed by the applicant, but again, due to the temporary and reversible nature of the proposed development, the effect on landscape

E character is not considered to be significant.

F In terms of visual impact, a total of 18 viewpoints have been considered, which are the numbered red circles on this slide. They're quite difficult to see. Three of these viewpoints, looking northeast from Red House on Springs Road, looking south on Springs Road at its junction with the bridleway, and looking west from a public footpath to the east of the SSSI could be significantly affected during the drilling phase. However, the temporary and reversible of the proposed development are such that the overall visual impact would not be significant. The County Council's Landscape Team considers the temporary nature of the proposed development as critical in the consideration of the application and conditions are recommended limiting the length of the entire development to three years and drilling activities to nine months. On this basis the application is considered to accord with policies M3.3 and M3.22 of the Minerals Local Plan and policies in the Bassetlaw Core Strategy.

G Cumulative impacts with other developments have been considered and are limited to a proposed 35 metre high wind turbine at Everton Car Farm approximately 4.5 kilometres south of the application site. The impact is not considered significant due to the distance between the two and the duration of time when they would both be in the landscape.

H Lighting associated with the proposed development has been assessed in terms of its impact on both residential and ecological receptors. Again, the greatest potential impact would be during the drilling phase when operations would be ongoing 24 hours a day. As the applicant is unable to confirm which drill rig will be used at this time a condition is recommended which would require a detailed lighting scheme to be submitted for approval prior to the commencement of the development. The scheme would need to ensure that there is no

A significant impacts on nearby residential, ecological, or highway receptors, and it is considered that a suitable scheme could be designed to ensure compliance with policy M3.3 of the Minerals Local Plan.

B Concerns relating to climate change have been raised by a large number of objectors. However, emissions associated with the development are expected to be low and limited to those from vehicles and drilling equipment. The mining waste permit does not allow any points or submissions from the site and there are no plans to test the wells or to vent methane.

C Potential health impacts associated with the proposed development have been considered in the application in relation to highway safety, noise and vibration, air quality, ground water supply, surface water quality, and flood risk, and land contamination. Public Health England has raised no concerns regarding the application and the County Council's Public Health Team is not aware of any public health information about the local population, which suggests an exceptional vulnerability to the processes associated with the proposed development. The NPPF requires the effects of pollution on health to be taken into account and, in relation to minerals extraction, to ensure there are no unacceptable adverse impacts on human health. The proposed development is considered to accord with the NPPF in this respect.

D The military history of the site has led to concerns regarding unexploded ordinance. A preliminary risk assessment has been carried out along with an intrusive investigation which did not encounter any unexploded ordinance. The risk from an unexploded ordinance is considered to be low given the development that has taken place on site since it was used as a bombing training range. However, a precautionary approach is recommended through a condition requiring survey work to be undertaken.

E No public rights of way will be directly affected by the proposed development, and, whilst the drill rig will be visible from a number of rights of way in the vicinity of the site, the temporary nature of the proposed development needs to be taken into account in assessing the impacts on users, and, on this basis, impacts are not considered to be unacceptable.

F The proposed development would not have a significant adverse social or economic impact. Any impacts on leisure and tourism as a result of visual impacts would be temporary and so are not considered significant. Similarly, there will be some job creation directly associated with the proposed development and local businesses could also benefit from supply-chain spend. However, again, these benefits are unlikely to be significant.

G The cumulative impacts of the proposed development have been considered alongside nearby sand and gravel quarrying and other industrial, agricultural, commercial, and leisure developments in the area. However, no significant cumulative impacts have been identified.

H Finally, as previously highlighted, concerns have been raised about the financial viability of the applicant company and objectors consider any grant of planning permission should be subject to a restoration bond. This matter has already been addressed at paragraph 1357 of the Committee Report. In addition to this, Committee members' attention is drawn to an extract from the government's Petroleum Licencing Guidance which states:

> "Exploiting oil and gas resources can be a very expensive business, especially offshore. The Oil and Gas Authority will not allow anybody onto a licence if we have doubts about their ongoing financial viability or if their lack of financial capacity would prevent or impede the exploration of the

exclusive rights granted by the licence or leave them unable to meet all their liabilities and obligations to the Secretary of State. There are, therefore, financial criteria which require us to carry out full financial checks on the licensee and, where appropriate, on the corporate group to which the licence belongs. Where a licensee has a corporate parent we may require the corporate parent to provide a parent company guarantee."

In addition, the Oil and Gas Authority has confirmed to us that checks are made when licences are first awarded and before drilling takes place, and so on this basis a restoration bond is not considered necessary.

To conclude, members, the application has been subject to a high level of scrutiny, as reflected by the length of the report before you. The application is for an exploratory boreholes and no hydraulic factoring is proposed. The temporary nature of the development as a whole, and the drilling phase in particular, is an important consideration in terms of determining the significance of effects, particularly on the local landscape, in terms of visual impact, and the impact on a nearby SSSI.

Natural England considered that the proposed development would have a temporary significant effect on the SSSI as a result of acid deposition whilst noise from the drilling operations would lead to a minor exceedance of recommended noise levels in a small section of the SSSI. However, Natural England considered that these impacts would not affect the overall integrity of the SSSI, nor would they have a permanent damaging effect on it. On this basis Natural England has not objected to the application and it is considered that there are sufficient benefits from the proposed development at this site which outweigh the temporary impacts on the SSSI, and so the policy test in the Minerals Local Plan and the NPPF are considered to be met.

There is a clear policy conflict with regards to the site's location in flood zone 3, an area at risk of 1 in 100 year flooding event in according to the EA's mapping. The County Council has engaged specialist consultants to confirm the extent of the areas of search identified by the applicant based on the 3D seismic survey undertaken, but it is considered that there are two reasonably available alternative sites within a lower flood risk area which the applicant dismissed on the basis that they are located on best and most versatile agricultural land, they are not well-screened, and that they are difficult to access. It is not considered that these amount to justifiable reasons for discounting these areas and so it is considered that the site has failed the sequential test on flood risk and so is contrary to the NPPF and the Bassetlaw Core Strategy. However, in accordance with the government's Planning Practice Guidance, the MPA is satisfied that the proposed development would be safe and would not lead to an increased flood risk elsewhere, and so the proposed development is considered to be in accordance with policies in the adopted and Emerging Minerals Local Plan.

On balance it is considered that the proposed development in this location is acceptable. All of the matters raised during the consideration of the application have been adequately addressed and a suite of conditions, in addition to a legal agreement, are recommended to control the proposed development to acceptable levels. On this basis the recommendation is to grant planning permission, as set out in paragraphs 1456 and 1457 of the report.

One final matter, Chair. There are a couple of typographical errors in the report to bring to members' attention. First in paragraph 1246 of the report reference is made to the lighting proposed on site, and the end of the paragraph should read that the proposed development is in

accordance with policy DM1 of the Emerging Minerals Local Plan, not 'policy DM11. In condition 36 of the recommended conditions the condition should read 'the internal finished floor level', not 'the internal finished flood level'. That is all. Thank you, Chair.

CHAIRMAN: Thank you, Mr Smith. At this point in our proceedings it is an opportunity for members to ask questions of a factual or of clarification. I myself have got some questions for Mr Smith. Council Assistants?

CLLR SISSONS: Thank you, Mr Chairman. A couple of points for clarity. The first one relates to the application itself. This application has got nothing to do with fracking we are told, it is not part of our deliberations today. However, the very application itself is for exploratory boreholes, phases one, two, three, four, construction, drilling, assessment, decommissioning of the site. Paragraph 528, at the heart of the National Planning Policy Framework there's a presumption in favour of sustainable development. This application isn't a sustainable development. We keep being told it's a temporary thing with these four phases. It only becomes a sustainable development if you put an 'if', 'if on assessment of these core samples for the boreholes'. We're told it will lead to a further application. However, we aren't allowed to think on that at this moment. Now, paragraph 144 of the NPPF sets out the considerations. It gives great weight to the benefits of mineral extraction. Now, I didn't think this application was about mineral extraction. It's about exploration. Mineral extraction including to the economy. Now, my understanding is that these boreholes are nothing to do with the economy. It is purely exploration.

CHAIRMAN: Forgive me, Councillor Sissons. Can you just clarify the point that you are seeking to Mr Smith to answer.

CLLR SISSONS: Well, just advice on the application itself because we are told not to consider the fracking part of it and yet it's inherent in the report itself, and also I could do with a bit of clarity on the borehole construction itself, if I may. The vertical borehole is obviously an exploratory borehole, and would I be right in thinking it's more or less the same diameter all the way down? Steel linings are put in. How far do they go down? And the horizontal borehole, if I have read the papers correctly, isn't horizontal at all. It's a deviant borehole, I think, the way it's described, but we keep calling it a horizontal borehole. It goes down at various angles but it's continually referred to as a horizontal borehole. Now, is this second borehole, the horizontal one, constructed in a different way to the exploratory one in that it reduces in diameter on the way down, which I believe is for when you put water down it it increases the pressure as it goes down? Simple physics. How far down is that borehole lined? I'm assuming it doesn't get lined all the way down. And is that purely an exploratory borehole, like the first one, or, if I may ask, is it a precursor to the possible second application which would come in on assessment of the core samples taken from borehole one?

CHAIRMAN: Thank you, Councillor Sissons. Mr Smith.

MR SMITH: Thank you. It hasn't been hidden either in the report or in the applicant's application as to what the purpose of this exploration is for in terms of looking forward. However, in terms of what is considered today we must consider the application before us, which is for the exploratory boreholes. Yes if they get the results, the applicant gets the results that they are after, as part of this application, if it's granted permission, then, yes, there would likely be further applications. If you have concerns about elements of those further applications then at the time of those applications being considered they would be the times for you to raise those concerns. It's clear what this application is related to, but in terms of

what we assess, we can only assess what is actually being proposed at this particular time because we don't know the details of what future applications might be because we haven't received those applications.

With regards to your references to paragraph 530, that's in the section of the planning policy assessment of the section of the report, and the previous paragraph, paragraph 529, it does say that there three phases of onshore hydrocarbon extraction, exploration, testing, appraisal, and production. And then paragraph 530 then follows, and I can understand, yes, why you raise concerns about the fact that there's a reference in there to giving great weight to the benefit of mineral extraction, including to the economy. Yes, there would be no mineral extraction at this point in time as part of this application so the weight given by the NPPF is not relevant in this application.

In terms of the boreholes, yes it is called a horizontal borehole, but what it is is that it will be a borehole that will be drilled vertically in the first instance into the Bowland Shale resource and then, and I don't know whether we can get the slide back on, it would then deviate and be drilled horizontally, in a horizontal direction in a generally southerly direction. I think we'll try and get this slide back on. So, yes, it is called a horizontal borehole, but in effect what it is, it is a vertical borehole in the first instance and then, once it reaches the Bowland Shale, which is the target strata 3/3 and half thousand metres down, then it turns. It is being done just to give the applicant a greater understanding of the shale resource in there. Again, there's no hydraulic fracturing involved with that. I don't know if there's anything else you want to add to that, Oliver.

MR MEEK: The only thing I'd add is table 23 on page 213 of the report sets out the indicative well casing designs, so it provides an indication of what the casing would involve and the depths that that casing would be used at.

CLLR SISSONS: Just for clarity go back to this word 'horizontal'. With the greatest respect, something is either horizontal or it is not horizontal.

MR SMITH: As I say, the horizontal well, yes it's called a horizontal well but what happens is you initially drill directly vertically, alongside the original vertical well that was drilled, and then the drilling bit is then turned and then it runs in a horizontal direction, and you can see a line on that plan so imagine that is a line 3/3 and a half thousand metres underground and that is the direction that the horizontal element of that well would be drilled.

CLLR SISSONS: I fully understand the directional point you're making. Are we therefore able to assume that when the word 'horizontal' is used we are meaning it is horizontal to the land that is above it?

MR SMITH: (no audible response)

MR MEEK: I think it's worth recognising that geology and the rock layers aren't laid down in exact horizontal layers, there is deviations and variations of the layers, so the intention is for the horizontal borehole to follow the shale layer, which may not be exactly horizontal.

CHAIRMAN: Eternally grateful, Mr Meek. Councillor Sissons, if you wish.

CLLR SISSONS: If I may carry on in that vein. On page 347 of the report, figure 12, it shows a picture of this proposed borehole, and it's not horizontal anywhere actually. Have I

understood the papers correctly and that this is the way it will be? It calls it a deviant borehole rather than horizontal. I'm not really arguing over whether it's horizontal or not. It was the actual construction of the borehole I was more interested in. But the papers should call it a deviant borehole if that's what it is.

CHAIRMAN: Are you happy with Mr Meek's response on that?

CLLR SISSONS: Yes. I'm not arguing over the word 'horizontal'.

CHAIRMAN: Okay. Okay.

CLLR SISSONS: What I would also like to point out, in the same vein as I said that the application itself leads on to something else, underneath figure 12, it actually calls it an S-shape borehole which could potentially be used to reach the target reservoir. I didn't think we were speaking about reservoir at this stage. I thought it was purely an exploratory borehole. But this infers that this second borehole is indeed to access a reservoir, I would presume of shale gas.

CHAIRMAN: Mr Meek?

MR MEEK: A couple of points to just respond on there. That figure on page 347 is part of Arup's report, which was an assessment as to whether the target shale could be accessed from outside of the areas of search. The figure that's being shown within the Arup report is an indication of the type of borehole that may possibly or could possibly be used to reach the shale that is being targeted from outside of the areas of search. However, the rest of the Arup report confirms that that would not be feasible. So the figure shown on page 347 is a demonstration of a borehole and well type that could not be used and it's not what is being proposed.

The second thing is, er, with regards to reservoir, erm, a reservoir is, er, a body of rock containing gas and that is what is being targeted by IGas. They are looking to take samples from rock which they think there is a reservoir of gas. That's the whole point of the exploration programme.

CLLR SISSONS: Just to finish off, if I may, Mr Chairman. If I may just finish the point I was trying to make.

CHAIRMAN: Of course. Of course.

CLLR SISSONS: It seems to me that we are not here to determine whether fracking is going to happen or not, but I'm just concerned that the second borehole seems to indicate that that's what that borehole is for rather than exploration. If that could just be clarified.

CHAIRMAN: If I may, unless Mr Meek is about to leap in, I think there will be an opportunity to ask that very question of the applicant. Is that okay? Councillor Calvert.

CLLR CALVERT: Thank you, Chair. I too am interested in paragraph 530 and 531, but I think we can leave that to the discussion period. I just want to seek clarity with this intervention, and it's to do with plan 18. It's just that in the papers that we got, in the report, it was very difficult to read it and we had a clearer slide put up on the screen and I'd be grateful

to have another look at that and perhaps if you could talk us through the differences between Area A and Area B again, please.

MR SMITH: As part of the 3D seismic survey that IGas had undertaken, erm, analysing the results of those, erm, of that data, er, realised two areas, Areas A and B on that slide, er, which were, I suppose, the best areas from which they would look to seek to undertaken this proposed development in terms of the rock geology. If they'd have looked at drilling from outside of those areas then yes, they would have been looking at potentially having to drill a borehole such as that that's been highlighted by Councillor Sissons, but that isn't part of the proposed development. So from the 3D seismic survey those two areas, A and B, they were identified as being the areas where an application site would be best found. And from there they went forward and went and searched for, went through the site selection process. And we basically asked questions about how that area of search, we had questions about how those two areas of search were actually delineated, what the boundaries of them were, and that was the prime reason that we had to involve Arup, to help us assist that. Normally on most planning applications the vast suite of consultees that we use are able to address the concerns that we have, but on this specialist geological issue, er, none of the consultees were able to help us so we had to go out, get consultees, and Arup were able to help us confirm that those two areas of search that the applicant company identified were reasonable areas in which to then search for an application site.

CLLR CALVERT: Just to clarify, the five alternative sites that are referred to in the plan, where are they in relation to A and B?

MR SMITH: I don't know whether you can see now the shading of areas A and B still. Can you flick between the two slides, flick between to the two slides? So there you can see. You can see areas A and B there, and then on the next slide areas A and B are still hashed. And then within there you've got the five areas, which are obviously arrowed, and, er, adjacent to Area 1, that is where the application site is.

CLLR CALVERT: *(inaudible due to microphone not switched on)*

MR SMITH: Er, yes, and then the other three are in Area B to the south.

CLLR CALVERT: And the Area B is *(inaudible due to microphone not switched on)*

MR SMITH: Yeah, for reasons set out in the report. I think certainly proximity to Misson village itself was one of the main reasons why those three areas were discounted. But, as set out in the report, it was our belief that areas one and two were sites that could potentially produce, and then that takes us to the argument on the sequential test.

CHAIRMAN: Thank you, Councillor Calvert. Councillor Heptinstall.

CLLR HEPTINSTALL: Thank you, Mr Chairman. I have three questions. First of all can I say thank you, Jonathan, for a very comprehensive summary of, erm, of the, er, the application and all the issues, er, concerning it. Erm, the summary, erm, raised in my mind just three questions that I would like clarification on. Er, the first one is the borehole itself. Erm, what I don't understand is why it's necessary to, erm, produce a vertical borehole, I can understand why you do that, er, but then subsequently to do another one next to it which then becomes a horizontal one. Maybe you can't answer this question. Perhaps someone can answer this

A question for me during the day. Why not use the first one again in order to then do the horizontal one? That's my first question.

B The second question relates to water. I understand that it's necessary to use a large amount of water in this process that can become, er, contaminated, and the comment that you made Jonathan was what will happen to that water is it will be transported off-site to a water treatment works and then dealt with. Erm, I don't know anything about the type of contamination or whether the existing water treatment works are fit for purpose, er, whether there's enough of them. You know, we hear about fly-tipping and what I would hate to happen is for there to be insufficient capacity to deal with the water that's being taken away and it just being tipped somewhere and then creating problems. I really am not implying that the operators would behave in that way, but I do want some assurance that the water treatment works are fit for purpose.

C Now, the third one is a detail but it did raise a question in mind. There was a lot of discussion about the impact of noise on the SSSI very close by to the works, and the conclusion was reached that, on balance, because it was only affecting one quarter, one small part of the SSSI, that it was okay to go ahead. But you did have to add, Jonathan, that in view of the level of noise there, there would be continuous monitoring. So my question then is what will happen as a consequence of the monitoring? There's no point in monitoring if you don't do anything

D about it if the results are deemed to be unsatisfactory so, you know, will there be regular looking at the results? Will there be any action taken if it is deemed that the levels of noise are really too high at that point? And if so, what will that action be? Will drilling cease or will it not? Or will it simply be, "You're being naughty boys. We can't accept this." And then they say, "Well, but we've gotta continue drilling because if we stop, it'll put us back six months,"? You know, has there been any consideration about what would be the consequence

E of inappropriate results being obtained as a consequence of the monitoring? And they're the three questions that I have. Thank you.

F MR SMITH: Again with regards to the borehole, the horizontal borehole, again it's my understanding that that is being proposed to give… Er, like I said, the vertical borehole will go straight through the shale, but obviously then the vertical borehole will then turn and capture more of the Bowland Shale resource, and it's being proposed to give, I understand, the applicant a greater understanding of the geology down there.

G CLLR HEPTINSTALL: That's not my question. My question is in doing the horizontal one why drill another vertical one/another horizontal one? That's as I understand it. Or is it the first vertical one that will then be the entry to the horizontal one? Because I think the Chairman said something about the second borehole being drilled adjacent to the first one, going down and then turning again. Why can't they just use the first one so that eventually you get one like that and one like that?

H MR SMITH: Mmm. Because I believe the first borehole, the vertical one, is actually, what they're proposing to do is to drill not only through the Bowland Shale, which is the target strata, but also to drill into the strata beneath that in order to gain an understanding of the strata there. In that case then they… I assume it's not possible therefore to then deviate part way down that borehole to then swing it horizontally.

UNKNOWN: (inaudible due to microphone not switched on)

MR SMITH: Yeah. Yeah. And hopefully the applicant will be able to clarify.

A UNKNOWN: *(inaudible due to microphone not switched on)*

MR SMITH: Yeah. Okay. In terms of water and water treatment, the disposal, yes, it will be all covered by the permit process that the Environment Agency have, and they've already dealt with and issued a permit for it. Yes, it would need to be… And the same for the drill cuttings as well. They would need to be disposed of at suitably licenced facilities. Or, in the
B case of the water, taken to suitable water treatment facilities. There's certainly no proposal to discharge it into nearby water courses, or anything like that. It will be stored in tanks and then it will be tankered off-site and taken to an appropriate facility.

CLLR HEPTINSTALL: I heard that was what you said.

MR SMITH: Mmm.
C

CLLR HEPTINSTALL: My question is are we absolutely confident that there are sufficient facilities which are fit for purpose to deal with the amount of water that would be generated?

MR SMITH: Okay. I can point you to paragraph 1143 of the report. Er, there is concern about whether contaminated water can be treated and where it will be taken to be treated. The
D risks associated with transporting this water are highlighted, with fears that accidents could result in contaminated water spill. FCC at Blackburn Meadows and FFC at Ecclesfield, both in Sheffield, Castle Environmental in Stoke, and FFC at Knostrop and Bran Sands in Middlesbrough are all permitted to accept fluids containing norms which are a naturally occurring radioactive materials. However, as discussed above, waste water from the proposed development would not need an RSR permit and is not a norm industrial activity. As such it is
E likely that the applicant would not be limited in the waste water treatment sites that could be used.

Yeah, in terms of the noise monitoring a condition is proposed, and I'll turn the papers over. It is condition 19, requires noise management plan to be submitted, and that will include details of, erm, measures to monitor noise at the SSSI, including monitoring locations and
F methodology. That methodology will require them to submit details as to the frequency with which they submit the results of that noise monitoring to us, er, you know, to look at, and until we get the submission it will be difficult to know what the frequency of that would be. But I think given the sensitivity, and we would take guidance from Natural England on that, erm, you know, I think it would be quite frequent and that would therefore allow us to pick up any exceedances of the noise levels that are set out in other conditions.

G CLLR HEPTINSTALL: That answers half the question. The second half of the question was will there be action if the results are inappropriate?

MR SMITH: There would. Obviously the site would be monitored and the results would be monitored and if they are in exceedance yes it could be the case that they could be asked to stop activities on site. That would be one of the powers that we would have in terms of
H enforcing that condition.

CHAIRMAN: Thank you, Councillor Heptinstall. If no one else has indicated, I have a couple of questions, mainly about policy and waiting, though there is one direct question relating to another matter. Could you help the Committee, Mr Smith? When talking about the admitted adverse effects on the SSSI you used two different words that I just need help with.

You talked about even though there are adverse effects one needs to look at, in one context you said 'benefits' and in another context you said 'reasons'. I wonder if you could help me with what weight we give to the word 'benefit' and what weight we give to the word 'reason'.

MR SMITH: Okay. Benefits is the reference used in the NPPF and reasons is the term used in planning policy, so the policy and the NPPF are slightly different. If I can dig the policies out.

CHAIRMAN: The point I'm trying to get to is while it may be possible for the Committee to see reasons exist to take a certain act, the benefits themselves may not necessarily accrue from those reasons.

MR SMITH: That might be the case, yes, and, like I say, the policy M3.19 says that permission will not be granted for minerals development which would have an adverse effect directly or indirectly on the special interest of SSSI or a *(inaudible)* SSSI unless the reasons for development outweigh the nature conservation considerations. We've set out what we believe to be the reasons that outweigh those, which are the location of the site on brown field land, it's got access, and the screening provided, or the partial screening provided by existing buildings. Erm, in terms of the NPPF, er, proposed development on land within or outside SSSI likely to have an adverse effect on a SSSI, either individual or in combination, should not normally be permitted. Where an adverse effect on sites notify special features is likely an exception shall only be made where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the feature of the site that make it of special scientific interest and any broader impact on the national network of the SSSI. The report says that there's no impact on the broader impacts on the national network of the SSSI, and Natural England have confirmed that the features of the SSSI that make it of special scientific interest would not be permanently adversely impacted by the proposed development. And on that basis they've raised no objection.

CHAIRMAN: So is it fair for me to say that in considering that point Committee is entitled to place as much relevance on the reasons as on the perceived benefits?

MR SMITH: Absolutely. We've given weight to those various reasons, but obviously others may take a different point of view.

CHAIRMAN: The second weighting question, if you like, is this accepted fact that this application does not pass the sequential test.

MR SMITH: Mmm.

CHAIRMAN: Can you help us in terms of whether that failure should be given more or less weight given the alternative sites available?

MR SMITH: Again it's a difficult balance. Ultimately planning applications have to be determined in accordance with the development plan. The Minerals Local Plan forms part of the development plan. The National Planning Policy Framework is not part of the development plan. It is the government's guidance and policy on, and it is afforded great weight. Er, again, the report acknowledges that there is a balance there and the balance that's been taken is that it is acceptable. But, again, it is a balance and it is quite finely balanced.

CHAIRMAN: (inaudible due to microphone not switched on) in relation to the necessity of *(inaudible)* the regulations didn't go into detail *(inaudible)* checks are made. In terms of that *(inaudible)* can you just clarify for me whether that due diligence *(inaudible)* beginning and/or does it *(inaudible)* of additional information that emerges *(inaudible)* financial *(inaudible)* and what I really need to know is due diligence given to those situations beyond the initial check about financial *(inaudible)*?

MR SMITH: Well, the Oil and Gas Authority have confirmed to us that checks are made at various stages, so I think that would give them the opportunity to assess any changes to an operating company's financial situation at that time.

CHAIRMAN: Excellent. Thank you, Mr Smith. Okay. At this point we have to undergo formal elements of our proceedings. The first one being that we are required to formally move and have seconded the recommendations that we have before us in paragraphs 1456 and 1457. As I will be formally moving that I need to stress, as I always do on these occasions, that so doing is merely a formality and in no way indicates, and I say this on behalf of the seconder as well, the manner in which a subsequent vote will go. So, if I may, I shall formally move the recommendations, as I say, on 1456 and 1457.

VICE: I will formally second, Chairman.

CHAIRMAN: Okay. That gets that out of the way. And the second, before we move to our special presentations and speakers, Mr Forster is going to read out some parameters of what we can and cannot hear.

MR FORSTER: Thank you, Chairman. As we're aware, there are five special presentations. The maximum time for each presentation is ten minutes. The content of each presentation must be related to the application and must only concern material pertinent to the consideration of the planning merits of the proposal. The presentation may be given by more than one speaker. Speakers will be advised when there is one minute remaining, and that will be me saying 'one minute'. And when the maximum ten minutes have elapsed, speakers will be required to end their presentation immediately, irrespective of whether the presentation has concluded.

Members may ask questions of speakers for clarification on any points raised during the presentation, but there shall be no debate on the merits or otherwise of the proposal at that point in the proceedings. The Chair will invite the relevant Officer to respond to any factual matters raised by the presentation or subsequent questions.

At the completion of the special presentations normal public speaking arrangements will resume and, as we're aware, the Chair has informed us that we probably will break for lunch after the special presentations. I will speak again after lunch. Thank you, Chairman.

CHAIRMAN: Thank you, Mr Forster. At which point I'm delighted to welcome Ms Jane Watson and Mr Peter Edwards who are going to do a special presentation on behalf of Misson Parish Council. Feel free to begin when you're comfortable.

MS WATSON: Good morning. I'm Jane Watson, a Misson Parish Councillor, and I'm here today with my colleagues to ask you to refuse this application. As objectors we've been advised that the future potential adverse impacts of unconventional gas production have no relevance to this exploratory application. We've also been advised that the applicant cannot

use the future potential benefits of gas production as a reason to grant this application.

A Therefore we will focus specifically on local issues, including why we feel that the Springs Road site is an unsuitable location, and also our concerns that there will be significant adverse impacts on our local amenity. We believe that these harmful impacts outweigh the potential benefits and that this should be given great weight in the decision making process today.

B The National Planning Policy Framework and Notts County Council policies make specific reference to the need to consider cumulative impacts in Mineral Planning applications. We are concerned that the cumulative impacts to our community have not been adequately assessed or given due weight. Misson residents already have to live with significant cumulative effects of surrounding developments which cannot be mitigated and cannot be changed. Tunnel Tech North is less than a mile to the west of the village. It's controversial and unique in the UK, recognised by both local and national government to be polluting. For decades we have suffered from its noxious emissions which affect our daily quality of life.

C Only partial unsatisfactory mitigation measures are possible. The process also abstracts water from the River Idle in an area where river levels are constantly under stress. Worryingly, Tunnel Tech has planning consent for a massive expansion in the future. It already dominates the western approach to our village and remains as part of our legacy. This is the daily reality we live with and regulator intervention has done little to change this.

D Misson has contributed to the nation's mineral wealth since the 1930s. Quarrying is inconvenient and dirty, but we tolerate its impacts every day. We accept that this resource cannot be exploited elsewhere. Mineral aggregates are only available in limited areas of Bassetlaw such as Misson. They are where they and we cannot change that. There are no alternative options within the Minerals Local Plan so there's a high probability that there will be continuing extensions to these operations in the future. However, unlike the aggregate

E resources there are other potential areas gas companies can explore for shale gas so why does it have to be here?

Misson realises the need to contribute to the energy economy of the UK and has embraced this concept of a solar farm. Many communities would oppose such development, but Misson has welcomed it and it now contributes energy to the grid.

F Robin Hood Airport, at 4 kilometres from the village, also adds to the cumulative effects. Every flight from the airport creates noise and air quality impacts, and this is increased when the airport hosts training flights. Misson is the only village that's directly overflown by these flights which pass over at eight minute intervals. This is accepted. The airport and Misson are where they are and co-existence is the only option.

G Misson already suffers from a high level of environmental stress far beyond what should be expected of a small rural village. Three sources have acknowledged a negative air quality impact already exist, and the emissions from this proposal will contribute a fourth. Natural England acknowledges that there will be temporary damaging effects as a result of the emissions from the traffic and plant.

H Misson is also a linear settlement. There's only one road through. At the western entrance to the village Tunnel Tech and quarries dominate the landscape. We have to tolerate oversized low loaders travelling through the village towards Jackson and Co at the rocket site. The eastern entrance to the village at Misson Springs is, at present, relatively free from heavy industry and its related adverse impacts. If the Minerals Planning Authority grant consent to this application today, we will be faced with another problematical sit bringing heavy

industrial impact to this village access as well. Misson will become a village that is trapped between these two concentrations of industrial sites. There is no way around them and the village will be hemmed in. These cumulative impacts are a serious planning concern and we feel that these should be given great weight in the decision making process.

Misson Parish Council also do not feel that the evidence used to justify the applicant's site selection is sufficiently robust. The Planning Officer states that it remains unclear how the site assessment and selection process was carried out. And a further expert report states that no satisfactory explanation has been supplied as to why the site was chosen. It seems inconceivable that two small areas of search around Misson, accounting for 4% of the 182 square kilometre PEDL areas, are the only suitable areas for shale gas exploration. Other alternative sites have been identified. IGas does not have to use this site so why does it have to be here?

We are of the opinion that in site selection logistics, security, convenience to the applicant have been given more weight than other material considerations. IGas has failed to provide adequate evidence to the contrary and it is therefore not compliant with Notts County Council policy MP12.

In conclusion, we believe that the adverse cumulative impacts to the Misson Parish will be unacceptably high and that this is a major planning consideration which should carry great weight. It's also our opinion that IGas has not fully justified its site selection. They can find alternative areas to explore for shale gas with fewer adverse impacts. You are the community's elected representatives and have the power to refuse this application. There are strong planning grounds to do so. Misson residents, remember, are overwhelmingly against this proposal. We ask you to reject this application. Reject it because it goes against your own local policies. Reject it because it is wrong for our unique natural environment. And reject it because it is wrong for the people of Misson. I will hand over to Peter Edwards.

MR EDWARDS: Thank you. Thank you, Jane. Chair, Ladies and gentleman, I am Peter Edwards from Misson Parish Council and I'm here to ask this Committee to reject this planning application. There is, however, a recommendation that this application be granted. This is based upon the NPPF that gives great weight to the benefits of mineral extraction and the PPG that identifies a pressing need to establish the presence of shale gas through exploratory drilling. However, it has been demonstrated that these exploratory boreholes do not have to be sited at this precise location for these objectives to be met. The target shale could be accessed from almost anywhere within this or any other licenced areas held by the applicant.

The Planning Officer's report recognises that the economic benefits of the exploratory boreholes would be small, but considers the site specific benefits, such as an existing access and effective screening, are sufficient to outweigh the effect that the development would have upon the SSSI. In our view, the presence of existing access and effective screening benefits nobody other than the applicant, who can set up their operation without the need to provide these features at their own expense. We therefore feel that in granting the application the Authority may be seen to be promoting the commercial interests of the applicant over the impacts that there will be upon the SSSI and the local community.

Exploration for shale gas is a highly contentious issue and a large number of objections this application has generated are likely to be replicated for any subsequent applications that come before this Committee. Communities like ours rely upon the Minerals Planning Authority to

ensure a structure, consistent, and objective approach to mineral development based upon an adherence to a clearly defined set of policies. We think it wrong that this application should be weighted so much in favour of the applicant at the expense of some of the key principles contained within those policies. We also think that it undermines the credibility of the planning process and sets a dangerous precedent for future applications. We therefore urge this Committee to use the powers it has at its disposal to reject this application. Thank you.

CHAIRMAN: Thank you very much indeed. Colleagues, you have the opportunity of asking the presenters any questions. Do I have any indication from anyone? No. In which case I thank you for your presentation. Thank you very much indeed.

MR EDWARDS: Thank you, Chair.

CHAIRMAN: Our second presentation is on behalf of Misson Community Action Group and we have Ms Janice Bradley and Mr Simon Gledhill who are going to do the presenting. Begin at your leisure.

MS BRADLEY: Good morning and thank you very much to the Committee members and the Council for allowing us to give this presentation today. I'm Janice Bradley. I'm the Head of Conversation for the Nottinghamshire Wildlife Trust, and the Action Group have asked me to provide the specialist ecological input to this presentation as this is obviously something with which the Wildlife Trust have great experience.

I think the question I'd like to get across clearly in the three minutes or so that I have is to ask you to consider, with your great responsibilities that you have as Committee members, are you certain that the precautionary principle for the protection of the SSSI has been applied in the case of this application? Are you confident that this incredibly important SSSI would not be harmed?

You've obviously heard a wealth of information on noise and air emission impacts, and so on, from the Officers and from subsequent discussion so what I'm going to do is just whizz quickly through a few headline points and try and bring out some emphasis that may be helpful for you. For a start, we've obviously engaged, as The Wildlife Trust in this process, since a scoping stage. You will all know, I hope, that we work very constructively with the Mineral Planning Authority. We always have. We try to be positive to achieve our shared agenda to have sustainable development in the county that protects habitats and species. So at the very earliest stage we identified the sensitivity of the SSSI, the number of wildlife sites in the area, the fact that the SSSI is dependent on water levels, erm, and we also identified the clear range of information that would be necessary to be provided by the applicant.

The SSSI is the largest remaining area of remnant fen in the county. It's an incredibly important site. It's designated not only for its habitat but also, amongst other things, for its assemblage of breeding birds, including some extremely sensitive and rare species. One of those species in particular, long eared owls, are very vulnerable to the impacts of disturbance. They are known to be prone to vacate their nests if disturbed. The SSSI also meets local wildlife site criteria for its aquatic invertebrates living in the water courses and ditches, its moths, and it also meets the criteria for breeding birds. Extensive public funds have been spent in the management of the SSSI and in trying to achieve the correct water levels there.

None of the information that's been requested as part of this planning process has been in any way unusual. It's the norm. It's good ecological impact assessment, and it's disappointing

that it took right until the second Regulation 22 submission to get a considerable amount of this information to come forward from the applicant. Some of that assuaged our concerns, but that left several important issues outstanding. Noise impacts on breeding birds. This is a very quiet rural location. The noise modelling is based on hypothetical modelling, not on actual baseline data recorded from within the SSSI, so that immediately puts a question mark over its accuracy. And, as you know, only one of the four rigs proposed could actually meet the level met by Natural England, the 42DBA level. The applicant cannot confirm that they would use that rig. And in fact, in reality, even their modelling shows that they would only be a few metres outside the boundary of the SSSI for the best option of the four rigs. The others would all impose on the SSSI and, as you know, that's been identified, including agreed by Natural England, they don't say there will be no impact; they say they think it is likely there may be no significant impact, but because they do not have certainty that is why Natural England have asked to have noise monitoring and, as Councillor Heptinstall very pertinently raised, if you're going to monitor, we need to actually know what you're going to do about it afterwards.

The decibel is important not only as an absolute level, which is a level above which it is known that breeding birds are affected, particularly sensitive species, but also crucial is the fact it's the change of noise. Even the applicant's own modelling has indicated that there would be at least a 15 decibel increase above current noise levels at night. Decibel levels, as you know, it's an exponential scale of numerical scale. This is a huge degree of change for rare breeding birds that are used to a very quiet and relatively undisturbed location. As a matter of detail, the visual impact assessment also did not take account of the fact for the requirement for the sort of acoustic barrier that's now being proposed to try and beat the levels. So we do not believe that an operational stage, these noise levels could be met. I'll come on to conditions later about the restriction on breeding birds and construction.

Air pollution, it has been identified that this would exceed the nitrogen deposition level for the critical threshold that's been set. This is acknowledge. Natural England acknowledged this. The applicants acknowledge this. There the point it make is that they believe it wouldn't be a significant effect because the relatively short duration of the drilling. I would remind you that the precautionary approach says that the burden of proof lies on those who would cause harm. It is their duty to provide evidence they would not cause harm. They haven't done so. They've brought no cases forward, despite repeated requests. To prove they are merely asserting that there would be no harm.

The applicant has also suggested that further modelling could be done once the type of generator for the site is known. Erm, but again this then would be opposed to termination matter and that calls into question really whether something as important as nitrogen deposition impacts on a SSSI could actually be done. As opposed to termination matter one would hope it would be considered to be material at the determination stage.

Lastly, on to water. The modelling by the applicant, again hypothetical. Not based on water level monitoring in the nature reserve. It's a predictive model used from external data. Erm, has predicted a degree of change, which would be small within the ditches of the SSSI. And *(inaudible)* it's a water dependent fen habitat. However, this gives us concerns. Hydrological and hydrogeological modelling for mineral sites are notoriously unpredictable, as members on this Committee will know that these things change dramatically with many, many sites. There is no condition proposed in the Officer's report to monitor the effectiveness, to effectively test whether that model is accurate, to monitor the water levels within the SSSI, and to see what the effect would be.

So briefly, then, in terms of the conditions, those conditions proposed, the conditions for noise would have to assume that any noise impacts or any breaches of the noise requirements would be picked up on instantaneously. It would have to be within 24 hours/48 hours because otherwise the effect on the birds would happen. Erm, and they would then have to be an action, which was very validly raised. How quickly could that happen? Would the effects continue? Would it be damaging in that breeding season? It could affect birds in that breeding season. You could lose that species in that season.

In terms of the nitrogen impact, again that remains the same. How long would it take for a breach of the nitrogen deposition levels to be recorded, to be reported on, and for action to be taken? This is the problem with having post-determination conditions for such material matters. What's the action? Where's your certainty?

And finally, coming back to water levels, obviously with no condition being proposed at this stage to monitor water levels, what's the certainty that there won't be an impact, that the modelling from the applicant, which clearly we're not in a position to double check, we don't have the resources to engage expensive hydrological consultants to do that, where's the certainty that there won't be an impact on this incredibly important site?

Briefly I will just remind you the precautionary principle is internationally adopted. It's been ratified as part of the biodiversity convention. And it states that if an action or policy has a suspected risk of causing harm to the public or to the environment, in the absence of scientific consensus that the action on the policy is not harmful, the burden of proof that it is not harmful falls on those taking the action that may or may not be causing that risk. I'll hand over here to Simon. Apologies, Simon.

MR GLEDHILL: Okay. Right. I'm gonna start very quickly cos I'm gonna have to speak very quickly. This shows where the SSSI is and it shows the SSSI is the blue arrowed. The IGas proposed site is red arrowed. There's 125 metres between them. It doesn't look that far, does it, and it's not.

You've heard about Natural England's concerns, and we've heard that it's concerned about the temporary significant effects. It should also be noted that they've said alternative sites offer a better solution. And Natural England's gone further than that. It's urged the applicant and the Council to consider relocation of the site to either avoid or reduce the short term negative impacts.

I'd like to talk about unexploded ordnance. The sketch on the left hand side is from a report published by the Royal Commission on the historic monuments of England.

CHAIRMAN: Mr Gledhill, I do apologise, but you have collectively gone over your 10 minutes. Hopefully questions will allow you to address any further points. Before I ask for any questions I need to apologise to the Committee to Mr Smith because what I had intended to do was allow Mr Smith to respond to any questions or any points raised by the presenters after each presentation, so, my failure, I will attempt to row back from that. When you do respond, if you so wish, could you actually do it for both the first two presentations? Colleagues, do we have any questions? Councillor Sissons.

CLLR SISSONS: Yeah, can I ask you a question about the danger to the breeding birds, the sensitivity to noise? You mentioned particularly long eared owls and I think you were saying that it was the noise that was most damaging. But we've been told by the Parish Councillor

that there are aeroplanes going over 8 minutes. Does that not disturb the birds to the same level? You mentioned change of noise. Could you just elaborate on that a little bit, please?

MS BRADLEY: Yeah. That's a good question. The aeroplane noise is less perceivable in the SSSI than it is in the village because of the distance of the flight paths. But also it is something, it is a high level, obviously altitude-wise, and it is something that those birds have had to, sort of, evolve with and become used to over many, many years, since the airport's been in operation. Obviously, as you know, it was a military installation before it became a civil one, so they have acclimated to that noise over time, but that's different to the imposition of a new type of noise in closer proximity, at a higher decibel level.

THE CORONER: Councillor Heptinstall.

CLLR HEPTINSTALL: Yes, my question is to the Chairman of the group. What did you want to say about the previous uses of bombing site, as it were?

MR GLEDHILL: Well, I think the first point I wanted to make was that the area bounded in red, the red dotted line, is what was the former bombing range, so I think it's quite important to recognise that it's not just the SSSI which was a bombing training area: the entire site bounded by the red line, which includes IGas' proposed location, was a bombing range. And it wasn't only a bombing range. It was also used for the testing of ground-based explosives, so mortars and grenades. And during World Ward 2 it was also used as a decoy so that when the German bombers came over, they would hopefully drop bombs there rather than on RAF Finningley. So not only has it got British bombs, it's also got German bombs in the soil. And it was used as a bombing range for approximately 20 years, from the last 1930s to the late 1950s.

The MoD, in a Freedom of Information Act response, has admitted it has not a clue how much explosive there is still in the ground. There is anecdotal evidence from a number of farm workers in the area, currently living and now dead, that regularly farm workers would dig up ordnance, unexploded ordnance. You know, the point I really wanted to make was IGas has got a number of places it could undertake these activities. I'm not expert on explosives or how to risk assess explosives, but would you, if you've got a number of choices, would you choose to drill and cause ground-born vibration in a location where you know that people have dropped bombs and where you know that nothing everything has been recovered? And would you put at risk not just the local people but your employees, your contractors, the people at Jacksons? You know, why would anyone do that?

THE CORONER: *(inaudible)* ingenuity, Councillor Heptinstall. Have you any other questions you might wish to ask? Has any other colleague got a question to ask?

I just have one. In previous presentation we heard about the cumulative effect that this would have. Erm, obviously since the designation of this as a SSSI, erm, much of that activity has been going on. What I suppose I'm trying to ask is: By having this application, and you talk about the adverse effect, what degree of adverse effect, given the fact that this is not a virgin territory and obviously there have been problems in the past? Erm, and my second part of that is reference has been made to the proportion of the SSSI that would be affected, can you give an indication of what the effect of that proportionality would have and whether the Committee ought to give it any particular weight?

MS BRADLEY: Thank you, sir. In terms of the degree of adverse effect, erm, I mean, it's a sort of established scientific principle that if you have something like a habitat that's already under threat, if you add greater threat to it, you know, you will have more impact, and you'll get to a point where there may be a tipping point. Erm, I don't think anybody would be able to say whether this could be the tipping point, but it would certainly push it close to the tipping point because, you know, logically if you add nitrogen to a habitat that's already threatened from nitrification from too much nitrogen, it's not gonna make the situation any better. So, you know, habitats in our countryside are under enormous threat. This is a SSSI, and this is adding to the potential damage to the SSSI on top of the cumulative impacts that it has had for many years from, yes, you know, surrounding *(inaudible)* and other activities. That's why it's an incredibly vulnerable and threatened habitat, erm, you know, and one of the reasons why there's very little of this type of habitat left. It is particularly vulnerable. So that's a potential effect of what can happen from adding to another cumulative effect.

In terms of the proportion of the SSSI that would be affected, this obviously, again, it comes down to the accuracy of the modelling. This would depend on whether you were talking about the emissions impacts, the water impacts, or the noise impact, cos obviously they'll have different ranges of effect because all those effects work through different pathways.

In terms of the noise, at the moment, based on the applicant's modelling, the 42 dBA contour that Natural England have requested as a maximum limit falls just into the corner of the SSSI, the northwest side of it. Erm, as you'll have seen on the, erm, charts in the Officer's report. Again, that's based on predictive modelling. It's not actually based on using accurate baseline data from within the SSSI for the current baseline conditions. Erm, however, the 40 dBA contour, which is actually what's more commonly used in terms of a likely level for impacts on breeding birds, obviously extends further. It would take a greater proportion of the SSSI. And the two of three pairs of the particularly rare breeding owl there actually nest in that northwest corner of the SSSI, in the most, sort of, vulnerable corner.

THE CORONER: Thank you for that. And one last question is obviously you've seen the comprehensive report, you've seen the recommendations, and an important part of that recommendation, and you alluded to it in your presentation, are the conditions that are attached to it. Can you indicate how much confidence, given that those conditions are fairly comprehensive themselves, erm, should this application go ahead, what weight you would put on those conditions themselves?

MS BRADLEY: I have great concerns about the robustness and the scientific credibility of imposing conditions like this which can only be meaningful if, when they are breached, any action could be taken effectively/instantaneously because clearly, erm, if a scarce breeding bird is trying to nest, it's choosing where to make a nest, it's choosing, you know, to lay its eggs and where to rear its young, it make only take a couple of days of excess noise levels to dissuade it from choosing that location. It may decide to go elsewhere. Erm, if the noise is… It may have nowhere else to go, which is a problem for birds in rare habitats in, you know, farmed environments. If it's feeding its young or if it's trying to rear its young whilst those noise impacts occur, within a very short space of time, you know, contact calls between chicks and their parents could be lost by excessive noise. So all those things could actually happen maybe with only a day or two days of excess noise levels and I don't have the certainty that that information could be monitored, recorded, reported back to the County Council and action taken to actually have any kind of effect to stop that within a meaningful space of time. So whilst I wouldn't for a minute call into, you know, question the integrity of the Officers in

proposing conditions like this, I don't really think they can be implemented in a timely manner that would actually prevent the impact from occurring.

CHAIRMAN: Thank you very much. Councillor Saddington.

CLLR SADDINGTON: Thank you, Chairman. Erm, I would just like to check one point with you because I have to say I'm writing down things so that I can come back later. But I'd just like to check with you, am I correct in thinking you said only one rig will comply to the recommended noise level? And if so, which rig? Is that the rig that will be closest to the SSSI?

MS BRADLEY: Sorry, no. This is the distinction between the four possibly types of rig that the applicant's proposing to use. Only one of those could actually meet the Natural England limit, and at this stage the applicant's not able to say whether they would use that one.

CHAIRMAN: But, following on from that, can you just clarify, given the fact that has been pointed out earlier, in reference to the rigs to be subsequently chosen, the worst scenario has been worked on. Are we to assume that the worst option of rig is not the rig you're referring to?

MS BRADLEY: I suppose it comes down to, yes, where you apply the description of 'worst'. So the noise modelling is based on the worst case scenario for each of those four rigs. That's right. That's correct. Erm, so, and of those four rigs, only one of those could meet Natural England's limit, and only just. It's within metres, literally. You know, the applicant's mapping shows it as falling within metres of the edge of the SSSI, so all those other three can't meet that. They can't meet the decibel level that's been laid down by Natural England. Has that answered the question? All right. Thank you.

CHAIRMAN: Colleagues, any more? Councillor Heptinstall?

CLLR HEPTINSTALL: Thank you for giving me the opportunity to come back. But something else occurs to me as a consequence of the subsequent discussion. Erm, er, Janice, erm, in your presentation you talked about water levels. Erm, and I recall a situation, it's actually in Western Australia, er, where there's a national park. I think it's the Yanchep National Park near Perth. Erm, the first time I visited it, it had a wonderful wildlife teeming lake, erm, and lots of wildlife activity going on within it. And then the last time I visited it, that lake had been reduced to nothing more than a puddle, and the impact on the wildlife must have been absolutely colossal. Erm, I made a point of asking people why this had happened and nobody knew, except that in that part of Western Australia there's an enormous amount of house building and an enormous amount of extraction of materials, you know, from the land in order to do that. Erm, now, with that in mind, erm, I listened to what you had to say about the potential impact of this activity on the water levels, and, of course, if that was not monitored and if something wasn't done about, if something went wrong, we could have a situation, I guess, where the SSSI could completely be destroyed. Erm, so, if this were to go ahead, what recommendation would you have in putting conditions in place such that that kind of consequence did not occur?

MS BRADLEY: Thank you, Councillor Heptinstall. Again a good question. Erm, it would require, erm, monitoring of the quantity and also the quality of water levels in the ditches that feed the SSSI, cos obviously the Gresham Dyke runs into the SSSI and it's one of its main feeder water courses, and that comes from the direction of the proposed development site. So

it'd be essential to look at changes in water levels and in water quality. Obviously both very important. Erm, and also to have some good monitoring of the particularly scarce aquatic invertebrate and plant species that rely on those particular water level conditions and quality. And, again, that would have to be regular monitoring reported in a very timely manner. Impact on the invertebrates and plants might take some time to emerge, but obviously what could be measured more accurately, initially certainly, would be levels and quality, and changes, the pattern in changes in quality as well.

CHAIRMAN: Councillor Sissons.

CLLR SISSONS: If I may just ask another question, please, Mr Chairman. Something you just said about the, er, the actual water feeding the SSSI, you said that comes from the direction of the application site. Is that the way the actual water flows to the SSSI, along that direction, please?

MS BRADLEY: Yes. That's one of the main feeder water courses into the SSSI. You're probably aware that obviously it's a water dependent fen habitat and it's surrounded by a network of drainage ditches and dykes, many of which are local wildlife sites. But the Gresham Dyke is one of the sources of water input, and it's one of the main ones. Obviously it also received water from rainfall and it has input from some other ditches, but that's the principal one of the ditch network, yeah.

CHAIRMAN: Thank you, colleagues. Erm, Mr Smith, of course I'll ask you. If you'd kindly do this in reverse order, this presentation first and then refer back, if you feel the need, to the first one. Erm, could you, for my sake, give particular attention to the precautionary principle and the accusation that the conditions just aren't up to it?

MR SMITH: Okay. I'll start with, er, with Janice's, er, presentation, then. Erm, it is the case that predicted noise levels would exceed 42, but it's only a very small part of the SSSI, roughly, and it has been measured to be around 1% of the SSSI. And in that 1%, noise levels are predicted to be no more than 44, and that's referenced in Condition 18.

Erm, you know, all I can say is, you know, Natural England are the statutory consultee for developments likely to affect SSSI, and they consider that the overall integrity of the SSSI would not be affected. We've had a number of meetings with Natural England through the assessment of this application and I wouldn't underestimate the level of detail with which they have considered the application.

Erm, there's been a reference by the Wildlife Trust to a 40 decibel threshold for sensitive breeding birds, and I spoke to the County Ecologist about this and he's not aware of any recognised guidelines that set a 40 decibel threshold for sensitive breeding birds. The target of 42 is a level that's been set by Natural England as part of the assessment. That was the level that they said needed to be met, and even though it isn't met in a, yes, around about a 1% area of the SSSI, er, on that basis that, you know, they haven't raised an objection to the application.

Erm, reference has also been made to the fact that the noise during the frilling phase would be at least 15 decibels above the existing baseline, Natural England has considered that it's the total noise level that is important rather than the increase. And, again, they are of the view that the development, including the slight exceedance on the edge of the SSSI, is unlikely to affect the overall integrity of the SSSI.

A Erm, moving on, erm, on acid deposition, again Natural England has not raised… You know, I'm gonna say this time and time again, I think, today. But, again, Natural England, they are the statutory consultee on SSSIs and they've not raised an objection to the application. They recognise that there is potential for a temporary significant effect, but they consider it's unlikely to have a permanent damaging effect on the notified features of the SSSI.

B Regarding the water levels and the matter that Councillor Heptinstall raised, and the example that he gave in Australia, erm, the modelling carried out has predicted a reduction in water levels of less than one centimetre. Again, on this basis, Natural England have not objected. Er, and in terms of there's been a question about a condition, er, about monitoring the water levels and the quality, which I'll come onto in a minute, erm, but there are tests that we have to meet as planning authorities in terms of applying conditions, er, and, you know, two of the tests are that they are necessary and reasonable. And given that the predicted reduction in

C water levels is less than one centimetre, it is on that basis that a condition is not being proposed.

Erm, in terms of the water quality, it's just to remind you again that the site is an existing area of hardstanding. It will be covered by a number of natural and synthetic membranes. There will be a surface water drain around the perimeter of the site. There will be a tank in the

D ground which will collect all surface water from it. So it would be a contained site. Er, Condition 23 requires a Construction Environment Management Plan to be submitted, and again I'll refer you to the fact that the Environment Agency has already issued a permit for the site and it's the Environment Agency that are concerned about pollution impacts, er, and so that would suggest to me that they are satisfied with what the applicant is proposing to contain the site, er, and any chemical spillages that might occur.

E Erm, oh yes, the other thing I wanted to raise was, yes, on the precautionary principle, er, and, you know, Janice has made reference to the absence of scientific consensus, but all I can say again, on matters to relating to SSSIs, we take advice from the statutory consultee, which is Natural England, and they have not raised an objection to this application.

F Erm, going on to the action group, just one of two points to pick up. Erm, yes, I think the report acknowledges that there are other sites. In terms of site selection there are other sites which are likely to have less impact on the SSSI. However, we have come to the view that the impacts on the SSSI are not unacceptable, and that view has been arrived at in consultation with Natural England, er, and response on that.

G Erm, and going back to the Parish Council, erm-

CHAIRMAN: Mr Smith, if you'd just pause for a moment. On that specific presentation and Mr Smith's response, do we have any points that individual… Councillor Creamer.

CLLR CREAMER: Yes. I'd just like him to answer the points, the very last one where Stan managed to get in on the ordnance issue, or has that been dealt with?

H MR SMITH: Yes it was raised. There was some preliminary works done, but then there was some testing done by the applicant as part of some additional information submitted, er, at which no ordnance was found. Er, I think Councillor Wilkinson made a fair point in terms of what has happened to the site since it was used as a test drilling site, in that it has been developed, er, as the missile site. There is a condition, er, in the conditions in terms of, erm…

I'll just dig it out. Here we go. Condition 31, no development to take place until exploded ordnance methods statement has been submitted and approved. Er, it shall include details of how all areas of excavation will be cleared from the presence of UXO prior to and during excavation, measures to prevent the risk of UXO being triggered by a vibration, and measures to be taken in the event that UXO is encountered. Er, and obviously the development will be required to be undertaken in accordance, er, with the approved methods statement that is submitted pursuant to that condition.

CHAIRMAN: Councillor Saddington.

CLLR SADDINGTON: Thank you. Er, Jonathan, I'm really going to put you on the spot because I feel we've been put on the spot. Janice made the point at the very beginning of her brief, and she asked the Committee to consider whether we are certain that protection for the SSSI has been fully taken into consideration with all conditions. Now, er, I fully appreciate the habitat is vulnerable, and I fully appreciate that the statutory consultees are Natural England. They have said there could be a temporary problem. Janice has very clearly said that a temporary problem could actually be quite severe in so much as birds wouldn't nest and they would fly away, and that would be that. They wouldn't come back. Er, I have to say when I was driving home last night an owl flew straight in front of my car, and I'm not a bird lover but I'm an animal protector, and I thought how lovely it was to see that owl. Now, we're talking about long eared owls here. So what I'm asking you, Jonathan, because the Committee have been asked and I can't answer this because I can, hand on heart, say that I can't say whether that SSSI will be protected, so can you?

MR SMITH: Again, we have placed great weight on the response that we've had from Natural England and I do not… You know, all the applications that I've dealt with in the past that involve SSSI, hate to mention the 'Bentink' word here, er, but I have dealt with many applications where there's been SSSIs involved and if Natural England had had an issue with this application in terms of the impacts on the SSSI, erm, as a result of the development I have no doubt that they would have submitted an objection. Had they have done that I expect the recommendation initial report would have been quite different from that one you've got today. So the response we've got from Natural England is critical and we do place great weight to that, but that's the reflection of their role and, you know, no disrespect to Janice or even to the County Ecologist, but, you know, the expertise that they have with respect to SSSIs, and we have given substantial weight to the response that they've given to us.

CHAIRMAN: Thank you, Mr Smith. He has not had notice of this, but does Mr Crouch wish to make any comments at this particular point?

MR CROUCH: Not specifically, sir, but if there are any questions you do require me to answer, I would be happy to do so.

CHAIRMAN: Thank you, Mr Crouch. Perhaps we could bear that in mind. Oh, do you want to do it now, Councillor Sissons? By all means.

CLLR SISSONS: If I may, Mr Chairman, I just wanted to quote from a paragraph from Natural England which I think is pertinent. It says:

> "Natural England advises that noise monitoring should be undertaken throughout the life of the development to record actual noise levels at the SSSI. This information would help to validate the results of the predictive

> modelling and gather a more robust evidence base for this type of development."

Which suggests that there's a certain amount of uncertainty from Natural England, if I understand that paragraph correctly.

> "Ideally the noise monitoring should be undertaken within or as close to the SSSI as possible and aim to record noise levels and the noise frequency profile."

As I said a moment ago, it suggests that Natural England aren't sure what the results would be.

CHAIRMAN: Mr Smith, a condition dealing with that no doubt exists?

MR SMITH: There are. There's conditions regarding the level of noise at the SSSI. Erm, yes, you know, I totally concur with what Councillor Sissons has said, but the suggestion, and, you know, I've no issue with his suggestion that Natural England has got some doubts as well, but the level of the doubt that they've got isn't so that they've raised an objection. They are satisfied with the modelling that's been done, that it is robust. Yes it is modelling. Er, and they are satisfied that with the conditions in place the impact on the SSSI would not be unacceptable.

CHAIRMAN: Thank you. Mr Smith, if there are no further points on the last presentation do you have any comments on our first presentation with the Parish Council?

MR SMITH: Just a couple, Chair. Erm, reference was made, er, to policy MP12, the Emerging Minerals Local Plan, and that is the hydrocarbons, er, policy and for the exploration stage it says:

> "Proposals for hydrocarbon exploration will be supported provided they do not give rise to any unacceptable impacts on the environment or residential amenity."

And, you know, all I can say is the application has been assessed in great detail, er, and whilst the report acknowledges that there would inevitably be impacts associated, er, these are not considered to be unacceptable and that is the basis on which, er, the recommendation has been made.

Erm, there was certainly talk about cumulative impacts, and, erm, I mentioned it my presentation, er, and the cumulative impacts have been considered in detail in the report. Paragraph 1317, er, lists the other developments that have been taken into account, erm, and table 35 of the report, which follows paragraph 1340, I'll give members a chance to get that if they wish to, but the table 35, that lists the other developments and considers the impacts of these developments in conjunction with the proposed exploratory wells. And the table confirms that in respect of traffic, air quality, noise, landscape and visual impact there would either be no or there will be limited cumulative impact between the proposed development and the other developments listed. Erm, whilst it's accepted that other developments exist in the area, it does not immediately follow that they would have a cumulative impact with the proposed development. Reference was made to HGVs, and, again, just to confirm that the

proposed HGV route, which would be secured by legal agreement, would not send any HGVs through Misson village.

I just want to pick up slightly on the point that was made about sand and gravel extraction in the area. Yes it has taken place in that area for a long, long time. It continues to do so. Erm, but in terms of, you know, the Emerging Minerals Plan and looking forward, er, the plan does confirm that, er, Newington South Quarry, erm, is due to be exhausted by 2018, after which, er, the operators of that site are looking to replace it with a new, er, quarry, which is proposed for allocation at Barnby Moor, at that is about 12 kilometres south of the application site. Er, similarly, Finningley Quarry, which is more to the north of Misson, that's due to be worked out in 2019, after which the operator would move production to a proposed allocation of Botany Bay, around 15 kilometres south of the site, or at Sturton le Steeple, which is an existing allocation which has permitted, albeit the development hasn't commenced there yet, and that's around 16 kilometres southeast of the site. So, in terms of cumulative impacts, erm, certainly from a sand and gravel point of view, yes the very historic working of sand and gravel in that area is now starting to decline, er, and, you know, the impacts associated with those will start to, er, diminish.

CHAIRMAN: Any comments? No. Thank you. May I thank, erm, both presenters, er, for their presentation? Thank you very much.

Erm, we move now to our third presentation by Mr Brian Davey of Frack Free Notts. Welcome, Mr Davey. Er, begin at your leisure. *(inaudible)*, Mr Davey, we'll take account. Is your microphone actually on? Press the button, if you would. A little red light will come on.

MR DAVEY: Beg your pardon. Okay. So the theme of my presentation is the presumption in favour of sustainable development, which is supposed to be a golden thread which runs through plan making and decision taking, as it says on the Planning Department's document. So let's remind ourselves what, er, sustainability actually means. Erm, here are three definitions: A dictionary one, the ability of a design or plan to be continued at the same level; The widely used Brundtland Commission one, which means not compromising the ability of future generations to meet their needs; and, er, one that's related to that, the concept of intergenerational justice.

Now, let's compare that to the meaning in the National Planning Policy Framework, erm, where it means 'following planning guidance to give great weight to exploring for and then if possible developing more fossil fuels for which it is claimed there is a pressing need'. And I mention that because this great weight and pressing need is used throughout the report of the Planning Department to trump what would otherwise be grounds to reject the application.

Let me therefore say that I have great sympathy for this Committee because you're deciding on something where you're supposed to follow planning guidance and that planning guidance is double-think. I say that because already developed resources for oil and gas fields and coal mines around the world already contain enough carbon which, if they're exploited, will overshoot the two degrees centigrade and definitely the Paris Climate Agreement of 1.5 degrees. That's from already developed gas fields, so that means that… Sorry, this thing isn't working. Thank you. It means that all new fossil fuel resources are non-sustainable.

Erm, I realise, of course, this is about not producing new fossil fuels. It's about exploring for them. But I fail to see how it can be sustainable to look for something that you can't use if you find it. I realise, too, that the Committee on Climate Change has said that UK could

produce shale gas if we use less imported gas, but the hitch in this argument is that if the UK doesn't import gas, we displace it and we can't prevent that gas that would have been imported being sold and burned elsewhere in the world.

So if we follow through and we explore for something that we do use, this will be the results, and I fail to see how that change in the coastline, which puts Hull and Lincolnshire under water, can be considered sustainable.

So what does sustainability really look like? Well, we haven't mentioned, but adjacent to the, er, proposed site, on the north and the south, there is an organic farm which employs 76 local people. It doesn't threaten the water, the air quality, the soils, the wildlife, the SSSI, and it employs 76 people, er, and could do so for generations in the future, expect that it's potentially threatened by anything that goes wrong on the site, erm, that is under consideration. However, the Planning Department says that with appropriate mitigation this won't happen. Erm, I think that's an example of optimism bias. And I say that with assurance that it's optimism bias because we already know that the Environment Agency and the Health and Safety Executive, erm, when they have operated have allowed 14 environmental permit breaches in West Newton. Well, that's happened in West Newton. And there's a similar, er, record of catastrophe in Lancashire. Erm, so you are required to assume that the Environment Agency and the Health and Safety Executive can keep Polybell and the local community safe, and I think there are good reasons not to believe that and I think you should draw the necessary conclusions from that.

Polybell is therefore, and the local community, are at threat from a company which is itself unsustainable and may go bust. This has already been mentioned, and it's been said that the Oil and Gas Authority, erm, will have looked into its financial soundness, but the fact is that economic conditions have changed dramatically in the last, er, few years and I would ask if that assessment is recent and is up to date because it's in an industry which is, in general, in a sustainability crisis. Oil and gas prices, erm, rise to match rising extraction costs, and, erm, because it's a depleting resource, and, er, this makes it harder and more expensive to, er, extract oil and gas over time. And unconventional oil and gas fields are particularly expensive to work. The trouble is that unless oil and gas prices also rise to match the rising extraction cost, companies make losses, they get deeper into unrepayable debts, erm, but rising energy prices, erm, take money out of everybody's pockets and have a depressing effect on the economy, so there is a sustainability crisis in which this industry takes the form of a catch-22. Above a certain level the prices for oil and gas, the economy crashes. Below those prices, the industry cannot get the revenue that they need to make a profit. They run up unrepayable debts, just as IGas has.

In the process of pursuing this economically unsustainable path, a lot of damage can be done. The application is for exploration wells to determine whether gas can be extracted economically or not. But economic assessments, and I speak as an economist, should take into account costs and benefits to communities too. These costs and benefits to communities are what economists call externalities. And externalities kick in at the exploratory stage. They kick in now because people anticipate future benefits and possible harms. They make themselves what has happened elsewhere, and there is already a balance of available academic literature which suggests real risks of harm water, atmosphere, and to public health.

There is then an immediate impact arising from uncertainties as people put investment decisions on hold, the property market will be negatively affected by the anticipation of harms

and the falling quality of life, and this will hinder sustainable developments. Not to count these issues for any reason is phoney accounting and it's phoney economics.

So if we apply, for example, a ballpark figure used by DEFRA in an internal that they tried to suppress which said that, erm, the prices near wells, erm, of houses would fall by 7%. To the houses in the immediate proximity to the exploratory well we get a fall in the capital value of these houses of half a million pounds. This would undermine local credit worthiness and local business development, and it is a factor in non-sustainable development.

So I will conclude by saying sustainability also means intergenerational justice. Any additional production of fossil fuels, as I've explained, would make an already perilous climate crisis worse, so exploring for them is a non-sustainable process. It's a futile process with no purpose to it. To go ahead and then to produce would put millions of people at risk and millions of people in the future at risk of being sent to early graves. So I'm suggesting if you put this planning application, if you vote against this planning application you may have it taken up by the government who may say to you, "Well, why did you do this?" and there will an enquiry and there will be a lot of hassle. But there's another way of looking at it. The other way of looking at it is if you pass this planning application, you will have to explain to your grandchildren why you did it. Cos in explaining to your grandchildren why you did it, you would be passing something which has grave implications for their future. Thank you.

CHAIRMAN: Thank you, Mr Davey. Do colleagues have any questions? Er, Councillor Calvert.

CLLR CALVERT: Chair, I'd just like some advice form you because I would like to ask a question on the written submission in the report from Frack Free Notts as opposed to what Mr Davey has said specifically in this presentation. Is that appropriate now?

CHAIRMAN: Might I suggest you use the ingenuity shown by Mr Heptinstall and ask in the manner of your question the answer *(inaudible).*

CLLR CALVERT: I'm too honest, Chairman. Okay. Yeah, I don't know if you've got the report in front of you, but there are a couple of things that are mentioned, er, by Frack Free Notts. And this is on paragraph 405 in the report and it's talking about the specific proposal, and you make reference, or reference is made, to pressure testing (mini frack), and I was just curious as to whether there was some implication that this particular proposal includes some element of fracking. And my second query is on paragraph 407, which I think you are not referring to the specific proposal, but you talk about the considerable leakage of methane from shale gas wells, and I just want confirmation that you're not implying that there would be such leakage with this specific proposal. That's on page 74.

MR DAVEY: I don't have that report in front of me, I'm afraid. So your first question was about mini fracks. Yes. I recall looking at this application very closely when the application to the Environment Agency, and in the application to the Environment Agency, erm, it was very clear that this was, erm, the second well, the so-called horizontal well, if the preliminary indications were that there was the gas there, would involve a mini frack. Now, a mini frack simply means, as far as I understand it, something which is below, erm, the amount of the water which the government uses to define a frack, erm, which is above a certain quantity of water. I can't recall what that is. I think it might be so many, er, litres. It was a point made by Professor Smythe in his, erm, statement that the only purpose of this second well,

conceivable purpose of this second well, the horizontal well, would be for a test. So, erm, I'm afraid I can't say more than that, really, on that particular question.

Erm, your second one was about…

CLLR CALVERT: It's in paragraph 407, which is just two paragraphs down, and there's reference to considerable leakage of methane from shale gas wells. Now-

MR DAVEY: Well, I can only say that I recall reading, erm… That leakage of methane wells is normally when they are in production, erm, and not just from the wells down underground but from the infrastructure which receives the gas when it comes up. Erm, but I do recall reading that, erm, air-based monitoring, which involves flying aeroplanes over gas fields in the United States, had shown that there was leakage, erm, from gas fields even when there were only at the exploratory well stage. I can't say more than that. I don't have that reference with me. That leakage is probably not as great as if it were in long term production, but there is such a leakage.

CHAIRMAN: Thank you, Mr Davey. Erm, Councillor Madden.

CLLR MADDEN: Thank you, Chair. I don't know whether to address to this speaker or to Jonathan, but, erm, mention was made to Polybell Farms and there's no indication on the maps where that is in relation to… I've had a good look through and I can't see it, unless my specs are letting me down. Where is Polybell Farm?

MR DAVEY: Polybell Farm owns land both to the north and to the south of the exploration site, not very far away. I can't give you an exact, erm, measure.

CHAIRMAN: Does anyone else have any information as to whether Polybell Farm is?

MR DAVEY: It was on yours.

UNKNOWN MALE: *(inaudible)* last slide that we showed, where we showed the development around the village.

UNKNOWN FEMALE: *(inaudible)* was the very last slide of our presentation *(inaudible).*

CHAIRMAN: Right. Okay. Happy with that, Rachel? Are there any other comments or questions for Mr Davey before I go to Mr Smith? I have one, Mr Davey. I am grateful for your presentation. It was very passionate. It was very emotional. Er, it was very well argued. Erm, but my difficulty is, of course, er, it may not be a presentation for this application. Erm, do you think it's fair to say that, erm, the presentation, however well based, is put before a Committee that can only deal with-

UNKNOWN MALE: Sorry, could I ask you to not stop breathing, but… Thank you.

CHAIRMAN: We may disagree with people but we've never yet asked them to stop breathing, though it's something I may bear in mind for the future. Erm, no, seriously, er, you outlined the difficulty the Committee was in. Erm, you've used examples, er, that I do not feel, er, apply to this application. And indeed you've used examples, and I cite the one of property values, erm, that we cannot take into account irrespective of what the application is. I wonder if it's possible to extract from what you have presented those elements that the

Planning Committee can use and would help the Planning Committee with specific reference to this planning application?

MR DAVEY: Well, my argument was that I understand it as an exploratory well, but I also understand it as an evaluation or as a decision about an exploratory well taken in the context of sustainable development. That's supposed to be the thread running through your, er, deliberations.

Now, Councillor Sissons asked earlier on something about the connection between the exploration and the production, and I think that that gets to the heart of this matter. I do not see how you can talk about sustainable development, which is like a journey, if you only look at the first stage of it without discussing where it is going. How can it be even a development, part of a development, if it cannot be followed through? I explained why it cannot be followed through, so it is not a development. It is a futile waste of exercise.

Let's look at it. There's two possible options. The exploration finds no economically or commercially exploitable source of gas, in which case there is no further happening, so there's no development. Alternatively the exploration finds a commercially viable amount of gas, in which case to exploit it would be environmentally and climate-wise non-sustainable. Either way, either economically or environmentally, it cannot be followed through. Therefore it is not sustainable.

CHAIRMAN: Okay. Thank you for that. I think as a Planning Committee, alas, we have no control over the futility of some of the applications that are put before us. We merely must deal that they are before us. And I think the point I was trying to make in terms of your comments about should this lead on, that that then would be subject to a completely separate, er, planning, er, application. Councillor Heptinstall.

CLLR HEPTINSTALL: Er, I didn't indicate to speak earlier, er, because I wasn't sure precisely how to put what I want to say, erm, but I do want to make a comment about the presentation that we've just heard. And that is, Mr Davey, erm, you're talking to human beings here who actually have feelings. You're talking to, erm, me, er, who has nine grandchildren, and I love my grandchildren, and I care about my grandchildren, and for you to say to me that if I vote in a particular way that I am damning, you know, the future generations and my grandchildren forever really hurts me because we are here to look at a particular planning application in a particular way, looking particularly at the issues to do with planning considerations. That's we're here for. And as the Chairman rightly pointed out a moment ago, this particular planning application is for a particular issue to do with exploration. It is nothing to do with the wider concept of fracking.

Now, I could give you a different view as to the need for shale gas exploration. The view that's been put to me is that currently we are short of fuel, we are short of energy, that there's an absolute need for shale gas because alternative sources of energy are not as advanced as they should be at the present time to provide for the sustainable needs of our future, and the only alternative would be to buying and be reliant on fuels from external to our shores. So there is another way of looking at it, and simply to say because I don't look at it in the way that you do that I am damning my grandchildren to a very difficult future I find pretty hurtful. Thank you.

MR DAVEY: Do I get to reply to that?

CHAIRMAN: Of course you do, Mr Davey.

MR DAVEY: Okay. I taught ethics, Economic, Environment and Ethics at Dublin City University, so when I say that I think this would be a profoundly unethical decision, this is exactly what I mean, and I've tried to explain why: I meant in the sense that the German philosopher Immanuel Kant meant it, that when you take a decision like this, you are setting a precedent and you should look at it from the point of view of 'what would happen if other people follow a similar precedent?' And, in my view, on the basis of the argument that I made, that similar precedent would send millions of people, if widely applied, in the future, your grandchildren's generation, to early graves. That's what it means. That's what climate change means. And I don't think that people really have got this idea. The point that I showed you with those graphs was it is not possible to develop any more fossil fuel resources. It is not possible to develop any more fossil duel resources and exploit them without breaching what was agreed at Paris. And if what was agreed at Paris is breached, if it goes above 1.5 degrees, then what effectively happens is we are committing genocide on future generations. That's what it means.

CHAIRMAN: Mr Davey, I thank you. Councillor Creamer? Before I ask Mr Smith to respond do we have any more questions for Mr Davey? Mr Smith?

MR SMITH: Thank you, Chair. Erm, on the issue of, you know, any applications that might come forward in the future, er, just to read a section from the government's Planning Practice Guidance which states that:

> "Insofar as individual applications for exploration should be considered on their own merits and should not take into account hypothetical future activities for which consent has not yet been sought as any future appraisal and production phases would themselves be subject to separate planning applications."

Yes the applicant's carried out the 3D seismic survey, but there's no guarantee, er, that the shale rocks proposed for exploration in this application will contain shale gas, er, and so there's therefore no guarantee that future applications will come forward, and it's on that basis that, you know, you've to determine this application today.

Erm, there's been a lot of reference to climate change, but just to confirm that climate change with respect to this particular application is covered in the report in paragraph 1305 onwards. It talks about the HGV route, er, provides the most direct access to the strategic highway network, er, flood risk has been considered in detail, er, and clearly there'll be some debate about that. Erm, but just to let you know climate change has been considered with respect to this application. Er, the government's published a Committee on Climate Change document and that confirms that emissions relating to exploration are generally small and that appropriate mitigation techniques should be employed where practical. Erm, there will be no well testing, erm, be no venting of methane. Erm, the reference was made to the suggestion in the environmental permit application of pressure testing or a mini frack. That does not form part of this application.

Erm, in terms of the organic farm, er, we have contacted DEFRA, and there's a reference in paragraph 1148, erm, and DEFRA have stated that the only impact to organic status will be as a direct consequence of pollution or contamination event, which is the same for any other operation and it's considered that, you know, pollution obviously impacts have been

considered in the, er, application as a whole and, er, and, you know, the recommendation is that it is acceptable, and that applies to the organic status of the farm already.

Erm, financial viability's already been raised. Er, I don't want to go over that again.

Erm, there was also reference in the slides to a DEFRA paper, the draft Shale Gas Rural Economy Impacts paper, and then there was then talk about, erm, house prices, etcetera. Paragraph 1265, erm, we say that there was a covering note issued with the release of the paper and it states that it is an early draft of an internal document, is not analytically robust, and work on it has since been discontinued, and the report confirms, therefore, that little weight has been attached to that paper. Thank you, Chair.

CHAIRMAN: Thank you, Mr Smith. Any comments? Erm, I'd like at this point, in view of, er, part of the presentation to ask, er, our legal colleague just to clarify the position with regard to regulatory bodies.

MS CLACK: Chair, I think to start with I'll say that, erm, you know, we are working with a regulatory regime of which this Planning Committee is part. As you've said, the duty of this Planning Committee is to consider the application before it today on its merits and in accordance with policies in the development plan unless material considerations indicate otherwise.

Erm, now, members have come to this Committee today, erm, to hear the evidence, to hear arguments for, erm, and against the proposed development. Erm, any future application for fracking at this site would be the subject of a separate planning application which in turn would be considered on its merits and in accordance with the development plan by this Committee. So the decision of this Committee today does not in any way predetermine or prejudice the outcome of any future planning application for hydraulic fracturing development at this site or at any other site. So members must consider the application before them today without regard to any future application which may or may not be submitted.

Now, to answer the question from Chair about the role of other regulators: It is a multi-regulatory, erm, kind of regime, erm, whether people like Mr Davey would, erm, question, erm, the, erm, you know, that sort of framework. But this is the regulatory framework in which we are working, so this Planning Committee is constrained by what it can legitimately take into account. Now, we cannot replicate matters which are dealt with under separate regulatory regimes or by separate permits. And we must also take it as read that the regulators, like the Environment Agency and the HSC, will carry out their roles effectively and that regulation and enforcement will be robust. Does that answer your question, Chair?

CHAIRMAN: Yes, thank you very much, Rachel. Erm, are there any other comments before we end this particular section? In which case I thank you once again, Mr Davey, er, for your presentation.

Erm, ladies and gentleman, I am, I think, slightly beyond the, er, hope for time, er, to get all the presentations in before, er, we break. Er, I'm minded now to adjourn, er, and let the final two presentations begin our next session. It is now, erm, between 20 to and quarter to. We'll adjourn until half past. Thank you.

(adjourned for lunch)

CHAIRMAN: Right. It's gone half past 1 by this clock. I'd like to start. Erm, I trust we are well fed and watered. Erm, I'll just give an indication of how the afternoon hopefully will go. We have two more presentations, er, in support of the application, then we have, er, three public speakers, er, for the three minute sessions, and then we'll have the local member speaking, and then of course it is, erm, open to the Committee. That hopefully will give you an idea of how things should go. So I am now going to ask Mr Ken Cronin of United Kingdom Onshore Oil and Gas to give his presentation.

MR CRONIN: Good afternoon. Erm, I would like to thank the Council for allowing me to speak today. I am Ken Cronin, the Chief Executive of United Kingdom Onshore Oil and Gas Group. We are the representative body for the onshore oil and gas industry. We are fully funded by our members and are open to all licence holders and supply chain companies to the industry.

IGas, one of the longest established UK onshore oil and gas companies is a key and founding member of my organisation. The oil and gas industry has a long history in the UK, starting onshore in 1851, long before the North Sea came into being. Last year, despite the low oil price, as an industry we invested over 200,000,000 onshore in the UK economy and produced enough oil and gas to heat nearly a million homes.

Today I would like to address a number of key areas: Why is this important? The regulation. Skills and supply chain. And finally I'd like to look at community engagement, which I believe is crucial for any industry, er, in the energy sector.

Today over a third of our total energy comes from gas, including up to 45% of our electricity needs. Indeed, as this meeting started this morning, gas was producing 46.7% of all our electricity. 84% of our homes use gas for heating and 61% use gas for cooking. Around half a million jobs in the chemicals industry depend on gas as a feed stock and gas-based fertiliser is spread on around three quarters of our farms to help grow food. Gas provides input to so many of our everyday products, including medications, cosmetics, toiletries, and solar panels and wind turbines. However, we are increasingly dependent on imports, which have risen from 0 15 years ago to nearly 50% today, and that is costing us around £18,000,000 a day: Money that is not generating jobs or tax revenues in this country.

Government and national grid forecasts see gas demand continuing at roughly today's level for many decades to come. However, without home-grown natural gas from shale we will be importing more than 80% of our gas over the course of the neat 20 years, which could cost the UK economy 10 billion pounds per year. As an industry we are carrying out exploration and appraisal, such as today's application, to find out how much of the shale gas can rally replace imports. If this is successful shale, according to The Institute of Directors, could cut imports by about 50%.

There is also an environmental impact of these imports. Lifecycle greenhouse gas emissions from UK produced shale is lower than for gas imported by, erm, LNG or long distance pipeline. As the GMB Union has pointed out recently, we need to be honest and consider the moral and environmental issues about transporting gas across oceans and continents and becoming increasingly dependent on gas from countries with regulatory and environmental and human rights standards lower than our own.

We've heard a lot about climate change recently, and, yes, it is very important to address. Yes it is also important to invest in renewables and nuclear, but this isn't an either/or game. It

should also include zero carbon heating options using hydrogen derived from natural gas, and also natural gas vehicles. But there is simple truth here, and that is time. We don't have a solution to heat or feed stocks for the citizens of this country, or our manufacturing industries, and it will be many decades. The Committee on Climate Change recently reviewed the subject of shale within our carbon budgets and they said it would make a useful contribution if three tests were made, including ensuring minimal emissions and the replacement of imports. I believe that those three tests can be met.

The East Midlands currently accounts for about 9% of the UK's gas meters. That is some 1.8 million homes with a relatively high gas consumption per household. In the local area to Springs Road there are approximately 44,000 households with gas meters, so this application is highly relevant. The current government have committed to the safe and sustainable extraction of shale gas. In the summer of last year the Secretaries of State for Communities and Local Government and for Energy and Climate Change both stated their support for shale gas as a clean, long term energy source capable of creating British jobs and growth. Around the same time the Secretary of State for Energy and Climate Change also announced that the UK would be shifting from coal to gas to power our homes. I know from talking to many in this area that the decline in the coal industry has been tough. But although that era can never be brought back, I do see shale as the potential first step in placing the area back on the energy league.

The UK has a long history of drilling onshore in the UK, having drilled over 2,000 wells. Today we currently have 120 production sites with approximately 230 operating wells, producing 8 million barrels of oil equivalent per year. This area has a long history of safe oil and gas extraction and was key to the war effort back in the 40s when over 100 wells were drilled in order to provide the nation with vital hydrocarbons. In total over 500 wells have been drilled in the East Midlands, of which 84 are currently producing. Our industry spend in this area last year was over £10,000,000.

I understand some within the community are concerned, but they should take comfort from the fact we have four independent regulators that look at every single aspect of our business. That regulatory system makes us look at all of the risks, the probability, the probability of any of them happening, what the physical pathway for that risk could be to travel, and how we reduce that risk. The four regulators each have a different role to play. The Mineral Planning Authority respect local issues such as noise, transport, and air emissions. The Health and Safety Executive will respect well integrity and compliance with borehole legislation. The Environment Agency with respect to air, soil, water, who issue up to nine environmental permits connected to 17 separate EU directives. And finally the Oil and Gas Authority who ensure that the operator has the right operational experience and financial capacity. This provides, in my opinion, a formidable regulatory framework. I would like to take one example of how all of this fits together and that's in respect of ground water protection.

In my opinion the most important aspect has to be the integrity of the well itself to ensure no leaks to surrounding ground water. This is completed by both ensuring the design of the well is done properly, but also it is constructed properly and tested. This is approved by an independent well examiner and the Health and Safety Executive. Next on the list has to be to ensure that the operator has understood what pathways there could be to groundwater. The Environment Agency requires a hydrological risk assessment clearly listing any credible sources of potential contamination from the site, identifying potential pathways for the migration of contamination, and listing all of the potential groundwater and surface water receptors. Next would be to ensure that chemicals used are appropriate and stored on the

surface in the correct manner. The Environment Agency assesses the hazards presented by chemicals on a case by case basis. They will not permit the use of hazardous substances. The Environment Agency also regulates the storage of chemicals on site. Finally it's important to ensure waste is managed correctly, and the Environment Agency regulates that too. For all of these activities the work has been completed and the Environment Agency has issued, er, regulatory permits for the site we are discussing today.

Many fears come from stories from the US. Yes there has been some isolated incidences, mainly down to the construction of the well itself, which is a combination of poor operatorship and poor regulation. Neither of which can apply in this country. Recently the US Environmental Protection Agency, after studying 38,000 wells, found no systematic problem with water supply.

Some of the common stories: Igniting the water tap. That could be done over 100 years ago before oil and gas extraction. Emissions from waste water lagoons: Not allowed in this country. Spreading of waste products on road: Not allowed in this country. The use of unnamed chemicals: Not allowed in this country. Flaring of large quantities of gas: Not allowed in this country. The use of hazardous chemicals: Not allowed in this country. I hope this illustrates that those concerns are unfounded because of the regulation in this country.

Over the last few years there have been several independent reports produced in the UK, including the Royal Society, the Royal Academy of Engineering, and Public Health England. Coming from all of them are two clear messages. Firstly, it is wrong to assume that isolated issues that occur in other countries can happen here under our regulatory regime. And, secondly, in a properly regulated industry the risks are minimal.

In 2014, alongside government, we provided a report on the supply chain benefits. Over the course of the next 15 years we hope to be able to invest over £33 billion, creating 64,000 jobs into the process. We are committed to this work and last year, as I said, we spent over 200 million in the supply chain, taxes, and business rates.

As an industry we have embraced the need to communicate effectively with our communities. Two years ago we launched our own community engagement charter which specifies that developers need to engage as early as possible, before any planning application is submitted. It also commits the operator to providing community benefits and local jobs where appropriate. Last year we engaged with over 500,000 people in local communities. I am pleased that IGas is creating an effective community liaison for the local area.

CHAIRMAN: Mr Cronin, with respect, sir, your time is up. At which point I open to my colleagues for any questions. Councillor Calvert.

CLLR CALVERT: Er, thank you. Er, the majority of your presentation was talking about the importance of shale gas for our future energy needs. Would you agree that that is not a consideration for this particular proposal that we're considering today?

MR CRONIN: I think that my tenant is that, er, we need to explore, to find out what's underneath our feet to see whether we can actually replace imports. Er, and as I said in my speech, 80% of the gas we will use in 15 to 20 years' time will come from outside the UK. I think that has an economic and an environmental impact and therefore to understand what is underneath our feet, er, is really, really important, and that's the reason why I think it's relevant to this application.

A CLLR CALVERT: So then you would agree that we would need to consider the dis-benefits of not just exploration but extraction.

MR CRONIN: As I said, I think that it's important to understand what's underneath our feet to see whether there is actually gas there or not. That's the first stage, er, and that's why it's important in terms of the context of imports.

B CHAIRMAN: Councillor Madden.

CLLR MADDEN: Thank you, Chair. Just one question for this speaker if I may. Earlier this morning we had a presentation that flagged up that in 2014 there had been four breaches of, er, procedure, or whatever, that caused problems. Can you say that those have been taken into account, that the industry has learnt from those breaches? I'm with you about dismissing C USA reports, in a way, because their regulatory regime over there is poor. But when we take into account reports that are coming out of, say, Canada, and things, you know, has the industry taken on board the lessons that have been learnt along the way, or can you 100% guarantee that there will be no problems in the future?

MR CRONIN: Erm, I think we always take into account what's happened in the past and we D learn from the past obviously to dictate the future. Er, one of my industry body's tasks is actually to look into the future, er, and so over the course of the last two years we've put in place, erm, a number of different practices that were not necessarily part of the regulatory regime. So, er, for example, one of the things we learnt in the US was that they hadn't done any baseline monitoring, so actually when you actually look at an impact, they didn't have a benchmark. Erm, so we do, erm, baseline monitoring on all our new sites. Erm, so that's E something we introduced from learning, er, about practices elsewhere.

CHAIRMAN: Councillor Heptinstall.

CLLR HEPTINSTALL: Excuse me. Forgive me, Mr Chairman, but this question does not relate to the decision being made at this meeting, but it does relate to, er, Mr Cronin's, er, F presentation. Erm, Ken, you spoke a lot about all the regulations that are being put in place to ensure the safety of shale gas extraction here. Erm, one of the things that disturbs me, erm, when I pick up, erm, the sensational newspapers, erm, is to hear about yet another earthquake or increased seismic activity as a consequence of the, erm, fracking that occurs. And I know that nearly all of these are in America, but we did actually have one in this country, in Blackpool, er, which was to do with, er, you know, the kind of operations, I guess, that we'll be looking at in the future perhaps, er, in our own county. Er, so what assurances can you G give me that this is not gonna be a problem? Thinking more widely about, er, other applications that could well come before this Committee into the future where, for example, it may under our feet here. You know, not in the middle of the countryside. It could be, you know, where there's a lot of housing that could be affected by that kind of, er, side-product of the, er, operation. What assurances can you give me that this is not gonna be a consideration in the future?

H MR CRONIN: Okay, so I think the first thing to say is look at, er, the situation in the US. Er, a lot of the seismic activity, a very significant proportion of the seismic activity in the US is actually due to injecting water into formations after it's come out of the well. Erm, we are not allowed to do that in this country. Er, we have to store the water, er, in double skin tanks on membraned layers, etcetera, and then we have to dispose of it, er, after it's gone through a

waste water treatment facility. Er, so we're not actually allowed to re-inject that water back into another formation, which is what you see in the US. So that's a really good example of, er, UK regulation being very different from the US.

Erm, in terms of, erm, seismic activity, we have a traffic light system, er, which, er, we have, erm, seismic monitors around the site that will pick up seismic activity. And when it gets to 0.5 then we have to stop and investigate. Now, 0.5 you couldn't even feel. The earthquake in Blackpool, there was two, one that was 2.3, which is the equivalent of coming off a second rung of a ladder, er, onto the floor, that's the sort of thing. So regulation's very different. Er, and also the practice about how we monitor, er, our sites is very, very different as well. So hopefully that sort of provides reassurance to the general public.

CHAIRMAN: I want to bring you back. As you heard on many occasions this morning, our deliberations are about a specific planning application, and that planning application is before us. You introduced the concept of morality. I just wondered if you could help the Committee by indicating which human right or environmental standard in other countries would be improved as a result of this planning application being passed.

MR CRONIN: What I did was I gave you a direct quote from the GMB Union, er, so it wasn't my quote; it was from the GMB Union. Er, what they have said is that looking at other parts of the world, particularly where liquefied natural gas comes from tankers, that they consider the environmental and human rights regulations to be lower than our own, erm, and, er, they believe that that, there's a moral question to answer. Er, and on the environment side they talk about should we be producing the gas under our very strict regulations, erm, in terms of the environment or whether, er, laxer regulations elsewhere in the world.

CHAIRMAN: Forgive me, but that refers to what potentially may be a future application. How does that apply to this application?

MR CRONIN: As I said to the, er, councillor previous to that, I believe that one of the things we have to look at in this country is the very, very high dependency we have on imports, er, and one of the things we need to do, er, with respect to that is look at alternative sources of gas. Er, and to do that we need to explore, er, the gas that's underneath our feet. So that's the connection.

CHAIRMAN: Anyone else wish to make a comment or question to Mr Cronin? Mr Smith, do you wish to comment?

MR SMITH: I think really just to reflect the sentiment of Councillor Calvert in, you know, this morning we've talked about not considering this as an extraction application and I think the same should apply with respect to the speech that's just been made.

CHAIRMAN: Thank you, Mr Cronin.

MR CRONIN: Thank you.

CHAIRMAN: Erm, colleagues, our final presentation is from the applicant. Erm, my notes here say the presentation is being made by Mr John Blaymiers, but I've got an additional note that you seem to have brought a team. Are you doing this alone?

MR BLAYMIERS: I will speak alone, but my team will come along and assist at very specific questions.

CHAIRMAN: Excellent. Splendid.

MR BLAYMIERS: Okay. Right.

CHAIRMAN: Can I just say you know your time.

MR BLAYMIERS: Yes. Thank you, Mr Chairman, and good afternoon, ladies and gentlemen of the Committee. My name is John Blaymiers. I am the Chief Operating Officer of IGas. We are a British Company that is focused on exploring for and producing oil and gas onshore in the UK. I am an engineer with over 30 years of experience both in the UK and internationally, overseeing numerous and varied oil and gas developments. I have worked for IGas for six years and I am responsible for the safe and environmentally sensitive conduct of our daily operations, both exploration and production.

Being the custodian and accountable for all things operational within IGas I am passionate about health, safety, and the environment. In IGas we dedicate significant time and energy in ensuring we comply fully with all of the regulatory requirements in these areas. Through this approach our staff, suppliers, and the communities in which we operate co-exist in a safe environment. Equally, as an operator existing assets we're extremely conscious of our role in the communities in which we operate and undertake our responsibility for open and transparent engagement very seriously.

At the very outset of this project we initiated a community liaison group to bring together representatives from local communities in order to provide a forum for discussion and dissemination of information. Perhaps most importantly, the CLG gave us the opportunity to listen to feedback from local people, which was certainly not always positive but nevertheless was heartfelt and reflective of their concerns. The CLG, which has representation from all the local parishes, first met in June 2014. Since that time they have had 24 meetings and discussed all aspects of the proposed development, including having outside speakers and presentations by various experts. The CLG take this information back to their communities so that everyone can increase their understanding of our plans and, as such, comment on them. We have organised site visits, newsletters, three project-specific public information days, presentations to the Parish Councils and local interest groups, and set up a dedicated website. Team members have also visited people who live close to the proposed development in their homes in order to answer any questions that they may have. In some cases we have revisited people at their request several times.

We have a long history of giving back to communities in which we operate, and one way we do this is through the awards made annually by our IGas Community Fund. This fund exists to make a positive difference to the communities and voluntary organisations and our goal is to continue making sustainable donations and to make commitments in terms of time to support and help the community.

The Nottinghamshire area has a history steeped in oil and gas exploration and production. In 1939 the first commercial onshore oil field went into production in Ekrene(?), and a number of the fields which we operate today were discovered in the 50s and 60s. We believe the region's future as an important hub for energy is as important as its rich history and, with the

demise of coal mining in the area, see an important role shale development in the creation of future jobs and prosperity.

IGas businesses have been operating assets in the wider East Midlands area for over 30 years, and roughly 50% of our total oil production comes from this area. We employ over 60 people locally, including apprentices, and we are keen to see that number rise. In 2015 our expenditure in the local economy was £7.5 million and we're committed to working with local suppliers in all our operational areas. During all of that time we have co-existed quietly, safely, and sensitively in the local communities.

IGas has, for the tenth year, this year won a RoSPA President's Award for gold standard health and safety. Please let me assure you that these same stringent principles that we have adhered to for decades will continue to apply to this project which the Planning Officer has recommended for approval.

The application before you is to drill up to two exploratory wells on a brownfield industrial site that has had commercial activity for many years. This application is temporary in nature. As this stage we, as well as other onshore operators around the country, are trying to establish if the potential shale gas resource that has been identified, which incidentally is exactly the same as gas derived from the North Sea, whether it is exists in the right formations and quantities to be commercially prospective and help to address the issue of security of supply that we face.

This application is arguably no different to any other construction project in respect of local concerns that need to be addressed and answered. During a long period of consultation, including a number of requests for additional information, we have provided fulsome responses based on scientific evidence and detailed research and surveys. The proposed wells are no different to the hundreds of wells already drilled in Nottinghamshire. Albeit that it could be argued the application has been subject to the most comprehensive regulatory regime of any of its predecessors and to a significantly higher level of scrutiny that any other well drilled in the past.

During the entire process we will be undertaking baseline monitoring of water and air pre, during, and after our activities at the development to monitor any impacts of our operations, and these results will be made publicly available. We have recently drilled three similar exploratory wells and done so without environmental incident.

All oil and gas wells are designed to rigorous standards to ensure that a high level of well integrity is provided. This is key to ensuring protection of the aquafer, etcetera, and it is the most important element of the below ground activity. We have undertaken a full environmental impact assessment, assessing the worst case scenario for a range of activities. Relevant technical experts have recommended a range of management measures to ensure that the development can proceed in an acceptable manner without detriment to the environment or local amenity.

As I said earlier, we take the local concerns very seriously. We have been with the community from the very outset that whilst this application does not include the process of hydraulic fracturing, it may apply to a future application at this site. However, any further development that includes hydraulic fracturing will be subject to its own planning application and environmental impact assessment. We have been extremely thorough in our preparation

of this application, going beyond what is required of us from a statutory point of view and engaging with the community at every step.

I would like to, sort of, direct the members to the conclusion of the Officer's report. It says:

> "It is stated that consideration has been given to numerous impacts relating to traffic and transport, heritage, noise, lighting, etcetera. All have been assessed as being acceptable, or as not being significant, and outweighed by the great weight and support that is given to this type of development."

Whilst there are no statutory objections to these proposals, we appreciate there are concerns and fears from local residents and action groups. Two areas worth commenting specifically upon concern the site location, proximity to a SSSI site, and that it sits on a flood zone 3a. We've committed to a series of mitigation steps to alleviate any concerns, and the pertinent statutory bodies, Natural England and the Environment Agency, saw no reason to object to those proposals. It is acknowledged in the Officer's report that there would be no long term impact on the SSSI, er, and those benefits are considered to outweigh the clearly temporary significant effect on the SSSI. Your Officers are also satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere.

We have sought to maintain a continued dialogue with the establishment of the community liaison group and we will continue to maintain this dialogue and continue running the community liaison group as long as we are involved in the local community.

We support the Officer's report before you today. It provides a very thorough account of the proposed development, a development which is purely for exploratory purposes and temporary in nature. It details the matters and issues raised through consultation and provides a reasoned balance of the planning issues, accepting that the proposals meet the requirements of national planning policy and the Development Plan. We hope that the members can support their Officer's recommendation and grant approval for this planning application for two exploratory boreholes, which is an important step in understanding the shale gas potential in North Nottinghamshire. Thank you for your time.

CHAIRMAN: Thank you, Mr Blaymiers. I open to colleagues. Councillor Creamer.

CLLR CREAMER: It's just one, one question, but sort of in two parts. Er, I'm glad to see you've got a community liaison committee, but in your presentation you did mention that, er, the baseline monitoring and the continuous monitoring will be made public. Erm, I just wondering how often and how that will be done? Will it be done by, er, website? How will the actual monitoring be conveyed to the people that need to see it and will it be regular? It's all right monitoring but if you only see the results every ten years it's not worth doing.

MR BLAYMIERS: No, I totally agree with you. I mean, the whole point is we make the point about being open and transparent, and we've tried to do that all the way throughout this whole exercise. Erm, the intention would be, er, one, the results would be made available on the website, and there is a dedicated website so that would be publicly available. Secondly, we would liaise that through the community liaison group itself as well, and the Chairperson of the community liaison group is Jane Watson, so she's very familiar with those discussions. So that's the way we do it. And certainly we have to do it on a regular basis, again, in order to ensure that there's that transparency about what we're doing. And, as I say, we monitor pre, during, and after our activities, er, so that there is clear 'this is what the benchmark looks like',

'this is whether or not any impacts have occurred while we've been on the site', and then also 'this is what it looks after we've gone', cos there is also an after-care element to this whole process.

CLLR CREAMER: Understand all that and it's very welcome, but can you give us a rough definition of 'regular'? Monthly? Quarterly? Just a rough definition.

MR BLAYMIERS: That's part of finalising those details both with the Environment Agency and with the Mineral Planning Authority to lay out the sort of timetable for that. But we will monitoring on a continual basis, so we would be looking to do that probably in the order of monthly at the very least.

CHAIRMAN: Councillor Sissons.

CLLR SISSONS: Thank you, Mr Chairman. Er, three or four points that have come up from other people's presentations this morning: Obviously you've said that you've worked with the local community, but it's been suggested by members of the community that alternative sites could have been selected over this one, erm, also with in mind its proximity to the SSSI site. Erm, if you could comment on why you picked this particular site.

Erm, the choice of rig that you'll use was mentioned and the fact that three out of four did not come under Natural England's recommendations. Erm, rig availability would sort of determine that. And although this is a test, erm, exploratory rig it was mentioned that the borehole number two might be used for mini fracking, it was described as, with pressure testing. Er, could you assure us that that won't be happening under this application?

Er, a question I asked earlier on was the second borehole, can it be described as purely exploratory or is it a pre-cursor for a following application?

MR BLAYMIERS: Okay. I think, just to summarise, Councillor, if I may, location relative to the SSSI, rig selection, and then borehole number two in terms of, er, its use and whether or not mini fracks are considered. Let's take the location first of all. The driving force for us is obviously to identify a location where we can best the potential, er, for shale gas in terms of its presence. That drives is towards understanding a basin wide, understanding of the geology and of the particular formations. That starts to narrow things down. From there you try and distil out, erm, you know, we shot 3D seismic to help better define that area, so there's lots of scientific and geological evidence to point you in roughly the direction, then it's about trying to fine tune that. When we've got the geological location you then start to layer in a whole raft of other screening parameters in terms of how you go about choosing the site, which include and not limited to proximity to urban development, and you take all of this into account. 'How do you access the site?' and so on and so forth. That resulted, in short, in two areas, Areas A and B that were referred to by the Planning Officers.

They're both equal, broadly speaking, in terms of the geology from all we can ascertain from the seismic data and our understanding of it. That led us eventually to choose the existing site because it was already in an industrial brownfield site. It had road access to it. It was screened, as has been mentioned. And any of the other sites put us closer to Misson. They all resulted in us being closer to Misson, and therefore we saw this as being, of those two key options, the better one to choose because it was going to have the least impact. That brings you to the SSSI.

Yes it's close, 125 metres from the SSSI. We assessed that and looked at all of those elements as well and came to the conclusion that on balance this was still the better site for the other considerations and looking at them all in the round. That's that.

In terms of the rig, erm, the reason we cannot give a specific on which rig we will use because that presupposes, one, whatever decision is made today; two, by the time you've gone through the conditions and everything else, so we don't know precisely when we would be going out to secure a rig, point one, and we don't know what would be available at that point. So we've tried to include in our, er, application an assessment of the types of rigs and used the worst case scenario rig to model the hypotheticals that were referred to earlier in terms of modelling noise impact, light, visual, etcetera, so taking the worst case scenario. So if we got one of the other ones that wasn't as extreme, it would be an improvement on what we've applied for. So that's the basis for the rig.

The key issue surrounding the rig is where that noise level of the 42 decibels encroaches on the SSSI, which is just up in that top right north western corner. Again depending on the mitigation factors that are taken, that may well, we can address that potentially through taking mitigation steps. So it is a modelled one again on the worst case scenario, so we're trying to identify that and then what we would hope to be able to do is to improve upon that. And obviously Natural England came to the conclusion that that level of noise in that small part of it wasn't going to have a detrimental impact on a long term basis.

Coming to the boreholes, erm, reason for two, this is an exploratory campaign, so what we're looking at is the first well, and very briefly, wells are like inverted telescopes, so at the top of the well it's about 20 inches, at the bottom of the well it's an 8.5 inch hole. In order to get down through the shales, so down to three and a half thousand metres or so, erm, we go down in ever decreasing size. So the bottom hole size is about 8.5 inches. Cos we're going through into the deeper horizon, that kind of uses up that well's capability of being utilised for the second element of what we're doing. Cos what we will recover from that first well is a core of rock which will be six inches in diameter. And to try and give you a sense of what we're trying to do here, we're taking that six inch piece of rock and saying, "If you look at a mountain over there," we're trying to say, "this six inch piece of rock represents that mountain." And we all know, as you walk across any hill, the geology varies as you move through it. So the first well gives us that six inch indication of a rock in that specific point. What we need to understand is how does it vary over an aerial extent. And so that's the reason for the horizontal well is to then go and drill horizontally. And for a couple of clarifications: One, it's called a deviated well, not a deviant well. I get a little uncomfortable at the idea of a deviant well. So deviated well, and we drill down and turn a corner, essentially, and then we go horizontally with that and follow that formation. And the idea of that is to get a sense of the aerial distribution or the variation in the rock, cos it well vary along that. So that gives us a lot more information around which we can better assess what the potential for the rock is going forward. So it is very much in terms of understanding the geology and getting that information.

Coming to your final question about the so called mini frack. There is no application to do that whatsoever in this application, full stop. It won't happen.

CHAIRMAN: Councillor Walker.

CLLR WALKER: Thank you, Chairman. It has been mentioned before by the Planning Officer, but can you give assurance that to carry out this operation from start to finish within

the Council's recommendations that your insurances and finance are in order to carry out this operation safely if permission is granted?

MR BLAYMIERS: The short answer is yes.

CHAIRMAN: Are you happy with the short answer or do you want a long answer?

CLLR WALKER: *(inaudible)*

CHAIRMAN: Okay. That's fine. Councillor Madden.

CLLR MADDEN: Thank you, Chair. Er, Mr Blaymiers, I've got about five. Do you want to do them one at a time or can you write them down as I squeak?

MR BLAYMIERS: My wife broke her leg and had me multitasking and I found after I got to two I was struggling, so happy to take one at a time.

CLLR MADDEN: Right. The first one refers to a reference that you heard earlier from Frack Free Notts, erm, paragraph 407 on page 74 of the, er, report, the talks about methane leakage doing drilling. Would that occur during your exploration drilling?

MR BLAYMIERS: My short answer is no. My slightly longer answer, erm, and I don't want to put words in Frack Free Notts' mouth, but I think what the gentleman was alluding to is when you're in the producing phase there is some evidence coming out of America that there are what they've referred to as fugitive emissions of gas escaping from the well heads and from the pipework. If you're going to accept that as a basic premise, that happens across the whole of the UK today from the National Grid infrastructure, etcetera. That's, as I say, if you're going to accept that premise.

In terms of this, this is an exploratory well. We will not be producing any methane coming out of it. One of the reasons, er, why we have to actually fracture the rock is because the gas will not flow naturally. You have to create some fractures to allow it to come out. So when you're doing the exploratory well, and we're not fracking this stage, no gas will come out of that. So there will be, you know, very, now, let me so that I am being absolutely fair with you, when we drill that 8.5 inch hole, there is some shale comes out. And because it's broken up there is potentially going to be a little bit of gas, but it's essentially almost undetectable. We have instruments that can detect it, but it's not significant any shape, size or form. So I'm trying to be absolutely open and transparent with you in that sense. But it's not meaningful whatsoever.

UNKNOWN: *(inaudible)*

MR BLAYMIERS: Okay. I apologise, then. Fair enough.

CLLR MADDEN: My next point is regarding the seismic activity touched on a little bit earlier.

MR BLAYMIERS: Mmm-hmm.

CLLR MADDEN: Erm, bottom of page 69, er, paragraphs 391 to 392, and then to the top of, er, page 70 talks about faults through the Gainsborough Trough. Now, it's been flagged up

already that we've had one in Lancashire. Erm, I myself, I have a history of objecting to some of the applications put in front, and Jonathan kindly mentioned the B word earlier where we had two major fault lines through the site concerned. Erm, there is apparently a major fault through the Gainsborough Trough, so I wondered if you could assure us 100%, if possible, that there would be no seismic activity, or if it would be, it would be the equivalent of jumping off the second rung of a ladder?

MR BLAYMIERS: Er, again my short answer to that question is yes. Let me explain why I can give you that assurance. First of all, again, very simply, what occurred in The Fylde was they did hydraulic fracturing and pumped water adjacent to a fault that they were not, at the time, aware of. And as a consequence of that… That fault was always going to slip at some point in its time. It happens naturally throughout. Okay. The water went into the fault and it acted as a bit of a lubricant and it slipped at that point. But that is because they were hydraulically fracturing at the time. We are not doing that so we will not have any of that activity.

Furthermore though, what they did not have there was the availability of any 3D seismic. We have 3D seismic. Whilst that ultimately limits you to a fault resolution of about 50 metres, so below that we can't see any, but again we're (a) not hydraulic fracturing and (b) you would have to have a significantly larger fault for it to be of any concern, and (c) you referred to faults in Gainsborough Trough, there are faults everywhere throughout the country. That 3D mapping would highlight any significant faults in the area. Part of the reason why we chose these areas to drill in in the first place was to ensure we were in an area where there were no significant faults in the vicinity.

CLLR MADDEN: I may argue that point with you because, er, Professor Smythe says there was no similar-

MR BLAYMIERS: I know but Professor Smythe, to be to fair to Professor Smythe, made these accusations without any benefit of any of this information.

CLLR MADDEN: Yeah. Yeah. My third question covers the liquids, etcetera, that are used in your drilling, the oil-based, etcetera.

MR BLAYMIERS: Mmm-hmm.

CLLR MADDEN: Do you recover 100% of that liquid that's used?

MR BLAYMIERS: Yes is the short answer it that, again. Erm, the only times where we may lose some is more likely to be when you're going through something like the Sherwood sandstone. We designed the mud, and it's called drilling mud, and it has two or three things. It cools the bit. It lifts the cuttings out. And it stabilises the wall of the hole you're drilling. So what happens is you get a small… So the way the mud forms, it's all fluid, and then because of the pressure differential between the inside and the rock, the mud particles cause a film around the well bore and that stops anything from going through. What tends to leak through that is a little bit of water. It tends to leak through. And it invades, we call it 'invades', it's literally less than a foot around the perimeter of the well bore. So when you're drilling through the Sherwood sandstone, which is very permeable because it's an aquafer, you will get a slightly larger one there, a foot or two maybe, and that's it. But it is water filtrate coming out of that water-based mud.

When we use what's called low toxicity oil-based mud, that is used in the deeper horizons. They are impermeable to all intents and purposes and so you don't get that same level of infiltration going on.

UNKNOWN: *(inaudible)*

MR BLAYMIERS: It'll be 99.999%. And we monitor that as well. We measure what goes in and what comes out because that's a critical part of also managing our well, the whole integration of the well. If we saw that we were losing something then we would take action to preclude that from happening.

CLLR MADDEN: Okay. Thank you. Fourth, you mentioned that you'd, er, done three explorative wells elsewhere.

MR BLAYMIERS: Mmm-hmm.

CLLR MADDEN: What parts of the country? Was that on granite, or whatever?

MR BLAYMIERS: No. They were shale exploration wells and coal bed methane exploration wells. Those three were done in the north west of England. But historically we've drilled literally hundreds of wells in this area and operate them today.

CLLR MADDEN: My last question is a bit of a subjective one. Erm, you mentioned, er, history of oil extraction, but would you not consider that, er, the equipment, etcetera, used in oil extraction, even with the nodding donkeys, is slightly less intrusive on the landscape than a very high rig?

MR BLAYMIERS: Well, all of those wells were drilled with a very high rig. The rig is only there for a temporary period to drill the well. Interestingly, shale gas developments, when the rig has gone, er, they're even less intrusive than the nodding donkeys are. We've taken councillors from other areas and they've been disappointed when they get to our site where we have producing wells for coal bed methane, but it looks exactly the same as a shale site would look, and they're disappointed because there's really nothing much to see. Now, whereas at least if you go to one of our oil fields down the road, you see a nodding donkey. But when you come to a shale gas site, there's literally a well head, which we call the Christmas tree, and it's about six feet high, and that's it.

CLLR MADDEN: Yes, but the, er, locals still have to put up with your drill rig for 39 weeks, so…

MR BLAYMIERS: They do, and we understand that. Er, and, you know, that's why we try and take care about where we try to locate it. And in this instance it's three kilometres from Misson and we're making sure that none of the traffic goes through Misson, etcetera, to try to alleviate some of those concerns.

CHAIRMAN: Is that your quintet completed?

CLLR MADDEN: That's my quintet.

CHAIRMAN: Erm, Councillor Heptinstall.

CLLR HEPTINSTALL: Er, thank you, Mr Chairman. Mr Blaymiers, erm, hopefully today, erm, not some future date, erm, eleven people in this room will make a decision on whether to accept the application or not, and I'm just one of those. And, erm, when I make my decision it will not be a decision on the, erm, principle pf fracking, er, because I don't believe that that is what we're deliberating here today despite, erm, Mr Davey's, erm, presentation in that way. Erm, and from what I've heard so far, erm, my decision will be made on really two things. Er, the first is whether or not this is the right location for this activity. And the second on the control of the potential environmental consequences of the activity.

Erm, in relation to whether it's in the right place or not, and you've had a go at answering this question to a previous question that was asked of you, and, er, you've said that any other sites that were under consideration would be less appropriate for various means, that is closer to existing dwellings. Erm, although perhaps not with the benefit of the lack of the proximity of an SSSI or the flooding risk. Earlier on we heard from Jonathan over there about, erm, who spoke on this matter, and he talked about it being very finely balanced as to whether this was the right location and whether there should be some other locations. Erm, I would desperately like to know, erm, whether or not somewhere else could be considered where you don't have the SSSI, you don't have the flooding risk, you don't have the same impact on the local community, and the extent to which such possibilities have been explored. Erm, because if there is somewhere else that would have less of an impact, that for me would be better.

Erm, secondly, I'll be making my decision, er, on the basis of the environmental impact, and we've heard that after consideration of all the things that Planning Committees consider, such as noise, and dust, and traffic, and flooding, and air quality, and visual impact, and vibration, and lighting, and goodness knows what else, erm, that the recommendation is that the impact will not be so serious as to turn down the application. But we've also heard quite a lot about monitoring and the need for monitoring. And, you know, some of us fear, you know, we're paranoid, we actually fear that the very worst thing that can happen, will happen. So, for example, there's two things that have arisen from the discussion so far. You know, my fear is that despite monitoring the, erm, noise levels at the SSSI will be so severe that they will have the impact that were described to us, erm, earlier by Janice Bradley. Erm, and my fear is that despite the monitoring, nothing will be done about it if that happens. You know, that there needs to be action, you know, to address that issue if it should happen. And the other one is this fear, I spoke earlier about the Yanchep, erm, Australian National Park, and there it's serious. You know, a whole lake has disappeared. You know, now, on the other hand, you know, we have been told by your monitoring that there will be no more than a change in a centimetre. But what if it's not like that? You know, what if that very soon on there is some change in water levels which makes one fear for the future of the SSSI? I want to be assured that if there's any evidence of that kind coming through, I may be paranoid, it may never happen, but, nevertheless, that's my fear that something like that will happen. I want to know that some action will be taken to prevent that from going any further. Thank you.

MR BLAYMIERS: Okay. Let me try and pit that. First of all, in terms of being paranoid I think what you're trying to do is you're trying to ascertain the facts and get reassurance as to is this a proper and appropriate application, and is it going to be conducted in the manner in which it's being presented. So my first response to that is yes it is. And why do I say that? Because we are under enormous scrutiny. The onshore industry's very different to the offshore industry. The offshore industry has most of the same regulations. The onshore industry has a lot more because we also have the whole Mineral Planning Authority, etcetera, and most importantly of all, we have 24/7 someone looking over our back fence as to what we're doing. You know, that's the local communities that we live with and the neighbours

that are there. And they have a very big vested interest in making sure that we conduct our operations in the way we said we do.

We have been operating for 30 odd years and having to deal with that on a day to day basis, and our reputation is dependent upon that and it's absolutely vital. We are under more scrutiny than probably virtually any other industry in this country is because of some of the somewhat inflammatory headlines that get there based sadly not on a lot of facts. But the consequence of that is we are held to account every day, 24/7.

So coming to your specifics in terms of this, and let me take the water one first cos that one, first of all, we're in a flood risk zone so we're almost working on the opposite of your concern. We have to address the opposite of that. To reiterate, the site is fully banded. By that it means anything that falls on that site, stays on that site. We have impermeable membranes. We gather all the rain that comes out. And the rainfall is actually the biggest issue we have, strangely enough. You know, depending on what time of year it is, and sometimes which art of the country we're in, rainfall is the biggest thing of movements of water off the site. We don't take water from anywhere other than we track it in. Erm, if we speak with the water authorities, etcetera, if there's a local off take point, we would utilise that, assuming they are comfortable, and we transport everything off. So nothing on that site will go.

In terms of reducing levels around it, because we're not extracting anything from it, the levels in principle shouldn't… What we are doing is a .83 of a hectare, so 100 metres by 80 metre area, of water that would normally go into the system through rainfall naturally is being captured on site and disposed through a licenced… So that's why out of the 112 hectare, sort of, area that drains into the SSSI we are saying there will be a small one centimetre or less impact. We're recognising that some of the rainfall that normally goes there will not find its way to that SSSI because we're actually capturing it in that tank and taking it to a facility because we don't want to put that rainwater, which would be fine except if it had picked up anything else that happened to be on our site we'd contain all of that and dispose of it under the environmental permit regulations. So hopefully that goes a long way to giving you a reassurance about the water situation.

Going back to the location itself, as I say, geology was the driving point. We then looked at a… And literally we have a myriad of things that we look at, erm, in terms of… And we've tried to go for the one that we deem to be having the least impact and that still afforded us the opportunity to test the geology in an appropriate place. And we weighed up, yes, the proximity to the SSSI versus moving closer, still within the flood zones, towards Misson itself and we concluded that, on balance, that was the best location to go for.

CLLR HEPTINSTALL: Noise?

MR BLAYMIERS: Pardon?

CLLR HEPTINSTALL: Noise?

MR BLAYMIERS: Noise. Well, as part of the application and part of the proposed recommendation we have to put a noise environmental management plan together, including noise monitoring, which that's what we will instigate and we will monitor that and those records will be made publicly available as well. I mean, it's about being open and transparent, erm, and it's about ensuring that we mitigate.

A You know, what we do each time sets both precedents and also, you know, next time we have an application, if we've demonstrated that we can do this in an environmentally positive way, without having harmful impacts, we won't necessarily have the same level of, if I can use your phrase, paranoia about what we do. We have a long history. If the one thing we as an industry have been very poor at doing is communicating effectively how well we do our business. That we drilled, as Mr Cronin said, over 2,000 wells. We operate 90 wells. And some of these wells you can drive down the road to Gainsborough, they're in the middle of housing estates. Now, I'm not suggesting we're going to do that. The housing estate grew up around the well. But the point is we can still operate them even in that sort of environment safely and responsibly, without causing undue concern to the local community.

CHAIRMAN: Councillor Calvert.

C CLLR CALVERT: Thank you, Chair. I think I'm the third to ask you questions about whether it's the right location or not, and I want to refer to paragraph 663 in the report, which is on page 131, and I'm going to provide you with an opportunity to respond to some criticism of your approach. Cos in paragraph 663 it says, and I'll paraphrase slightly, the MPA is of the view that temporary significant ecological harm could be avoided through the relocation of the development to one of the alternative sites to the west, and satisfactory justification for ruling these sites out has not been provided. Now, I'd just like to have your comment on that particular criticism. Thank you.

MR BLAYMIERS: Mmm. Erm, the way I read this is that's addressing one aspect. The problem is we have to look at multiple aspects and take them all into account. So when you look at that, this is Natural England saying, and understandably they say, "Well, you could alleviate some of that by going to another site." The problem is that then introduces other factors at those alternative sites, of which there were five that we explored and tried to balance up the various pros and cons of each of those, and on the balance of all of that recognising that there was some temporary impact in terms of the SSSI. But that, by comparison with the others one, i.e. particularly in terms of access, the agricultural land, the level of screening afforded, the fact that it was a brownfield site, the fact that it was the furthest location away from other major dwellings, from the village of Misson in particular, so all of those other elements came into the consideration. And, you know, rather like the role that you have, you have to weigh up various balancing elements of this, and that's how we concluded, we came to the conclusion that the Site A was the best one to go with. It presented, on balance, the optimal solution through a number of conflicting different tensions that were there.

CLLR CALVERT: Can I just ask you how you defined what the benefits were for the proposed site? What factors did you take into account?

MR BLAYMIERS: As I say, starting right back at the beginning, the key thing for us is finding the right location for the geology, and that's why we identified those two hatched areas A and B. Within those we then tried to identify, taking into account all of the other elements, potential sites and then tried to look at those and come up with… In principle it's a form of ranking, of which one on these different elements has the… You've got to weigh up conflicting elements here, and that's why we chose this site. It was a mixture of the geology, the fact that it was a brownfield site, it had already had hardtop there, it was access to the road, it avoided coming through and taking traffic through other areas, it had natural screening. All of these things played into that decision.

CHAIRMAN: Are you happy with that? Councillor Saddington.

CLLR SADDINGTON: Er, thank you, Chairman. Just taking that point a little further that Councillor Calvert's just referred to takes me back, once again, to the Misson Action Group this morning. It seems a long time ago. Janice, who said that the Committee were asked to consider whether we thought, erm, that we could say there was, er, enough protection for the SSSI. Now, if you're going back to that 663 on page 131 where it says that other sites could have been considered, and you've explained why the other sites weren't acceptable, where in this paperwork have you actually explained, or have you not, why the other sites were not suitable, and, in fact, where they were? You say you've looked at other sites and they weren't suitable because either the agricultural land was too good to use, or it was a brown site, or one reason or another, but that doesn't necessarily indicate to the Committee, I don't feel, that the other sites weren't suitable because we don't have the information to say that. There isn't any proof that that was done, unless I'm missing it.

MR BLAYMIERS: Erm, I think can point you. You know, first of all your Planning Officer this morning showed the areas that were selected, where they were, and that there were five sites, and where they were located. And we then sort of went through the various elements that were considered, which there were multiple ones. In the appendix in the report, the Arup report, they were commissioned by the Planning Authority to go and look at the selection of the sites and the validation, or otherwise, of our recommendation versus the other sites, and so there's a substantial appendix in here which addresses all of those issues, so there is the information in here. Er, but the premise of where we arrived at is what I've just tried to explain in terms of these were the criteria that were adopted in order to screen out the various conflicting different elements, and that's how we concluded with the Site A versus the other sites.

CHAIRMAN: Mr Blaymiers, you present a picture of calmness and reassurance. Erm, you describe a company that is open, transparent, and inclusive. Given the objections what would you say went wrong?

MR BLAYMIERS: Erm, we've been involved more recently in a number of these. It's very interesting. I think one of the keys for me, Mr Chairman, is at the moment, erm, there is a lot of, and I'm going to call it 'misinformation'. We've been operating onshore, as I say, for 30 odd years. We've drilled hundreds of wells. We operate, er, 90 wells. We've got about 100 sites. We do this day in and day out. As an industry we have failed in communicating that to people effectively, what we do, how we go about it, how well regulated we are, etcetera. And in the grand pecking order of life, you know, there are probably three people that are the sort of pariahs of society, whether you start with bankers, then frackers, then regulators typically come fairly high in that list as well.

CHAIRMAN: Can I just say you're talking to politicians as well.

MR BLAYMIERS: Well, I avoided that one. But the point is we've gone about our business safely, environmentally responsibly very effectively. What has occurred is that there's been a vacuum, in essence, in terms of explaining what we do, and so there's a lot of… You know, the fears that Councillor Heptinstall was talking about are born out of misinformation. And the difficulty that we have is trying to reassure people that, yes, we do know what we're doing, we do this safely, environmentally responsibly, and I'm of the view that ultimately the only way that people are really going to buy into that is when they see we actually do this in accordance with what we say. We have been doing this. It's rather like telephone masts.

Everybody thought telephone masts were going to kill them and fry their brains. Now people complain if they haven't got one nearby cos they can't get decent service. It's similar in a sense with what we're trying to do. People sort of fear the unknown. The reality is actually Nottinghamshire has been the scene of, as Mr Cronin said, over 500 oil and gas wells, probably about 13,000 coal board wells drilled to establish where coal was, etcetera. There's a long history of drilling wells without incident. We haven't been very good at conveying that as effectively as we might have been.

CHAIRMAN: In short, it is the case that what you're asking for is for us to take you on trust.

MR BLAYMIERS: In a way you're absolutely right. I am asking you to take it, and you're not going to give me that trust without me demonstrating to you that we are responsible, etcetera. We earn that trust. If I may, just on that, it's very interesting. We're going through this exercise today, and absolutely rightly so, and it should be, and I applaud the thoroughness with which this has been approached. We have applied recently and had awarded planning consents for wells down in the South Downs National Park without going through anything like this. Why? Because we've been operating there for a number of years. It's an area of outstanding natural beauty, etcetera. Why did that go through the Council in a highly sensitive area? Because we've been part and parcel of that community for a long time and we've built that trust up over time. And to give you an example, our predecessor that actually that particular asset, they owned it, they had their operators in white vans that would come along and service that oil field. When we acquired that asset, we put logos on our vans with our name and IGas on it because we said, "We're part of this community and if we're doing something wrong, they need to know who it was that did this. We're not hiding. We're part of it. And we're going to be held accountable." And that's the approach that we have over towards Gainsborough and Beckingham(?) and Welton and Lincoln. It's about that openness, and it takes time build that trust. I'm certainly not arrogant enough for a moment to think that you're going to give us that trust unequivocally or without questioning, er, but over time we can demonstrate, we will earn that and deserve that trust.

CHAIRMAN: Yeah. I appreciate that, but it's a somewhere elliptical argument in the sense that it's almost like a burglar asking you to leave your door open and trust him not to actually use it when you go out.

MR BLAYMIERS: It is. Yes. Yeah.

CHAIRMAN: Not that of course I'm in any way describing you as a burglar.

MR BLAYMIERS: No, I appreciate that.

CHAIRMAN: But it does lead me on to a particular point that's been, I think a thread that's gone through many of the questions today, and the example I'd use is the one that many of my colleagues use about monitoring. And I want to go back to the idea of the monitoring that you're assuring the Committee is going to take place within the context of openness. Give me a practical indication of what that will mean. I refer back to something that Councillor Heptinstall said earlier. You say that you are going to be completely open and public about your monitoring. If your monitoring reveals something that is at least disconcerting, at what point thereafter will the openness of that concern be shown? Will it be immediate? Will you monitor something, find a problem, solve the problem and then retrospectively be open and transparent? I just want to work out in my own head what weight

we can give on your assurances about the monitoring and the results of that monitoring if it's found to be going wrong?

MR BLAYMIERS: Let me, if I may, I'll try and answer that question. We've done this on other sites, er, we monitor, etcetera, and a very good example, interestingly enough, the reason we do it primarily is to provide that public reassurance that we're not introducing some element into the environment that wasn't there or isn't there naturally. It's a safeguard for us to make sure that our processes and procedures are in place and are appropriate. And, again, if I sat here today and said, "I can guarantee you 100% that nothing is going to happen," as an engineer that is completely false. We have to try and put in place processes and procedures to ensure that, in the event that something did happen, we have the right responses to that and can manage that effectively, but in the first instance to identify what those risks are and try to ensure that nothing can occur.

We did this at our site over in the northwest. What was interesting was actually it became actually very beneficial for us. The idea for us, the benefit for us is this openness and transparency and to help to build the trust that you speak about. In that instance what we found was that we'd been monitoring and reporting, and what happened was, erm, some person, shall we say unknown, introduced nefarious elements into the surrounding environment. But because we were monitoring that, we were accused, and we won't go into all the details, it was all in the public domain at the time, we were accused of contaminating the local water course, but because we had that monitoring evidence we were able to demonstrate it wasn't us. And because we could then establish and differentiate between something that we'd done to the environment versus something that had been introduced by persons unknown. And the point behind this is, and it goes to your, "When do you make it available?" because if we're monitoring we've also got to then take a look and say, "Right, what is this?" We have to make that data publicly available. The question that will be a discussion that will go on is, "Right, yes, what's the frequency of that and how quickly?" because there has to be also an element of establishing, if there is something out with the norm, what is the cause of that, and establish that. And that is something that needs to be looked at carefully as part of putting that environmental management plan together. And that's part of what we would have to do in fulfilling the conditions.

CHAIRMAN: Always eager to hear tales of nefarious acts by the unknown, but you've given me an example of your quick response to a scenario whereby the quickness of the response was to your benefit. What I'm seeking from you is if a situation arises through monitoring that… Let us take, just as you take the worst example of the rig, let us find in this room your most vociferous critic. If something goes wrong that you have monitored, that had been predicted by this vociferous critic, how soon thereafter would that critic be aware of what has happened?

MR BLAYMIERS: Again, we have to put that in the management thing because my view it would be reasonably quickly. Er, and the reason I have to just put a little bit of an element around this because we have to establish, right, what is that and ensure that we're not out there crying wolf, in a sense, all the time, so we have to make sure that the readings, the monitoring equipment, etcetera, is delivering valid results. The first point of call in all of this is if there's anything comes, we respond to it in the first instance because it's actually, it's vital it gets out into the open and in the public, but the important thing is if there is anything that occurs that we've got the information to respond to it in the very first instance.

A And let me use an example. Erm, you know, say the noise, you know, that's clearly a concern. The obvious thing is to have some noise monitoring in situ. If, for instance, that was starting to approach the levels and the limits set by the 42 decibels then we can take mitigating steps to ensure that it doesn't go over that level. So it might be that there's a specific operation going on at the time. We can address that to ensure we don't exceed it. So it's about trying to be proactive in this rather than shutting the, sort of, barn door after the proverbial has escaped.

B CHAIRMAN: Councillor Sissons wishes to add something.

C CLLR SISSONS: Thank you, Mr Chairman. If I may, erm, what I'm about to ask might seem to be relating to a future application. However, I think it's pertinent because I think what I'm about to ask, erm, was part of the siting of this application. And it's you've mentioned a 3D seismology report. I wondered if you could tell us a little bit about how that works. And the reason I'm asking that is, er, we've got a big report from a Professor David Smythe. Now, I don't know who he is and I don't even know his qualifications to give us this report, but there are certain points that he raises, erm, a lot of them have been answered in the table from the MPA, but he mentions that there is a fault line that runs through the site, known as the Misson Fault, which would this show up on 3D seismology? I don't know. But, er, it's pertinent to the future application, but I think it's part of the placing of this application. I

D wonder if you could, erm, reassure us about these possible fault lines through the site and how 3D seismology is accomplished. Thank you.

E MR BLAYMIERS: Let's deal with the 3D seismic first of all. In simple terms, you come along, you send a noise signal through the rocks, and what happens is it travels through the rocks, and rocks have different densities and so the speed of sound travels through them at different rates. And what we do is we measure the sound going down. As it goes through each of the different horizons some of it bounces back up, and we measure the time it takes to travel. We convert that time into a depth and it gives us an image of the substrata so we can then see the different layers. So that's the principle of the 3D seismic.

F 3D seismic, unlike 2D, 2D you just get a line, 3D builds up a three dimensional picture, so you get a better picture of it. It's much more accurate and it gives you a much better image. Erm, I'm not gonna say too much about Prof Smythe, erm, but, suffice to say, he made all of those statements in the absence of the seismic data. He tried to use some surface borehole data and he drew a line linking some isolated point data. And I was quizzed about this at the community liaison group quite extensively, and because I was being very fair I've got subsequently misquoted. And what I said was Prof Smythe had three points and, as a

G consequence, in a sense he drew up a fault there and argued there was a fault. What I said was actually based on those three points you could derive that conclusion. I also offered an alternative, which is those three points were measuring right at the surface some formations and he was invoking the absence of a sample near the surface meant there was a fault. I said the counter to that is if you think of a sandbank in a river bed, you know, and it winds its way around there, if you put a six inch hole here, you might gravel and rock, but if you do it here you'll get sand, but over here you're back to gravel and rock. Now, you can infer a fault using

H that bit of information and I said, cos I was trying to be fair to the CLG, I can see how he could have possibly surmised that. I said but there are alternative explanations. But the critical thing is we have 3D seismic. We've got data that he did not have and we have looked at that and there is no fault there.

The reason we selected those locations, the hatched areas, was because of the absence of fault. They were in the area that we believe the rock is going to be at its best, and then the next criteria as we go through that is the absence of faults there. So I can be quite unequivocal. There are no main faults.

For the fault that Prof Smythe was trying to suggest was there meant it had to go from the surface because it was essential. He was using surface data but his argument was at three and a half thousand metres there's a fault because it doesn't matter what's happening up in the shallower intervals, it's down where the shale is that's critical. And I said we can see a fault that's three and a half thousand metres in depth, so, to clear this one up, there is no fault there.

CHAIRMAN: I take it that that concludes comments from my colleagues. Erm, thank you, Mr Blaymiers. It seems you didn't need your henchman after all.

MR BLAYMIERS: Well…

CHAIRMAN: Mr Smith, if you wish to summate at this point.

MR SMITH: Just a couple of bits, Chair, to, er, pick on. Erm, regards to when Councillor Madden was talking about, er, potential escape of drilling mud, etcetera, erm, paragraph 1111 of the report talked about the mining waste permit, and I'll just read this out so you don't have to *(inaudible)*. It says:

> "However, in issuing the mining waste permit the Environment Agency state that the only potential contamination source is the drilling muds, and they believe that this source is of a quantity and concentration so small as to obviate any present or future danger of deterioration of groundwater."

I just wanted to clarify that matter there.

Er, and I think in terms of what Councillor Saddington was talking about, the alternative sites and how do we know whether they are more appropriate or not, I mean, clearly those other sites haven't been subject to the scrutiny that this site has through this planning application so, erm, you know, ultimately it's not possible to tell at the moment as to what are the constraints of those sites cos they haven't been subjected to the detail of assessment that this site has been.

CHAIRMAN: Thank you, Mr Smith. Thank you very much indeed, gentlemen. That concludes the ten minute presentation element of our proceedings. We now have our public speakers, of which there are three objectors. My colleague to my immediate left will indicate the rules that will determine their presentation. Erm, these are Ms Helen Mitchem, er, Mr Richard Souter, and Ms Jeanie Thompson. Er, Ms Mitchem, excellent, if you'll just let my, er, colleague read what he needs to read while you get to your seat. David.

MR FORSTER: Each speaker, whether speaking as an individual or as part of a group, will have the maximum of three minutes. Notice will be given to you when the final minute of your allotted time arrives, and, again, that's me saying, "One minute." Speakers should not introduce new material, be that plan, photographs, or written documents. Only issues relevant to the planning application should be addressed in the presentation. These include impact on local residents and the environment, relevant planning policies, and government guidance. You should not refer to non-planning issues such as property rights, covenants, loss of

property or value or view. Members of the Committee may ask questions for the purposes of clarification. The Chair will then invite the relevant Officers to respond to any factual matters raised in your presentation or subsequent questions. Following public speaking County Councillors who are not members of the Committee will be given the opportunity to speak to the maximum of ten minutes. Thank you.

CHAIRMAN: Thank you. Er, Ms Mitchem, you have your three minutes. Begin at your leisure.

MS MITCHEM: Before I start can I just say *(inaudible)* because Misson Action Group were cut short I'm mentioning a couple of points from their document, but it's nothing new and it's what has been given to the Committee.

CHAIRMAN: Absolutely fine. The only parameter you need concern yourself with is the time element.

MS MITCHEM: Okay. So there's a lot of talk about great weight today, and we appreciate there is great weight on the shoulders of the councillors with this decision. Erm, we talk about, erm, kind of financial stability. So the representative IGas says that the company is stable. That could be a matter of opinion. My friend David Larder from Bassetlaw Against Fracking emailed you earlier this week with a summary of IGas' six month accounts. In case you haven't seen them, they, IGas, perhaps are not a viable proposition in terms of their business. And I would like to ask you how can Notts County Council consider any application to explore and drill under our homes and under sites of special scientific interest deep into our county's rock from a potentially unstable company?

If they do go into administration, the site could just be abandoned and who would clear up the mess? I only raise this, I speak from experience. As a ranger for a Borough Council I worked with a business who had a £37,000,000 profit. They, at the start of the project, were declared as very stable and very solid. They have now collapsed. I have a community who are extremely upset and angry at the Borough Council, and we are left with trying to clear up the mess. This equals a lack of respect and trust for a Borough Council, and perhaps in this context, if this application is accepted and IGas do have financial problems, where does the responsibility then lay?

I understand the importance that has already been placed on Natural England and their lack of objections. However, in the document it's clear that Natural England do have concerns. It states that a temporary significant effects are likely to occur at the Misson SSSI and resulting from air and quality and noise impacts. It says alternative sites offer a better solution. And Natural England also suggests it would take a different view for an application of longer duration. Who tells the birds or insects that this is only going to be for nine months?

So we have the weight. It's here pressing on the community. Erm, really, in summary, you have to obviously decide how much this great weight is placing on the local community. But if you're listening to that point then you have to hear what the government said in August 2013, that nothing within the shale gas industry is going to happen in this country unless it is environmentally safe. Today we have demonstrated this application is not safe for locals or for wildlife and therefore I ask you full stop to say exploratory drilling is not happening here.

CHAIRMAN: Thank you, Ms Mitchem. Colleagues, have any questions? Sorry. Yvonne, forgive me, I do apologise. Councillor Woodhead.

CLLR WOODHEAD: Thank YOU. Chairman, erm, financial figures have been talked about here. I've not seen these. Have you had a copy of these? Are they in circulation? Have I missed them?

CHAIRMAN: I am assuming Ms Mitchem is referring to the latest figures, er, by IGas that suggested that there was, erm, concern about their financial position in both the short term and the long term. These are not part of the reports. This was an email that, as I referred to earlier, that councillors have received various emails in terms of lobbying. Erm, it was from, as Ms Mitchem has pointed out, Mr Larder. I certainly had a copy of that. Erm, I look around and colleagues also seem to have. In the sense that it was not part of the report, erm, I think it doesn't necessarily need to be circulated. I think the comment that Ms Mitchem made is quite clear in terms of the doubt she has, and if we take that as a doubt from an objector I think she put it well enough for us to understand her concerns. So by all means continue to ask a question if you feel it necessary.

Ms Mitchem, I hear what you say. I had the email. I think it's a very genuine concern. And it was that for that reason that I asked the question earlier about the continuing financial oversight of the company. Er, the answer I got was that that oversight is continuous. That obviously doesn't assure you enough in terms of financial viability. Do you want to indicate why that oversight isn't enough?

MS MITCHEM: Well, like I say, in my personal context, it's a different company, but the £36,000,000 William Annerley, who have featured on a lot of conservation work and are highly respected, at the start of the process for my project were declared as financially stable. Halfway through the project now, they've not finished the work. They've withdrawn. There are local businesses that are asking for their money. They can't get it because they've gone into administration. £14,000 to a plumbing company. These are the local people that are being impacted on by the larger, erm, kind of failure or fallout from this company. And, you know, I speak from the heart because I'm having to deal with the people that are saying, "This is disgusting. The Borough Council are useless. You're rubbish. Why can't you finish your work?" All these things and I have to say, "Well, it was down to financial decisions and it was the company." You know, it's the people on the ground and it's the Officers that have to deal with the stress and the upset, and I feel, you know, Nottingham County Council, if they give the go ahead to this application and then problems do happen, someone will say, "Well, why didn't you take this into account?" The graph on Mr Davey's, erm, presentation earlier was showing, you know, a very downward trend, erm, so I'm just raising that point. I'm not an economist. I'm not an expert. But that's the issues on the ground. That's how people are gonna feel.

CHAIRMAN: But, while I understand what you're saying, it is equally fair to say that, from what I've heard from the Officers, and I may ask Mr Smith to allude to this again, erm, this has been taken into consideration. But if we follow the logic of your argument, well put as it is, what would you have us do in terms of securing, erm, this situation should it happen, should this application go through?

MS MITCHEM: Well, I'm speaking in opposition so I can't really say what I think you should do if you give the go ahead to the application. But, erm, you know, the picture is, you know, the decommissioning of the site. If half the work is done and the company are no longer there, you know, are they going to give you, "Well, this is what you need to do to clear up the site? These are the processes that we would have gone through if we were

decommissioning the site." Does the County Council have that knowledge, that expertise, that money? It's very speculative, but a lot of what has been talked about today is speculative. The impact on the wildlife, the impact of the traffic, it's speculative.

CHAIRMAN: Completely agree. And the point about the financial point, then, is you argument, as had been put earlier, that the Committee should be looking to have a, if you like, financial security blanket in that situation? Is that what you're asking for?

MS MITCHEM: I guess if that's what is needed, yes, yes.

CHAIRMAN: Do colleagues have any other questions before I ask Mr Smith to respond? Mr Smith.

MR SMITH: Thank you, Chair. Erm, yes, Mr Larder's email, obviously after raising the concerns, his concerns about the applicant's alleged finances, his suggested course of action was that we have a restoration bond as part of any approved planning permission. Er, the guidance on restoration bonds are that they are limited in when they can be put in place, but financial, erm, uncertainties about the applicant company are one of the triggers that can allow a restoration bond to be put in place. Members will probably recall the only time I think we've ever had one was for the UK Coal Shored site. Erm, the restoration bond was put in place then and the basis for that was the uncertainties regarding, erm, UK Coal's financial position at that time.

However, what I've said earlier is that, erm, you know, we've had confirmation from the Oil and Gas Authority that they do make financial checks, er, when licences are first awarded and before any drilling takes place, er, and we've factored that in to our recommendation to you that a restoration bond isn't required. Er, and then also when I was doing my presentation I quoted, erm, the government's Petroleum Licencing Guidance, erm, and it says, amongst other things:

> "There are therefore financial criteria which requires you to carry out full financial checks on the licensee and, where appropriate, on the corporate group to which the licensee belongs. Where a licensee has a corporate parent we may require the corporate parent to provide a parent company guarantee."

I understand that the PEDL licence is, erm, owned by a number of companies of which IGas is obviously one of those and IGas is fronting up this application, but there are a number of other companies involved in the PEDL licence, and that's another reason why in this instance we don't think it's necessary to have a restoration bond in place.

CHAIRMAN: Your argument being that there is a joint liability.

MR SMITH: There's a joint liability and it's also covered through other regulations, through the Oil and Gas Authority's financial checks.

CHAIRMAN: Er, with respect, the UK Oil and Gas checks does not mean a guarantee that they would stump up the cash eventually. I think the joint liability point is of more value, and it is joint liability that's in place. Okay. Thank you. Any comments? Thank you, Ms Mitchem.

Erm, our second speaker is Mr Richard Souter.

A

MR SOUTER: Thank you, Chair. I am going to address points raised in the report under the subheading 'Climate Change', namely paragraphs 1305 to 1316. Exploration is for a purpose. In this case it's to establish the presence of shale gas in sufficient quantities to recover it. The Committee need to consider the implications of this. To do otherwise would be to adopt a blinkered approach to the issue of climate change.

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As stated in paragraph 1305, this is an issue that the applicant has failed to assess. How can we be reassured when the applicant appears to dismiss climate change factors? It has been reported that the applicant has no plans at this moment to recover shale gas. It has also been reported that the applicant may wish to submit plans to the future to this end. Mr Chairman, can we look the applicant in the eyes and ask, "If sufficient quantities of shale gas are found will they (1) sell off their licence to another company? (2) Subcontract recovery of shale gas?

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Or are they going to do it themselves?" After all, on their website they boldly claim 'We are a leading onshore carbon producer in the United Kingdom', not explorer.

Each Local Authority is required to contribute to tackling climate change. In order that we keep an overall rise in temperature on planet Earth to less than two degrees Celsius we can only burn three quarters of what we have already taken out. Further exploration is

D

unnecessary and will only exacerbate, not mitigate, the effects of climate change.

The report addresses objections by suggesting in paragraph 1308 that the proposal is offered no support by policy DM10 of the Bassetlaw Core Strategy. It follows from this that the proposal should be rejected. Further in the same paragraph it states that the policy expects proposals to deliver low carbon and renewable energy infrastructure. Unfortunately this

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proposal is about the exploration and consequently the future recovery of shale gas. The reverse.

In paragraph 1316 the report mentions that the development could be sited in an area with lower flood risk, the suggestion being that should the development be approved, a condition could be set that takes into account emergency flood planning. So here we have it, an

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acceptance that the development is in the wrong place. This means the site is unsuitable. The proposed development exacerbates climate change and further development on this site, or elsewhere, resulting from its findings, will be a sad day for the UK's contribution to keeping global temperatures from rising. I urge you to reject the proposal.

CHAIRMAN: Er, thank you. Thank you, Mr Souter. Er, again do we have any questions for Mr Souter from colleagues? Mr Smith.

G

MR SMITH: Er, just briefly, Chair. Yes paragraph 1305 does say the applicant does not assess the proposal in relation to climate change, but the report has, and that is set out in paragraphs 1305 to 1316. Thank you.

CHAIRMAN: Thank you, Mr Smith. Thank you, Mr Souter. Erm, our final public speaker

H

before we go to our local member is, er, Ms Jeanie Thompson.

MS THOMPSON: *(inaudible)* because I am going to talk about policy. I haven't got time to quote all the paragraphs of policy. Ask me a question about the trustworthiness of IGas, I'd be delighted to answer that in questions. We are talking about weight. We are talking about the National Policy Framework, paragraph 144, which says that great weight should be given

to the benefits of mineral extraction. Now, that is national policy. It's been introduced by a government that wants shale gas. Another government would scrap it. There's no doubt about that. It's been introduced fairly recently. It means that, er, when weighing things up there is a bias towards greater weight to the national, erm, priority for mineral extraction. Unfortunately that means that there is a bias in the Officer's report. There's five separate paragraphs that use that great weight argument to override your own policies, your own County Council policies, I can quote them to you, and also the Bassetlaw core policies.

The policies that have been overridden by this weight on this side to the national one, and it was referred to twice by Mr Smith this morning and again by Mr Blaymiers from IGas. They are policies about heritage, biodiversity, geodiversity, and flood. Erm, the emerging policies of the County Council, erm, about cumulative development have been overridden. I can test whether the Planning Officer's report gives sufficient to the cumulative effect of the multiple impacts on Misson community. There has been a bias towards assessing the cumulative impact on the site but not on the community which has Tunnel Tech, which has quarrying, which has aeroplanes every eight minutes, and this is yet another thing on a community that's already made a big contribution towards our national interest.

There are 217… There is clearly a balance, and even the planning policy recognises that your own local policies can take priority over their national ones. It doesn't preclude the County Council from applying its own policies. So there are many planning policy reasons you can select this site on: It ignores your own policies, Bassetlaw's policies; the cumulative effects; the site selection is bad; the effect on the community is very large; it hasn't justified why it should have to be on this own particular site. IGas' financial viability is in question. There's a very bad track record of IGas, which I'll talk about in questions, on, er, regulation. There's also issues about the drinking water that no one's mentioned. T's very near to the aquafer that provides drinking water for 3 million people, er, in this region. Therefore there are many… If you're concerned about regulation and bigger issues, great, but you can-

CHAIRMAN: Ms Johnson, alas, your time is up.

MR JOHNSON: Oh, sorry, I didn't hear the… Thank you.

CHAIRMAN: I'm sure that colleagues will help you with questions.

MS JOHNSON: Thank you very much. Great. Thank you.

CHAIRMAN: Indeed. Any questions for Ms Thompson? Er, Councillor Heptinstall?

CLLR HEPTINSTALL: Ms Thompson, it would be wrong of me to not give you the opportunity to tell us of your concern about the company's finances.

MS THOMPSON: Thank you, Mr Heptinstall. I think the company's finances have been discussed. Financial situations can change. We all know, those who have lived through the last few years, erm, what a significant effect the banking crisis, for example, has had. And the fact that oil prices are extremely low at the moment means that the viability of shale gas economically has been massively effective because people would rather buy oil cheap than gas expensive.

Now, that is a radically new development which we haven't been able to predict. But it has happened. It's been happening for the last few years. And those financial graphs that were

shown earlier definitely, er, illustrate that. So an up to date, erm, and ongoing, er, assessment of a company's viability is very important.

That's a kind of issue about trust, isn't it, because obviously IGas are going to present themselves as marvellous. Of course. That's their job. And obviously the same will apply to YouGov. Of course. That's their job. I would like to quote you these policies, er, and the paragraphs. They're 1435, 1441, 1448, 1450, and 1452, where the Officer's report relies heavily on this national framework of giving great weight to the benefits of mineral extraction. We are not allowed to talk about extraction. We're allowed to talk exploration, but they can talk about extraction. Not only can they talk about extraction, they can actually have it built into their report and into Mr Blaymiers' presentation, and IGas' presentation that this is a national policy that we should be, erm, giving great weight to. You can see me leaning over on one side. What about the great weight on the community? So there seems to me an anomaly here that the regulation is, and I completely accept that, that we talk about extraction, except that they can talk about exploration. How can that be fair? There's clearly, erm, a mismatch here.

Trusting IGas: Mr Blaymiers, where are you? Mr Blaymiers, with respect-

CHAIRMAN: Ms Thompson, you-

MS THOMPSON: Sorry. No. With respect, Mr Blaymiers, Mr Blaymiers presents himself as open and transparent, and, erm, unfortunately that was not my experience of him, nor many members who came to the Misson Parish Council meeting where he told us about what he told you today, which was that the earthquake which crushed the borehole at Priesthall was very small. He said it was like lots of children jumping up and down on the floor. What he didn't tell us, until I asked him, was that that small earthquake was the one which crushed the borehole. And I feel that that was a great lapse of integrity and transparency and openness on his part, cos it was only when I pointed what that earthquake actually resulted in that that was made clear to that community. I'm sorry to have to say that, but that's definitely been my experience. It was witnessed by various other people in this room who were at that meeting.

If we look at IGas, why is it, then, if they're so fantastic on regulation that there were photographs of a screwdriver on a truck that was there instead of a safety pin? There was photographs of a rubber glove which was being used to replace a missing cap on a fuel tank. There was a photograph and a video of chemicals spilling from their tankers. This was in February 2014 at the site that he referred to, their northwest site. So I think we have to ask very specific questions when clearly their job is to present themselves in a way that shows that they will do everything for everybody and make it all perfect. But we know that life isn't like that. We know that things can go wrong, things do go wrong. There's human error. There's all sort of, erm, ways the regulations, in many people's view, are not adequate so I encourage you to reject the application.

CHAIRMAN: Ms Thompson, if I may.

MS THOMPSON: Sorry. Yes, do. Sorry, am I going on?

CHAIRMAN: You are experienced enough in these situations and I am well aware of your passion on this.

MS THOMPSON: No, I don't think so. I haven't been here before.

CHAIRMAN: But, firstly, I really do not and will not accept impugning of individuals. You can make what comments you wish to make. I have no problem if you are referring to a corporate body, but it is impolite, at best, to impugn the character of individuals who have spoken before us.

Now, you were asked a question by my colleague referring to the policies that you feel that this authority could put weight on in comparison to that determined by central government. If you're happy to answer those then I'll let you continue. could put weight on in comparison to that determined by central government. If you're happy to answer those then I'll let you continue.

MS THOMPSON: Yes, I apologise. I didn't mean to do that. It was obviously in his professional capacity he was appearing then. So the policies referred to are the Bassetlaw District Council's Core Strategy Policy DM8 on Heritage; the Bassetlaw District Council's Core Strategy Policy DM9 on Biodiversity and Geodiversity; the Bassetlaw District Council Core Strategy Policy DM12 on Flood Risk; the Notts County Council Policy, erm, NMLPDM4 on the Protection and Enhancement of Biodiversity and Geodiversity; the Notts County Council Policy NMNLPSP4 on Mineral Provision, referring to, er, choosing a site of lower flood risk; the Nottinghamshire County Council Emerging Mineral Policy DM8 in respect of Cumulative Development. There may be others and, just like Mr Blaymiers, if there's anyone else on our team that would like to add to this.

CHAIRMAN: Ms Thompson, what I'm going to do is, you've listed a number of policies, I'm going to ask Mr Smith to allude to those.

MS THOMPSON: Great. Thank you very much.

CHAIRMAN: That's very much a planning matter and he can allude to those at the end. But in between then do we have any other questions for Ms Thompson from colleagues? No? Thank you very much, Ms Thompson.

MS THOMPSON: Thank you very much.

CHAIRMAN: Mr Smith.

MR SMITH: Yeah, the policies that have been listed are all relevant, are all clearly all set out in the report, and the application has been considered and assessed against those, er, policies. It would take me all day to find the relevant sections, etcetera, but you've clearly read the report as well and you clearly know what our recommendation is based on, on that balance of taking the, er, impacts into account.

Erm, there's one other thing I want to go back to, which goes back to this morning, and I think I owe everybody an apology for this, is with respect to this definition of hydrocarbon extraction. Erm, Ollie's just moved the screen. I don't know whether you can see it. In the government's Planning Practice Guidance, er, there's a question 'What are the phases of onshore hydrocarbon extraction?' and it says there are three phases of onshore hydrocarbon extraction: Exploration, Testing (Appraisal), and Production. And so therefore where this morning I kind of queried whether, and it was in answer to a question from Councillor Sissons, in terms of the great weight attached by the NPPF to mineral extraction, I raised queries about that because, as Councillor Sissons quite rightly pointed out, they're not

extracting the gas at this time. But, having spoken to Oliver, er, and looked at the, erm, Planning Practice Guidance, and this is all set out from paragraph 5 to 8 onwards, erm, the government's guidance does state that exploration is one of the three phases of onshore hydrocarbon extraction, er, and so for that reason we do feel that the great weight that the benefits of mineral extraction are given in the NPPF are relevant. Apologies for that.

CHAIRMAN: Thank you, Mr Smith. I'm afraid you can't add to your contribution.

MR SOUTER: No, I'm not adding. I'm asking for a repetition cos I didn't hear cos he wasn't very close to the microphone.

CHAIRMAN: Oh, I see. Sorry. I understand. No, no. Mr Smith, if you would.

MR SMITH: Erm, sorry. The last sentence, erm, so what I was saying was because the Planning Practice Guidance says that onshore hydrocarbon extraction includes the exploration stage then the weight attached by the NPPF to mineral extraction, erm, or the great weight attached to the benefits of mineral extraction do actually apply in this case because the government's guidance states that exploration is one of the three stages of hydrocarbon extraction.

CHAIRMAN: Did you hear that, Mr Souter? Are you happy with that? Thank you very much indeed. Perhaps we will return to that, er, in our general debate. Thank you, Ms Thompson.

We now come to our final speaker, er, to us today, and that's Councillor Liz Yates who is the local member, er, covering Misson. And colleagues will be delighted to hear that Councillor Yates has up to ten minutes to entertain us.

CLLR YATES: Thank you, Chairman. I'm not sure it's good being last cos I probably can't match any of the presentations I've heard today. Erm, Chairman and members, erm, thank you for giving me the opportunity to address the Committee today about this application. It doesn't seem very long ago that we were here for the groundwater monitoring boreholes, erm, application so my apologies if some of what I do say today is repetitious.

As we have heard, the application before you is to develop a hydrocarbon well site with the development to be carried out in four phases, erm, that's phase one, well site construction; phase two, drilling of up to two exploratory wells for hydrocarbons, including potential shale gas, one vertical, the other horizontal; phase three, suspension of wells and assessment of drilling results; phase four, site decommissioning, well abandonment, and restoration.

Your jobs as a Committee is a difficult one, but decisions do have to be made and sometimes they are unpopular. But as we all know, they must be made within the bounds of planning policy and procedures. Today's decision will be unprecedented in our county and I am certain that due diligence and consideration has been given to this application, and to the many letters you will have received from members of the public. As I have said, it is a difficult decision for the Committee to discuss and determine.

The subject matter is very emotive, with differing views on the exploration for shale gas. Some of those letters and phone calls that I have received were in support of the application, albeit a minority, sharing similar reasons given by those who are opposed. Concerns about the future for their children and grandchildren, but for very different reasons. Those who are in

support of the proposals are worried about the ever looming energy shortfall and feel the regulations in this country are sufficient and unconventional gas exploration should go ahead.

At the end of July several members and Officers from both the County Council and Bassetlaw District Council visited West Burton coal-fired power station by the River Trent where we were told they were looking to be decommissioned by 2025. Solar and wind farms have increased. Erm, I've got one about 50 yards, er, from where I live, erm, but also meet with local opposition in some places, making that progress slow. In the meantime, the clock is ticking and the energy question remains largely unanswered. Therefore the question is should we, as a country, be exploring all possible options.

Chairman, you will recall at the Determination of the previous application for this site that I do dislike the word 'nimbyism'. Everybody has a right to hold an opinion. The views and concerns of the many people who have objected to this are indeed very real. I recognise that and hope those concerns have been properly addressed. Over the course of the last couple of years I've tried to attend the community liaison group for the Parish of Misson and surrounding parishes wherever possible, and have worked with some of the residents who have taken an active role in opposing not just this application but the complete process of extracting shale gas. I admire and respect the professional way they have gone about this, and I also do respect their views. They want the best for their families growing up in the area. They care about the environment they live in, and so much more. They should be listened to and I do thank our Officers who have listened and provided as much information as they possibly can do within their remit.

I am sure you will all agree that we have listened to very eloquent and well-reasoned presentations today from all points of view, from the applicant and the industry, erm, who's community personnel have always been courteous and respectful of differing views, assisting the local groups by providing many speakers at meetings, and have also facilitated visits to existing well sites and national forums, and from the community. Misson Parish, who have researched, monitored, questioned and challenged the applicant whenever appropriate. They have presented well-reasoned arguments against what they see as an intrusive industry, and all of this has been done in the best interests of their own families and the community that they serve.

To turn now to the Officer recommendations, I see they are to grant permission with a legal agreement under Section 106 to secure three conditions regarding transport, which must be completed by the 5th of January. It is also noted that North Lincolnshire Council, Mattersey Parish Council, Finningley Parish Council, and Doncaster Metropolitan Borough Council have all asked for similar conditions to be attached, subject, of course, to planning permission being granted. I found the Officer report very comprehensive. It covers all the technical and planning policy areas in detail, as it does with the public responses. Where appropriate conditions are attached. The areas that I feel have most concern are wide ranging, transport, ecology, heritage, archaeology, noise, water contamination, dust, duration of operations, height of rig, light contamination, flooding and drainage, and I'm sure I've forgotten some. But they are all covered in much detail in the report. It is hoped that, if granted permission, there is a reassurance that mitigations and conditions will be effective and monitored rigorously, and that reassurance I would like to hear today.

Chairman, I am definitely not an expert in this field so I do hope that particular attention has been given to the submission from Misson Parish Council whom, as I have already mentioned, have certainly done their research and clearly know their area extremely well. Their letters of

objection are insightful and knowledgeable, with comments concerning suggested conditions and mitigation should this application be approved. Therefore if members are minded to accept the recommendations before them today, I will draw your attention back to the conditions as stated in the report and once again stress the importance of compliance with those conditions and the enforcement of any breaches.

Chairman and Committee Members, this will now be your decision. Based on the evidence in front of you, with guidance from the National Planning Policy Framework and the Minerals Local Plan, which I know you are all well briefed on. May I thank all of you very much for listening. Thank you.

CHAIRMAN: Thank you, er, Councillor Yates. Do colleagues have any comment to make? Councillor Brown.

CLLR BROWN: Yeah, thank you, Chair. Erm, as you know, earlier in the year we gave permission for the, er, borehole monitoring. Since then as a local member have you had any complaints or comments from the local people regarding that, or any feedback?

CLLR YATES: Erm, presumably I think you mean since it's been ongoing. Er, I personally haven't had any comments at all, Councillor Brown. Thank you.

CHAIRMAN: Anyone else? Er, Mr Smith, do you wish to make any comments at this stage? Okay. Er, thank you, Councillor Yates. Er, and at this point I'd like to thank, on behalf of all of my colleagues, everyone who's contributed today. Erm, the views of local people are a vital part of any planning process and I do not think that it is possible for the community have had better champions than the people that we've heard today. Erm, and normally at this point the discussion would move to a debate amongst my colleagues, erm, however, I've been advised that there is a matter that needs to be dealt with that requires an adjournment. That explanation for that adjournment will come from my legal colleague.

MS CLACK: Thank you, Chair. Just right at the end of the lunch recess today, erm, a very late item was received. It's a letter dated 5th of October, today's date, from Jake White, the Legal Advisor at Friends of the Earth, and which relates to the alleged restrictive covenant on the SSSI which Friends of the Earth contend constrains the activities which may be carried out at the above site. Er, and that letter was addressed to the Planning Officer, er, and we are told it was sent via email, but obviously we've not had the opportunity to check that it was received. Erm, and also it was copied to the applicant's solicitor.

Erm, previous correspondence on the matter of this restrictive covenant is referred to in paragraph 1393 of the Officer's report, and if I just read it out quickly. Paragraph 1393 says:

> "Attention has been drawn to restrictive covenants attached to the Old Rocket site freehold title and that the proposed development may breach these. Restrictive covenants are a private property law right and the presence or otherwise of a restrictive covenant is not a material planning consideration."

However, I now refer to, erm, the Code of Conduct for the Planning and Licencing Committee. At paragraph 3.1 that says:

> "Very late representations cannot properly be considered. Any material information received after the written report has bene published but more than 24 hours before the start of the Committee meeting will be presented orally by Officers. Information received within 24 hours of the start of the meeting will only be presented if it is brief and can be readily conveyed to the Committee. If highly significant relevant new information comes to light within the above timescale, the Chairman may, after consultation with the appropriate Officer, defer the item to a later meeting."

So now, Chair, I would respectfully ask if you would allow an adjournment so that we can, er, discuss how we deal with this late item.

CHAIRMAN: I am more than happy to, er, have an adjournment. Just to make it absolutely clear that the sole purpose of an adjournment is for me to take advice as to whether we can deal with this matter here and now.

MS CLACK: Yes, that's correct, sir.

CHAIRMAN: We're going to adjourn for 20 minutes. If you could return at 4 o'clock I would be eternally grateful. Thank you.

(hearing adjourned for a short time)

CHAIRMAN: Erm, thank you very much for your patience and forbearance, colleagues. At 1.30 today Officers received a representation form a solicitor from Friends of the Earth. As a result of this representation, on which no view has been taken, I have decided, following consultation with Officers, to defer this item. This means that our meeting will be adjourned until the meeting of the Planning Committee of November the 15th. On that date our meeting will commence at the point we now leave it. In other words, we will start at the point whereby members move to debate.

The reason for this adjournment is to allow Committee to receive a definitive legal advice on matters raised in this late representation. I assure members that a copy of this representation will be circulated to all members of the Committee. Er, given that I would merely advise members to remember that we are effectively still in Committee until this matter is continued on the 15th of November, to retain your papers and observe the normal rules relating to lobbying. At which point I therefore close the meeting. Thank you for your hard work today and wish you a safe journey home. Thank you.

End of recording: no further sound