

COUNCIL – 24 JULY 2014

30. NOTICE OF MOTION SUBMITTED BY COUNCILLOR HARTILL

It was moved by Councillor Hartill, seconded by Councillor Dutton:

“The Council understands that Fracking is the drilling technique where high pressure fluids are forced into the ground as a means of extracting fossil and geothermal fuels such as shale gas.

The Council is aware that:

- There are currently many environmental concerns associated with Fracking. These concerns include worries that the Fracking process can cause small earth tremors.
- There is believed to be a great deal of shale gas and oil under the Sefton Coastline and this will no doubt become a target area for drilling companies.
- At this time, the law of “Trespass” protects home owners from Fracking being carried out under built up areas. This is because people and businesses own the land under their properties from the surface down to the earth’s core.
- The Department of Energy and Climate Change are currently carrying out consultation with a view to introducing new legislation that will allow energy companies to carry out Fracking activities below 300 metres in built up areas, without the permission of the owners of the land above.

The Council believe that to suggest such a change in law is a huge breach of civil trust and may even contravene the Human Rights Act regarding the peaceful enjoyment of property and the right to a peaceful life.

The Council requests the Chief Executive to:

1. Write to the Department of Energy and Climate Change (DECC) and inform them that the Council does not support, and in fact strongly opposes, the proposed changes to the Trespass Law; and
2. Inform the DECC that the Council, as mineral planning authority, is likely to require any potential applicant, who is seeking planning permission to carry out Fracking operations within Sefton, to submit an Environmental Impact Assessment which assesses the potential risk to people, plants, animals, soil, water, climate, landscape , architectural and archaeological heritage.”

An Amendment was moved by Councillor Brodie – Browne, seconded by Councillor Shaw that the Motion be amended as follows:

“In line 6 (first bullet point), delete “currently.”

In line 7 (first bullet point), after “associated with Fracking”, insert “drawing mainly on the recent experience in the poorly-regulated deployment of this technology in shallow strata in the USA.”

In line 8 (first bullet point), delete “small.”

Lines 12 – 25: delete third and fourth bullet points and also the following paragraph i.e. “The Council believes ...”, and replace the text with:

The Council believes that, in relation to Fracking, the precautionary principle should apply, and accordingly that no Fracking should be undertaken until it has been shown that:

- (i) Regulations controlling pollution of water, methane gas emissions, sustainable use of water, monitoring of seismic activity and protecting local environmental quality are adequate and are strictly enforced.
- (ii) Methane emissions are properly monitored and accounted for in the UK’s carbon register so that the legal limits on greenhouse gas emissions in the UK’s carbon budgets are kept to.

Lines 27 – 30: delete point 1, so that final paragraph reads: “The Council requests the Chief Executive to inform the Department of Energy and Climate Change (DECC) that the Council, as mineral planning authority...”

During the debate on the amendment, the Leader of the Council, Councillor P. Dowd requested that the Motion and the Amendment be withdrawn and that an all-party Working Group be appointed to consider the implications set out in the Motion and Amendment in more detail and submit their findings to the Cabinet for consideration in due course and that the membership and terms of reference for the Working Group be determined in the near future.

Councillors Hartill and Brodie – Browne agreed to withdraw their Motion and Amendment respectively on the understanding that the Working Group be established.