

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	5 <sup>th</sup> September 2019
<b>Subject:</b>	Altcar Moss Wellsite, Suttons Lane, Great Altcar: Neighbouring Authority Consultation		
<b>Report of:</b>	Chief Planning Officer	<b>Wards Affected:</b>	(All Wards)
<b>Portfolio:</b>	Cabinet Member - Planning and Building Control		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	No – Rule 27
<b>Exempt / Confidential Report:</b>	No		

**Summary:** Sefton Borough Council has been consulted by Lancashire County Council (LCC as the decision making body) on a planning application for the construction of a temporary wellsite and associated access track, drill, hydraulically stimulate and test two petroleum exploration boreholes including drilling rig (maximum height 60m) and associated plan and equipment, followed by wellsite and restoration.

There is a restricted timeframe to comment on the planning application and approval is sought to respond to LCC, in the form of an objection.

#### **Recommendations:**

- (1) It be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because of the tight timeframes in order to respond to the neighbourhood consultation from Lancashire County Council, in order to make the authority aware of the views regarding the planning application.
- (2) To agree the Council's response to this application
- (3) To authorise the Cabinet Member - Planning and Building Control to agree the response to any further neighbouring authority consultations for this application which may be received because of additional information/plans being received by Lancashire County Council.

#### **Reasons for the Recommendation:**

To ensure Lancashire County Council is aware of the Council's views regarding the planning application in the interest of Sefton Borough residents and for such views to be considered as material considerations in the determination of the planning application.

#### **Alternative Options Considered and Rejected: (including any Risk Implications)**

Alternatively, the Council could not respond to the neighbouring authority consultation. However, any views of the Council would not be considered in the Lancashire County Council's determination of the planning application and this is deemed inappropriate.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

The costs of responding to the neighbouring authority consultation will be met from existing budgets.

**(B) Capital Costs**

None

**Implications of the Proposals:**

<p><b>Resource Implications (Financial, IT, Staffing and Assets):</b> The costs of responding to the neighbouring authority consultation will be met from existing budgets.</p>
<p><b>Legal Implications:</b> There are no legal implications.</p>
<p><b>Equality Implications:</b> There are no equality implications.</p>

**Contribution to the Council's Core Purpose:**

<p><b>Protect the most vulnerable:</b> Not applicable.</p>
<p><b>Facilitate confident and resilient communities:</b> The response will ensure potential impacts on the local community are passed on to Lancashire County Council to ensure they are protected.</p>
<p><b>Commission, broker and provide core services:</b> Not applicable</p>
<p><b>Place – leadership and influencer:</b> Not applicable.</p>
<p><b>Drivers of change and reform:</b> Not applicable.</p>
<p><b>Facilitate sustainable economic prosperity:</b> The response will ensure potential impacts onto local businesses are made aware to Lancashire County Council to ensure they are protected.</p>
<p><b>Greater income for social investment:</b> Not applicable.</p>
<p><b>Cleaner Greener:</b> The response will ensure potential impacts on the environment are passed on to Lancashire County Council to ensure it is protected.</p>

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

Highways Department, Environmental Protection Department, Lead Local Flooding Authority and Merseyside Environmental Advisory Service.

The Head of Corporate Resources (FD 5753/19) and Chief Legal & Democratic Officer (LD 4877/19) have been consulted and comments have been incorporated into the report

**(B) External Consultations**

None - as the consideration of the planning application is the responsibility of Lancashire County Council, no other consultations are appropriate.

**Implementation Date for the Decision**

Immediately following the expiry of the “call-in” period for the Minutes of the Cabinet meeting.

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**Appendices:**

Details of application site

Photo Montage of proposed development from various views.

<http://planningregister.lancashire.gov.uk/DisplayImage.aspx?doc=cmVjb3JkX251bWJlcj03MzU5JmZpbGVuYW1lPVxcQ29ycGRhdGEwMlIxYXRhd3JpZ2h0JFxBGFubmluZ1xMQ0MtMjAxOS0wMDM3XEFwcGVuZGI4IEUgRTMgUGhvdG9tb250YWdlcyBBbHRjYXlgTW9zcy5wZGYmaW1hZ2VfbnVtYmVyPTYxJmltYWdlX3R5cGU9cGxhbm5pbmcmcbGFzdF9tb2RpbmllZF9mcm9tX2Rpc2s9MTkvMDIvMjAxOSAxODowMToyMg==>

**Background Papers:**

Lancashire County Council – Application Details

<http://planningregister.lancashire.gov.uk/PlanAppDisp.aspx?recno=7359>

## **1. Introduction/Background**

- 1.1 Sefton Council has been consulted, as a neighbouring authority, by Lancashire County Council on the proposed construction of a temporary wellsite and associated works for exploring the potential to extract oil/gas on a commercial basis.
- 1.2 The site to which the application relates is the Altcar Moss Well site off Suttons Lane in Great Altcar. Although the site is within West Lancashire it is located approximately 1.5km from the Sefton boundary with the main access to the site being through the Sefton Borough along Altcar Road, past the Formby Tesco store (*to give some context*). Sub terrain works could potentially extend beyond the West Lancashire boundary and underneath Sefton, primarily Formby and Lydiate.
- 1.3 The application is accompanied by an Environmental Statement and has been submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 due to its potential impact on the wider area.
- 1.4 The official consultation deadline given to the Council to respond was 15<sup>th</sup> August 2019. However, Lancashire County Council have agreed to an extension to respond until after the Cabinet meeting on 5<sup>th</sup> September 2019.
- 1.5 The Council have previously made it clear that Sefton opposes 'Fracking' and that this message should be made clear to proposals that impact on Sefton borough.

## **2 Proposal**

- 2.1 The proposal is to drill and test two exploratory boreholes from the Altcar Moss wellsite. The purpose of the boreholes is to establish whether the shale contains oil and gas and, if so, whether it has the potential to be commercially productive. For clarity, commercial production of oil and gas would be subject to a separate planning application.

The proposed project is anticipated to occur over a period of 2 years which can be divided into eight phases. Each phase is described below.

### **2.2 Phase 1 Access Track and Wellsite Construction Works**

- 2.2.1 Access to the wellsite will be from Lord Sefton Way via Formby Bypass and then Altcar Road (past Formby Tesco) and onto Sutton's Lane. After approximately 220m vehicles will then turn north west onto private land where a new access track will be constructed of pre-made track panels, for a distance of approximately 815m to the wellsite entrance.
- 2.2.2 Any highway improvement works to Sutton's Lane will be agreed in advance with the County Highways Authority.
- 2.2.3 The construction of the wellsite will involve the use of a piling rig to install precast concrete driven piles to provide a stable base on which the drilling cellar can be built. The concrete drilling cellar will be constructed in the

centre of the active area which comprises a reinforced concrete slab on which the drilling rig and well testing equipment will be located.

- 2.2.4 A waterproof barrier will then be laid across the active area of the wellsite and a ditch will be dug around the perimeter to prevent any surface spills reaching the underlying soils and to collect any 'run-off' water from the site. The waterproof barrier will be covered by layers of geotextiles and aggregate to protect it.
- 2.2.5 Once the wellsite is constructed a 3m high security fence will be installed around the wellsite.
- 2.2.6 On completion of the wellsite construction, a small drilling rig will install the initial conductor casing for each borehole to a depth of approximately 40m.
- 2.2.7 The construction of the wellsite and access track is estimated to take approximately sixteen weeks to complete. It is proposed that works during Phase 1 will only take place during the following times:
- Monday to Friday 07:00 hrs to 19:00 hrs;
  - Saturday 07:00 hrs to 13:00 hrs; and
  - Sunday and Bank Holiday No works permitted.

### **2.3 Phase 2 Drilling and Coring of a Vertical Borehole**

- 2.3.1 An oilfield drilling rig with a mast height of up to 60m and other equipment will then be brought to the site to drill the vertical borehole to a depth of approximately 3000m.
- 2.3.2 The aim of this initial well is to drill through to the base of the shales. Core samples will be collected so that the shales can be analysed.
- 2.3.3 At various points during the drilling, additional steel casings will be cemented in place to support the borehole and to provide a barrier between the borehole and the surrounding rock. The borehole becomes narrower at each casing point and the final section is expected to be 216mm (8 1/2") wide.
- 2.3.4 The design of the borehole will be approved by an independent well examiner and the design submitted to the Health and Safety Executive for review.
- 2.3.5 The drilling of the first borehole is estimated to take approximately five months to complete and will require 24- hour working, seven days per week.

### **2.4 Phase 3 – Drilling of a Horizontal Borehole**

- 2.4.1 Following the drilling of the vertical borehole, the second borehole will be drilled vertically down to the target zone within the shales and then horizontally within this zone for up to 1,500m.
- 2.4.2 The drilling of the second borehole is also estimated to take approximately five months to complete and will require 24-hour working, seven days per week.

## **2.5 Phase 4 Hydraulic Fracture Stimulation of the Vertical and Horizontal Boreholes**

- 2.5.1 Once both boreholes have been drilled, the drilling rig will be removed and the equipment for the hydraulic fracture stimulation phase will be brought to the site.
- 2.5.2 The hydraulic fracture stimulation will be undertaken in accordance with a Hydraulic Fracture Plan, approved by the Oil and Gas Authority. The hydraulic fracturing fluid to be used at Altcar Moss will comprise almost entirely a mixture of water and sand. A very small percentage of the fluid will comprise limited number of additives, all of which will be non-hazardous to groundwater and approved for use by the Environment Agency.
- 2.5.3 A number of separate hydraulic fracture stages will be completed in each borehole.
- 2.5.4 During each hydraulic fracture stimulation stage, the hydraulic fracturing fluid is pumped under pressure into the formation. As the fluid pressure increases, it fractures the formation and pushes the hydraulic fracturing fluid into the fractures. When the pressure is released, a proportion of the hydraulic fracturing fluid flows back from the formation, leaving behind the sand, which props open the fractures, allowing hydrocarbons to flow around the sand grains and into the borehole.
- 2.5.5 Once the hydraulic fracture stimulation has been completed the hydraulic fracturing equipment will be demobilised from the site.
- 2.5.6 The hydraulic fracture stimulation phase is estimated to take approximately sixty days to complete. Whilst this phase requires 24-hour working, the operation of the pumps for each fracture stage would only take place between 07:00 and 19:00.

## **2.6 Phase 5 Initial Flow Testing**

- 2.6.1 Once the hydraulic fracture stimulation operations are complete, initial flow testing of each of the boreholes will take place.
- 2.6.2 Flowback fluid and liquid hydrocarbons recovered from the testing operation will be stored in tanks on site for subsequent removal from site via road tanker to a suitably permitted waste water treatment facility and

refinery respectively. Natural gas will be diverted to a shrouded ground flare located on site for incineration.

2.6.3 The purpose of the initial flow tests is to determine whether natural gas and liquid hydrocarbons (if present) can flow to surface from a particular zone, and if consistent flow rates and pressures can be established.

2.6.4 If natural gas and/or liquid hydrocarbons do flow to surface and consistent flow rates and pressures are established in the horizontal borehole, this borehole will be subject to an extended well test, as described in Phase 6.

2.6.5 The initial flow testing is estimated to take approximately sixty days to complete and will require 24-hour working, seven days per week.

## **2.7 Phase 6 Extended Well Test of the Horizontal Borehole**

2.7.1 If the initial flow test indicates that natural gas and/or liquid hydrocarbons will flow to surface at consistent flow rates and pressures, the horizontal borehole will be subject to a further extended well test.

2.7.2 The extended flow test is estimated to take approximately ninety days to complete and will require 24-hour working, seven days per week.

2.7.3 Assuming that the results of the initial and extended flow tests are positive, the boreholes will be safely suspended for future use. Any future use e.g. commercial production will require the submission of a further planning application.

## **2.8 Phase 7 Decommissioning and Borehole Abandonment**

2.8.1 In the event that the exploratory drilling and testing proves unsuccessful in determining that commercial production can be achieved, the boreholes will be decommissioned, consisting of plugging and safe abandonment in accordance with current guidelines.

2.8.2 A smaller workover rig will be mobilised to site to undertake the plug and abandonment operation.

2.8.3 Decommissioning and borehole abandonment is estimated to take approximately four weeks to complete and will require 24-hour working, seven days per week.

## **2.9 Phase 8 Wellsite Restoration**

2.9.1 Following completion of the decommissioning and abandonment works, the wellsite will be restored to its predevelopment condition. This will consist of two principal phases, wellsite restoration and aftercare and monitoring. The wellsite restoration will include the replacement of the soils, which have been stored on the site during operations.

2.9.2 The restoration of the Altcar Moss wellsite, including access track, is anticipated to take approximately eight weeks to complete. Work will take place during the hours agreed for wellsite construction.

2.10 The application site and images of the proposed site can be view from the following link <http://planningregister.lancashire.gov.uk/PlanAppDisp.aspx?recno=7359>

### **3 Notification and Response**

3.1 Comments have been sought from various internal departments including the Highways Department, Environmental Protection, Lead Local Flooding Authority (LLFA) and Merseyside Environmental Advisory Service (MEAS).

3.2 A formal response should be provided within the agreed timeframe with Lancashire County Council, taking into consideration comments received from the various consultees identified above.

3.3 A response has already been received from all the consultees which can be summarised as follows:

#### ***Highways***

##### The accurate assessment of forecast traffic flows:

Whilst access would be taken through Sefton via Formby Bypass and Altcar Road the Transport Statement (TS) does not consider forecast traffic flows and no account is made of committed development in Sefton.

##### The impact on road junctions:

The TS has failed to identify potential impacts on a number of junctions in Sefton. This is particularly relevant in relation to the safe access across Altcar Road roundabout, with wide vehicles in use (3.75m wide).

##### Monitoring:

Details of proposed road conditioning and monitoring have been proposed for Lancashire but not for Sefton.

##### The management of construction traffic:

There are no proposals for management of construction traffic passing through Sefton.

##### Impact on infrastructure:

The bridge going over Downholland Brook is Sefton's responsibility, yet there has been no assessment of weights of vehicles and there are concerns that some vehicles would cause road safety issues.



## ***Environmental Protection***

### Air quality:

Air Quality has been based on modelling and has not used actual local monitoring data. Environmental Protection have suggested it would be prudent to gather actual data on ambient air quality levels to enable verification of the modelling undertaken.

### Noise impact:

Data provided gives general noise figures for equipment, but the rigs can change periodically. It is therefore suggested that confirmation of maximum and minimum noise figures be provided.

### Construction Traffic:

The recommend hours of construction traffic movement should be reduced to reduce noise disturbance to local residents in Sefton. Also, data supplied has failed to provide noise monitoring at the nearest residential properties in Sefton, and such provision should form part of the assessment.

## ***Merseyside Environmental Advisory Service***

### Consideration of alternative sites:

Concerned that the Environmental Statement suggests that other sites have been considered but no details of these sites have been included in the environmental statement. This information should, technically, be included.

### Compliance with Habitat Regulations:

No consideration has been given to potential bird strike in the Habitats Regulations Assessment. Given the scale of the drilling rig, this should be included for completeness. Also advise that consideration may want to be given to major developments in the in-combination assessment (such as 'Land East of Maghull') as part of the Habitats Regulations Assessment.

## ***Local Lead Flood Agency***

No comments to make on the proposals.

## **4 Conclusions**

- 4.1 Notwithstanding this Council's position towards fracking, this proposal has been fully assessed by the Council on its individual planning merits. The conclusion reached, based on the comments made by our internal consultees, is that the proposal fails to have sufficient regard for the associated impacts of the scheme on interests of

acknowledged importance within this Borough. This is evident from the supporting evidence base, which is fundamentally flawed, forming an unreliable basis to accurately assess impacts or identify suitable mitigation.

## **5. Recommendation**

5.1 This Council objects to the proposal and wishes to see the application refused.

## **5 Next steps**

5.1 Cabinet are requested to agree the recommendation set out in para 5.1 for the reasons set out in paras 3.3 and 4.1, and that Lancashire County Council be reminded of the Council's position as set out in para 1.5.