

Supporting Document to agenda item 15

Our government is consulting about taking fracking away from local council planning committees, and therefore removing any opportunity for community consultation. This is antidemocratic and has generated opposition from all political parties, and all strata of local government. I ask that we also note our opposition on this matter, and also support the provision of information to the community on this consultation, a point supported by our MP Kevin Hollinrake.

This is the agenda point at RDC, the vote was unanimously for the motion.

10 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

1. Proposed by Councillor Potter and seconded by Councillor Joy Andrews

The government has put forward proposals via a Written Ministerial Statement (WMS) to allow the exploration phase of hydraulic fracturing (fracking) to be allowed under Permitted Development (PD), therefore requiring no planning permission.

They also propose to bring the production phase of fracking under Nationally Significant Infrastructure Projects (NSIP), to be decided centrally by government and the planning inspectorate, thus taking decisions away from local control.

These proposals would over-ride local plans, local planning and local democratic decisions, including those within North Yorkshire.

The Minerals and Waste Joint Plan (MWJP) was jointly produced by NYCC, CYC and NYMNPA with considerable expenditure and officer time over several years.

The plan was subject to extensive consultation with all stakeholders and the public. It was judged by a government appointed independent planning inspector to be sound, legal and compliant with national policy at an Examination in Public (EIP).

Therefore:

1. This council endorses local control of fracking by Mineral Planning Authorities;
2. This council supports the current North Yorkshire MWJP and the definitions within it;
3. Council instructs our planning officers to respond to the government consultation accordingly, by rejecting the changes proposed for PD and NSIP as inappropriate and with the view that the North Yorkshire MWJP should have primacy for all planning decisions at all stages of fracking;
4. Ryedale District Council requests NYCC to support this opposition to government policy.

I ask that we consider and vote on the same points.

This is some supporting evidence ...

<https://drillordrop.com/2018/09/06/ryedale-tories-reject-government-changes-to-fracking-planning-rules/>

The Mayor of Malton is challenging the policy as unlawful

<http://www.gazetteherald.co.uk/news/16418071.malton-mayor-paul-andrews-in-legal-action-over-fracking-policy/>

On this issue we also have the support of our MP, and the CEO of NYCC:

Kevin Hollinrake, MP Source: Parliament TV

“These well pads are significant pieces of infrastructure. If you can simply put one anywhere on a permitted development basis – that will cause real concerns”.

"To secure public confidence in the process and ease local and national concerns on shale gas, I strongly favour the development of national planning guidelines based upon the North Yorkshire plan and to include the following:

- Development of new well-pads and associated infrastructure such as pipelines will not be treated as permitted development"

Richard Flinton, from North Yorkshire, said:

“I absolutely fundamentally believe that the first port of call is that it should be a local authority determination.

Unless the whole development is very sizeable, it should not automatically go up into the national infrastructure regime; it should stay local so that there can be the full scrutiny of it locally. Local people should have the opportunity to pitch their views in and understand how all the issues are being determined.

“In any event, you would have to replicate quite a lot of that in terms of your statutory consultation duty. The determination being at the local authority level feels like the right place for it to be.”

The Campaign to Protect Rural England

“It is neither appropriate, given the scale and significance of impacts caused by exploratory drilling, nor in terms of the precedent of local decision-making, to allow such development to fall within permitted development.”

Kind regards

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