

KEITH TAYLOR

Green Party

*for the South East of England*



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Jessica Sadler and Caroline Smith  
Surrey County Council, Minerals and Waste planning team  
County Hall  
Penrhryn Road  
Kingston upon Thames  
KT1 2DW

Dear Ms Sadler and Ms Smith

**Dunsfold EIA Scoping Opinion**

Although this document is not open to public consultation it was published online on the Waverley Borough Council website.

Although it seems a decision has been made not to require an EIA for these proposals, I do have some questions and concerns about it. My constituents in Dunsfold have raised various questions with me which I would plan to try to answer before Brexit!

**Climate Change:** The legal position on the consideration of climate impacts by minerals planning authorities has recently been clarified in the High Court. MPAs have to take into consideration climate impacts alongside the revised NPPF 2018 policy: "Paragraph 209(a) does not prevent any additional evidence being taken into account by minerals planning authorities" (evidence to the Court from Mr Rupert Warren QC on behalf of the Local Government Secretary<sup>1</sup>). Mr Justice Dove ruled: "I therefore accept Mr Warren's submission that in individual decisions on plans or applications the in principle support for unconventional hydrocarbon extraction, provided by paragraph 209(a) of the Framework, will have to be considered alongside any objections and evidence produced relating to the impact of shale gas extraction on climate change." The NPPF policy applies to both oil and gas, conventional and unconventional. Given the report of the

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<sup>1</sup> <https://drillordrop.com/2018/12/20/councils-can-use-climate-change-evidence-to-reject-fracking-government-lawyer-tells-high-court/>

Intergovernmental Panel on Climate Change about the seriousness of the climate threat<sup>2</sup> and the need to cut carbon emissions as a matter of urgency, it would seem negligent not to subject any new fossil fuel application to EIA.

At what stage will this issue of greenhouse gas emissions be properly regulated if not as part of an EIA? How can a proper assessment be made of mitigation measures for greenhouse gas emissions without an EIA (given problems reported elsewhere of fugitive emissions being higher than expected and failing to burn as part of gas flaring)<sup>3</sup>?

**Types and characteristics of the potential impacts:** Given that this scoping request is likely to lead to a proposal for new fossil fuel exploration which is a red flag in terms of greenhouse gas emissions, and relevant to legally binding commitments to reduce them, should this not lead to an EIA being required? The information provided is sketchy on the subject of greenhouse gas emissions, and where it does estimate them it states that the main emission will be from methane which, at its upper limit, will be 15,000 tonnes CO<sub>2</sub> equivalent. This is a very significant contribution to greenhouse gas emissions – it would be equivalent to 3,000 passenger vehicles being driven for a year. It also does not include the emissions from using the oil once extracted. The developer says that is not significant as part of a temporary application. Even if that were true it is well known that temporary fossil fuels applications have an air of permanence about them, even at the outset and once established can be there for decades (e.g. at Horse Hill if its application goes ahead).

**Size of the proposal:** the area of the site is 1.8 hectares, substantially bigger than the site on Leith Hill where an EIA was required, and bigger than the thresholds for both surface and deep drilling oil operations set out in the EIA Regulations Schedule 2. Although the Leith Hill site was in the Green Belt and the AONB, the assessment of impacts is now informed by the urgent nature of the climate crisis, better information on acid stimulation as a means of extracting from the Kimmeridge, better understanding on how these sites develop over time and the proliferation of similar applications which brings in new elements to the consideration of cumulative impacts. These are not considered in the opinion.

**Location of development - ancient woodland:** it is surprising that there is only a passing reference to this in the scoping request as it is widely present in the local area. It was one of the reasons why drilling failed at Leith Hill. Where will there be a proper assessment of the environmental impacts on this scarce habitat? According to Surrey County Council's interactive map the site is immediately adjacent to the Burchetts, an area of ancient woodland (just separated by a track), and within a short distance of other areas of ancient woodland (near Thatched House Farm, Sayers Copse and Mill Copse), as well as a SSSI.

**Cumulative impacts in relation to waste:** the scoping request makes no reference to the other application by UKOG for a 25-year permission for commercial oil production at Horse Hill. The impact of the generation of waste, including radioactive waste (not mentioned for Dunsfold) from both these sites must be considered as both rely on Environment Agency facilities to dispose of it. There would be 6 new wells in Surrey (not including side-tracks) if everything UKOG is seeking were to be granted – so the cumulative impacts for new oil drilling in Surrey have to be part of the assessment. This is a substantial increase on the present position and needs to be seen in the context of the desire of the industry to build “back to back wells” across the Weald. Surrey County Council as the minerals planning authority for all these developments needs to take stock of these

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<sup>2</sup><https://www.theguardian.com/environment/2018/oct/08/global-warming-must-not-exceed-15c-warns-landmark-un-report>

<sup>3</sup> <https://drillordrop.com/2019/03/01/cuadrillas-fracking-site-released-climate-changing-methane-into-the-atmosphere/>

cumulative impacts with the relevant regulators to ensure that there is provision to cope with impacts that will fall into the public domain, including waste disposal. Will waste water from Dunsfold be taken to Horse Hill to the water reinjection well that is being planned there? These applications may link up and the planning authority should look at them in the round.

**Acidisation:** I understand that you can only come to an opinion based on the information provided to you, but there are some differences between the information provided in this case and in others (where you decided an EIA was required) and also information that is missing which, if not required now, could lead to environmental impacts being wrongly assessed or not assessed at all. An example of this is the recent statement of UKOG<sup>4</sup> on acidisation which has raised questions about whether or not it has carried out matrix acidising without Environment Agency permission<sup>5</sup> at Broadford Bridge. In light of that, its statement about its intentions is insufficient.

It touches on the issue of acidisation in the scoping report with a reference to vinegar. This is inadequate and misleading. An EIA would require the operator to provide proper information about the chemicals that will be used in the process so that their impacts can be assessed and mitigation planned. UKOG have said the target is the Kimmeridge layer, which would require stimulation for any kind of extraction. Surrey County Council will want to be clear about what kind of acid stimulation is planned if it does intend to target the Kimmeridge at any time in future: acidisation; matrix acidising or acid fracking; not what isn't planned (described as high-volume hydraulic fracturing). The distinction between acidisation, matrix acidising and acid fracking is partly related to the volume of acid proposed and its strength. If the EA does not require this information to be provided, and the Planning Authority does not require this as part of investigating the environmental impact, then there would seem to be a gap in the regulation of what is proposed. An EIA would ensure that there are no regulatory loopholes through a failure of either body to regulate certain aspects of the proposed oil drilling at Dunsfold.

**Security fencing:** the proposals make no reference to security fencing and other security arrangements, which can have a substantial negative impact in a rural area. The operator, which has large scale security infrastructure in place at its other sites as well as injunctions at its other active sites, must be expected to follow suit at this site. The impacts of this need to be addressed at the outset – not added on later which happened at Leith Hill causing all kinds of problems. What assessment has been made of the environmental impacts of the security provisions?

The scoping opinion does not address these key questions and omissions.

I look forward to hearing your views,

Best wishes

Keith Taylor

Green MEP South East England

Before Brexit please reply to [contactKeith@greenmeps.org.uk](mailto:contactKeith@greenmeps.org.uk), after Brexit use [greenkeithtaylor@yahoo.com](mailto:greenkeithtaylor@yahoo.com)

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<sup>4</sup> [http://www.ukogplc.com/ul/Statement\\_Acidisation.pdf](http://www.ukogplc.com/ul/Statement_Acidisation.pdf)

<sup>5</sup> <https://drillordrop.com/2019/03/21/new-questions-as-oil-company-rules-out-acid-injection-in-weald-wells/>