



Subject:	<b>Motion - Moratorium on Licences for Fracking and Exploration and Extraction of Fossil Fuels - Responses from the Ministers for the Economy and Infrastructure</b>
Date:	20th November, 2020
Reporting Officer:	John Walsh, City Solicitor and Director of Legal and Civic Services
Contact Officer:	Jim Hanna, Senior Democratic Services Officer

<b>Restricted Reports</b>	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

<b>Call-in</b>	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.1	To consider responses from the Ministers for the Economy and Infrastructure in relation to a motion on a Moratorium on Licences for Fracking and Exploration and Extraction of Fossil Fuels.
<b>2.0</b>	<b>Recommendation</b>
1.2	The Committee is asked to consider the responses and take such action thereon as may be determined.
<b>3.0</b>	<b>Main Report</b>
	<b><u>Key Issues</u></b>
3.1	The Committee will recall that the Council, at its meeting on 1st October, passed the following motion:

“This Council recognises that we are in a climate emergency and, being aware of the environmental and public health damage caused by fracking and the exploration and extraction of hydrocarbons, agrees to write to the Minister for the Economy and to the Minister for Infrastructure to establish their respective intentions regarding (i) the issuing of exploratory licences and (ii) the removal of Permitted Development Rights for hydrocarbon exploration which are currently provided for under Part 16 of the Planning Order (Northern Ireland ) 2015.

The Council also calls upon the Northern Ireland Executive to place an immediate ban on all petroleum licensing and deny permitted development rights to any company seeking to prospect for oil and or/gas.”

- 3.2 Responses have now been received from the Minister for the Economy and the Minister for Infrastructure, copies of which are attached.
- 3.3 The Minister for the Economy, within her response, points out that the policy governing the issue of Permitted Development Rights for hydrocarbon exploration is the responsibility of the Department for Infrastructure and that she has, therefore, no comment to make on that matter. However, she confirms that that section of the motion dealing with the issuing of exploratory licences and calling upon the Northern Ireland Executive to place an immediate ban on all petroleum licensing does fall within her remit.
- 3.4 She explains that, on 13th October, in response to a Private Member’s motion on Onshore Petroleum Licensing and Drilling, she had outlined in the Northern Ireland Assembly her position on a moratorium or ban on petroleum development, as well as her intentions regarding the handling of two current petroleum licence applications. The full transcript of that debate can be accessed by clicking on the following link and scrolling down to page 28: <http://data.niassembly.gov.uk/HansardXml/plenary-13-10-2020.pdf>
- 3.5 Minister Mallon, within her response, recognises, like the Council, that there is a climate emergency and stresses that she is continually examining ways in which to address it. She refers to the fact that, on 5th October, she had announced her intention to bring forward a package of changes to permitted development rights, including the removal of permitted development rights for petroleum (oil and gas) exploration. Her proposals would be presented to the Infrastructure Committee in the coming weeks for scrutiny.
- 3.6 The Minister goes on to point out that her Department also has a responsibility for regional planning policy, including the Strategic Planning Policy Statement provisions that *“there should be a presumption against the exploitation of unconventional hydrocarbon extraction until there is sufficient and robust evidence on all environmental impacts.”* She confirms that her position on this issue, like those of her predecessors, is unchanged, and that, in her view, that remains an appropriate precautionary approach.
- 3.7 The Minister then highlights the need to note that any proposals for development, involving unconventional hydrocarbon extraction are likely to be determined by her Department as regionally significant development. Such proposals would, she explains, be assessed on their individual merits and would take into account Strategic Planning Policy Statement provisions, the views of consultees and all other material planning considerations, including health and environmental impacts. She concludes by pointing out that there are currently no such planning applications before the Department for Infrastructure for consideration.

	<p><b><u>Financial and Resource Implications</u></b></p> <p>None associated with this report.</p> <p><b><u>Equality or Good Relations Implications/Rural Needs Assessment</u></b></p> <p>None associated with this report.</p>
<b>4.0</b>	<b>Documents attached</b>
	Copies of responses from the Minister for the Economy and the Minister for Infrastructure.