

Alun Davies AC / AM  
Y Gweinidog Cyfoeth Naturiol a Bwyd  
Minister for Natural Resources and Food



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-422  
Ein cyf/Our ref AD-/00620/14  
William Powell AM  
Chair, Petitions committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

27 April 2014

*Dear Bill,*

**P-04-422 - Friends of the Earth Cymru – Fracking**

Thank you for your letter dated March 2014 received by my office on 8 April about P-04-422 Fracking.

You reference my letter to you of 9 August 2013 and ask for further information on the matters raised in the petitioner's follow-up letter to you of 19 December. In particular, you seek clarification on whether the Welsh Government considers the current guidance and regulation relating to unconventional gas activity in Wales is appropriate.

The Welsh Government considers the robust regulatory processes that would apply to unconventional gas activity in Wales, and our current precautionary approach to mineral development as advocated in national planning policy, provide appropriate safeguards to both the environment and society. We will, however, continue to review all the evidence to ensure this remain fit for purpose.

With regard to the regulatory processes that apply to unconventional gas exploration in Wales, oil and gas licensing are reserved matters and the Department of Energy and Climate Change (DECC) issue licenses that enable developers to pursue exploration for conventional and unconventional gas.

Prior to any drilling in Wales, a developer would require all the necessary consents including planning permission from the relevant local planning authority and the appropriate permissions and authorisations from Natural Resources Wales (NRW), the Health and Safety Executive, the Coal Authority and the British Geological Survey.

Those permissions and processes are detailed in the '*Onshore Oil and Gas Exploration in the UK: Regulation and Best Practice*' documents published by DECC in December 2013 and available at <https://www.gov.uk/government/publications/regulatory-roadmap-onshore-oil-and-gas-exploration-in-the-uk-regulation-and-best-practice>.

The documents, prepared in collaboration with the Devolved Administrations and other interested parties including regulatory bodies, provide guidance on the planning and permitting of onshore oil and gas operations and will be revised as new regulation is introduced.

With regard to concerns from stakeholders about the current regulatory structures I note you intend to write to NRW for their views. It is my understanding that NRW is clear of its role in onshore oil and gas in Wales and the regulatory framework that would apply to exploration for unconventional gas. NRW has been actively engaging with developers with exploration licenses in Wales to clarify its approach to regulation and to confirm the range of permits and consents which might be required.

Planning matters are for the consideration of the Minister for Housing and Regeneration. I can however advise that Minerals Planning Policy Wales (MPPW) provides clear guidance on the material planning issues that a local authority may need to consider when determining any planning application for unconventional gas development in Wales.

This includes protecting areas of importance around National Parks, Areas of Outstanding Natural Beauty (AONBs), Special Areas of Conservation, Sites of Special Scientific Interest (SSSIs), groundwater resources and agricultural land.

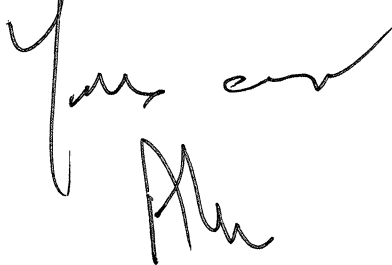
MPPW identifies that Local Planning Authorities' Development Plans should set out clearly the criteria that will be applied to minerals proposals to ensure that they do not have an unacceptably adverse impact on the environment and amenity of nearby residents, and the issues that must be addressed include:

- Access and traffic generation
- Noise
- Control of dust, smoke, and fumes
- Disposal of mineral waste
- Blasting controls
- Land drainage, impact on groundwater resources and the prevention of the pollution of water supplies
- Visual intrusion and general landscaping
- Impact on sites of nature conservation, historic and cultural importance
- Land instability
- Cumulative impact
- Restoration, aftercare and after use

MPPW also highlights that other legislation (for example, Environmental Permitting Regulations) might also be relevant to some of these matters, and that the planning system should not conflict with, or attempt to duplicate, controls better regulated by other bodies under different consent regimes.

The petitioner also raises questions about employment numbers associated with shale gas development. As shale gas development in the UK is still in the exploration stage it is difficult to consider actual employment numbers for areas of the UK including Wales. We do however note the employment estimates undertaken by AMEC as part of the Strategic Environmental Assessment (SEA) for the 14<sup>th</sup> onshore licensing round, and the views of the Institute of Directors in its 'Getting Shale Gas Working' document of May 2013. As part of our ongoing gathering of evidence we have committed to the commissioning of a report on the economic impacts of unconventional gas development in Wales.

On community benefits it is perhaps not appropriate to compare potential benefits from unconventional gas which is still in the exploration stage with those from other, well established, energy sources. We are, however, committed to maximising the benefits for communities hosting energy developments in Wales.

A handwritten signature in black ink, appearing to read 'Alun Davies', with a stylized flourish extending from the end of the name.

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