

20 December 2021

Minerals and Waste Planning Team
Surrey County Council
by email: mwcd@surreycc.gov.uk



Dear Planners

Planning reference number: SCC Ref 2021/0165: Brockham Wellsite, Land at Felton's Farm, Old School Lane, Brockham, Betchworth, Surrey RH3 7AU

I am writing on behalf of the Weald Action Group to **object** to the application by Angus Energy Weald Basin No3 Ltd for 'The retention of the BRX4 well for reperforation to allow for appraisal and production of hydrocarbons for a temporary period.' I object on the grounds of the climate impacts, the contradiction with local and national climate policies, and the lack of need for the development. My reasons are set out below.

I also support and endorse the representations of Brockham Oil Watch on water reinjection.¹

As the Brockham site has been unproductive for years, this is effectively an application for new production and will be of high public interest. As such, I request that this decision should be made by the Council's Planning Committee rather than by officers under delegated powers. This would allow for members of the public to address the Committee, and for decision making to be public and transparent.

'Need' for the development

The Planning Statement considers the benefits of the proposed development "*in the context of the need for oil extraction given the UK's forecast supply of and demand for fossil fuels*".

Surrey County Council Minerals Plan Policy MC14 'Reducing the adverse impacts of mineral development' states that mineral development will be permitted only where a "*need has been demonstrated*".

Yet there is no need for oil from Brockham.

The applicant quotes chapter 6 of the 2020 Energy White Paper, saying "*projections for demand for oil and gas though much reduced is forecast to continue for decades to come*". This chapter is concerned almost exclusively with the UK's large offshore oil and gas sector. The onshore sector is barely referred to. It is mentioned once in relation to its size relative to the offshore sector (on page 134), and once regarding the impacts of COVID-19 on the industry (on page 135).²

In May 2021 a constituent asked Surrey MP Jeremy Hunt to ask the Department of Business, Energy and Industrial Strategy (BEIS) to identify Government statements or policy documents setting out

¹ [Submission by Brockham Oil Watch](#)

² Department for Business, Energy & Industrial Strategy, December 2020, [Powering our Net Zero Future](#)

current UK energy policy relating to oil and gas. The response that was forwarded from the then Minister for Energy, Clean Growth and Climate Change, the Rt Hon Anne-Marie Trevelyan MP, referred to the 24 March Written Ministerial Statement by the Secretary of State for BEIS³ on the North Sea Transition Deal and the Review of Future Licensing of Offshore Oil and Gas and the press release⁴ and policy paper⁵ relating to the North Sea transition deal. None of these are about the onshore oil and gas sector.

Previous government support for onshore fossil fuel exploration stemmed from the possibility of exploiting the potentially extensive unconventional onshore fossil fuel resource. This is evidenced in the final Government Annual Energy Statement issued in 2014,⁶ the 2012 Gas Generation Strategy⁷ and the 2012 Energy Security Strategy,⁸ all of which cite the potential strategic importance of unconventional shale gas. The extraction of these resources has now been ruled out, at least in the short term, by the 2019 moratorium on hydraulic fracturing, which appears to have marked the end of the Government's interest in the onshore oil and gas sector.

In conclusion, there is no current Government Energy policy that supports a view that there is a strategic need for further exploitation of conventional onshore fossil fuel reserves.

Imports and energy security

The Applicant claims that *"...the proposed extraction of hydrocarbons has obvious security advantages in that it reduces the need for imported resources."* (Planning Statement, page 7)

This is misleading and a deliberate red herring. There is no evidence that increasing domestic oil production will reduce imports. The UK has been a net importer of oil since 2006. This is despite the fact that we currently export 85% of the oil produced here, according to a witness statement by Ken Cronin, then chief exec of UK Onshore Oil and Gas (UKOOG), sent to the judicial review hearing into the Horse Hill planning permission in 2020.

The UK compares favourably with other OECD countries for both self-sufficiency in oil and diversity (including political stability) of oil imports. And in fact, the UK Energy Research Centre's 2018 report *The Security of UK Energy Futures* concluded that: "Imports can help enhance security by providing additional sources of energy, by lowering costs, or by increasing diversity. What matters most is where the imports are from and whether they are dominated by risky sources or supply routes."⁹

³ [Energy Policy update 1: Statement made on 24 March 2021](#)

⁴ Department for Business, Energy & Industrial Strategy, March 2021, [North Sea deal to protect jobs in green energy transition](#)

⁵ Department for Business, Energy & Industrial Strategy, March 2021, [North Sea Transition Deal](#)

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/371388/43586_Cm_8945_print_ready.pdf

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/65654/7165-gas-generation-strategy.pdf

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/65643/7101-energy-security-strategy.pdf

⁹ <https://ukerc.ac.uk/publications/uk-energy-security/>

For a fuller discussion of this topic, see *Why we don't need more onshore oil in the UK: Countering misinformation from the oil industry*, published by the Weald Action Group in September 2020.¹⁰

National Policy: Climate Change

This application for extraction of oil for 15 years is at odds with the UK's obligations under the Paris Agreement on Climate Change, and with the UK's own Climate Change Act 2008, as amended in 2019, which sets a target of a 100% reduction in net UK emissions of targeted greenhouse gases by 2050.

It has been clear for some years that there is more than enough oil and gas in currently operating fields than we can use if we are to keep global warming below 1.5°C. This has been reinforced in a number of heavyweight reports, mentioned below. As the Brockham site has been unproductive for years, this is effectively an application for new production.

In May 2021, the International Energy Agency published a report *Net Zero by 2050: A Roadmap for the Global Energy Sector*. This made it clear that "There is no need for investment in new fossil fuel supply in our net zero pathway." Its recommendations included that there should be no investment in new fossil fuel supply projects. The report was welcomed by the then COP26 President-Designate Alok Sharma MP.

The 2018 report by Oil Change International, *The Sky's Limit: Why the Paris Goals Require a Managed Decline of Fossil Fuel Production*, reached the same conclusion. They found that the reserves in currently operating oil and gas fields alone would take us beyond 2°C of warming above pre-industrial levels. Their recommendations included that no new fossil fuel extraction or transportation infrastructure should be built, and governments should grant no new permits for them.¹¹

The report *Global Warming of 1.5°C*, published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018¹² spelled out how greenhouse gas emissions need to be curbed as a matter of urgency to stay within the target of limiting temperature rises to an average 1.5°C. In August this year, the IPCC's Working Group 1 published its contribution to the Sixth Assessment Report, *Climate Change 2021: The Physical Science Basis*.¹³ The UN Secretary General said the report is a "code red for humanity" and that it "must sound a death knell for coal and fossil fuels, before they destroy our planet".¹⁴

The Government appears to recognise this urgency. At the COP26 climate summit in November 2021, the prime minister said: "What we want to do is move beyond hydrocarbons completely in the UK and do it as fast as possible."¹⁵

¹⁰ <http://www.wealdactiongroup.org.uk/2020/10/new-briefing-briefing-why-we-dont-need-more-onshore-oil>

¹¹ Oil Change International (2016) *The Sky's Limit: Why the Paris Climate Goals require a managed decline of fossil fuel production*

¹² IPCC (2018) *Global Warming of 1.5°C* <https://www.ipcc.ch/sr15/>

¹³ IPCC Working Group 1 (2021) *Climate Change 2021: The Physical Science Basis* <https://www.ipcc.ch/report/sixth-assessment-report-working-group-i>

¹⁴ <https://www.un.org/press/en/2021/sgsm20847.doc.htm>

¹⁵ <https://www.youtube.com/watch?v=4l00j2ratQU>

And COP26 President Alok Sharma said: "*We have been clear that any future [oil and gas] licences are going to have to be compatible with our legal commitment to be net zero by 2050 and there will be a climate compatibility check on that.*"¹⁶

If this application were granted, it would lock in continued and increased greenhouse gas emissions both from the site and from the use of the extracted oil up to 2036.

The National Planning Policy Framework of July 2018 promotes "supporting the transition to a low-carbon economy". In complete contrast, this application is about embedding demand for oil for 15 years. The NPPF also requires local planning authorities to ensure that mineral development does not cause any unacceptable adverse impacts on the natural environment and on human health. Runway climate change clearly will have unacceptable adverse impacts on both.

There are precedents for refusing minerals applications on climate grounds. For example, in March 2018 the then Communities Secretary, Sajid Javid, rejected an application for a coal mine at Druridge Bay, Northumberland, on the grounds of its impact on climate change and damage to the landscape and community. He wrote that the project would lead to greenhouse gas emissions that would have "*an adverse effect of substantial significance*", and "*the effects of carbon in the atmosphere would have a cumulative effect in the long term.*"

*"Given that cumulative effect, and the importance to which the government affords combatting climate change, [the Secretary of State] concludes that overall the scheme would have an adverse effect on greenhouse gas emissions and climate change of very substantial significance, which he gives very considerable weight in the planning balance."*¹⁷ Banks Mining appealed this decision, and it was then rejected again by the new Secretary of State for Housing, Communities and Local Government, Robert Jenrick, who said the proposal was "*not environmentally acceptable*".¹⁸ Banks Mining then confirmed they would not seek to challenge the decision a further time.¹⁹

This was despite the applicant using arguments similar to those we see in the Brockham application such as: "It makes far greater sense... to provide a secure domestic supply of energy by meeting our continuing need for coal through indigenous reserves, instead of relying on imports of coal and gas from potentially-unstable overseas markets that are thousands of miles away."

With specific regard to the direct emissions from the site the Planning Statement acknowledges that: "*The operation of the established wellsite could be reasonably expected to give rise to emissions of greenhouse gases, associated with the use of on-site plant and equipment, the use of vehicles and from fugitive emissions from the wells.*" Methane (CH₄) is a potent greenhouse gas that is known to leak from wells and other infrastructure, with higher emissions from onshore than offshore operations. In October 2021, researchers from the Clean Air Task Force discovered significant emissions of methane at onshore oil sites across England. Brockham was not one of the sites they

¹⁶ <https://www.standard.co.uk/news/uk/alok-sharma-nicola-sturgeon-cop26-government-ipcc-b949905.html>

¹⁷ <https://www.businessgreen.com/bg/news/3029056/druridge-bay-sajid-javid-refuses-coal-mine-planning-permission-citing-climate-concerns>

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/914860/Combined_DL_IR_R_to_C_Highthorn.pdf

¹⁹ <https://www.banksgroup.co.uk/2020/10/28/banks-mining-rules-out-challenge-to-highthorn-planning-application-rejection>

visited, however at nearby Horse Hill, five sources of methane and other gases were found, from three separator tanks, a connection hose and the unlit flare.²⁰

The Planning Statement says that *“The emissions of greenhouse gases associated with the operation of the wellsite and the use of the products manufactured from the crude oil extracted at Brockham would not be of a sufficient scale to be considered significant at the local, national or global levels.”* It is unclear how the applicant can judge these to be insignificant as there is no estimate of the volume of oil that would be produced from BRX4, if the application were approved.

While this development does not meet the threshold of the Environmental Impact Assessment Regulations, it is still good practice – and essential for decision-makers to make an informed decision – to look at all the likely greenhouse gas emissions from the development, including fugitive emissions such as methane; and the emissions that will be released when the oil is burned (the ‘scope 3’ emissions). While the requirement to consider scope 3 emissions in Environmental Impact Assessments is the subject of an Appeal at the High Court (R (Sarah Finch) vs Surrey CC (2020 EWHC 3566)), it is good practice to consider them and hard to see how the committee could properly carry out its responsibilities without doing so.

Local Policy: Climate change

Both Mole Valley District Council and Surrey County Council have policies which do not support continued extraction of fossil fuels.

In October 2021, Mole Valley District Council resolved to take a stand against the extraction and use of fossil fuels in the district.²¹

In 2019, Surrey County Council declared a climate emergency and committed to “providing a strong united voice for councils in lobbying for support to address this emergency and sharing best practice across all councils.”²² In 2020, the Council published its Climate Change Strategy.²³ This asks the Government to make explicit that planning authorities have the right to reject planning applications where there are identifiable and material climate change impacts.²⁴

Surrey County Council’s Minerals Plan 2011 recognises the need to tackle climate change as a key challenge (para 1.29). Para 1.34 says: *“The minerals plan can support this objective through reducing the use of minerals and encouraging more widespread use of alternatives to land-won minerals.”*²⁵ Extracting more oil is in direct opposition to this aim.

²⁰ <https://drillordrop.com/2021/10/23/investigation-significant-methane-emissions-recorded-at-uk-onshore-oil-sites>

²¹ <https://news.molevalley.gov.uk/2021/10/22/taking-a-stand-against-fossil-fuel-extraction>

²² <https://drillordrop.com/2019/07/09/surrey-declares-climate-emergency-as-campaigners-stage-die-in>

²³ <https://www.surreycc.gov.uk/people-and-community/climate-change/what-are-we-doing/climate-change-strategy/2020>

²⁴ <https://www.surreycc.gov.uk/people-and-community/climate-change/what-are-we-doing/climate-change-strategy/2020#panel-10>

²⁵ Surrey Minerals and Waste Development Framework (adopted 19 July 2011) Surrey Minerals Plan 2011 Core Strategy Development Plan Document

Surrey County Council's Carbon and Energy Policy²⁶ aims to reduce its own energy consumption, fleet fuel consumption and carbon emissions overall. It says that "*Surrey County Council is committed to becoming a low carbon and climate resilient authority...*" It also says Surrey will be "*joined up in our decision making*" and consider, among other things "*Our scope of influence to implement/facilitate change*". Its role as a Minerals Planning Authority is one aspect of the Council's scope of influence to implement change.

Yours faithfully

Sarah Finch and Kirsty Clough
on behalf of the Weald Action Group
[Address redacted]

²⁶ Surrey County Council (undated) 'Managing energy and carbon emissions from Surrey County Council's estate and activities 2015 to 2019' https://www.surreycc.gov.uk/__data/assets/pdf_file/0006/56634/SCC-Carbon-and-Energy-Policy-2015-to-2019.pdf