Weald Action Group's response to the government consultation: Building the North Sea's Energy Future

April 2025

Introduction

The Weald Action Group is a collaboration of community groups and activists who campaign against all forms of onshore oil and gas extraction across the Weald and Southeast of England.[1]

The group, with Sarah Finch as the claimant, initiated the Horse Hill Development onshore oil judicial review which ultimately led to the June 2024 Supreme Court ruling regarding the need to assess the climate impacts of fossil fuel developments (now colloquially known as the 'Finch' judgment and referred to as such within the consultation).

In addition to this response, which focuses specifically on matters relating to the onshore sector (section 4.1.3 in the consultation), we have also signed up to a joint response coordinated by Uplift.

Comments regarding section 4.1.3

We welcome the inclusion of onshore oil and gas licensing in the consultation and the plan to end the issuing of new licences for exploration and production in England (noting that onshore oil and gas policy is a devolved matter). We also welcome the government's intention to explore whether (page 58), "*NSTA's sanction powers in respect of onshore activities are sufficiently robust, and/or whether they would benefit from greater alignment with the NSTA's sanction powers in respect of offshore activities*".

However, we do not consider that this goes far enough. There must also be a plan for **onshore licensed blocks**. Proposals for new oil and gas developments, extensions to existing developments and the use of controversial well stimulation techniques often cause significant disruption to local communities and the environment (including heightened anxiety, the risk of pollution to air and groundwater, earthquakes and negative impacts on local businesses) whilst providing few discernible benefits in terms of local employment and tax revenues. Neither do they contribute to any significant degree to energy security. In 2024 for example this sector contributed 2.07% to total UK oil production and just 0.96% of gas[2]. In addition, as the consultation notes (page 50), "*…onshore production still contributes to the UK's domestic and international climate impacts*".

Whilst matters relating to onshore oil and gas development fall under the Town and Country Planning Act and are considered and determined by relevant Mineral Planning Authorities, the government has a significant role to play in signposting these decisions – for example through the issuing of guidance and crucially, through national planning policy.

[1] Weald Action Group – Communities fighting onshore oil and gas

[2] North Sea Transition Authority data cited in No more onshore oil/gas licences – government consultation – DRILL OR DROP?

Unfortunately, there currently exists a contradiction between the overall thrust of the government's intention to transition away from fossil fuels, and the planning policy relied on by local authorities when determining applications for onshore oil and gas developments. The National Planning Policy Framework (NPPF) still, and despite its recent review, encourages Mineral Planning Authorities to "*plan positively*" (paragraph 228a) for onshore oil and gas developments. **We urge the government to amend this paragraph such that a presumption is adopted *against* such applications (as recommended in our response to the consultation regarding proposed reforms to the NPPF in September 2024).**[3]

It was also disappointing to hear that the supplementary guidance for assessing the effects of scope 3 emissions on climate, once finalised, is not intended to be used in the context of decisions regarding onshore oil and gas developments.[4] This is perplexing, particularly given that the guidance has come about as a direct result of the 'Finch' ruling which, as noted, had its origins in a legal challenge brought against the approval of an onshore oil field. **We strongly urge the government to re-think this approach and either issue the supplementary guidance (once finalised) to Mineral Planning Authorities or develop bespoke guidance regarding the onshore sector.** This guidance would provide crucial clarity and consistency of approach by Mineral Planning Authorities in how scope 3 emissions are assessed. It is not a matter that can simply be left to local authorities, who may lack the necessary technical expertise.[5]

Finally, we welcome the government's continued intention to ban fracking as mentioned in the consultation. However, the current definition of fracking in the Infrastructure Act 2015 is based on an unrealistically high threshold for the quantity of water needed. This has created a loophole which has allowed fracking to take place at Wressle in Lincolnshire, and is proposed for Burniston, North Yorkshire, despite the moratorium. The current definition also fails to capture other well stimulation techniques, such as acid stimulation. These other 'unconventional' methods achieve the same end, and involve similar environmental risks, including induced seismicity, air and noise pollution, groundwater contamination, and industrialisation of the countryside. Because they fall outside the UK's inadequate and inconsistent definition of 'fracking', these practices are continuing in onshore oil and gas fields across the Weald and beyond, to Dorset, Lincolnshire and Cheshire. **Ahead of a ban therefore, we urge the government to extend the current moratorium on fracking to these other well stimulation techniques. We propose that the best way to accomplish this is for the UK to adopt the new robust scientific definition of fracking as set out in the peer reviewed paper 'Acid stimulation: fracking by stealth continues despite the moratorium in England' (Zalucka et al, Energy Policy, 2021)**.[6] We have done significant work on this issue as a group and with academics and would be happy to share our findings with you.

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[3] Weald Action Group response to NPPF consultation, September 2024, https://www.wealdactiongroup.org.uk/wp-content/uploads/2024/09/NPPF-consultation-response-Sept-2024-1.pdf

[4] Letter to Sarah Finch, Weald Action Group, from the Department for Energy Security & Net Zero, 23rd December 2024.

[5] Weald Action Group response to the government consultation on draft supplementary guidance on assessing the effects of scope 3 emissions on climate from offshore oil and gas projects, January 2025, https://www.wealdactiongroup.org.uk/wp-content/uploads/2024/09/NPPF-consultation-response-Sept-2024-1.pdf

[6] Adriana Zalucka et al., Acid stimulation: Fracking by stealth continues despite the moratorium in England - ScienceDirect, Energy Policy, vol. 153, June 2021; Ruth Hayhurst, 'New twists in the F-word debate', Drill or Drop, 26 March 2025, https://drillordrop.com/2025/03/26/new-twists-in-the-f-word-debate/

Concluding remarks

We welcome the UK government's recognition that current global oil and gas production plans pose an unacceptably high risk to limiting global warming to 1.5 °C and its commitment to aligning future UK production with climate science. We are proud of our group's contribution to driving this debate forward through our landmark legal win on scope 3 emissions.

As the second largest oil and gas producer in Europe, the UK government has an opportunity to reclaim global leadership on climate. By legislating to end new oil and gas licensing, both offshore and onshore; ending development consents for "new fields" that have not been developed for extraction[7]; and eliminating policy anomalies such as the requirement to 'maximise economic recovery' offshore and 'plan positively' for oil and gas onshore, the UK would demonstrate commitment, inspiring other countries to do likewise and increasing momentum towards a safer future.

[7] Please see the joint response coordinated by Uplift.