
Meeting	Decision Session - Executive Member for Environment
Date	22 October 2018
Present	Councillor Waller

22. Declarations of Interest

The Executive Member confirmed that he had no personal interests not included on the Register of Interests, nor any prejudicial or disclosable pecuniary interests, to declare in the business on the agenda.

23. Minutes

Resolved: That the minutes of the Decision Sessions held on 17 September 2018 and 1 October 2018 be approved and signed by the Executive Member as a correct record.

24. Public Participation

It was reported that two ward members had registered their wish to speak at the meeting in relation to Agenda Item 4 (Minute 25 refers).

Cllr Lars Kramm, member for Micklegate ward, supported the responses recommended in the report but suggested some amendments to stress that permitted rights were not intended for this type of development and to add further conditions and restrictions to the response to question 4. He circulated a written copy of his suggestions at the meeting.

Cllr Danny Myers, member for Clifton ward, welcomed the report and the recommended responses, which he noted were similar to those submitted separately by the Labour Group. He agreed with Cllr Kramm regarding permitted rights, stating that including fracking in the NSIP would be against government policy to decentralise decision making.

Both speakers felt the matter should have been subject to a wider debate. In response, the Executive Member agreed, but noted that the responses could in fact have been approved at chief officer level. They had instead been brought to the Decision Session to enable Members and members of the public to express their views.

25. Government Consultations on Permitted Development Rights for Shale Gas Exploration and Inclusion of Shale Gas Production Projects in the Nationally Significant Infrastructure Project (NSIP) Regime

The Executive Member considered a report which provided information on the above consultations relating to shale gas and sought approval for a suggested response from the council.

The consultations had been published on 19 July 2018 by the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy respectively. Essentially, they sought views on whether shale gas exploration should be treated as permitted development and on the criteria required to include shale gas production projects in the NSIP regime, reflecting the government's Written Ministerial Statement on Energy Policy published on 17 May 2018. The consultations were running in parallel with finalisation of the Minerals and Waste Joint Plan (MWJP) for North Yorkshire, York and the National Park, as detailed in paragraph 7 of the report. Officers at the meeting provided an update on the current progress of the MWJP.

Suggested responses to the seven questions in the Permitted Rights consultation and the six questions in the NSIP consultation were set out in paragraphs 20-53 and 54-61 of the report respectively. These reflected officers' views that there was insufficient public interest justification for introducing the proposed new permitted development right, or for bringing shale gas projects within the scope of the NSIP regime. The responses also sought protection for the historic character and setting of York, and a requirement for prior approval of a number of matters (listed in paragraph 44), should the government introduce the new right.

- Resolved:
- (i) That the government consultations on:
 - a) permitted development rights for shale gas exploration and
 - b) inclusion of shale gas production projects in the NSIP regimebe noted.

 - (iii) That, subject to the addition of *'density of well pads'* to the list of matters requiring prior approval in paragraph 44, the views set out in the 'Suggested Authority Response' sections of the report be endorsed and approved for submission to the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy, as relevant.

Reason: To allow officers to respond to the government consultations prior to the deadline of 25 October 2018.

Cllr A Waller, Executive Member
[The meeting started at 1.00 pm and finished at 1.30 pm].