

## **Statement on Proposed Gas Drilling at California Quarry**

Having followed up the action points agreed in August 2015 in respect of the proposed gas drilling at California Quarry, it appears an appropriate moment to summarise the Town Council's position in respect of this development.

As stated on previous occasions the Town Council's decision not to comment in respect of the initial planning application in August 2013 was taken in order to ensure that it could not be accused of taking a stance, either in favour or against the application, because of its ownership of the access road, rather than on the planning merits of the proposal. The Council has consistently made clear that it is willing to review its stance in respect of any future application, and, depending on the final legal advice received, it appears likely that the Council will comment on any future application that may be forthcoming.

It is important to reiterate, that any such future discussion will be as Town Councillors, and that the Town Council's powers are limited by statute. Even if the Council were unanimously to vote to oppose the drilling operation, we cannot prevent it taking place as we do not have the legal power to do so: it is Dorset County Council who hold that power as the planning authority, and even then they can only act within the legal framework set out by central government.

In recent months the Town Council has made clear its wider views on the impact of oil and gas exploration in the parish through its response to the Government's Habitats Regulations Assessment in respect of the 14<sup>th</sup> Onshore Oil and Gas Licensing Round. In its response the Council made clear that it believes that it should be mandatory for any planning application to demonstrate that proposed drilling activities will not have a detrimental impact on protected habitats and the rare species that inhabit them.

The Council has been far from inactive in the matter, its actions including the following:

- commissioning an audit report into the circumstances in which the access agreement with the landowner was entered into;
- taking advice on whether the access agreement is legally binding;
- reviewing its position in respect of commenting on planning applications;
- commissioning a safety audit in respect of the road access and acting on its recommendations, including liaising directly with Infrastrata and local quarry operators to ensure appropriate risk management measures are in place;
- making all relevant documentation available under the Freedom of Information Act, including legal agreements and professional advice;
- publishing articles in the Council's newsletter, making information available on the Council's website and publicising a public consultation event to raise awareness of the proposals.

Whilst it has been repeatedly publicly stated that the Town Council has the power to prevent the drilling activity from taking place, no evidence can be found to support such an argument. The Council has responded to all concerns that have been raised with it about its past conduct in this matter, and it will continue to respond to any new evidence. However, it cannot continually revisit the same arguments because it has a wide range of other duties and obligations to the residents of Swanage.