

Consultation on HRA of 14th Onshore Oil and Gas
Licencing Round
The Oil & Gas Authority
C/O
3 Whitehall Place
London
SW1A 2AW

**Wendy Perera, Head of Planning &
Housing Services**

Isle of Wight Council, Council Offices,
Seaclose, Fairlee Road, Newport, Isle of
Wight, PO30 2QS

Tel (01983) 823552
Fax (01983) 529386
Email wendy.perera@iow.gov.uk
Web iwight.com/planning

IWC Ref
Your Ref URN 15D/401

Contact Wendy Perera
Date 28th September 2015

Dear Sir/Madam

**Habitats regulations assessments 14th onshore oil and gas licencing round: consultation on
proposed assessment**

Thank you for your consultation request on the Habitats Regulations Assessments of 14th Onshore Oil and Gas Licensing Round. We have previously responded to Government on this issue in terms of a response from the Isle of Wight Council on the Environmental Report of the SEA associated with this round of licencing (response ID ANON-WBZF-JKS9-T). In this response the Council raised various environmental issues with regards to licencing on the Island and the Council would like to take this opportunity to stress that these concerns remain.

The Council would like to know how the Government has taken the physical environment into account in each licencing area and that bearing in mind the spatial context of the Isle of Wight, including the reliance of the local economy on the physical environment, the number and extent of European designations and that therefore the areas remaining are likely to have a physically close relationship to existing communities and other sensitive receptors within the authority area, it does not appear that such factors have been considered.

When considering the mitigation proposed through the HRA which is being consulted upon, it does not seem practical to continue to take forward for consideration areas for licencing for oil and gas on the Isle of Wight. Therefore the Council requests Government to cease the consideration of licencing areas for oil and gas activities on the Isle of Wight in recognition of the fact that such development is unlikely to be able to be located without generating significant negative effects that are unlikely to be able to be mitigated through the provisions put forward in the assessment carried out on behalf of Government.

We note that this is a strategic plan-level HRA and that any proposals for specific operations will be subject to further consideration of the Conservation of Habitats and Species Regulations 2010 (as amended) requirements by individual planning authorities at the project level once more information is available as to the nature and location of the activities proposed. However, we would stress that significant detail is available on the existing environment, including both designations and other sensitive receptors (such as existing settlements and development plan allocations) that will have an impact on the ability to deliver the mitigation identified in the assessment.

Cont ...

The licence blocks relevant to the Isle of Wight are SZ38a, SZ47, SZ48, SZ57 and SZ58. All of these licence blocks have been identified as having “...*European sites within it, or within 1km of the block boundary*” (as set out in the relevant proformas that make up Appendix D completed assessment proformas). Due to the number and extent of European designations that affect the Isle of Wight, every licence block is also entirely within the defined 10km potential zone of impact.

The assessment in the proformas state that more mobile species that are afforded protection by the relevant designation may rely on non-designated habitats beyond the European site boundaries, and so could be vulnerable to activities occurring outside the designated site itself. The proformas go on to state that land within 10km of an SPA, Ramsar or certain SACs (such as on the Isle of Wight) sites designated for their mobile populations (e.g. birds and bats), is therefore considered to be of a potentially sensitive nature (due to its proximity to the European site) such that mitigation and/or alternative siting may be required by authorities further considering HRA issues for specific project-level operations.

However, there appears to be no consideration of the scope to locate the potentially impacting activities elsewhere within a licence block, where the area available (i.e. not within the designation itself or the 1km buffer) is severely restricted. The figures associated with licence blocks SZ38a, SZ47 and SZ57 in Appendix E – completed assessment figures (maps) demonstrate the limited areas within which the Council would have to consider alternative siting without likely significant impacts (either through the Habitats Regulations and where applicable the EIA Regulations). This questions the legitimacy of the suggested mitigation and/or alternative siting. Given the other assumptions made at such a strategic level of assessment, would it be unreasonable to conclude that certain licence blocks, due to the limited area not within either the designation itself or the 1km buffer should be screened out of further consideration due to the high level of uncertainty of being able to deliver effective mitigation/alternative siting? Deferring such assessment down the line when the information is available to make an informed judgement at this level does not appear to be in the spirit of the Habitat Regulations.

Leading on from this, there does not appear to be any assumption made on the ability of a proposed licenced area to host development activities and associated mitigation/alternative siting options, based upon the amount of area within each licence block that is not within either a designation or identified 1km buffer. Assessing the area outside of these 2 criteria per licence block would be a relatively straight forward exercise and would provide some indication of the area available that is likely to be at a relatively lower risk (accepting the scope for more mobile species to be supported by non-designated habitat, thus the 10km buffer). This in turn would help inform the likelihood of providing mitigation/alternative siting of activities and ultimately the suitability of any one licence block to accommodate the various activities/project stages associated with the licencing. The reality of land-use planning is that the greater the area available without the identified ecologically sensitive areas, then the greater the likely deliverability of proposed activities within the licence block through the land use planning system

The assessment as it currently stands appears too generic, in that it relies on standard formulised assumptions and assessments/statements of the relevant interest features, but fails to give any spatial context to what these mean to each individual licenced area. The ‘Advice proposed with the licence’ should better reflect the geographic area to which it applies.

Maps

The maps show the licence block areas and the designated sites associated with the Habitats Regulations. The legend associated with these lists these designations and it should refer to the Special Area of *Conservation*, and not Conversation.

Designated features

The HRA for this licencing round includes a list of features for each designation. The features of interest listed for the Solent and Southampton Water SPA include light-bellied brent goose (*Branta*

Cont ...

bernicla hrota) however the dark-bellied brent goose (*Branta bernicla bernicla*) is the species listed for this designation.

We trust that you will take on board the concerns raised by the Isle of Wight Council and reflect these in any future decisions you make on licencing areas for oil and gas activity on the Isle of Wight.

Best regards,

A handwritten signature in black ink, appearing to read 'W Perera', with a stylized, cursive script.

Wendy Perera
Head of Planning and Housing Services

This information is available in Braille, large print, tape and community languages from the above offices and Typetalk calls are welcome.