

2019 MORATORIUM ON FRACKING IN THE UK

Q & As

1. What does the Government's moratorium say?
 - a. It says that "fracking will not be allowed to proceed in England, following the publication of new scientific analysis."
2. What is a moratorium?
 - a. A dictionary definition is "an agreed suspension of activity". In this case, it is a suspension of all fracking activity in the UK.
3. How is it different from a ban?
 - a. A ban would come in the form of legislation which would totally prevent any fracking activity rather than suspend it for a limited period or until certain conditions have been met. Put more simply, a ban would be permanent whereas a moratorium is temporary even if it is – or becomes - indefinite.
4. So, this moratorium could be lifted? If so, would that allow fracking again?
 - a. The Government has imposed this moratorium as a result of seismic activity (earthquakes) induced by fracking in Lancashire between October 2018 and August 2019. The Oil & Gas Authority carried out investigations into this and concluded that "it is not possible with current technology to accurately predict the probability of tremors associated with fracking" and that "it is not currently possible to accurately predict the probability or magnitude of earthquakes linked to fracking operations". Accordingly, on 2 November 2019 the Government announced an immediate Moratorium which will remain in force "unless and until further evidence is provided that (fracking) can be safely carried out (in the UK)." The Government's statement goes on to say that the Moratorium has been imposed "until compelling new evidence is provided."
5. What is the likelihood of the moratorium being lifted?
 - a. The Government's statement says that only if the oil and gas industry can prove "**compelling new evidence**" that fracking can be carried out safely and with "minimal disturbance to those living and working nearby" can the Moratorium be reconsidered.
6. Is it true that this moratorium only covers new fracking operations?
 - a. In the Government's Press Release the Business and Energy Secretary said: "I have concluded that we should put a Moratorium on fracking in England with immediate effect". So it appears that it covers all fracking operations, both new and existing, although in practice there are none currently ongoing. There is nothing in the Government's statement that bears out the suggestion that it only applies to "new" fracking operations.
7. Does the moratorium only apply to actual fracking operations?
 - a. No, the Moratorium specifically covers exploratory drilling as well: "exploratory work to discover whether shale could be a new domestic energy source ... has now been paused".
8. Could INEOS start drilling at Bramley Moor Lane?
 - a. No, we don't think so. INEOS obtained Planning Permission last year to start exploratory drilling at Bramley Moor Lane, although no such work has yet commenced. As stated above, the Moratorium includes exploratory drilling to explore shale gas reserves so it would appear that INEOS would not be allowed to start drilling there. In addition, INEOS would need to obtain a "Hydraulic Fracturing Consent" from the Dept for Business, Energy and Industrial Strategy to go to the next stage and carry out fracking; they currently do not have

such a Consent and the Moratorium makes it clear that no new HFC's will be issued. The same applies to their plans for exploratory drilling at Harthill, where they also obtained Planning Permission last year. Their application for Permission to explore at Woodsetts has still not yet been decided so the position there is less clear but even if Permission were to be granted it would still be over-ridden by the Moratorium.

9. Does the Moratorium apply to other methods of gas and oil extraction?
 - a. No, it only applies to fracking. So theoretically other methods of extraction such as acidisation for example could be introduced by the oil and gas industry. That's a whole new ball game which CADAF would strenuously oppose.
10. Last year the Government were consulting on proposals that fracking be included in "Nationally Significant Infrastructure Projects" and that exploratory drilling should be considered as "Permitted Development" for Planning purposes. How does this Moratorium affect those consultations?
 - a. In announcing this Moratorium the Government has made it clear that they will now "not be taking forward" either of these proposals.