

# CONSULTATION RESPONSE FORM

## Petroleum Extraction Policy in Wales

Following the Wales Act 2017 Welsh Ministers will take over responsibility for licensing onshore petroleum extraction from the UK Oil & Gas Authority (OGA) on the 1<sup>st</sup> October 2018.

This consultation seeks your views on both our draft policy towards petroleum extraction in Wales and on the evidence that has informed the draft policy.

If you have any queries on this consultation, please email:

[YmatebionYnni-EnergyResponses@gov.wales](mailto:YmatebionYnni-EnergyResponses@gov.wales)

### Data Protection

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing. .

Names or addresses we redact might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Your data will be kept for no more than three years.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you;
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: [www.ico.gov.uk](http://www.ico.gov.uk)

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

Email: [Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

Responses to consultations may be made public.

To keep your response anonymous (including email addresses) tick the box.

Please consider any submitted evidence may include personal correspondence (names addresses etc).

Keep my response anonymous

## CONSULTATION RESPONSE FORM

Petroleum Extraction Policy in Wales		
Date:		
<b>Name</b>	Ruth Jenkins	
<b>Organisation</b>	Natural Resources Wales	
<b>Preferred contact details</b> <b>(Email address, phone number or address)</b>	Ty Cambria 29 Heol Casnewydd Caerdydd CF24 0EY	
<b>Type</b> <i>(please select one from the following)</i>	Businesses	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input checked="" type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other groups not listed above	<input type="checkbox"/>
	Responding in a private capacity	<input type="checkbox"/>

We would like give stakeholders every opportunity to contribute to the forthcoming consultation “Achieving our low Carbon Pathway to 2030”. To assist us with arranging engagement events, publicising consultations and keeping you up to date with progress on the decarbonisation planning in Wales, we would like to include your contact details on our database.

Your details will not be used by us for any other purpose, and they will not be shared with any other organisation.

Tick the box, right, to **OPT IN** and be included on our engagement database, receive details of future engagement events and consultations.

<b>Q1</b>	For each question please view the Consultation documents Do you have a view on the Climate Change evidence?	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Comments</b>		
As indicated in the consultation document, NRW was commissioned by the Welsh Government to procure a review of the potential impact of onshore petroleum exploitation on the environment, climate change, economy, decommissioning, health and transport. The review was undertaken by relevant specialists and included considering the application to Wales of the findings of a review by the Scottish Government on unconventional oil and gas in Scotland. We have no additional comments to the evidence presented in the review.		

<b>Q2</b>	For each question please view the Consultation documents Do you have a view on the Socio Environmental evidence?	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Comments</b>		
Please see our response to Question 1 above.		

<b>Q3</b>	For each question please view the Consultation documents Do you have a view on the Health evidence?	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Further comments</b>		
Please see our response to Question 1 above.		

<b>Q4</b>	For each question please view the Consultation documents Do you have a view on the Transport and Planning evidence?	<b>X</b>
	<b>Yes</b>	

	<b>No</b>	<b>x</b>
<b>Comments</b>		
Please see our response to Question 1 above.		

<b>Q5</b>	For each question please view the Consultation documents Do you have a view on the Decommissioning evidence?	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Comments</b>		
Please see our response to Question 1 above.		

<b>Q6</b>	For each question please view the Consultation documents Do you have a view on the Economic evidence?	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Comments</b>		
Please see our response to Question 1 above.		

<b>Q7</b>	Do you have sources of additional relevant evidence you are aware that has been published? If so please provide details.	<b>X</b>
	<b>Yes</b>	
	<b>No</b>	<b>x</b>
<b>Comments</b>		
We have no additional evidence to present at this time.		

<b>Q8</b>	Proposed Future Policy for Petroleum Extraction in Wales. <i>We will not undertake any new petroleum licensing in Wales, or support applications for hydraulic fracturing petroleum license consents.</i> Do you agree with the proposed policy and why?	<b>X</b>
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<b>Yes</b>	<b>x</b>
<b>No</b>	

**Comments**

We welcome and support the proposed new policy and consider that it is consistent with the Welsh Government’s aspirations for a low-carbon Wales. However, given the Welsh Government’s recognition in paragraph 7.1 that the benefits of petroleum extraction does not outweigh its commitments to sustainably manage our natural resources, and the Welsh Government’s aim to take a small yet important step towards a decarbonised future in Wales (paragraph 7.2 of the consultation document), it is unclear why the policy to not support petroleum licence consents does not extend to coal bed methane extraction (e.g. from de-watering) especially given the greater potential for this form of extraction in Wales in comparison to shale gas extraction. We believe that a consistent approach should be adopted for both forms of extraction to deliver the Welsh Government’s ambition for maximising the delivery of wellbeing goals, and to give direction for a low carbon economy for Wales.

If the Welsh Government does adopt differing positions for these two forms of extraction, it would be useful for the Welsh Government to explain the rationale for this approach.

**Existing PEDLs**

Notwithstanding the above, the proposed policy does not affect NRW’s regulatory role in determining permits, licences or consents for activities involving petroleum exploration or extraction for areas of Wales where a licence has been granted. In the absence of a formal direction from WG, change in legislation, or some other form of mechanism, we would be duty bound to determine applications for permits to regulate these activities to protect people and the environment.

In adopting any new policy, we recommend that the Welsh Government should, to ensure common understanding, clarify that our regulatory role within licensed petroleum areas in Wales remains unchanged.

Paragraph 7.4 of the consultation document states that existing PEDLs will be considered subject to WG’s decarbonisation commitments and the application of Welsh Government’s planning and petroleum policies. We seek further clarity on whether the Welsh Government, through the development of its petroleum policies and in implementing the requirements of the Wellbeing of Future Generation Act, has any intention to amend how land access applications affecting the Welsh Government estate should be considered.

Additionally, we seek clarity on how the Welsh Government’s petroleum policies and its delivery of wellbeing goals may affect its approach for determining any applications for extending production licence terms to complete agreed work programmes.

We would welcome further discussions with you on these matters.

### Offshore licensing

For improved clarity and to avoid potential confusion, we advise that the policy explicitly refers to onshore policy given that offshore oil and gas licensing for petroleum extraction is reserved to the Oil & Gas Authority (paragraph 4.14 of the consultation document). It is of note that the proposed policy approach set out in the Welsh National Marine Plan differs significantly to that set out here. We would strongly support better alignment of offshore and onshore policy through revision of the Welsh National Marine Plan over time.

The requirements for a Marine Licence under the Marine and Coastal Access Act 2009, do not apply to oil and gas activities (s. 77 of the Act). Therefore, we are uncertain as to how the proposed provisions set out in paragraph 7.8 of the consultation document will be applied to marine licence determinations. If Welsh Government do not agree with this interpretation we would welcome further discussion on this matter.

### Energy efficiency

We are supportive of the statement made in paragraph 7.2 of the consultation document that the interests of Wales are best served by focussing on further development and deployment of low carbon sources of energy generation. However, we believe that this should be coupled with enhanced measures to further improve energy efficiency in Wales to better support the delivery of wellbeing goals.

<b>Q9</b>	Do you have any additional evidence to support your view with regards to question 8?	
	<b>Yes</b>	
	<b>No</b>	<b>X</b>
<b>Comments</b>		
Please see our response to Question 8 above.		

## How to respond

Please submit your comments by **25 September 2018**, in any of the following ways:

Email	Post
<p>Please complete the consultation form and send it to: <a href="mailto:YmatebionYnni-EnergyResponses@gov.wales">YmatebionYnni-EnergyResponses@gov.wales</a></p> <p>[</p>	<p>Please complete the consultation form and send it to:</p> <p>Fossil Fuel Policy – Petroleum Consultation Division of Decarbonisation and Energy Department for Energy, Planning and Rural Affairs Welsh Government Cathays Park Cardiff, CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

Email: [YmatebionYnni-EnergyResponses@gov.wales](mailto:YmatebionYnni-EnergyResponses@gov.wales)