

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have identified information provided as part of the application that we consider to be confidential. We have excluded well log information provided as part of the Hydrogeological Risk Assessment from the public register as commercially sensitive. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website, and the final permit was published on the GOV.UK website, in line with our standard procedures and other oil and gas permits issued under the re-permitting process.</p> <p>We ensured that the local interested parties were aware of the consultation on the application. We consulted the following organisations:</p> <ul style="list-style-type: none"> • Local Authority: Mole Valley District Council, including their Environmental Health Officer team • Food Standards Agency • Health and Safety Executive • Mineral Planning Authority: Surrey County Council • SES Water • Public Health England • Brockham Oil Watch (as well as neighbouring action groups Leith Hill Action Group and Norwood Hill Action Group) • Local Members of Parliament, District and Parish Councillors <p>The comments and our responses are summarised in the consultation section.</p> <p>We considered this application to be of high public interest, and were originally planning to also consult on our draft decision as part of our “Minded to” procedure. However, due to the numbers of requests for information (including Schedule 5 notices) the application and determination process has taken a long time.</p> <p>The existing permit allows activities to continue at the site that we have concerns over, specifically the potential for re-injection activities to be carried out whilst we determine this application. The existing permit allows the continuation of activities that require more detailed plans or procedures to be in place, such as air quality monitoring, the use of a flare, the use of acid, containment systems and surface water monitoring for example. At present the use of the existing permit and the regulatory position statement mean that the operator can continue as they are until such time as we issue the new environmental permit.</p> <p>We have reached a point in the permit determination process where we are able to provide the operator with a revised permit, based on their application.</p>

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	<p>We have been receiving several information requests requiring us to explain the lack of controls available to us under the existing permit. In addition the public have launched a petition, currently with over 29 000 signatures. It calls on the Environment Agency and the local Member of Parliament to stop oil production and waste fluid reinjection until a modern environmental permit is in place, require monitoring of air and water quality before the Kimmeridge is tested or produced from, to disclose the type and quantity of acids and other chemicals to be used and to close any environmental loop-holes.</p> <p>The operator is keen to commence new activities, namely appraisal and production of the Kimmeridge Clay Formation. This could commence as early as December 2018.</p> <p>We are now in a position to issue the new environmental permit to bring the site up to a modern standard and so that the operator is clearer on what is required of them in the future and what activities they are permitted to undertake.</p> <p>Taking this into account, we have taken the decision to issue the permit now, without conducting an additional “minded to” stage with the public and stakeholders. This will mean that the permit is issued in advance of these new activities commencing to ensure they are effectively controlled under the new conditions (including pre-operational condition PO 01, PO 02 and PO 03) in the permit.</p> <p>While we have chosen not to undertake an additional consultation stage associated with the “minded to” decision, we recognise that the local community has a strong interest in the site and wish to see the details in the proposed new environmental permit to ensure that their environment is safeguarded. As a result we held a meeting with representatives of the local community on 13 November 2018</p> <p>We explained all the technical issues to them, the reasoning behind the ways we have chosen to regulate the site and the decisions we have taken. There was time available to ask and respond to questions. We also explained that there will be other opportunities to comment in the future if the operator applies to vary the new environmental permit to include re-injection. Several questions were raised about our enforcement strategy and powers. Representatives were present from:</p> <ul style="list-style-type: none"> • Brockham Oil Watch • Leith Hill Action Group • Local residents • Parish Councillors • District Councillors (Mole Valley) • County Councillors (Surrey) <p>We also informed the following organisations:</p> <ul style="list-style-type: none"> • Health and Safety Executive • Oil and Gas Authority • Mineral Planning Authority: Surrey County Council • SES Water • Public Health England • Local Members of Parliament • Sir Paul Beresford, Local MP for Mole Valley was also briefed although he wasn't present at the meeting on 13 November. <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.