Frack Free Ryedale (FFR) along with other respondents to the NYCC MWJP have been asked to comment further (should we wish to) in respect of

''Consultation on Select Committee on Planning Guidance on fracking— Report

The Select Committee on planning guidance on fracking published its report on 5th July 2018. The Inspector has requested that a consultation on this be undertaken and interested participants are requested to provide a brief statement on

· whether the Report affects the Plan, and if so how;

Frack Free Ryedale(FFR) note the contents of the Select Committee[1] report (SCR) however **do not consider it effects the plan** even though

- Overall the SCR recommendations reinforces evidence from respondents in the examination in public(EiP) which provided proper justification as to the soundness of the proposed Minerals and Waste Joint Plan
- In particular the SCR references many areas covered in the EiP such as:
    - the definition of fracking and reasons why such definition should not be constrained by volumetric criteria
    - cumulative impact assessment if under NSIP
    - and how local plans and national guidance inter relate[2]
    - many other common areas were also included in the SCR
- The SCR also recognises the conflicting objectives of Climate Change Commitments and the Governments proposals in relation to fracking
- The SCR recognises that NPPF and PPG all need to be properly updated to reflect both current climate change and energy policy.

· whether the Plan should be modified and if so how to reflect the Report.''

FFR **do not consider there should further modification to the plan** beyond those already identified (and which have yet to be fully published)

[1] Attached appendix 1 – gives FFRs position statement on the main recommendations of the HCLG SCR
[2] SCR - these matters are featured in the 'summary' and in more detail at paras, 11, 55, 84

Appendix 1 – Brief position statement on the report of the Housing Communities and Local Government Select Committee on 'Planning guidance and fracking' - published in July 2018

Frack Free Ryedale (FFR) have briefly studied the report and recommendations.

FFR respond in support of many of the conclusions and recommendations. Broadly FFRs position on the conclusions and recommendation of the select committee are given below.

1. The definition of fracking – is to be addressed by the joint plan, and the position reached in the Examination in Public accords with recommendation one of the select committee report, in that it seeks a non volumetric definition.

2. Changes to National Planning Policy Framework (NPPF) on fracking – in the recent consultation documentation relating to the NPPF towards the end of the document there are several paragraphs introduced relating to minerals matters. *Unlike the majority of paragraphs which relate to housing matters and have been consulted on extensively, those introduced on minerals matters (including fracking) have not been subject to such extensive consultation*.

3. National policy on fracking – the disjointed nature of the NPPF consultation and the Written Ministerial Statement on Fracking issued 17 May 2018 has precluded any proper consultation. We agree with the Select Committees recommendation that depending what is in the final version of the NPPF revision further consultation should be undetaken. *It is noted that despite what is said in relation to the NPPF consultation there has been no prior consultation on the clauses specific to minerals until that closing in May 2018. All the other paragraphs relating to housing and so on have been subject to much greater consultation. This must call into question how the NPPF (paras 199-206 in the consultation draft) are viewed*.

4. Flexible approach – *FFR agree due to new and revised scientific reports and research any policy must allow flexibility to review the policy in light of such reports/research*

5. National Planning Policy Guidance (NPPG) – *FFR agree that it is important for NPPG to be reviewed and revised regularly in accordance with 4 and 5 above*, and also in light of practical experience as it develops in relation to cumulative impacts

6. NPPG consultation – FFR agree there should be consultation in relation to any proposed review and revisions to the NPPG

7. Consolidation of guidance – FFR reserves its position in relation to this recommendation.

8. Weight to be apportioned to guidance – FFR broadly agree that the decision making process should remain to be made by local decision makers. *FFR agree that greater clarity should be given around Climate Change Commitments and how this inter-relates between national and local policy*.

10. Contradiction between Localism Act 2011 v WMS 2018 – FFR broadly agree that in the English planning system is a plan led system and all local plans are scrutinised as a matter of course by the Planning Inspectorate. *Therefore it follows that local decision making should continue as the most appropriate way to determine planning applications relating to minerals*.

11. Shale Environmental Regulator – FFR reserves its position in relation to this recommendation.

12. Need for better communication around the regultors roles - FFR reserves its position in relation to this recommendation.

13. Changes to planning regime - FFR reserves its position in relation to this recommendation.

14. Fracking applications and NSIP - FFR broadly agrees with the select committees recommendation

15. National policy and cumulative impact assessment – the select committee considered that the draft NYCC MWJP offered an appropriate template for guidance relating to cumulative impact. *FFR support this statement*

16. Fracking and Permitted Development (PD) – *FFR supports the recommendation that local decision makers should determine applications rather than make the exloratory stage subject to PD rights*.

17. Shale gas support fund and brokerage service - FFR reserves its position in relation to this recommendation.

18. Greater participation in the planning process – FFR broadly agrees with the select committees recommendation

19. 'One single coherent face' integrating the planning system in relation to fracking applications - FFR reserves its position in relation to this recommendation.