

Fracking is given the go-ahead

Edd Johnson, partner in the renewable energy team at law firm Roythornes, reacts to the government's decision to approve fracking plans

Following the announcement of Communities Secretary Sajid Javid's decision to approve fracking plans in Lancashire there has been a wave of uncertainty from vested parties.

Is the fracking go-ahead an indication of the government's further plans for a renewable energy revolution and what will the wider impact be for communities and landowners?

The subject of fracking

Ultimately, we will not know the true implications of hydraulic fracturing (fracking) until the first site is opened. It is possible that fracking simply may not be a cost effective option in the UK. Until drilling begins there is no way of knowing anything for certain, so there's no guarantee there's going to be a gold rush.

What we do know is that the US has experienced a boom in fracking thanks to the available expanses of land, more open US laws and obtainable funding for research and design developments.

Two weeks ago Scotland received its first supply of imported US shale gas at its purpose-built import terminal as part of a \$2bn investment.

As a densely populated country, the UK does not have the same geographical benefits that would accommodate a similar boom. Additionally, are we going to need our own supply if there is a reported 'surplus' of shale gas coming into ready and willing businesses in the UK?

Last week, planning permission was turned down for a similar site in Misson, Nottingham, while Nottinghamshire County Council deferred the decision on the IGas shale gas application to drill two shale wells. We will have to wait until November to see what Nottingham County Council decides.



What this means for landowners

Landowners need to proceed with caution.

It is often the case in fracking projects that developers will buy land off a landowner and include a caveat allowing landowners to buy back their land for a token amount after the shale gas has been extracted and the site decommissioned. However, if a site is not properly decommissioned then this could present problems and landowners will be reliant on planning laws and government legislation to protect them. In essence, it is therefore crucial that landowners have water tight legal protection in this area.

Renewable energy

At present, there is global instability within the energy sector. In the UK, approval to construct the nuclear power plant at Hinkley Point, diminishing supplies of North Sea oil and the imminent phasing out of coal by 2025 is perhaps an

acknowledgement that fossil fuel energy will rapidly become a pre-historic form of power.

The government has a target of achieving 15% of its energy requirements from renewable sources and according to the Energy and Climate Change Committee, the government is not on course to reach this at present.

We would like to see the government focusing its attention on renewables and supporting clean energy programmes to help meet its targets. As a small island we are blessed with access to a number of different natural resources that provide a number of different renewable energy sources.

Renewable energy in the UK was previously considered an inconsistent form of energy because of its variability and unpredictability. However, the development of battery technology means energy can be stored and uploaded to the grid on demand, making renewable energy sources a much more stable option.