Preston New Road Exploration Works | Community Liaison Group

Date:

Monday, 31st July 2017

Venue:

Wrea Green Institute, Station Road, Wrea Green, Preston, PR4 2PH

Attending:

Councillor Paul Hayhurst, member for Fylde West

Councillor Julie Brickles, member for Warton and Westby

Councillor John Kirkham, member for Warton and Westby

Councillor Dawn Ansell, Weeton-with-Preese Parish Council

Councillor Miranda Cox, Kirkham Town Council

Councillor Stuart Harrison, Medlar-with-Wesham Town Council

Andrew Mullaney, Lancashire County Council

Tony Almond, Health & Safety Executive

Tom Glyn-Jones, Environment Agency

Sergeant Andy Hill, Lancashire Constabulary

Christopher Holliday, Local Community Representative

Mary Finn, Local Community Representative

Mary Ellison, Local Community Representative

Liz Cheadle, Local Community Representative

Jan Gregson, Local Community Representative

Graham Daniels, Local Community Representative

David Kirkham, Westby-with-Plumptons Parish Council

Katherine Bentley, Lancashire Resilience Forum

Julian Williams, Lancashire Fire & Rescue

Sam Schofield, Cuadrilla

Nick Mace, Cuadrilla

Jackie Dobson, Lexington Communications

Apologies:

Councillor Michael Cornah, member for Warton and Westby Superintendent Richard Robertshaw, Lancashire Constabulary

Item		Action
1.	Welcome and introductions Councillor Hayhurst welcomed attendees. Jackie Dobson noted the apologies received.	
2.	Review actions arising from previous meeting	

Action 1. Sam Schofield to liaise with LCC – Referring to the request for Kirkham Town Council and Medlar-with-Wesham Town Council to attend every CLG meeting, Jackie Dobson advised that the request had been accepted by Lancashire County Council.

Action 2. Sam Schofield to liaise with LCC – Referring to the request that Councillor John Kirkham be invited to attend CLG meetings should Councillor Brickles or Councillor Cornah be unable to attend, Jackie Dobson advised that the request had been accepted by Lancashire County Council. She advised that as apologies had been received for Councillor Cornah, Councillor Kirkham had been invited to attend the meeting.

In response to a previous request regarding inviting key stakeholders to a tour of the Preston New Road site, Councillor Hayhurst asked why this had yet to happen. Sam Schofield reiterated his previous comment that once drilling commences, Cuadrilla will invite local stakeholders for a tour of the site.

Referring to a suggested amendment proposed by Tony Almond that had been circulated to CLG members, Councillor Hayhurst asked whether attendees accepted the proposed changes. Attendees accepted this.

Jackie Dobson to amend meeting report

Action 3: Councillor Brickles to provide details — Councillor Brickles questioned what details she was expected to provide. Jackie Dobson advised that she had raised concerns regarding vehicles entering the site via both gates and failing to use the bellmouth area as intended. She advised that Sam Schofield had requested details for further investigating. Councillor Brickles explained that she was unable to provide details of a specific incident as the situation is occurring every time vehicles leave the site. A discussion was had regarding the issue and Sergeant Hill advised that this had been raised, as per his action [Action 4].

Action 4: Sergeant Hill to raise the issue – Elaborating on the discussion, Sergeant Hill advised that the issue had been raised with Chief Inspector Ogle. Sam Schofield confirmed that he would liaise with Sergeant Hill regarding the issue.

Sam Schofield to liaise with Sergeant Hill

Action 5: Superintendent Robertshaw to liaise with the Local Resilience Forum – Jackie Dobson confirmed this had been undertaken and a representative, Katherine Bentley, would discuss the emergency plan on Agenda Item 8.

Councillor Hayhurst questioned the effectiveness of the Community Liaison Group and suggested that actions are not being followed up. Echoing this view, Councillor Brickles cited the comments she raised at the previous meeting for action to be taken in response to concerns regarding the use of the bellmouth

area and opening of the gates. She suggested no action had been taken.

Disputing this, Sam Schofield advised that Sergeant Hill had raised the issue and Cuadrilla would follow up with the police and report back to the CLG at the next meeting.

Elaborating on his point, Councillor Hayhurst questioned whether the CLG is merely a 'box ticking exercise' and instead suggested forming a local liaison group. Referring to the delivery of the rig onsite the previous week, he went onto suggest that, as Cuadrilla is ignoring planning conditions, Lancashire County Council is impotent against an operator who does want it wants.

Disputing Councillor Hayhurst's characterisation of the CLG, Sam Schofield explained that as a result of the disruptive protest activity outside the site, Lancashire Police were informed that Cuadrilla intended to deliver the rig in the early hours of the morning. He explained that the decision was taken to avoid yet another major road blockage by protestors and prolonged inconvenience to local road users and potential impacts on commuter and protestor safety.

Councillor Hayhurst advised that he has received several complaints from local residents regarding Cuadrilla working outside the permitted hours on Saturday, 29^{th} July and Sunday, 30^{th} July. Nick Mace advised that Lancashire County Council was informed in May that Cuadrilla intended to work at the weekend once the rig was on site.

Andrew Mullaney confirmed this and explained that condition 19 had been debated at the public inquiry. He noted that during the drilling phase, Cuadrilla is permitted to operate 24 hours a day, 7 days a week. Andrew Mullaney clarified that said phase was not restricted to the act of drilling, but the operational activity relating to commencing the drilling onsite.

Graham Daniels stated that the community are fed up with the situation and questioned Cuadrilla's commitment to establishing good relations with local people. Sam Schofield acknowledged that local people are experiencing disruption to their daily activity as a result of protestor activity at Preston New Road. Councillor Brickles stated that this is a common lie. Referring to the Terms of Reference that states members of the CLG are afforded normal standards of respectful behaviour, Sam Schofield requested she retract the suggestion that he was lying. Councillor Brickles retracted the suggestion and apologised if she had given the impression that she had accused Sam Schofield of lying.

Councillor Brickles went on to explain that the police have confirmed that

protestors are not regularly blocking Preston New Road. Acknowledging an incident earlier in the day whereby protestors had blocked the road, she suggested that only a small proportion of protestor activity causes disruption to Preston New Road. Councillor Cox advised that the actions of the protestors are not intended to disrupt the local community.

Mary Ellison suggested that Cuadrilla's defensive approach at CLG meetings regarding activity at Preston New Road was not constructive. Sam Schofield explained that representatives of Cuadrilla are bound to contest unfounded criticisms.

A lengthy discussion was had regarding protestor activity within the bellmouth area and opening of the gates. Andrew Mullaney advised that protestors have been in the bellmouth on most occasions that he has visited the site. Nick Mace clarified the details of the Court injunction and land ownership. Sergeant Hill informed attendees that the police will always facilitate vehicles leaving the site in the safest manner. Councillor Hayhurst requested Cuadrilla advise members of the CLG of the outcome of discussions with the police.

Members to be advised of outcome of discussions

3. Agree meeting report of 26th June 2017

Members approved the meeting report as an accurate record.

4. Site update

Nick Mace provided an overview of activity at the Preston New Road site, advising that work has been completed to set the conductors and testing to ensure the membrane is impermeable has been completed. He noted that the drill rig had arrived on site and that there had been two regulatory visits from the Environment Agency and Health & Safety Executive.

Referring to the arrival of the rig, Councillor Cox asked whether this now needs to be assembled and when drilling is expected to start. Nice Mace advised that the rig will meet the 36m height condition and that this will now be erected on site, with drilling expected to start in the next few weeks.

Citing Cuadrilla's decision not to use the rig from PR Marriotts, Christopher Holliday asked for details of the make and model of the rig. Nick Mace advised that in light of the serious attack recently carried out on Cuadrilla's own drilling rig, he would not be confirming the identity of the rig suppler at this juncture.

Christopher Holliday asked whether use of a different drill rig would have implications with regard to noise levels. Nick Mace advised that the Environmental Impact Assessment had been based on the worst case scenario in terms of noise,

but did not specify the type of drill used. He confirmed that the drill rig will comply with the noise limits stipulated in the planning conditions.

At this juncture, Councillor Brickles requested details of breaches that have occurred since the previous meeting. Nick Mace advised that Cuadrilla breached planning condition 19 on Thursday, 27th July due to delivering the rig to the site. A discussion was had regarding whether Lancashire Police had been consulted on the arrival of the rig in light of press coverage that suggested that the police had been told about the early morning activity, rather than sanctioned it. Sergeant Hill referred to a press release issued by Superintendent Robertshaw.

Graham Daniels expressed frustration that the Traffic Management Plan (TMP) is now on its eleventh iteration; he questioned when the twelfth version would be available. Nick Mace advised that at a previous CLG meeting, members raised concerns regarding a lack of consultation on proposed amendments to the TMP. In response, Cuadrilla liaised with Lancashire County Council to allow further consultation on the TMP and provide an opportunity to the local community to comment.

5. Lancashire County Council Update

Andrew Mullaney advised that the revised TMP has been submitted for sign off. He explained that the dominant route to the site will still be from junction 4 of the M55, but the main difference relates to the decision that vehicles can undertake a right turn in or out of the site when there is a threat of an obstacle confirmed by the Police.

He advised that Cuadrilla's lighting proposal for work undertaken during the installation of the conductor casing to provide additional light and to illuminate the drilling rig during operations had been signed off. He noted a last minute amendment made by the Preston New Road Action Group that had been accommodated.

Andrew Mullaney noted that High Court enforcement officers had taken action to remove one wooden pallet structure from the protester camps, whilst the police also removed one pallet structure. This had been undertaken on safety grounds in anticipation of high winds and potential casualties that could arise should the structure have blown over.

Referring to the arrival of the rig to the site, Andrew Mullaney noted that Cuadrilla's actions had breached condition 19 by the arrival of vehicles to site prior to 7am. He advised that Lancashire County Council provided the media with a statement regarding the breach and had written to Cuadrilla to seek reassurance that this would not be repeated.

Andrew Mullaney reiterated earlier comments that Cuadrilla is permitted to work on Saturday and Sunday's now the drilling phase has commenced. He explained that the operational hours vary depending on the phase of activity and that the drilling phase permits operational activity 24 hours a day, 7 days a week.

Andrew Mullaney stated that Friends of the Earth have acknowledged there is some overlap with different permitted working timeframes allowed at the site in terms of construction and well operations, and that well operations is allowed 24 hours a day, 7 days a week.

Councillor Cox questioned the approach taken by Lancashire County Council and questioned whether further action could be taken. Andrew Mullaney advised that whilst Cuadrilla had breached a planning condition, their actions were not criminal. He explained that Lancashire County Council needs to consider the proportionate harm that has been caused by vehicles entering the site prior to hours stipulated in the planning condition.

To further demonstrate this, he provided a comparison of vehicles arriving early to a supermarket and questioned whether it would be proportionate to take enforcement action against the supermarket in this scenario for breaching planning conditions. Councillor Cox suggested this was not a fair comparison.

Councillor Hayhurst suggested that Cuadrilla's actions had damaged trust within the community and questioned whether other regulators, namely the Environment Agency and Health & Safety Executive, would also be ignored. He reiterated earlier comments by describing Lancashire County Council as impotent. Andrew Mullaney explained the need for Lancashire County Council to consider whether Cuadrilla's actions are harmful. He noted that if Lancashire County Council considered Cuadrilla's operation is harmful, a stop notice could be issued. Sam Schofield asserted that the decision to deliver outside the hours of the planning condition had been taken following very careful consideration to minimise impact on the local community in the face of extraordinary activist behaviour, and this did not equate to Cuadrilla not taking planning conditions and other regulations lightly.

Councillor Harrison criticised the amendment to the TMP and questioned whether Cuadrilla's security should be able to make a decision to allow vehicles to turn right into and out of the site. Councillor Brickles echoed these concerns. In response to questions raised regarding whether there is an audit trail relating to vehicles complying with the TMP, attendees were informed that that 96% of vehicles entering or exiting the site have been compliant with the preferred left-in, left-out approach.

Citing protestor activity earlier in the day, Councillor Kirkham emphasised the

severity of the situation and suggested that a fatality could occur if the current behaviour of the protestors continues. He expressed a desire for the CLG to continue, highlighting that the meetings provide an opportunity for the community to raise concerns.

Concerns were expressed by several attendees regarding the actions of the police, with Councillor Ansell suggesting that protestors have been kettled at Maple Farm Nursery Gardens, whilst Councillor Cox stated that human life should not come at the cost of vehicles getting on site.

Councillor Ansell raised concerns regarding the speed of the convoys arriving to site and suggested that this puts other road users in danger. Sam Schofield contested this and stated that with thousands of hours of video publically available since the start of operations in January and the police often in attendance, that if such dangerous behaviour had taken place charges would have been brought by now and these had not been forthcoming.

Advising that there are always two sides to any situation, Jan Gregson cited that protestors are acting irresponsibility, citing that she had seen a protestor cartwheeling down the road and swerving in front of vehicles. She echoed Councillor Kirkham's comments regarding the potential for a fatality.

Sam Schofield appealed to attendees to the CLG who hold leadership positions with the local community, such as members of the Borough or Parish Councils, to send a clear message to condemn the extreme behaviour of the protestors. In response, Councillor Hayhurst said that he was critical of both Cuadrilla and the protestors.

Elaborating on this, Councillor Hayhurst stated that he was against the protestors for disrupting the community and forcing the closure of Preston New Road, whilst he levelled criticism against Cuadrilla for a lack of respect towards the community by breaching the planning condition to deliver the rig onsite. This followed his earlier comment that he was not against fracking.

Sam Schofield explained that the decision to bring the rig onsite was carefully considered to avoid disruption to local community. Mary Ellison suggested Cuadrilla had breached the planning condition applied to the consent at Anna's Road by using Peel Road. Sam Schofield advised he was previously unaware of these allegations and Cuadrilla wasn't in a position to address these during this session, given that the Anna's Road operations concluded several years ago.

6. Industry regulators update

Providing an update from the EA, Tom Glyn-Jones advised that a recent site inspection had been undertaken and that public consultation had commenced on

the permit variation. He advised that a Hydraulic Fracture Plan had been prepared and submitted to the Oil and Gas Authority.

Tom Glyn-Jones advised that during August, the EA would be monitoring the generation, treatment and disposal of waste onsite. Councillor Ansell asked whether Cuadrilla had identified how and where waste would be treated. Nick Mace advised that waste from the operational activity, such as drilling mud or cuttings, would be treated or sent to permitted waste treatment facility.

Referring to a water pipe she had viewed from the roadside, Jan Gregon questioned whether these were being used by Cuadrilla. Councillor Kirkham confirmed that these were water pipes owned by United Utilities.

Graham Daniels asked whether Public Health England have been consulted on the permit variation. Tom Glyn-Jones stated that it would be engaged with following the public consultation.

Referring to a recent Dispatches programme that found emissions were higher on a cruise ship than in Trafalgar Square, Graham Daniels asked whether Cuadrilla could be prevented from using heavy duty fuel in its operation. Tom Glyn-Jones advised that he would look into this suggestion.

Tom Glyn-Jones to review

Following a discussion as to whether Fylde Borough Council is monitoring air quality, Andrew Mullaney explained that the emissions from the generators are well below the threshold that would trigger regulation by Fylde Borough Council. Attendees were advised that the British Geological Survey, Manchester University and the EA will monitor air quality.

Suggesting that Lancashire County Council's response to Cuadrilla's breach of the planning condition was weak, Councillor Harrison sought clarity regarding action that could be taken by the EA. Tom Glyn-Jones advised that the EA has guidance regarding enforcement and offered to provide this to members.

Tom Glyn-Jones to provide guidance

Christopher Holliday requested details of the revised schedule regarding Cuadrilla's operation onsite. This prompted a discussion regarding the potential sequence of drilling and fracking. It was agreed that an indicative schedule of activity would be provided in due course to allow members to understand Cuadrilla's ongoing operation.

Nick Mace to provide schedule

Tony Almond explained that the Health & Safety Executive also has enforcement powers and advised that he would provide details of these to the secretariat. He went on to advise that the HSE had recently undertaken an inspection of the well cellar and conductor. The HSE inspectors were content that the health and safety requirements and the relevant industry standards have been met.

Tony Almond to provide details

7. **Lancashire Police update**

Sergeant Hill advised that a member of Cuadrilla's security staff had been interviewed and that the Crown Prosecution Services will consider whether to pursue this through the courts.

He noted that there have been approximately 215 arrests, with 191 charged and over 25 convictions. He noted that nine cases have been discontinued and two people have been found not guilty. Councillor Cox asked how many of the arrests have been for violent offences. Sergeant Hill was unable to provide exact figures, but noted that the majority of overall arrests relate to offences relating to highways. He advised that there have only been a handful of arrests for violent offences, but there have been a number for public order related matters. He advised that a full breakdown of the arrest can be found at:

https://www.lancashire.police.uk/help-advice/safer-communities/fracking/

Sergeant Hill referred to several posts on social media platforms regarding potential counter demonstrations against the protestors; protests against the protestors. He informed attendees that this is being monitored.

Referring to the 30 days of activity during July by Reclaim the Power, a direct action network, he noted that Lancashire Police has been engaging with businesses and individuals who are being directly affected by the protestor activity. One business owner is experiencing severe financial difficulties because of the disruption to his business.

Sergeant Hill explained that the behaviour of protestors, in particular the lock-ons that result in the closure of Preston New Road, is having direct consequences for the emergency services. He noted that three ambulances had to be diverted due to the road being closed and explained that a funeral procession had been unable to use the A583 due to protestor activity. Mary Ellison noted that she had attended the funeral and that the widow had been upset by this.

A discussion was had as to why the police are unable to physically remove protestors who are in lock-ons and whether large numbers of police should be surrounding truck surfers. Sergeant Hill explained that officers have a duty to protect the health and safety of protestors.

Mary Ellison suggested that police officers should be directing road users to take alternative routes when Preston New Road is closed. She noted several roads that are becoming congested as a result of diversions. Sergeant Hill acknowledged these concerns.

Councillor Ansell raised concerns regarding road closures and the impact this is having on local businesses. Citing an incident on Tuesday, 25th July, she explained that the police were preventing vehicles from visiting Ma Bakers and the Plant Emporium. Councillor Ansell stated that when she asked the police officer why people were prevented from visiting said businesses, he advised that only 20% of vehicles would want to use these businesses.

Councillor Ansell remarked that the police officer was rude and questioned whether the arrival of police officers from outside of the County to provide additional resource was contributing to neighbouring police forces not understanding local policing. Graham Daniels suggested that police officers from outside the area are driving at high speed. He suggested Lancashire Police remind these officers that they are not in the centre of Liverpool.

Councillor Kirkham noted that pregnant women had been forced to walk to one of the businesses as a result of the road being closed. Sergeant Hill explained that he is regularly liaising with local businesses and endeavouring to ensure their businesses continue to operate without major disruption.

Councillor Ansell raised concerns regarding the behaviour of Cuadrilla's on site security, suggesting that staff had kettled protesters and used violence towards those who were locked-on. Sergeant Hill suggested reporting incidents directly to Cuadrilla or to the SIA (Security Industry Authority) to investigate.

Councillor Ansell also questioned why police officers are wearing gloves and Sergeant Hill confirmed these are standard issue.

8. Emergency Plan

Councillor Hayhurst advised that following the discussion at the previous CLG meeting regarding an Emergency Plan, this item had been added to the agenda to discuss further. Katherine Bentley, a representative of the Lancashire Resilience Forum, had been asked to attend the meeting by Superintendent Robertshaw in light of concerns previously raised regarding the lack of a bespoke Emergency Plan for the site.

She advised that the Civil Contingencies Act (CCA) 2004 provides the framework for the majority of emergency planning activity. She advised that CCA requires Local Resilience Forums to be established on the footprint of Police Force boundaries.

Katherine Bentley went onto explain that membership is split between Category 1 responders (emergency services, health family, local authorities, Environment Agency and Public Health England) and category 2 responders (infrastructure, utility providers, HSE). She noted that the CCA places various statutory duties on

Cat 1 and 2 responders including a duty to carry out risk assessment in their area.

She explained that Lancashire Resilience Forum currently assess the likelihood and impact of risks occurring and, where appropriate, use generic planning arrangements for common consequences rather than trying to plan for every type of risk (i.e. displaced people and mass casualties). She advised that she would provide further details about the LSF to the secretariat to disseminate to members.

Katherine Bentley to provide details

Referring to the site at Preston New Road, Katherine Bentley advised that the LRF is using advice from experts to develop a risk assessment and has a suite of generic plans that are regularly tried and tested which include notification cascades to ensure all Category 1 and 2 responders are aware of emergencies, as well as command and control arrangements.

Councillor Hayhurst raised concerns that the LRF appear to be learning from others as to how to deal with the operation at Preston New Road and that there is no site specific emergency plan. He asked whether the Springfield's Fuels Ltd site at Salwick has a site specific emergency plan.

Katherine Bentley confirmed that it is a statutory duty under the Radiation Emergency Preparedness and Public Information regulations (REPPIR) to develop a multi-agency plan to detail the coordinated response. She confirmed that this falls outside the usual risk-based approach used by the LRF under the Civil Contingencies Act.

Katherine Bentley advised that in addition to the generic response arrangements, Lancashire Fire & Rescue have undertaken site specific work. Julian Williams, Incident Commander, advised that Lancashire Fire & Rescue has had an active plan for the past four months.

Referring to three previous site visits, Julian Williams, explained that he had categorised the site as three out of five with regard to the Control of Major Accident Hazards Regulations 2015 (COMAH); essentially, classifying it as an industrial site. He advised that he would need to revisit the site to identify new risks and has been liaising with Cuadrilla regarding a joint exercise to assess how an incident would be dealt with.

Julian Williams informed attendees that Lancashire Fire & Rescue are informed as to what potentially hazardous substances are entering and exiting the site to ensure the emergency services can respond effectively and efficiently to any incident they may encounter. Julian Williams also noted that staff are kept informed of road closures to ensure they can respond to incidents accordingly. He noted that Lancashire Fire & Rescue is liaising with its counterparts in the United

	States to identify any lessons that can be learnt from their experiences.	
9.	Agreed date of next meeting	
	It was agreed that the next meeting should take place at:	
	7pm on Monday, 4 th September at Wrea Green Institute, Station Road, Wrea Green, Preston, PR4 2PH.	
10.	Any other business	
	Councillor Hayhurst informed attendees that Jan Gregson had raised several questions to Cuadrilla, Lancashire Police and Lancashire County Council. Jackie Dobson circulated copies of the questions and responses provided.	
	Jan Gregson suggested attendees review the answers provided, but wanted to question the response made by the police regarding the whether a barrier could be erected on the opposite side of the road to the site that protestors remain behind. Sergeant Hill reiterates the response provided that this had been considered by the police and Lancashire County Council, but that concerns were raised regarding health and safety issues.	
	Councillor Julie Brickles also referred to the time taken for those arrested to be brought before the courts and stated that people do not realise how long this process can take.	
	Referring to the response to question 11, Christopher Holliday questioned whether fracking would be 24 hours a day, 7 days a week. Nick Mace confirmed that drilling and flow back testing is 24 hours a day, 7 days a week, but that pumping associated to hydraulic fracturing would be restricted to 0800 to 1800 hours Monday-Friday; 0900-1300 hours on Saturdays, not permitting Sundays or Public Holidays.	
	David Kirkham noted that 11 references had been made to kettling and questioned whether the police kettle. Sergeant Hill advised that the police do not kettle and instead contain protestors.	
	Christopher Holliday asked when the noise date will be available on the ePortal. Nick Mace confirmed that noise data would be collected in August and reported on the ePortal in September; he noted that the data is one month in arrears.	
	Councillor Hayhurst closed the meeting.	
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