



FFBRA NEWSLETTER NUMBER TWENTY EIGHT

NEWS AND INFORMATION FOR OUR MEMBERS

Update on Funding for the Balcombe Relief Fund

Great news – we now have all the money we need for our judicial review.

Last week we explained how we needed to have £10,000 available in the event of our losing the judicial review and having to pay WSCC's costs.

Ecotricity has kindly stepped forward and sent us £10,000. FFBRA will hold this in our bank account ring fenced to either return in the event we win our judicial review or to use to pay any costs awarded against us if we lose. This is tremendous news.

Who are Ecotricity? Ecotricity, founded in 1995 as the world's first green energy company, are the only energy company that has pledged to be shale gas 'frack-free,' now and forever. The company thinks fracking is an unnecessary risk and are actively supporting the anti-fracking movement in Britain. Ecotricity have a unique not-for-dividend model, so instead of paying any shareholders they are free to re-invest the money from customer bills into building new sources of green energy – what they call turning 'bills into windmills'. They now power around 120,000 homes and business from their growing fleet of wind and sun parks, and are developing a Green Gas alternative to fracking in Britain. You can find out more about Ecotricity here: www.ecotricity.co.uk

People can conscientiously object to fracking using the power of their energy bills – households can boycott companies involved in shale gas fracking. And if you do want to switch to Ecotricity, when your old supplier rings and ask why you changed, savour the moment, and say because "I don't want Fracked Gas". It is very enjoyable!

One of the problems with our political system is that we only get to vote once every four years. This means that politicians can break all their manifesto promises without worrying about being re-elected for most of their time in office. Imagine how differently they would behave if elections were held annually?

But when it comes to how we shop, we all get to vote daily. Changing to Frack Free gas is one way to show the oil and gas industry that we do not want the UK to host intensive onshore oil and gas site across the countryside and that what we want is more renewable energy.

How much will our judicial review cost?

The cost of bringing judicial review claims can be very high, if a case proceeds to a full hearing and the claimant is unsuccessful. This is because if unsuccessful the claimant is likely to be ordered to pay the defendant's costs as well as its own.

There are a variety of ways of funding a judicial review claim. FFBRA has been incredibly lucky in that our lawyers and barrister have agreed to represent FFBRA using Conditional Fee Agreement.

Conditional Fee Agreements (CFAs) – no win no fee

The basic principle of CFAs is that the claimant is not liable to pay its own lawyers if it loses the case, only if it wins - and in such circumstances, it is likely that the defendant will be ordered to pay. Payment from the defendant is capped at £35,000 under Aarhus.

However, that leaves the defendant's costs should the claim be unsuccessful. These payments to the defendant are capped at £10,000 under Aarhus.

The example below using estimated figures illustrates this

If we win then the cost estimates are:

£75,000 (Leigh Day, our solicitors and David Wolfe QC, our barrister) - but they are not charging us)

£1,000 expenses (FFBRA to pay)

Less £35,000 recoverable costs from WSCC which would go to Leigh Day and David Wolfe

Total cost £41,000 (of which we pay £1,000 and LD/DW £40,000 and Ecotricity nil)

And if we lose

£75,000 (Leigh Day and David Wolfe QC) - but they are not charging us

£1,000 expenses (FFBRA to pay)

Plus £10,000 WSCC costs capped by Aarhus (paid by Ecotricity)

Total cost £86,000 (of which we pay £1,000 and LD/DW £75,000 and Ecotricity £10,000)

IET Meeting 20 May 2014 UK Fracking: Managing the Risks

A FFBRA member and member of the IET (The Institution of Engineering and Technology) attended. This is his report. This event was well attended. The introduction by the IET president was followed by a short speech by Andrew Miller MP and then three presentations, each of half an hour duration, before the coffee break.

First presentation was by Professor Paul Younger who was one of authors of the Royal Society/ Royal Academy of Engineering report. His career background is that of a coal mining engineer. Gave the usual guff about 200 fracked wells – his mention of water was extraction only – no mention of back flow or waste water. No mention of the problems of seismic events affecting well integrity.

John Blamire's chief operating officer of IGas gave a smooth sales presentation. It was obvious that IGas is frustrated by the bad publicity that Cuadrilla keeps generating. He said that after Preece Hall they have all been told they have to do 3D seismic before fracking. He glossed over all other problems by talking about “best practice” and “recommendations” with lots of reassuring measures that “should” be done. He omitted to explain that only the few “compulsory” regulations are obeyed in practice.

Andrew Davie, Deputy Head of the Office of Unconventional Gas & Oil. He said all the Royal Society recommendations are being implemented (see Mike Hill below) and that we have suitable water treatment plants in Stock on Trent, Leeds and an unnamed location “in the South”. He said Cuadrilla has spent £175 million to date and that production is more than two years away.

All three of the above speakers, despite the title of the meeting, did not really discuss risks. We then had a short coffee break.

Mike Hill then gave a 30 minute presentation. He had to counter the false impressions that the above four speakers gave in their two hours of speeches and also give his talk on the short comings of regulation. Mike Hill's opinion was of the 10 recommendation of the Royal Society report only one had been implemented – the traffic light system for seismic events. For three of the others the government had done exactly opposite to the recommendations by closing down sections of HSE, firing experienced staff instead of increasing skills and training more staff. On the remaining six RS recommendation there was nothing happening. There was considerable surprise from the engineers present in the audience that there was no plan to implement the RS recommendations.

The whole event was video recorded and should be available for IET members on the IET website.

The RS report says *“The health safety and environmental risks associated with.... fracking as a means to extract shale gas can be managed effectively in the UK as long as operational best practice are implemented and enforced through regulation”*. It became clear to the audience that best practices are not being followed, neither are recommendations. As a good example I asked privately about cement bond logs and was told that they are not compulsory and it was Francis Egan's policy that stopped Cuadrilla from doing them because his competitors were not doing them. Overall it was a

disappointing meeting with only Mike Hill dealing with the reality of what happens in actual practice.” Stuart 20/5/2014

Lobbying - Good Day to Bury Bad News

The timing of release of information is manipulated to ensure that it receives minimal attention. The current government have used the technique of carefully picking “a day to bury bad news”. The news buried is

1. British Geological Society’s report on gas and oil prospects in the South of England.
2. Drilling under people homes without permission (proposed government changes to trespass laws)

And what did they buried it with – Nigel Farage and the elections.

British Geological Society: Jurassic shale of the Weald Basin: resource estimation published 23 May 2014

The British Geological Survey (BGS) in association with the Department of Energy and Climate Change (DECC) has completed an estimate for the amount of shale oil and shale gas in the Weald Basin in south-east England; published 23 May 2014.

A lot of what it has to say will not be news to FFBRA members. Yes – we know we are sitting on a lot of oil – and yes we know the Weald could prove to be a “*difficult play*” for the fracking industry as “*faulting locally occurs at high densities*”.

Also the report describes how much of the oil in the shales is tightly bound to the rock and therefore difficult or impossible to extract (so would need hydraulic fracturing or acidification); much of the shale sequence in the Weald is clay-rich (difficult to fracture effectively); the oil is likely to be quite heavy (will not flow easily);

Shale expert, Professor Andrew Aplin, of Durham University, said: “*We might estimate that 1% of the Weald oil resource might be recoverable.*” This would equate to 0.05 billion barrels, which is about two months of UK consumption, he said. “*From a national perspective, this seems to be a rather small prize.*”

So we have a government prepared to destroy Sussex countryside for two months of UK oil consumption. No wonder they needed to “bury” this.

<http://www.bgs.ac.uk/shalegas/>

Government plans change to trespass rules to help fracking companies

The British trespass laws are centuries old and easy to understand. The government wants to replace them and has launched a public consultation to consider changing these laws to help onshore oil and gas take off in the UK.

A press release from the Department for Energy and Climate Change said:

*“The new proposals would simplify procedures which are costly time-consuming and disproportionate for new methods of underground drilling. Oil, gas and deep geothermal companies will be able to explore their potential, and will in return provide a **voluntary** community payment for access.”*

The proposals are:

- Right of access for shale gas and deep geothermal operations below 300 metres to be given to oil and gas companies
- One-off voluntary community payment of £20,000 from the oil and gas companies per lateral well that extends by more than 200 metres (656 feet)
- Notification system to alert local people of fracking plans

The government will consult on the proposals for 12 weeks.

What would this mean for Balcombe? £20,000 divided by 2,000 people equals to £10 per person? Note that this is only a voluntary payment and not guaranteed.

Remember how the Parish Council's £100,000 disappeared when Cuadrilla said they were not fracking.

The result of these proposals would be that:

Someone can drill under your home or property and frack so long as they are more than 300 metres (984 feet) below the surface.

How would we know whether or not they are above the 984 feet limit?

The horizontal bore might be below the 984 feet limit but when an oil/gas company fracks to create fissures in the rock; obviously these go up as well as down. No one knows how close they will get to the surface. Professor Davies of Durham University research suggests that these cracks can be up to 1,800 feet in length.

How are insurance companies going to react to this change in the law? Will they insure homes on land that has been fracked?

Someone can drill vertically down and then go horizontally under someone else's land without their permission.

They are not doing this for fun. The purpose is to drain out oil and gas from their neighbours land. What happens when you have two neighbours – both want to sell out to oil / gas industry. Now the oil /gas company only needs to deal with one to the get the oil /gas from both. This will drive down land values.

Someone can make great big holes under someone else's land and cannot be prosecuted for trespass

Extracting oil/gas in huge quantities will leave voids (think man made sink holes). If billions of barrels of oil are extracted, what fills the voids? Some fracking fluids and drill muds remain behind but not enough to compensate for what has been removed. In Holland just taking natural gas from a conventional well has caused major subsidence – even without fracking.

All this seems like total lunacy. Why is the government doing this?

What has happened is that one villager in Fernhurst, sold one small field for fracking; then the owners of the surrounding land refused to co-operate. The Fernhurst Legal Blockade started. Fernhurst villagers lodged papers in court refusing access underground to the drilling company. Why shouldn't they refuse access? They don't want the oil/gas company in their village. The industry has lobbied the government and the result is the government wants to change the law.

Even in America where Shale is King, you can't start drilling under other people's land without their permission. No wonder the government had to choose carefully about the day on which to release these details. If the ministers spent more time thinking and less time trying to manipulate public opinion, they would have quickly realized these changes in the law will be impossible to implement. If they are incapable of imagining the consequences for themselves, they should try talking (and listening) to their constituents.

<https://www.gov.uk/government/consultations/underground-drilling-access>

EVENTS

Balcombe.

Celebrate Opening a new public footpath in Balcombe Saturday May 31 at 2pm.

Mid Sussex Rambler have posted the following invitation

"You are invited to come along and support this excellent opportunity to use this new path. The opening of a new public footpath in Balcombe is cause for celebration for the Mid Sussex Ramblers". The group, which as been arranging guided walks for more than 40 years, helped plan and secure the new route. This new path has been created to join Footpath 22Ba Balcombe Station to run south, parallel to the B2036 (west side), to meet Footpaths 13Ba and 17Ba near Kemps Farm. It provides a safer link between these existing footpaths, avoiding the need to use a very busy and dangerous stretch of the B2036 Balcombe to Cuckfield Road.

To celebrate the opening of this new path, the Mid Sussex Ramblers have arranged a walk, starting from Balcombe Station car park ((£1 charge), map ref.GR135/TQ 306300, on Saturday May 31 at 2pm. This will be a circular walk of 4.75 miles, going to the west of the village and returning via the new path".

Claim Back £75 compensation for Power Lost at Christmas

One of our members sent in this

"Phone the number below and claim £75 compensation for power lost at Christmas. My cheque is now in the post and apparently even if you lost power for only an hour you get compensation,"

I am sure many of you remember the electricity going off over Xmas. If you experienced a loss of electricity supply around Christmas last year you may be entitled to £75.00 compensation.

Phone UK Power Networks Customer Relations Team (0800 028 4587). Give them your post code and house name/number, and if their record of the period of your loss of power meets certain criteria, they will send you a cheque for £75.00.

Beyond Balcombe

Coffee and a Chat, Half Moon Pub, Thursday 29 May and 5 June 10.30 am to 12.00 noon

Do come along. Great coffee, pastries and good company. This is now a regular event. We meet every Thursday morning in the pub.

Wisborough Green Village Hall, Friday 30 May 2014 7.00 am to 9.30 pm

Oil and Gas in Wisborough Green

ALL YOU NEED TO KNOW, An Information session

Hosted by Sue Jameson (actress)

Friday May 30th from 7.00 pm-9.30 pm

Speakers:

- John Diggins, Geologist
- Martin Small, Landscape
- Sue Taylor, Balcombe Resident
- Presentations, Questions, Discussion, Refreshments

Talk Fracking Campaign Starts 2 June 2014

<http://www.talkfracking.org/>

This is a four month campaign to get the nation talking (and thinking) about fracking. It kicks off with five free debates to be held in cities across the UK. The dates for these are Glasgow Monday 9 June, Nottingham 10 June, Manchester 11 June, Swansea Thursday 12 June, London Monday 16 June.

Anyone can register to attend these debates by going to their website. If you have friends and family who you think might be interested, please send them the link. They will be taking part in something of national importance.

Shale Gas + “Fracking” in Heathfield, Saturday 7 June 7.00 pm to 10.00 pm

Union Church, High Street, Heathfield, TN21 8LB

Chairman Jonathan Kent

Speakers Ian Crane, Dr Jennifer Huggett (Geologist), Sue Taylor

Date of Publication of FFBRA Newsletter Twenty Eight: Wednesday 28th May 2014