

Consultation on a Strategic Environmental Assessment (SEA), partial Business and Regulatory Impact Assessment (BRIA), and Preferred Policy Position on the Scottish Government's long-term policy on onshore unconventional oil and gas in Scotland:

Analysis of responses

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Abbreviations

The following abbreviations are used throughout this report:

BRIA: Business and Regulatory Impact Assessment (BRIA) – is used to analyse the costs and benefits to businesses and the third sector of any proposed legislation or regulation, with the goal of using evidence to identify the proposal that best achieves policy objectives while minimising costs and burdens as much as possible. All proposals which may have an impact upon business or the third sector should be accompanied by a BRIA. Consultation documents are accompanied by partial BRIAs, which are designed to encourage comment by those who may be affected by the proposals. Once the consultation has been completed a final BRIA is produced, building on the partial assessment and information gathered from the consultation analysis.

IPCC: Intergovernmental Panel on Climate Change – is an intergovernmental body of the United Nations, dedicated to providing the world with an objective, scientific view of climate change, its natural, political and economic impacts and risks, and possible response options.

PEDL: Petroleum Exploration and Development Licence – is granted by the licensing authority and allows a company to pursue a range of oil and gas exploration activities, subject to necessary drilling / development consents and planning permission. A PEDL does not itself give any direct permission for operations to begin. A PEDL merely grants the licensee exclusivity over an area of land for exploration, appraisal and extraction. The exclusivity applies to both conventional and unconventional operations.

PPP: Preferred Policy Position – in the context of this report, the Scottish Government's preferred policy position is **not** to support the development of onshore unconventional oil and gas in Scotland.

SEA: Strategic Environmental Assessment – required by the Environmental Assessment (Scotland) Act 2005, a Strategic Environmental Assessment is a systematic process, which aims to ensure that environmental considerations are fully integrated into the preparation of plans and programmes prior to their final adoption. It identifies likely significant environmental effects and, where necessary, describes how these effects can be avoided or reduced. Through consultation, the SEA process also provides an opportunity for the public to express their views on proposed policies and their potential environmental impacts.

Executive summary

Introduction (Chapter 1)

1. In accordance with statutory requirements under the Environmental Assessment (Scotland) Act 2005 (hereafter, 'the 2005 Act'), the Scottish Government was required to undertake a Strategic Environmental Assessment (SEA) on its preferred policy position of **not** supporting onshore unconventional oil and gas development in Scotland. The SEA also assessed the likely environmental effects of any 'reasonable alternatives' to the preferred policy position.
2. In Autumn / Winter 2018, the Scottish Government undertook a public consultation on the Strategic Environmental Assessment (SEA) and on a partial Business and Regulatory Impact Assessment (BRIA) relating to the development of unconventional oil and gas in Scotland. The consultation also invited views on the Scottish Government's preferred policy position on this issue.
3. The consultation was carried out between 23 October and 18 December 2018 and included six open questions. The first four questions invited views on aspects of the SEA Environmental Report; the fifth related to the statement of the Scottish Government's preferred policy position; and the sixth related to the partial BRIA.
4. The Scottish Government subsequently published (in April 2019) an addendum to the 2018 consultation. The addendum provided further clarification on points raised in responses to the 2018 consultation, specifically regarding the preferred policy position and its objectives. The addendum also updated the Scottish Government's position on the reasonable alternatives to the preferred policy position, in light of the comments received. Further views were invited on the contents of the addendum, and the latter consultation closed on 25 June 2019.

About the responses and respondents (Chapter 2)

5. The analysis was based on **2,572 responses**. These comprised 329 substantive (i.e. personalised) responses and 2,243 standard campaign responses, submitted by supporters of Friends of the Earth Scotland.
6. Most of the substantive responses (87%) were submitted by individuals; the remainder (13%) were submitted by organisations. The two largest groups of organisational respondents were community councils (29%) and other community groups (also 29%). Responses were also received from public bodies (including local authorities and regulatory bodies) (21%); third sector organisations / non-governmental organisations (7%); and oil and gas business / industry respondents (7%). Note that three of the public body respondents – Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Environment Scotland (HES) – are statutory consultees for SEAs.

Main perspectives and views on methodology (Chapter 3)

7. A substantial number of the responses to individual questions were driven by two underlying – and very different – perspectives on the future of the unconventional oil and gas industry in Scotland and / or the approach to the SEA as follows:

- Community councils and other community groups, third sector organisations, and most individual respondents believed that a full legislative ban on the development of the unconventional oil and gas industry should be introduced. These respondents generally accepted (or at least, did not comment on) the SEA methodology, but thought that the negative impacts of an unconventional oil and gas industry had been underestimated in the SEA Environmental Report.
- Business / industry respondents and a small number of individuals contested the methodological approach which underpinned the SEA. These respondents argued that (i) the SEA did not comply with the provisions of the 2005 Act, (ii) the SEA had not properly taken account of the regulatory environment in which unconventional oil and gas development would take place, and (iii) the definition and assessment of possible options was 'erroneous'. Moreover, they argued that these perceived flaws in the methodology undermined the findings and conclusions of the SEA. In particular, they thought the adverse environmental effects had been overstated / exaggerated.

8. Some organisational respondents – particularly oil and gas business / industry respondents and regulatory bodies (SNH, SEPA and HES) – and a few individuals provided detailed comments about how the SEA had been undertaken. Regulatory bodies generally requested clarification about certain aspects of the methodology, while business / industry respondents were more critical, arguing that the methodology used in the preparation of the Environmental Report did not comply with the 2005 Act.

Accuracy and scope of the SEA information (Chapter 4)

9. The consultation sought views on the accuracy and scope of the environmental baseline information set out in the Environmental Report. A substantial group of respondents (mainly individuals but also a range of organisations) endorsed the information provided in the SEA. This group included all but one of the public sector and regulatory bodies.

10. However, a second substantial group of respondents expressed **concerns about the SEA baseline information**, although the extent and nature of the concerns varied.

11. Among this group, the predominant view expressed was that the SEA information was accurate, but that its scope was not fully comprehensive.

12. The alternative view, expressed by oil and gas business and industry respondents and a handful of individuals, was that the SEA information exhibited 'serious errors, inaccuracies and inconsistencies'.

Predicted environmental effects (Chapter 5)

13. The consultation invited views on the predicted environmental effects of the Scottish Government's preferred policy position and those of the two 'reasonable alternatives'.

14. The predominant view was that the environmental effects set out in the Environmental Report represented, if anything, a rather optimistic view of the likely environmental impacts of the development of the unconventional oil and gas industry. This view was offered by community councils and other community groups, third sector organisations, one local authority and most individuals.

15. The alternative view, expressed by oil and gas business and industry and by a handful of individuals, was that the predicted environmental effects were unsubstantiated and / or exaggerated and did not take into account the tight regulatory environment in which development of the industry would take place.

The reasonable alternatives to the preferred policy position (Chapter 6)

16. As noted above, the 2005 Act requires the SEA to assess the likely significant environmental effects of its preferred policy position. In addition, it also requires an assessment of the likely significant effects of any 'reasonable alternatives' to the preferred policy position, taking into account the objectives and geographical scope of the plan or programme.

17. The Environmental Report recognised that some may regard the development of an onshore unconventional oil and gas industry – which it described as the 'business as usual' option – or a pilot project, as alternatives to the preferred policy position, and assessed both of these alternatives. Respondents were asked for their views about these two 'reasonable alternatives' as outlined in the Environmental Report, and were also asked if any other 'reasonable alternatives' should be considered.

18. The predominant view (expressed by community councils and other community groups, third sector organisations, and most individual respondents) was that both the reasonable alternatives discussed in the Environmental Report had the potential for significant negative environmental impacts. This group of respondents thought neither of the 'reasonable alternatives' would be acceptable to local communities. Some in this group stated that the only reasonable alternative, as far as they were concerned, was a legislative ban on the development of an onshore unconventional oil and gas industry.

19. A different perspective was expressed by business / industry respondents and a small number of individuals. This group thought that neither the 'business as usual' nor the 'pilot project' scenarios were treated in the Environmental Report as serious alternatives. They also queried the 'business as usual' designation used in the report.

Proposals for mitigation and monitoring (Chapter 7)

20. The Environmental Report discussed the range of measures that could be put in place to avoid, reduce or manage the environmental effects of the two 'reasonable alternatives' to the preferred policy position. (The assessment concluded that the preferred policy position would not result in significant negative effects on the environment, and therefore no mitigation procedures were necessary in relation to this.) The report also set out the proposals for monitoring the implementation of the preferred policy position, and for addressing any unforeseen environmental effects. Respondents were asked for their views on the proposals for mitigation and monitoring.

21. The predominant view (expressed by community councils and other community groups, third sector organisations, and most individual respondents) was that the mitigation and / or monitoring measures suggested would **not** be sufficient to reduce the environmental effects to acceptable levels. These respondents thought the only acceptable way forward was to adopt the Scottish Government's preferred policy position and to not support any (further) development of the unconventional oil and gas industry.

22. Business / industry respondents and a handful of individuals believed that the mitigation and / or monitoring arrangements which were already in place and being adopted as standard practice elsewhere in the UK (and more specifically in England) were adequate to deal with any potential hazards caused by unconventional oil and gas extraction.

23. Regulatory bodies were generally content with the mitigation and monitoring arrangements proposed. However, they requested more details of how these arrangements would be applied in practice.

Scottish Government's preferred policy position (Chapter 8)

24. The Scottish Government set out its preferred policy position (PPP) on unconventional oil and gas in a statement issued in December 2017. The statement summarised Scotland's approach to delivering a low carbon economy and described the evidence gathering in relation to unconventional oil and gas which had been undertaken from 2013 onwards. It also made clear that the Scottish Government's preferred policy position did not support the development of unconventional oil and gas. In February 2018, onshore oil and gas licensing powers previously reserved to the UK Government were devolved to the Scottish Government. The Scottish Government position statement was updated in October 2018 to reflect this change, and to confirm that Scottish Ministers would discharge the newly devolved licensing powers in line with their preferred policy position (as stated in December 2017) if that preferred policy position were to be adopted.

25. The consultation invited views on the proposals contained in the Scottish Government's preferred policy position statement.

26. The predominant view expressed by both organisations and individuals was in favour of the Scottish Government's preferred policy position (PPP). The alternative view, expressed by a small number of organisations and individuals, was against. It was common for those who supported the PPP to ask that the Scottish Government go further and implement a full legislative ban on fracking.

Partial Business and Regulatory Impact Assessment (Chapter 9)

27. The partial BRIA set out the policy background relating to onshore unconventional oil and gas in Scotland and the Scottish Government's preferred policy position. It then presented an assessment of the benefits and costs – in terms of businesses, other organisations and the wider economy – of the preferred policy position (referred to as option 1) and the two alternative policy options: that is, 'business as usual' (option 2) and 'pilot project' (option 3).

28. The consultation invited views on the opportunities and challenges that each of the three options offered for businesses.

29. The predominant view was that option 1 (preferred policy position) provided the best basis for certainty and opportunity for investment for the business sector, while also being in line with a commitment to a low carbon economy. This group of respondents also thought that any minimal economic benefits offered by option 2 (business as usual) and option 3 (pilot project) would be outweighed by negative impacts.

30. The alternative view, expressed by business / industry respondents and a few individuals, was that option 2 (business as usual) offered the best opportunities for the

business sector. These respondents thought the partial BRIA had understated the potential positive benefits of option 2, and they queried the assumptions made regarding costs and challenges related to operational practice, regulation and monitoring.

Addendum to the 2018 consultation (Chapter 10)

31. The consultation on the addendum received 98 responses – 15 from organisations and 83 from individuals. Just over half of the organisational responses (8 out of 15) were submitted by community councils and other community groups. Other organisational respondents comprised (i) regulatory bodies (Historic Environment Scotland (HES), Scottish Environment Protection Agency (SEPA), and Scottish Natural Heritage (SNH)); (ii) industry bodies; (iii) a local authority and (iv) a non-governmental organisation (NGO).

32. As in previous consultations on this topic, there was a clear difference in the views expressed by community councils, other community groups, campaign organisations, and most individuals on the one hand, and industry bodies and a small group of individuals on the other.

33. The main concern of both individuals and organisations in the former group was in relation to the Scottish Government's view that new legislation is not necessary to control unconventional oil and gas development.

34. Industry bodies and a small number of individuals who expressed support for the development of an unconventional oil and gas industry in Scotland commented on (what they saw as) inconsistencies in the Scottish Government's discussion of the preferred policy position, the approach used to assess the environmental impacts of the 'reasonable alternatives', and the extent to which mitigation could be used to reduce the impact of unconventional oil and gas development.

35. Regulatory bodies / statutory consultees (SNH, SEPA and HES) made general comments acknowledging the contents of the addendum. These respondents (i) welcomed the clarification provided in the addendum with regard to the consideration of the reasonable alternatives, and (ii) said that they were content that advice provided previously (in response to the 2018 consultation) will be addressed in the Post Adoption Statement, which will be published once the policy has been finalised.

1. Introduction

1.1 In Autumn / Winter 2018, the Scottish Government undertook a public consultation on a Strategic Environmental Assessment (SEA) and a partial Business and Regulatory Impact Assessment (BRIA) relating to the development of unconventional oil and gas in Scotland. The consultation also invited views on the Scottish Government's preferred policy position on this issue.

1.2 In light of some of the views that were expressed in response to the 2018 consultation, the Scottish Government published an addendum to the 2018 consultation in April 2019. The addendum provided further clarification on a number of points raised, specifically regarding the preferred policy position and its objectives. The addendum also updated the Scottish Government's position on the reasonable alternatives to the preferred policy position, in light of the comments received. Further views were invited on the contents of the addendum.

1.3 This report presents the findings of the analysis of responses received to the 2018 consultation, and it also includes an analysis of the views submitted in response to the 2019 addendum.

Policy context

1.4 The Scottish Government has taken a cautious and evidence-led approach in developing its position on the issue of onshore unconventional oil and gas in Scotland. Over a four-year period, from 2013, it established an Independent Expert Scientific Panel and commissioned a range of research reports. Then, in 2017, the Scottish Government undertook a public consultation (*Talking Fracking*), inviting members of the public to comment on the main findings of the research reports, and to give their views on the benefits and risks of developing an unconventional oil and gas industry, including to health, communities, the environment and the economy. The consultation received more than 60,000 responses. Following publication of the report of the analysis in October 2017, the Scottish Parliament voted overwhelmingly to endorse the Scottish Government's preferred policy position of **not** supporting the development of an unconventional oil and gas industry in Scotland.

1.5 In accordance with statutory requirements under the Environmental Assessment (Scotland) Act 2005 (hereafter 'the 2005 Act'), a Strategic Environmental Assessment (SEA) on the Scottish Government's preferred policy position was required to be undertaken. Strategic Environmental Assessment is a systematic process, which aims to ensure that environmental considerations are fully integrated into the preparation of plans and programmes prior to their final adoption. It identifies likely significant environmental effects and, where necessary, describes how these effects can be avoided or reduced. Through consultation, the SEA process also provides an opportunity for the public to express their views on proposed policies and their potential environmental impacts. In the current case, the SEA was used to assess the likely significant environmental effects of the Scottish Government's preferred policy position of **not** supporting onshore unconventional oil and gas development in Scotland. The SEA is also required to assess the likely significant environmental effects of any 'reasonable alternatives' to the preferred policy position.

1.6 In addition, in line with best practice, the Scottish Government also committed to undertake a Business and Regulatory Impact Assessment (BRIA). A BRIA helps to assess

the likely costs, benefits and risks of any proposed primary or secondary legislation, voluntary regulation, code of practice, policy change or guidance that may have an impact on the public, private or third sector.

The consultation

1.7 The Scottish Government has now undertaken an SEA and a partial BRIA in relation to its preferred policy position, and a public consultation was carried out between 23 October and 18 December 2018. The consultation invited views on (i) the Environmental Report produced as part of the SEA process, (ii) the partial BRIA and (iii) a statement of the Scottish Government's preferred policy position. These three documents were made available on the Scottish Government's consultation website.¹

1.8 This consultation was technical in nature. There were six open questions which took the form of '*What are your views on X?*' The first four questions related to the Environmental Report; the fifth related to the statement of the Scottish Government's preferred policy position; and the last related to the partial BRIA:

- Q1: What are your views on the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report?
- Q2: What are your views on the predicted environmental effects as set out in the Environmental Report?
- Q3: What are your views on the 'reasonable alternatives' outlined in the Environmental Report? Please provide any other 'reasonable alternatives' which you think should be considered.
- Q4: What are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?
- Q5: Do you have any views on the proposals contained within the Scottish Government's preferred policy position statement?
- Q6: What are your views on the opportunities and challenges that each of the three options set out in the partial BRIA could have for businesses?

Consultation on the addendum

1.9 In light of some of the comments received in response to the consultation, the Scottish Government published (on 30 April 2019) an addendum. The addendum provided further clarification on a number of points raised in responses to the 2018 consultation. The addendum also updated the Scottish Government's position on the reasonable alternatives to the preferred policy position, in light of the comments received. Specifically, the addendum addressed points regarding: (i) the objectives of the preferred policy position, (ii) the consideration of the 'reasonable alternatives' to the preferred policy position, (iii) the focus on policy, not legislation, and (iv) mitigation.

1.10 Further views were invited on the contents of the addendum, and this latter consultation closed on 25 June 2019.

¹ <https://consult.gov.scot/energy-and-climate-change-directorate/preferred-policy-position-on-uog/>

About the analysis

1.11 Given that all the consultation questions were open questions, the analysis was primarily qualitative in nature. Frequency analysis was undertaken to report the number and types of respondents who took part in the consultation (see Chapter 2); however, the main aim of the analysis was to identify the main themes and the full range of views expressed in relation to each of the six consultation questions, and to draw out areas of agreement and disagreement between different groups of respondents.

1.12 As with all consultations it is important to bear in mind that the views of those who have responded are not representative of the views of the wider population. Individuals (and organisations) who have a keen interest in a topic – and the capacity to respond – are more likely to participate in a consultation than those who do not. This self-selection means that the views of consultation participants cannot be generalised to the wider population.

About the report

1.13 This report contains ten chapters and is structured as follows:

- Chapter 2 presents information about the individuals and organisations that took part in the 2018 consultation.
- Chapter 3 provides an overview of the two main perspectives of the respondents, and discusses a range of issues raised by a small number of respondents in relation to the methodology used to conduct the SEA.
- Chapters 4 to 9 present the results of the analysis for each of the six consultation questions in the 2018 consultation, on a question-by-question basis.
- Chapter 10 presents information about the respondents to the (2019) consultation on the addendum, and the results of the analysis of responses.²

1.14 There are four annexes:

- Annex 1 contains information about a campaign organised by Friends of the Earth Scotland (FoES), and the 'standard campaign' text – i.e. the text provided by FoES to its supporters. This campaign was in response to the 2018 consultation.
- Annex 2 contains a list of the organisational respondents to the 2018 consultation.
- Annex 3 contains details of the number of responses to each of the 2018 consultation questions.
- Annex 4 contains information about the respondents to the consultation on the addendum.

² Note that the analysis of the responses to the addendum was carried out by the first author of this report.

2. About the responses and respondents

2.1 This chapter presents information about (i) the types of responses received by the consultation, and (ii) the consultation respondents.

Number and type of responses received

2.2 Altogether, 2,577 responses were received to the consultation. These comprised:

- 181 responses submitted on the Scottish Government's online response form
- 15 responses submitted by email, post or other route (including relevant correspondence sent to the First Minister's office)
- 2,381 campaign responses (see below, paragraph 2.6)

2.3 The 2,381 campaign responses comprised 2,243 'standard' campaign responses (i.e. responses which reproduced the exact text suggested by the campaign) (94% of all campaign responses), and 138 'non-standard' campaign responses (i.e. responses for which the respondent personalised the text suggested by the campaign in some way) (6% of all campaign responses). For the purposes of the analysis, these non-standard campaign responses have been classified as 'substantive' responses and included in the main analysis database with all the other individual responses received.

2.4 Altogether, therefore, 334 substantive consultation responses were received (181 online responses + 15 email or post responses + 138 non-standard campaign responses).

2.5 Of these 334 responses, five were removed because the respondents (all individuals) had each submitted two responses to the consultation. In one of these five cases the second response was an exact duplicate of the first response; in the remaining four cases the individuals submitted two different responses. The duplicate response was removed, and in the other four cases the two responses were combined to form a single composite response. This aspect of the 'data cleaning' resulted in a final total of 329 substantive responses. Thus, the analysis was based on **2,572 responses**, comprising 329 substantive responses and 2,243 standard campaign responses. (See Table 2.1 below.)

Table 2.1: Responses received, responses removed, and responses included in the analysis

Number of responses received	n
• Non-standard campaign responses	138
• Standard campaign responses	2,243
• Online responses	181
• Responses by email / post	15
Total responses received	2,577
Number of responses removed	
• Duplicate / multiple responses removed	- 5
Total responses removed	- 5
Total responses included in the analysis	2,572

Campaign responses

2.6 The campaign group Friends of the Earth Scotland (FoES) provided a standardised text for their supporters to submit to the First Minister via the FoES website. This was not explicitly advertised as a response to the consultation; as a result, the standard campaign text did not directly address the consultation questions, but instead it called for legislation to be brought forward to “ban fracking in Scotland”. Completion of an online response resulted in a respondent’s comments being sent by email to the Scottish Government. Respondents could simply add their name and contact details to the standard response, and then send their message. Such responses are referred to in this report as **‘standard campaign responses’**, as noted above. Alternatively, respondents could edit the standard campaign text or add their own comments. Again, as noted above, these personalised responses, submitted via the campaign, are referred to in this report as **‘non-standard campaign responses’**.

2.7 Any comments made in non-standard campaign responses which addressed specific consultation questions have been analysed together with other comments submitted in relation to the respective questions.

2.8 Annex 1 contains the full text of the FoES campaign response.

The respondents (substantive responses only)

2.9 Respondents were asked to specify whether they were submitting their response as an individual, or on behalf of an organisation or group. Most respondents (287; 87%) were individuals. (See Table 2.3.)

Table 2.3: Types of respondent

Respondent type	Number	%
Individuals	287	87%
Organisations or groups	42	13%
Total respondents	329	100%

2.10 Table 2.4 provides information about the types of organisations that responded to the consultation. The two largest groups of organisational respondents were community councils (29%) and other community groups (also 29%). Together, these two groups comprised nearly three-fifths of the organisational responses. Responses were also received from public bodies (including local authorities and regulatory bodies) (21%); third sector organisations / non-governmental organisations (7%); and business / industry respondents (7%). A final group of ‘other organisations’ (7%) included a Facebook group, a UK-wide campaign group, and a university research group.

2.11 Note that the public bodies included three organisations that are statutory consultees for Strategic Environmental Assessments. These are Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Environment Scotland (HES).

Table 2.4: Types of organisational respondents

Organisation type	Number	%
Community councils*	12	29%
Other community groups	12	29%
Public bodies	9	21%
Third sector organisations / Non-government organisations	3	7%
Private sector business / oil and gas industry	3	7%
Other organisations**	3	7%
Total organisations	42	100%

* Note that one community council response was signed by 34 community councils.

** 'Other' organisations comprised a Facebook group, a UK-wide campaign group, and a university research group.

2.12 See Annex 2 for a full list of organisational / group respondents.

Responses to individual questions (substantive responses only)

2.13 As has been indicated above, there were 329 substantive responses included in the main analysis database. However, only around half of the respondents (between 47% and 55%) answered each of the individual consultation questions. The reason for this relatively low response rate across all questions is that respondents who submitted non-standard campaign responses did not, in general, provide question-specific comments.

2.14 Annex 3 provides details of the response rates for each of the consultation questions.

3. Main perspectives and views on methodology

3.1 As discussed in Chapter 1, the consultation included six questions about (i) specific aspects of the SEA; (ii) the partial BRIA, and (iii) the preferred policy position. The analysis of respondents' views in relation to each of these questions are set out in Chapters 4 to 9 below.

3.2 This chapter provides an overview of the two main perspectives expressed in the consultation. In general, these two perspectives provided the framework through which respondents offered (in some cases) more specific views in response to individual consultation questions. Where concerns were raised – by regulatory bodies, industry / business respondents and a small number of individuals – in relation to the methodology used to conduct the SEA, these are also discussed in this chapter.

Two main perspectives

3.3 A substantial number of the responses to individual questions were driven by two underlying – and very different – perspectives on the future of the unconventional oil and gas industry in Scotland and / or the approach to the SEA as follows:

- Community councils and other community groups, third sector organisations, and most individual respondents believed that a full legislative ban on the development of the unconventional oil and gas industry should be introduced. These respondents generally accepted (or at least, did not comment on) the SEA methodology, but thought that the negative impacts of an unconventional oil and gas industry had been underestimated in the SEA process.
- Business / industry respondents and a small number of individuals contested the methodological approach which underpinned the SEA. These respondents argued that (i) the SEA did not comply with the provisions of the 2005 Act, (ii) the SEA had not properly taken account of the regulatory environment in which unconventional oil and gas development would take place, and (iii) the definition and assessment of possible options was 'erroneous'. Moreover, they argued that these perceived flaws in the methodology undermined the findings and conclusions of the SEA. In particular, they thought the adverse environmental effects had been overstated / exaggerated.

3.4 A substantial proportion of the respondents (especially individuals), whose views aligned with the first of the two perspectives set out above, did not engage with the consultation questions; instead they simply repeated their overall opposition to the development of an unconventional oil and gas industry and their support for a legislative ban in response to each of the questions without elaborating further.

Views on the SEA methodology

3.5 As noted in Chapter 1, the requirements for conducting an SEA are set out in the Environmental Assessment (Scotland) Act 2005. This Act requires that environmental considerations are fully integrated into the preparation of certain plans and programmes prior to their final adoption. In this case, this required consulting on (i) the likely significant environmental effects of the Scottish Government's preferred policy position of **not** supporting the development of unconventional oil and gas in Scotland, and (ii) any

'reasonable alternatives'. The Environmental Report recognised that some may regard the development of an onshore unconventional oil and gas industry – described in the report as the 'business as usual' option – or a pilot project, as alternatives to the preferred policy position and assessed both these alternatives.

3.6 Some organisational respondents – particularly business / industry respondents and regulatory bodies (SNH, SEPA and HES) – and a few individuals provided detailed comments about how the SEA had been undertaken. These comments were relevant to all consultation questions.

3.7 Both regulatory bodies and business / industry respondents noted that the predicted effects of the preferred policy position were derived (or 'extrapolated') from the findings in relation to the 'reasonable alternatives'. They queried this approach and the conclusions drawn about the effects of the preferred policy position. In particular, they noted that the Environmental Report concluded that the preferred policy position would have significant positive effects; however, as the effects of the preferred policy position were discussed in terms of 'negative effects avoided' rather than as positive effects, respondents argued that it would be more appropriate for them to be assessed as 'neutral'. Furthermore, some respondents commented that the SEA had not assessed a 'do nothing' scenario – i.e. what would happen in the absence of the preferred policy position – and there was a request for clarity about whether the 'business as usual' alternative was intended to represent the 'do nothing' scenario.

3.8 In addition, business / industry respondents highlighted a range of concerns and criticisms in relation to the approach to the SEA as follows:

- The SEA does not treat 'business as usual' and a 'pilot project' as 'serious alternatives'. By not setting out draft alternative planning policy positions, it does not specify the alternatives in sufficient detail, does not fully explore their application or implications, and has not sufficiently assessed the likely effects of the practical implementation of the alternatives.
- The SEA has not assessed Scotland's current and predicted requirements for natural gas and petrochemical feedstock over the next 30 years, and has not explored the impact of meeting those requirements from different domestic and imported sources.
- The SEA has applied the regulatory measures currently in force in Scotland rather than arrangements in force in England, the latter of which were believed to represent best practice in relation to unconventional oil and gas. Moreover, the SEA did not take into account up-to-date best practice regarding operational procedures within the unconventional oil and gas industry.
- The Environmental Report focuses solely on the predicted environmental effects of the preferred policy position **in Scotland**; it ignores effects (positive and negative) which are likely to be produced **elsewhere** as a result of the preferred policy position or the 'reasonable alternatives' considered.

3.9 Given these different issues, industry / business respondents considered that the methodology used in the preparation of the Environmental Report did not comply with section 14 and schedule 3 of the 2005 Act.

4. Accuracy and scope of the SEA information (Q1)

4.1 The SEA process involves, among other things, establishing baseline environmental information relevant to the policy under consideration. As stated in the Environmental Report, the purpose of this baseline is to 'provide a description of the environmental characteristics against which the changes arising from the policy are assessed'. The report goes on to state that it is usual to consider how the baseline would have continued to evolve in the absence of the policy that is being assessed. This means that underlying environmental trends are taken into account.

4.2 The environmental baseline for the SEA addressed the following nine topics: (i) air; (ii) water; (iii) soil; (iv) climatic factors; (v) biodiversity, flora and fauna; (vi) cultural and archaeological heritage; (vii) landscape and geodiversity; (viii) material assets; and (ix) population and human health. Full details of the information included in the baseline for each of these topics was presented in an annex to the SEA, with additional information presented in the sections covering the findings for each topic.

4.3 Views on the accuracy and scope of the baseline information were sought as follows:

Question 1: What are your views on the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report?

4.4 A total of 182 respondents (39 organisations and 143 individuals) commented at Question 1.

Key messages

4.5 A substantial group of respondents (mainly individuals but also a range of organisations) endorsed the information set out in the Environment Report.

4.6 However, a second substantial group of respondents expressed **concerns about the SEA baseline information**, although the extent and nature of the concerns varied. Among this group, the predominant view was that the SEA information was accurate, but that its scope was not fully comprehensive. The alternative view, expressed by oil and gas business and industry respondents and a handful of individuals, was that the SEA information exhibited 'serious errors, inaccuracies and inconsistencies'.

4.7 These views are discussed in further detail below. However, the following should be noted:

- Some respondents (individuals in particular) did not provide any comments on the SEA information but instead used their responses to state their opposition to development of an unconventional oil and gas industry. Such views are not considered in the analysis presented below which concentrates on comments on the accuracy and scope of the SEA information.

- Business / industry respondents and a few individuals provided detailed comments on the approach used in conducting the SEA. These comments have been covered in Chapter 3 and, as far as possible, are not repeated here.

Endorsement of the SEA baseline information

4.8 Those respondents who endorsed the baseline information (mainly individuals but also some community groups, community councils, public and regulatory bodies and third sector organisations) generally provided only brief comments outlining their positive views on the information used, or otherwise commending the Environmental Report. Typically, such respondents said that they were 'happy with', 'confident about' or had 'no problem with' the accuracy and scope of the information, or said that they thought the report was 'comprehensive' or 'non-biased'. In a few cases, respondents stated that their view was based on 'the best of their knowledge', given their limited expertise in the area. Some public bodies noted that previously raised concerns had been satisfactorily addressed.

Concerns about the SEA baseline information

4.9 Those respondents who expressed concerns about the baseline information fell into two main groups:

- Most frequently, respondents (both organisations and individuals) accepted the accuracy of the information but were critical of differing aspects of its scope (i.e. what had and had not been included for individual topics, and the level of detail presented) and / or how the information had been used in Environmental Report. This view was expressed by community councils, other community groups, third sector groups, a single local authority, and a range of individuals.
- An alternative perspective was put forward by industry and business respondents and a few individual respondents. This group of respondents made a range of detailed comments and criticisms about the information included in the Environmental Report relating to its accuracy and how it had been interpreted, the assumptions (operational and economic) underlying the assessment, and the conclusions drawn.

4.10 Respondents made a very wide range of detailed points in their responses and provided references and web links for additional evidence which they thought should have been included in the baseline assessment. The remainder of this chapter further details of the main views expressed.

Acceptance of accuracy but concerns about scope

4.11 Respondents who **accepted the accuracy of the information but who had concerns about aspects of its scope** drew attention to additional evidence and published data from the UK and around the world. This included recently-published evidence (2017 onwards), and covered SEA topics such as health, seismic activity (including information related to unconventional oil and gas operations in Lancashire, England and Groningen in the

Netherlands), operational failure, air pollution, water pollution, land use, climate change (including recent work carried out by the Intergovernmental Panel on Climate Change³).

4.12 Additionally, various respondents highlighted a range of different issues which they felt were not adequately accounted for (or were omitted) in the SEA baseline. These included:

- Specific issues such as health impacts (including mental health), air, noise and light pollution, carbon emissions, seismic activity (and the impact on pre-existing underground mining works), structural damage to buildings (and the liabilities arising therefrom), disposal of NORM (naturally occurring radioactive material) waste, the impact of abandoned installations, the environmental impact of increased mining for frac sand (a type of sand used to help open underground cracks during the hydraulic fracturing process), impacts on biodiversity, flora and fauna
- The social and community impacts of unconventional oil and gas extraction – it was argued that the justification for excluding this from the SEA was not clear, and that the inclusion of ‘place-based’ impacts on communities was merited and in line with guidance set out in the Scottish Government’s 2014 Scottish Planning Policy statement⁴
- The risk of inadequate industry standards and operational failure and accidents, and evidence on this from around the world
- The wider climate change context and the need to limit carbon emissions
- The characteristics of specific PEDL areas (including the presence of historic mining works)
- The existence of Community Charters in PEDL areas.⁵

4.13 Looking ahead, some respondents in this group emphasised the importance of establishing a robust independent baseline to allow for effective future monitoring.

Concerns about accuracy, interpretation and underlying assumptions

4.14 Business / industry respondents and a few individuals argued that the information used exhibited ‘serious errors, inaccuracies and inconsistencies’. These respondents offered a wide range of comments about the evidence included in the SEA, the assumptions underlying the assessment and the conclusions drawn, as outlined below:

- Evidence: A range of detailed points were highlighted by respondents. For example, they thought that the SEA and / or the evidence it drew on had:

³ Intergovernmental Panel on Climate Change (IPCC) (2018) *Special Report on Global Warming of 1.5* <https://www.ipcc.ch/sr15/>

⁴ Scottish Government (2014) Scottish Planning Policy. See <https://www.gov.scot/publications/scottish-planning-policy/>

⁵ Community Charters provide a statement of what residents value and wish to safeguard in their local areas, and set out related rights and responsibilities..(See: <https://www.communitychartering.org/>.)

- Drawn selectively from evidence (including from the KPMG report commissioned by the Scottish Government⁶ and work carried out for SEPA⁷)
 - Not taken a UK-wide or global perspective in assessing environmental costs and benefits and, in particular, had not accounted for potential imports in the calculation of carbon emissions
 - Incorrectly applied evidence on super-emitters (i.e. large-scale gas production sites that account for a disproportionate share of methane emissions) to the Scottish context
 - Failed to consider coalbed methane (CBM) and underground coal gasification (UCG) separately, and make CBM-specific situations clear
 - Not included relevant evidence relating to offshore practices
 - Not taken account of evidence on the impact of existing onshore wells in Scotland
 - Not provided sufficient information on the proposed pilot project to allow proper assessment.
- Assumptions: Respondents thought that the discussion of unconventional oil and gas operations and related mitigation processes and regulatory approaches did not reflect up-to-date practice and procedures in the UK. (These issues are covered in further detail in Chapter 7 in relation to Question 4).
 - Conclusions: There was a view that the SEA conclusions were not evidence based. Additionally, it was argued that the SEA carried out by the UK Government Department of Environment and Climate Change (DECC) for the 14th PEDL Round should have been referenced in the Environmental Report, and that an explanation of how the Scottish Government's current SEA had reached different conclusions to those reported by DECC should have been provided. (See again Chapter 7 for further detail.)

Other concerns about the SEA baseline information

4.15 In a few cases, respondents (all individuals) simply provided brief comments describing the baseline information or the Environmental Report as 'inadequate', 'insufficient' or 'inaccessible', or they expressed scepticism about the information and the report because of the possibility of bias and the potential impact of 'vested interests'.

⁶ KPMG (2016) *Economic impact assessment and scenario development of unconventional oil and gas in Scotland*. See <https://www.gov.scot/publications/unconventional-oil-gas-economic-impact-assessment-scenario-development-unconventional-oil/>

⁷ CE Bond, J Roberts, A Hastings et al (2014) Life-cycle assessment of greenhouse gas emissions from unconventional gas in Scotland. A ClimateXChange Report, Scotland. See: https://www.climateexchange.org.uk/media/1572/life-cycle_assessment_of_greenhouse_gas_emissions_from_unconventional_gas_in_scotland_non-technical_summary.pdf

5. Views on the predicted environmental effects (Q2)

5.1 Sections 5–13 of the Environmental Report set out an assessment of the predicted environmental effects in relation to the (nine) SEA topic areas⁸ – for both the preferred policy position and for the ‘reasonable alternatives’. These effects were summarised in section 14 of the Environmental Report. A Non-Technical Summary of the SEA findings was also provided. Question 2 in the consultation document asked for views on the predicted environmental effects.

Question 2: What are your views on the predicted environmental effects as set out in the Environmental Report?

5.2 A total of 175 respondents (37 organisations and 138 individuals) commented at Question 2.

Key messages

5.3 The predominant view was that the environmental effects set out in the Environmental Report represented, if anything, a rather optimistic view of the likely environmental impacts of the development of the unconventional oil and gas industry. This view was expressed by community councils and other community groups, third sector organisations, one local authority and most individuals. The alternative view, expressed by oil and gas business and industry respondents and by a handful of individuals, was that the predicted environmental effects were unsubstantiated and / or exaggerated and did not take into account the tight regulatory environment in which development of the industry would take place.

5.4 The main issues raised by respondents are discussed below. The following should be noted:

- A range of both organisational and individual respondents, but particularly public sector organisations, simply said they ‘agreed with the assessments in the Environmental Report’, thought these were ‘well considered and articulated’ and ‘were consistent with other measurements and approaches’, but did not elaborate further. Thus no further analysis is possible in respect of these responses.
- A wide range of respondents did not engage directly with the question but simply reiterated their views that the development of unconventional oil and gas was too risky and dangerous to be pursued; a ‘precautionary approach’ was required given the uncertainties involved; and developing unconventional oil and gas would make Scotland’s climate change targets harder to achieve. These respondents thought that the development of an unconventional oil and gas industry should be opposed in any circumstances; and that the Scottish Government’s preferred policy position should be supported / adopted. These comments have been addressed elsewhere in this report and are not repeated here.

⁸ As set out in paragraph 4.2, the nine SEA topic areas considered were: (i) air; (ii) water; (iii) soil; (iv) climatic factors; (v) biodiversity, flora and fauna; (vi) cultural and archaeological heritage; (vii) landscape and geodiversity; (viii) material assets; and (ix) population and human health.

Predicted environmental effects are underestimated / understated

5.5 It was common for both organisational and individual respondents to say that they 'agreed' or 'supported' or 'fully agreed' or 'fully supported' the assessment of the predicted environmental effects as set out in the Environmental Report. However, they then went on to say they thought the conclusions (i) 'did not go far enough' or were 'overly cautious' in identifying the (damaging) environmental impacts or (ii) were based on evidence which was now 'out of date'. This view – that the predicted environmental effects set out in the Environmental Report are underestimated – was offered by community councils and other community groups, third sector organisations, one local authority and most individuals.

5.6 All areas covered in the Environmental Report were mentioned in relation to the view that the predicted environmental effects were understated. The 'impact types' mentioned most often in this regard were: air quality and air pollution; water and soil pollution; noise pollution (from heavy traffic); odour nuisance; methane emissions ('fugitive emissions'); impacts on human health / public health (including public safety); biodiversity; impacts on landscape and cultural heritage; seismicity; greenhouse gas emissions and climate change.⁹ Respondents emphasised that the effects of developing the unconventional oil and gas industry on these topic areas would be highly detrimental and, in some cases, they cited (additional) evidence to support their contentions (see Chapter 3).

5.7 The comments on human health focused on the health and welfare of the local populations directly affected. There was reference to the potential for birth defects, and to negative impacts on mental health and wellbeing due to stress as well as to noise, light and other environmental pollution. Respondents argued that the public health and mental health impacts had been given a low priority in the SEA process, and that the expertise to judge these was missing from the list of authors of the Environmental Report. Some of these respondents particularly highlighted the negative impacts on the health and wellbeing of children.

5.8 There was an especially strong focus on the issue of climate change. Repeated references were made to the report published by the IPCC in October 2018 and to the importance of stepping up efforts to meet the targets for the reduction of greenhouse gas emissions set out by the Scottish Government. Pursuing unconventional oil and gas development was seen as being completely inconsistent with the Scottish Government's climate change objectives. Respondents thought that the IPCC report reinforced the SEA and provided new reasons to support the SEA conclusions.

5.9 One individual who described himself as a professional engineer raised specific questions in relation to a number of elements of the environmental assessment, which he thought underplayed the risks / impacts. This respondent was of the view that whilst the report assumed that wells need to last around 20 years, in fact the lifespan would need to be measured in thousands of years if contamination was to be contained.

⁹ The Environmental Report identified 34 'impact types' in total. (See Table 14.1 of the Environmental Report for the complete list.)

Predicted environmental effects are exaggerated / overstated

5.10 All business / industry organisational respondents, and a small number of individual respondents thought that the predicted environmental effects set out in the Environmental Report were 'overstated', 'exaggerated', 'incomplete' and / or 'unsubstantiated'.

5.11 The main issue identified by these respondents was that, in their view, the assessments reported in the Environmental Report did not take account of existing planning procedures or the systems which are currently in place (in England) to monitor and mitigate industry risks. Organisational respondents listed a wide range of mitigation measures currently undertaken by UOG companies (in England) (including undertaking baseline assessments, utilising 'zero bleed' pneumatic controllers, transportation of flowback fluid to a licensed waste handler, etc.) which they thought could be, and should be, applied in Scotland. Moreover, these respondents argued that comparisons with the US are not relevant, since the regulatory controls are much less stringent there.

5.12 This group of respondents went on to argue that if the 'proper' mitigation processes (i.e. those currently applied in England) were applied, the risks would be 'negligible' or at worst 'minor negative' in most cases.

5.13 Respondents who thought the predicted environmental effects were overstated also made a number of other points about the assessment, including the following:

- No conclusions about the environmental impacts can be drawn unless and until a number of test sites have been commissioned, monitored, and evaluated.
- The assessment that the preferred policy position would mean an effective ban on unconventional oil and gas development in Scotland was incorrect given the recent legal ruling.¹⁰
- It is not clear why the SEA concludes that there is not enough data to assess whether or not shale oil and gas produced in Scotland would provide a net environmental benefit as compared to oil and gas produced elsewhere.
- Outsourcing to other countries the negative environmental aspects of providing oil and gas to the Scottish economy might make the Scottish Government's climate change targets easier to achieve, but the rest of the world will suffer.
- The probability of any of the identified risks occurring has not been discussed.

5.14 In addition, one respondent questioned what they saw as the underlying assumption of the SEA that onshore oil and gas is the only sector which could have a negative impact on the environment. In their view, many other sectors could also cause such impacts.

¹⁰ The legal ruling referred to here relates to a petition to the Court of Session (Outer House) brought by INEOS Upstream Ltd. and another (petitioners) and Friends of the Earth Scotland (interveners) against The Lord Advocate, 19 June 2018. Scottish Courts Reference: [2018] CSOH 66. See <https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2018csoh66.pdf?sfvrsn=0>

6. The reasonable alternatives to the preferred policy position (Q3)

6.1 The 2005 Act requires that the Scottish Government assess the likely significant environmental effects of its preferred policy position. In addition, it also requires an assessment of the likely significant effects of any 'reasonable alternatives' to the preferred policy position, taking into account the objectives and geographical scope of the plan or programme. The Environmental Report set out two 'reasonable alternatives' – 'business as usual' (which would relate to the development of an unconventional oil and gas industry) and a 'pilot project' (subject to the relevant licensing and permitting regimes). These two 'reasonable alternatives' are described fully in Chapter 3.

6.2 Respondents were asked for their views about these two 'reasonable alternatives', and were also asked if any other reasonable alternatives should be considered.

Question 3: What are your views on the 'reasonable alternatives' outlined in the Environmental Report? Please provide any other 'reasonable alternatives' which you think should be considered.

6.3 Altogether, 164 respondents (35 organisations and 129 individuals) commented at Question 3.

Key messages

6.4 There were two main perspectives in the comments offered at Question 3.

- The predominant view (expressed by community councils and other community groups, third sector organisations, and most individual respondents) was that both the reasonable alternatives discussed in the Environmental Report had the potential for significant negative environmental impacts. This group of respondents thought neither of the 'reasonable alternatives' would be acceptable to local communities. Some in this group stated that the only reasonable alternative, as far as they were concerned, was a legislative ban on the development of an onshore unconventional oil and gas industry.
- A second perspective was expressed by business / industry respondents and a small number of individuals. This group thought that neither the 'business as usual' nor the 'pilot project' scenarios were treated in the Environmental Report as serious alternatives. They also queried the 'business as usual' designation used in the report.

6.5 In addition, regulatory bodies (SEPA, SNH and HES) highlighted a lack of clarity in relation to the terminology used to describe the 'reasonable alternatives' in the Environmental Report.

6.6 Each of these perspectives is discussed further below, followed by a summary of any additional 'reasonable alternatives' suggested by respondents.

6.7 Note that, in their comments at Question 3, business / industry respondents made a range of critical comments regarding the methodology used in the SEA for describing and assessing the ‘reasonable alternatives’. In addition, regulatory bodies queried certain aspects of the way in which the ‘reasonable alternatives’ were defined, and they requested clarity about whether the ‘business as usual’ alternative was intended to represent the ‘do nothing’ scenario. These, and other issues related to the methodology, have been discussed in Chapter 3 (paragraphs 3.5 to 3.9) and are not repeated here.

Views on the ‘reasonable alternatives’

The predominant view on the ‘reasonable alternatives’

6.8 Community councils and other community groups, third sector organisations and most individual respondents generally expressed concern about both the ‘business as usual’ and ‘pilot project’ scenarios discussed in the Environmental Report. This group believed that the adverse impacts of either of these alternatives were likely to be far greater than those stated in the report.

6.9 A recurring view within this group was that the KPMG report (which provides the basis for the assessment of impact for both alternatives) substantially underestimates the number of wells that would be needed to develop an unconventional oil and gas industry.¹¹

6.10 In relation to the ‘pilot project’ scenario, this group argued that (i) the risks of such a project are likely to far outweigh any perceived benefits, (ii) any learning acquired from the project (particularly in relation to public health impacts) were unlikely to be sufficient to enable a wider public health assessment of the technology since it would take considerable time for such impacts to appear, and (iii) the only possible reason for conducting such a project would be to prepare for the wider development of an unconventional oil and gas industry, which they considered to be unacceptable. Less often, respondents in this group commented that:

- The Environmental Report had insufficiently differentiated between the risks that may arise in undertaking a pilot project in the three different types of settlement (rural, semi-rural, urban fringe).
- The Environmental Report should have also considered the impacts of a pilot project on small rural roads, and not merely on the trunk road network. Thus, these respondents challenged the report’s assessment that the impact of a pilot project on transport infrastructure would be ‘negligible’.

6.11 Respondents in this group frequently emphasised the ‘climate imperative’ which, in their view, made it clear that unconventional oil and gas extraction could not be permitted to proceed. They considered that only the Scottish Government’s preferred policy position was consistent with the Scottish Government’s commitments to tackling climate change.

Other views on the ‘reasonable alternatives’

6.12 The two other perspectives voiced in relation to Question 3 came from business / industry respondents and regulatory bodies as follows:

¹¹ KPMG (2016) *Economic impact assessment and scenario development of unconventional oil and gas in Scotland*. See <https://www.gov.scot/publications/unconventional-oil-gas-economic-impact-assessment-scenario-development-unconventional-oil/>

- Business / industry respondents argued that neither the ‘business as usual’ scenario nor the ‘pilot project’ scenario were treated as serious proposals, since there was insufficient specification of these options and explanation how they might be applied in practice. (These respondents thought this was required by the 2005 Act.) They also noted that the Environmental Report had not discussed what changes in legislation would be required to allow either of the options to proceed. These respondents suggested that existing and historical data from oil and gas drilling and production activity in Scotland should have informed the development of the ‘pilot project’ option. They also argued that the ‘business as usual’ designation should be associated – not with a development of an onshore oil and gas industry – but rather with the continuation of the Scottish Government’s current position on onshore oil and gas.
- Regulatory bodies (SEPA, SNH and HES) highlighted a lack of clarity about the terminology in the Environmental Report relating to the ‘reasonable alternatives’. This group suggested that the statement in the report that ‘the Scottish Government is not minded to view these [i.e. the two ‘reasonable alternatives’] as reasonable alternatives’ was confusing, since they were then referred to throughout the report as ‘reasonable alternatives’.

Other possible ‘reasonable alternatives’

6.13 There were few specific suggestions about other ‘reasonable alternatives’ that could be considered as part of the SEA process.

6.14 The main suggestion was that other ‘reasonable alternatives’ could have included a legislative ban on the development of an onshore unconventional oil and gas industry. This view was expressed by community councils and other community bodies, third sector organisations and most individuals. Respondents saw a legislative ban as necessary to reduce the risk of a future government overturning a non-statutory ban.

6.15 Other ‘reasonable alternatives’ suggested by this group included: (i) greater investment in renewable energy (hydro, wind, etc.) and (ii) ceasing all oil and gas extraction. One local authority – although not calling explicitly for a ban on the development of an onshore unconventional oil and gas industry – also suggested that a ‘reasonable alternative’ could have included enhancing efforts to make a ‘fundamental transition to a lower carbon future’. Those who suggested these options argued that any ‘reasonable alternative’ to the Scottish Government’s preferred policy position must reduce carbon-dioxide emissions and methane production.

6.16 Business / industry respondents suggested that the SEA should assess a scenario which involves supplying natural gas and feedstock exclusively and directly to the petrochemical industry in Scotland. In their view, this proposal would require a bespoke planning policy statement.

7. Proposals for mitigation and monitoring (Q4)

7.1 The Environmental Report summarised the findings of the Strategic Environmental Assessment (SEA). It addressed the questions of (i) what would happen to the environment without the preferred policy position, and (ii) what the environmental implications of the preferred policy position would be. It also discussed the range of measures that could be put in place to avoid, reduce or manage the environmental effects of the two 'reasonable alternatives' to the preferred policy position. (The assessment concluded that the preferred policy position would not result in significant negative effects on the environment, and therefore no mitigation procedures were necessary in relation to this.) Finally, the report set out the proposals for monitoring the implementation of the preferred policy position, and for addressing any unforeseen environmental effects.

7.2 Respondents were asked for their views on these different aspects of the SEA – i.e. the findings of the SEA, and the proposals for mitigation and monitoring.

Question 4: What are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?

7.3 Altogether, 163 respondents (33 organisations and 133 individuals) commented at Question 4.

7.4 With regards to the findings of the SEA, there was substantial overlap in the views expressed at Question 4, with those expressed at Questions 1 and 2. The analysis of these views has been presented already in Chapters 4 and 5 and is not repeated here. This chapter therefore focuses on the views expressed in relation to the proposals for mitigation and monitoring.

Key messages

7.5 There were three main messages in the comments offered in relation to mitigation and monitoring as follows:

- The predominant view (expressed by community councils and other community groups, third sector organisations, and most individual respondents) was that the mitigation and / or monitoring measures suggested in relation to the 'reasonable alternatives' would **not** be sufficient to reduce the environmental effects to acceptable levels. These respondents thought the only acceptable way forward was to adopt the Scottish Government's preferred policy position and to not support any (further) development of the unconventional oil and gas industry.
- Business / industry respondents and a handful of individuals believed that the mitigation and / or monitoring arrangements should be based on existing best practice. In particular, they thought the arrangements which were already in place elsewhere in the UK (and more specifically in England) were adequate to deal with any potential hazards linked to unconventional oil and gas extraction.

- Regulatory bodies were generally content with the mitigation and monitoring arrangements proposed. However, they requested more details of how aspects of these arrangements would be applied in practice, to be set out in the SEA Post-Adoption Statement.¹²

7.6 Each of these three perspectives are discussed in more detail below.

7.7 As set out above, the Environmental Report explained that because the preferred policy position would not result in any potentially significant negative effects, mitigation measures were only identified for the 'reasonable alternatives', while the monitoring arrangements would be applied in relation to the policy position as adopted. However, it was common for respondents (both organisations and individuals) not to make these distinctions, and simply to talk about 'mitigation and monitoring' in general. The analysis below therefore discusses mitigation and monitoring together. Where distinctions were made by respondents, these have been highlighted.

Proposals for mitigation and / or monitoring are insufficient

7.8 Respondents who concurred with the predominant view (that the proposals for mitigation and / or monitoring of the 'reasonable alternatives' set out in the Environmental Report are inadequate) made a range of points in support of their view. They thought that:

- Monitoring can identify problems but cannot solve them. It can give recourse to legal action or compensation, but it cannot address the environmental harms themselves which are likely to be irreversible. Prevention is critical, and anything which requires mitigation should not go ahead.
- The regulatory authorities are under-resourced and do not have sufficient capacity, or sufficient powers to enforce regulations. The challenge of securing regular site inspections by an adequately resourced, trained and independent workforce should not be underestimated. Moreover, the proposals were seen as 'piecemeal' with different mitigation and monitoring measures proposed for each site; this would make the task of regulatory enforcement particularly challenging.
- The development of protocols and mandatory practices would require a significant upgrade / update of relevant environmental legislation. This would be a resource intensive and costly exercise.
- Many of the mitigation measures proposed rely on immature / experimental technologies. Respondents thought the assessment of what could be achieved was over-optimistic, and they were sceptical that these technologies would deliver what is required.
- There would need to be a substantial effort to monitor wells following decommissioning, to avoid the impacts of leakage. Respondents suggested that there have been problems in the past in relation to information disclosure following the decommissioning of wells, and these have not been successfully addressed through existing monitoring arrangements.

¹² The 2005 Act requires a statement to be published after the adoption of a relevant plan which sets out how the Environmental Report and the opinions expressed on it have been taken into account.

- Given all the uncertainties, and the fact that this is a relatively new industrial process, it is not possible to identify in advance the nature and quality of the mitigation and monitoring required.

7.9 Respondents who expressed the predominant view also noted concerns about a range of the specific mitigation measures proposed. In particular, respondents thought that (i) it was not appropriate to re-inject waste water into an empty gas field as this is a major cause of seismic activity; (ii) using pipelines would not reduce vehicle movements given the increased traffic required to install them; and (iii) planning regulations cannot prevent small sites being acquired without the requirement for an Environmental Impact Assessment, but then being amalgamated to form a larger site.

Mitigation and monitoring arrangements should be based on existing best practice

7.10 Oil and gas business and industry respondents and a small number of individuals argued that the Environmental Report should have assumed that the regulatory controls currently in place in England would be applied in Scotland.¹³ Therefore, these respondents argued that the assessments presented in the SEA (which are based on the regulatory system currently in place in Scotland) were ‘incorrect’, as they did not take into account the mitigation and monitoring arrangements that have been widely adopted elsewhere in the UK. This group of respondents thought that if the assessment had assumed the application of the regulatory controls currently in place in England, then the risks / predicted environmental impacts associated with unconventional oil and gas would have been assessed as negligible.

7.11 These respondents discussed in detail the range of regulatory controls which were in place in England with regard to each of the (nine) SEA topics under consideration. (See also Chapter 5, paragraph 5.11.) They went on to quote the statement put out by the UK Government Department of Energy and Climate Change that ‘existing regulatory requirements, provided they are followed, will ensure that effects at the project level will be identified, assessed and mitigated to an acceptable level’, and they asked why the Scottish Government does not concur with this view.

7.12 Finally, these respondents thought that the SEA had not made clear what improvements to current unconventional oil and gas operational practices were required in order to satisfy the Scottish Government.

Request for further clarification

7.13 Regulatory bodies were generally content with the mitigation and monitoring arrangements proposed. However, they requested more clarification in the Post-Adoption Statement in relation to (i) the mechanism for implementation of the mitigation arrangements; (ii) the mitigation measures set out in the six research projects into unconventional oil and gas commissioned by the Scottish Government which examined specific issues; (iii) the plans for considering issues which fall outside the scope of existing regulation; and (iv) the arrangements for monitoring the effects of importing oil and gas products (under any scenario).

¹³ Note that the scope of the SEA is specific to Scotland, and the assumptions in the Environmental Report are therefore based on the regulatory controls currently in place in Scotland.

Other views

7.14 A range of respondents, with differing views on the adequacy (or not) of the proposed mitigation and monitoring arrangements, commented on the potential costs of any (new or improved) regulatory system. These respondents emphasised the importance of ensuring that any system was cost-effective.

8. Scottish Government's preferred policy position (Q5)

8.1 In December 2017 the Scottish Government issued a statement setting out its preferred policy position (PPP) on unconventional oil and gas. The statement summarised Scotland's approach to delivering a low carbon economy and described the evidence gathering in relation to unconventional oil and gas which had been undertaken from 2013 onwards.

8.2 The statement explained that, following consideration of the initial findings of the Expert Scientific Panel, a moratorium on unconventional oil and gas extraction was introduced in January 2015 and implemented through the Scottish planning system.¹⁴ The introduction of the moratorium provided an opportunity to undertake further research, public engagement and dialogue. Following this period of evidence gathering, the position statement concluded that, 'the research we have commissioned and considered does not provide a strong enough basis from which to address communities' concerns'. Therefore, in its December 2017 position statement, the Scottish Government confirmed their preferred policy position of (i) not supporting the development of unconventional oil and gas in Scotland and (ii) requiring that the Planning Direction of 2015 would remain in force.

8.3 In February 2018, onshore oil and gas licensing powers previously reserved to the UK Government were devolved to the Scottish Government. The Scottish Government position statement was updated in October 2018 to reflect this change, and to confirm that Scottish Ministers would discharge the newly devolved licensing powers in line with their preferred policy position (as stated in December 2017) if that preferred position were to be adopted.

Question 5: Do you have any views on the proposals contained within the Scottish Government's preferred policy position statement?

8.4 A total of 169 respondents (40 organisations and 129 individuals) commented at Question 5.

Key messages

8.5 The predominant view expressed by both organisations and individuals was in favour of the Scottish Government's preferred policy position (PPP). The alternative view, expressed by a small number of organisations and individuals, was against. It was common for those who supported the PPP to ask the Scottish Government to go further and implement a full legislative ban on fracking.

8.6 The main issues raised by respondents are discussed below.

¹⁴ A further Direction was issued in October 2015 which confirmed that the moratorium did not include the drilling of boreholes solely for the purposes of core sampling.

Views in favour of the Scottish Government's preferred policy position

8.7 Respondents who were in favour of the PPP reiterated their views that fracking should not be allowed in Scotland. As well as giving their support to the PPP, a range of these respondents also explicitly agreed that the PPP should be included in the National Planning Framework and recommended that the PPP should 'move towards finalisation'. Key messages from this group were that:

- Fracking is too dangerous to be allowed in Scotland.
- Shale oil and gas are not transitional fuels.
- Fracking will not help Scotland to achieve its climate change targets.
- Scotland should show leadership by banning fracking.

8.8 Moreover, a range of these respondents thought that the report published by the IPCC in October 2018, which updated the predictions on climate change, reinforced the importance of implementing the PPP.

8.9 The main concern expressed by those who supported the PPP was that the position 'not to support the development of unconventional oil and gas in Scotland' did not go far enough. These respondents argued that a ban, enshrined in legislation, was required. The reasons offered for this position were that:

- The Scottish Government must ensure that its position cannot be overturned by a future Scottish government and / or overruled by the UK Government.
- Communities do not have the resources to fight court challenges by international corporations or to use local planning laws to combat applications for onshore oil and gas exploration, and they should not be expected to do this.
- Scotland has devolved powers in relation to the licensing of onshore oil and gas developments, and it should use these to implement a total ban.
- Only a permanent statutory ban can offer assurance to communities potentially affected by fracking.

8.10 Respondents who were in favour of the PPP requested a number of additions to the final position statement including:

- The timelines leading to the discharge of the Scottish Government's powers
- An explanation of the phrase 'discharge of powers' – does this refer to the revoking of licences or something else?
- The reasoning in relation to the July 2018 extension of (and any future determination in relation to) PEDL 162
- Specific reference to the inclusion of underground coal gasification in any ban
- A clear articulation of the environmental legislation to be enacted to meet the intent of the Paris Agreement.

Views against the Scottish Government's preferred policy position

8.11 Business / industry / respondents and a small number of individual respondents were opposed to the PPP. Their arguments for holding these views included that:

- The PPP cannot be submitted for adoption unless it has been subjected to an environmental assessment in line with the 2005 Act; this has not been achieved.
- To **not** develop an unconventional oil and gas industry in Scotland would mean that Scotland would (continue to) rely on imported fossil fuels. This reliance on imported unconventional oil and gas would be incompatible with the Scottish Government's climate change targets and / or draft Energy Strategy.
- The PPP was not consistent with the Scottish Government's support for 'tight unconventional offshore plays'.
- The use of a 'perverse carbon accounting system' (which incentivises the importing of higher carbon fuels) is disingenuous.
- The PPP will not bring about the benefits identified in the position statement (e.g. increase in attractiveness of business opportunities, certainty for interested parties) and adopting the PPP would not mean PEDL licence holders in Scotland might (re)consider the hydrocarbon resource they wish to target.
- Whilst the PPP has been described by the Scottish Government as having the effect of bringing about 'an immediate and effective ban', this is not in fact the case; even if the PPP is adopted, Scottish Ministers will still be able to grant planning permission for individual applications.
- Adopting the PPP will increase the Scottish Government's reputation for being 'against science'.

8.12 In addition, these respondents emphasised that the PPP should include compensation for (current) licence holders as a result of breach of contract, and should also acknowledge that the cost of decommissioning extant wells will fall to the Scottish Government. Further, they wished a formal note to be produced explaining how a finalised policy of 'no support' would be expected to be applied in practice; this note should also be issued for consultation before the SEA process is finalised.

8.13 There was limited comment offered by the small number of individual respondents who did not support the PPP. One individual thought that 'limited fracking should be allowed', whilst another expressed the view that the development of this sector was necessary for Scotland's economic prosperity and employment potential.

Other views and issues

8.14 One community council suggested that the Scottish Government should adopt a 'wait and see' approach; this organisation argued that there was no urgency to develop fracking now, and it made more sense to decide later, once more evidence had accumulated. The key issue for this respondent was to ensure that communities had a major say in whether fracking proceeded in their area or not.

9. The partial BRIA (Q6)

9.1 The SEA and preferred policy position were accompanied by a partial BRIA (Business and Regulatory Impact Assessment). A BRIA sets out an assessment of the potential impact (costs and benefits) of a proposed policy on businesses and other relevant organisations.

9.2 The partial BRIA set out the policy background relating to onshore unconventional oil and gas in Scotland and the Scottish Government's preferred policy position. It then presented an assessment of the benefits and costs, in terms of businesses, other organisations and the wider economy, of the preferred policy position (referred to as option 1) and the two alternative policy options: that is, 'business as usual' (option 2) and 'pilot project' (option 3). Question 6 asked for views as follows:

Question 6: What are your views on the opportunities and challenges that each of the 3 options set out in the partial BRIA could have for businesses?

9.3 Altogether, 156 respondents (31 organisations and 125 individuals) commented at Question 6.

9.4 Respondents offered a range of points relating to the opportunities and costs of the three options considered in the partial BRIA. In many cases, the points made reflected, or repeated, points already made with regard to the SEA more generally.

Key messages

9.5 Overall, across the three options, the predominant view was that option 1 (preferred policy position) provided the best basis for certainty and opportunity for investment for the business sector, while also being in line with a commitment to a low-carbon economy. These respondents also thought that any minimal economic benefits offered by option 2 (business as usual) and option 3 (pilot project) would be outweighed by negative impacts.

9.6 The alternative view, expressed by business / industry respondents and a few individuals, was that option 2 (business as usual) offered the best opportunities for the business sector. They thought the partial BRIA had understated the potential positive benefits of option 2, and they queried the assumptions made regarding costs and challenges related to operational practice, regulation and monitoring.

9.7 The main issues raised by respondents are discussed in the sections below which provide a summary of the comments on each of the options in turn.

9.8 The following should be noted:

- A range of respondents offered views on the three options, or noted their preferred option, without giving any substantive comment on the opportunities and challenges for businesses or other organisations, or on the assessment provided in the partial BRIA.

- A few respondents, all individuals, expressed the view that business would adapt and evolve, whatever the final decision regarding the development of the unconventional oil and gas industry.

9.9 The views of these respondents are not included in the analysis presented below which focuses on the views of those who commented on the opportunities and challenges for businesses and other organisations of each of the three options.

Opportunities and challenges of option 1 (preferred policy option)

9.10 The partial BRIA assessment noted that option 1 would bring benefits in terms of certainty to communities and industry stakeholders and relevant public bodies, while still giving businesses the option of targeting other hydrocarbon resources. A further benefit of option 1 was noted to be the possibility of increased attractiveness of investment in other industries. Identified costs (for unconventional oil and gas businesses and the wider economy) related to the lost opportunity to pursue planned projects, and the related decommissioning and after care costs of sites. Costs to public bodies were identified as negligible. Respondents' comments on these opportunities and costs are summarised below.

9.11 There were two main viewpoints on the **opportunities and challenges of option 1 (the preferred policy position)**, as follows:

- The predominant view (expressed by a range of organisations and most individuals) was that option 1 would remove uncertainty for both communities and business (including those involved in the unconventional oil and gas industry), and would create opportunities for the development of other businesses – including those related to the renewable energy and low carbon technology sectors, and those that made use of Scotland's natural environment (e.g. tourism, farming and the food and drink industry). It was thought that opportunities for other businesses would compensate for any lost opportunity in the onshore oil and gas sector. Respondents said that this option was the only one compatible with a low-carbon economy, and would provide the best environment for a range of businesses to thrive.
- Business / industry respondents and a few individuals disagreed that this option would bring certainty, given that the proposed planning policy could be set aside at any time in the future. Rather, they argued that the adoption of the preferred policy position would bring about the effective shutdown of the onshore industry in Scotland and would have wider economic repercussions in terms of reputational cost for Scotland regarding its commitment to science and technology, and its ability to attract investment in this sector. Moreover, they did not think that option 1 would lead to investment in other sectors. These respondents also highlighted a range of issues which they thought had not been properly accounted for in the partial BRIA: (i) the cost (environmental as well as economic) of importing gas and feedstock to replace that which have might have been sourced in Scotland; (ii) the cost to the chemical industry of importing feedstock; (iii) the lost opportunity for supply chain investment, and (iv) the potential (negative) impact on the deep geothermal heat industry.

9.12 Additionally, there were different views on two further issues:

- The opportunity to target other hydrocarbons: Oil and gas business and industry respondents argued that this option was unrealistic as a business opportunity – they highlighted the lack of evidence on the presence of other hydrocarbon resources that could be exploited on a commercial basis in the geographic areas covered as well as the lack of clear government policy in this area. Other respondents did not think it was appropriate to include this as a potential ‘opportunity’, given the Scottish Government’s stated commitment to a low-carbon economy.
- Decommissioning costs: Oil and gas business and industry respondents argued that such costs should be met by the public purse, with compensation paid to operators who had invested in PEDLs in good faith, while other respondents thought that decommissioning obligations should be enforced against operators where licences either expired or were surrendered.

Opportunities and challenges of option 2 (business as usual)

9.13 The partial BRIA assessment identified opportunities for those involved in the unconventional oil and gas industry (including current PEDL holders) to proceed with plans, which would then have wider implications (albeit difficult to quantify) for businesses and jobs in related economic sectors. Identified costs for industry included exploratory work and activities to secure necessary licences, permissions, etc., with likely opposition from local communities seen as a compounding factor. Wider costs included (i) the implementation and operation of adequate regulatory regimes, although these were noted as being difficult to quantify, and (ii) the need to offset carbon emission through reductions elsewhere in the economy. No impact on energy prices was anticipated.

9.14 In terms of the opportunities and challenges offered by **option 2 (business as usual)**, there were two main views among respondents:

- The predominant view (offered by a range of organisations and most individuals) was that any benefits would be minimal and would be confined to businesses in the oil and gas industry. Furthermore, these benefits were not worth the likely negative impacts for the environment, for communities and for other businesses. Amongst these respondents there were concerns that the partial BRIA and the underlying work had underestimated and / or did not take full account of (i) the negative impacts that development of a unconventional oil and gas industry would have on other businesses and economic sectors, or (ii) the risks involved in unconventional oil and gas operations and the costs that might be incurred as a result of operational accidents and failures, or the costs related to development and operation of a satisfactory regulatory regime.
- The alternative view (expressed by business / industry respondents and a few individuals) was that the partial BRIA understated the economic benefits of unconventional oil and gas development as it had failed to take account of a wide range of issues including (i) the economic and social benefits to communities in PEDL areas arising from increased jobs and prosperity, (ii) the benefits offered to the country by self-sufficiency in gas, (iii) the benefit to other industries and the wider economy, and (iv) the fiscal benefits accruing from community benefit payments, increased tax revenues, including via business rates, and payments to a

sovereign wealth fund. In addition, there was a view that the assessment of financial benefits needed to be revisited in order to take account of (i) recent increases in the price of gas, and (ii) benefits that would accrue on a UK-wide basis. These respondents also thought that the partial BRIA (as with the Environmental Report) should have assumed a level of up-to-date 'best practice' and high standards relating to regulation and mitigation (in line with arrangements in place in England), and should have taken account of ongoing technological industrial advances both of which would reduce the risks and related costs associated with unconventional oil and gas operations.

9.15 In commenting on option 2, both groups expressed concerns about the Scottish Government-commissioned KPMG report on the possible impact of an unconventional oil and gas industry in Scotland, and how the findings of this work had been used to inform the partial BRIA.

Opportunities and challenges of option 3 (pilot project)

9.16 The partial BRIA stated that the benefits and costs outlined for option 2 would be relevant to the third option of running a pilot project. An additional identified benefit was that of increased understanding of the extent of unconventional oil and gas resources and the impacts associated with its extraction. An additional identified cost was the funding that would need to be provided by project partners.

9.17 Respondents were less likely to comment explicitly on **option 3 (pilot project)** than on options 1 or 2. However, amongst those that did there were two main views:

- The predominant view (expressed by both organisations and individuals) was that the opportunities and challenges related to option 3 were similar to those related to option 2. Some also thought this option would extend uncertainty for communities and businesses, and / or queried whether a small-scale, localised pilot could offer any significant value in terms of increased knowledge.
- The alternative view (expressed by business / industry respondents and a few individuals) was that option 3 would provide opportunities for business by enhancing knowledge and informing future debate on onshore unconventional oil and gas extraction (and Scotland's energy policy more widely) and by contributing to a positive economic future for the Central Belt. However, some in this group thought there was insufficient information provided on this option and / or queried the practical and financial feasibility of the type of research-led pilot proposed in the SEA.

Comments on the BRIA approach and methods

9.18 As with the SEA, business / industry respondents offered a range of comments and criticisms about the approach to carrying out the partial BRIA, and the information that it was based on. These comments largely reflected those made about the SEA (as summarised in Chapter 3), with respondents reiterating their view that the options had not been treated equally. Additionally, and more specifically, they argued that the partial BRIA or the evidence it drew on:

- Should have taken a UK-wide view in considering costs and benefits (economic and environmental)
- Should have used medium-price (rather than low-price) estimates for fuel
- Should have included a full review of the impact on consumers and taxpayers of importing more gas
- Should have outlined the legal changes needed to facilitate the different options
- Had been inconsistent in its approach to carbon accounting regarding fuel imports
- Had prioritised public opinion over scientific evidence.

9.19 These respondents argued that the overall effect had been to understate the potential positive benefits of the unconventional oil and gas industry while overstating the potential negative impacts.

10. Addendum to the 2018 consultation

10.1 Chapters 3 to 9 of this report have presented an analysis of responses to the 2018 consultation. This chapter presents an analysis of responses to the consultation addendum.¹⁵

10.2 In light of some of the views that were expressed in response to the 2018 consultation on the Environmental Report, the partial Business and Regulatory Impact Assessment (BRIA), and the Scottish Government's preferred policy position of not supporting the development of unconventional oil and gas (UOG) in Scotland, the Scottish Government published an addendum to the 2018 consultation documents to clarify certain aspects of these documents and to update its position on the reasonable alternatives to the preferred policy position. In particular, the addendum addressed four matters:

- **The objectives of the preferred policy position:** The addendum provided further clarification on the preferred policy position and its objectives. These objectives are to ensure that in both the planning sphere and in relation to the Scottish Government's onshore oil and gas licensing and regulatory powers, policy should (i) minimise the potential risk of environmental and health impacts by adopting a precautionary approach; (ii) promote the achievement of the Scottish Government's energy transition goals; and (iii) maximise the prospects of meeting the Scottish Government's carbon emissions and climate change targets.
- **Consideration of the 'reasonable alternatives' to the preferred policy position:** The addendum to the consultation paper updated the Scottish Government's position on the reasonable alternatives to the preferred policy position. Specifically, the addendum sets out that, in view of the objectives of the preferred policy position and in light of the 2018 consultation responses received, Scottish Ministers consider that there is, in effect, no 'reasonable alternative' to the preferred policy position. Neither the 'Business as Usual' nor the 'Pilot Project' alternative described in the 2018 consultation could reasonably be expected to achieve the likely environmental or social outcomes offered by the preferred policy position. Nevertheless, the Scottish Government considers it useful that the Environmental Report assessed (in particular) the 'Business as Usual' scenario, which provided a benchmark against which to measure the likely environmental effects of the preferred policy position.
- **The focus on policy, not legislation:** The addendum to the consultation paper clarified that, under devolution arrangements, the Scottish Government has powers over onshore oil and gas licensing – and thus, powers to grant or refuse licences to search, bore for, and extract unconventional oil and gas. The addendum further set out that the Scottish Government does not consider that new legislation is necessary to control unconventional oil and gas development in Scotland; but rather, believes that a strong policy would provide the most appropriate and proportionate means to regulate such development. The Scottish Government has committed to embedding the finalised policy position into the National Planning Framework.
- **Mitigation:** Some respondents to the 2018 consultation commented that the Environmental Report does not take into account available mitigation measures in

¹⁵ The addendum to the 2018 consultation was published on 30 April 2019, and the consultation on the addendum closed on 25 June 2019.

considering the likely effects of unconventional oil and gas extraction. However, the addendum to the consultation paper clarified that, in fact, the Environmental Report does consider and take these into account. The report acknowledges the availability of mitigation measures which can 'help reduce the scale and severity of effects' of unconventional oil and gas extraction, but concludes that there is 'considerable uncertainty' with regards to the extent to which additional mitigation measures could be 'successfully implemented'.

10.3 Respondents to the consultation on the addendum were asked, in a single question, for their views on the contents of the addendum, as follows:

The Scottish Government welcomes consultee views on this addendum to the assessments of the Scottish Government's preferred policy position on unconventional oil and gas in Scotland.

Description of the respondents and responses to the addendum consultation

10.4 The consultation on the addendum received 113 submissions. Of these, 14 were removed for the following reasons:

- Eleven responses (including one from an organisation) were entirely blank. In each of these cases, the respondent submitted their name and contact details, but provided no comments in response to the consultation question. It may be that these respondents believed that the submission of their name and contact details acted as a form of petition response – although, if that is the case, it is not clear what statement they wished to put their names to. Nevertheless, in each of these cases, if the respondent had agreed to their name and response being published by the Scottish Government, their names are listed in Annex 4. Those who did not agree to have their name published are not listed. Blank responses were not otherwise included in the analysis.
- Four respondents submitted two responses to the consultation. In these cases, if the responses were duplicates, one was removed and the other retained for analysis. If the responses were different, they were combined to create a single amalgamated response. This process resulted in the removal of four responses.

10.5 **The analysis was thus based on 98 responses.**

Description of the respondents

10.6 Of the 98 responses included in the analysis, 15 were from organisations and 83 were from individuals. (Table 10.1)

Table 10.1: Number of respondents, by respondent type

Respondent type	n	%
Organisations	15	15%
Individuals	83	85%
Total	98	100%

10.7 Just over half of the organisational responses (8 out of 15) were submitted by community councils and other community groups. Other organisational respondents comprised (i) regulatory bodies (Historic Environment Scotland (HES), Scottish Environment Protection Agency (SEPA), and Scottish Natural Heritage (SNH) – all statutory consultees for a Strategic Environmental Assessment); (ii) industry bodies; (iii) a local authority and (iv) a non-governmental organisation (NGO). (See Table 10.2.) A complete list of the organisations responding to the addendum consultation is provided in Annex 4.

Table 10.2: Number of organisational respondents, by organisation type

Organisation type	n	%
Community councils	5	33%
Other community groups	3	20%
Regulatory bodies / statutory consultees	3	20%
Industry bodies	2	13%
Other organisations*	2	13%
Total	15	100%

* Other organisations comprised one local authority and one non-governmental (campaign) organisation. Percentages do not total 100% due to rounding.

Views on the information in the addendum consultation

10.8 Respondents' views on the four issues discussed in the addendum are presented below. Note that respondents did not always address all four of the topics covered in the addendum consultation paper in their responses. Other views, not directly related to these four issues, are discussed at the end of this chapter.

Overview of responses

10.9 As in previous consultations on this topic, there was a clear difference in the views expressed by community councils, other community groups, campaign organisations, and most individuals on the one hand, and industry bodies and a small group of individuals on the other.

10.10 Individuals in the former group generally provided short responses. Organisations in this group (i.e. community council and other community groups, and a single non-governmental organisation (NGO)) provided longer responses. However, the main concern of both individuals and organisations in this group was in relation to the Scottish Government's proposals to use policy, rather than primary legislation to control unconventional oil and gas development.

10.11 Industry bodies and a small number of individuals who expressed support for the development of an unconventional oil and gas industry in Scotland generally provided longer and more detailed responses which addressed (what they saw as) inconsistencies in the Scottish Government's discussion of the preferred policy position, the approach used to

assess the environmental impacts of the ‘reasonable alternatives’, and the extent to which mitigation could be used to reduce the impact of unconventional oil and gas development.

10.12 Regulatory bodies / statutory consultees (SNH, SEPA and HES) made general comments acknowledging the contents of the addendum. These respondents (i) welcomed the clarification provided in the addendum with regard to the consideration of the reasonable alternatives, and (ii) said that they were content that advice provided previously (in response to the 2018 consultation) will be addressed in the Post Adoption Statement, which will be published once the policy has been finalised. Otherwise these respondents had no further comments. Similarly, the (one) local authority respondent had no comments to make on the issues set out in the addendum consultation but said that they (continued to) endorse the Scottish Government’s preferred policy position.

Objectives of preferred policy position

10.13 In general, among those who commented on this issue, community councils, other community groups, organisations in the ‘other organisation’ category (see Table 10.2 above), and most individuals said that they (i) supported the current position of the Scottish Government with respect to onshore unconventional oil and gas development, (ii) welcomed the Scottish Government’s acknowledgement of community concerns on this issue, and (iii) wished to see the policy move forward as quickly as possible to finalisation.

10.14 This group highlighted concerns about the adverse impacts of unconventional oil and gas on public health, communities, the environment, the climate, and the economy which, in their view, justified the Scottish Government’s preferred policy position. They also suggested that the Scottish Government’s preferred policy position was ‘more relevant than ever’, given the (recent) announcement of a climate emergency and in light of new recommendations from the Committee on Climate Change on carbon emissions targets.

10.15 Respondents in this group made a range of other disparate points, including that (i) the Scottish Government should adopt a similar policy in relation to **offshore** oil and gas extraction; (ii) the Scottish Government should develop policies to allow supplies of fossil fuels to be maintained solely for use as chemical feedstocks for industry; and (iii) the wording of the objectives of the preferred policy position should be strengthened, so as to ‘eliminate’ (rather than ‘minimise’) potential environmental and health impacts and ‘guarantee’ (rather than ‘maximise’) the prospects of meeting carbon emissions and climate change targets. There was also a query about why the addendum had not referred to new evidence which had come to light since the consultation process had started.¹⁶ In each case, such points were expressed by just one or two respondents.

10.16 Representatives from industry bodies and a small number of individuals expressed views that contrasted to those outlined above. In particular:

- They highlighted that the ‘new’ policy objective of ‘adopting a precautionary approach’ was not mentioned or discussed in the Environmental Report or partial BRIA. These respondents suggested that further work would be required to the SEA and BRIA to explain, justify and quantify the precautionary approach objective.

¹⁶ Some respondents referred to: Concerned Health Professionals of New York and Physicians for Social Responsibility (2019) Compendium of evidence on the risks and harms of fracking, 6th edition.

- They disputed the Scottish Government’s conclusion (stated in paragraph 11 of the addendum consultation paper) that the development of an onshore unconventional oil and gas industry in Scotland would make achieving the Government’s climate change commitments more challenging. These respondents believed that this conclusion was not consistent with the recommendations made in the most recent report of from Committee on Climate Change (published in May 2019). They argued that the Scottish Government’s preferred policy position would ‘effectively offshore Scottish carbon emissions’, resulting in higher carbon emissions overall, contrary to the Committee’s recommendation – whereas the development of a domestic source of shale gas would reduce the need to import gas from overseas. This, in their view, would directly support the second and third objectives set out in the consultation paper – to promote the achievement of the Scottish Government’s energy transition goals, and to maximise the prospects of meeting the Scottish Government’s carbon emissions and climate change targets.
- Compared to the alternative of continuing to import natural gas from overseas, developing a domestic source of gas would also (i) ensure greater control and scrutiny of regulations on health and safety and the environment; (ii) enable a more accurate assessment of Scotland’s progress in reducing its carbon emissions; and (iii) allow Scotland to maintain a level of independence and self-sufficiency in its energy supply.

10.17 Occasionally, individuals in this group made other points, including that (i) Scottish domestic oil and gas resources may not be needed by Scotland, but could be used to support the needs of the rest of the UK, thus ensuring that the rest of the UK can minimise its total carbon emissions; and (ii) there is insufficient objective scientific evidence to justify the Scottish Government’s policy stance on this subject. In each case, such views were expressed by just one or two respondents.

Consideration of the ‘reasonable alternatives’ to the preferred policy position

10.18 Relatively few respondents commented on the points discussed in the addendum regarding the alternatives to the preferred policy position – ‘Business as Usual’ and a ‘Pilot Project’.

10.19 Some community councils and / or other community groups and a small number of individuals said they supported the Scottish Government’s view that the ‘Business as Usual’ and ‘Pilot Project’ options could not be considered to be reasonable alternatives to the Scottish Government’s preferred policy position, since neither would meet the objectives of the preferred policy position. Other comments from this group in relation to the ‘reasonable alternatives’ were closely linked to their views on the use of policy rather than legislation to control unconventional oil and gas development. These views are discussed below under the heading ‘Policy, not legislation’.

10.20 Industry bodies argued that the Scottish Government’s decision to ‘entirely drop’ the two ‘reasonable alternatives’ discussed in the Environmental Report on the basis that they do not meet the Scottish Government’s policy objectives is, in their view, a breach of

section 14(2) of the Environmental Assessment (Scotland) Act 2005¹⁷ and contradicts the Scottish Government's guidance on Strategic Environmental Assessment published in August 2013.¹⁸

10.21 This group argued that, if the Scottish Government had failed to identify a 'reasonable alternative' against which to assess the preferred policy position, then 'the next stage of consultation should have been to invite comment about what would be reasonable alternatives'. This group also suggested that if the two 'reasonable alternatives' set out in the Environmental Report do not meet the Scottish Government's policy objectives, then the Scottish Government should explain why. In the views of these respondents, the addendum consultation does not currently provide this explanation.

10.22 This group's additional views about the 'reasonable alternatives' were closely linked to their views on 'mitigation' and are discussed below under that heading.

Policy, not legislation

10.23 Among those who commented on the issues set out in the consultation paper on 'policy, not legislation', community councils, other community groups and most individual respondents expressed concern about the Scottish Government's proposal to use planning and licensing mechanisms to control unconventional oil and gas development in Scotland. Some in this group said that their concern about this issue was the main point they wished to make in their response. Both organisations and individuals in this group commonly made the following points:

- They 'fundamentally disagreed' with statements made in the addendum (paragraph 23) setting out the Scottish Government's view that the adoption of a strong policy, rather than new legislation, is the most appropriate and proportionate means to regulate the development of an unconventional oil and gas industry. Some respondents said that the statements in this paragraph are, for them, 'incompletely explained'.
- They had little confidence in the planning system to safeguard communities – particularly since communities do not have the same right of appeal as developers in planning matters.
- They suggested that developers within the unconventional oil and gas industry have the financial means to be able to test the planning system to its full extent – 'with multiple planning applications and appeals and judicial reviews'.
- They suggested that it was not sufficient that the preferred policy position would carry 'significant weight' in development planning once it is embedded into the National Planning Framework (as stated in paragraph 27). Without the force of legislation, this group were concerned that current government policy in relation to unconventional oil and gas development will remain vulnerable to 'the whims and ideologies' of future politicians. This will result in continuing uncertainty for communities.

¹⁷ This states that the Environmental Report 'shall identify, describe and evaluate the likely significant effects on the environment of implementing – (a) the plan or programme; and (b) reasonable alternatives to the plan or programme, taking into account the objectives and the geographical scope of the plan or programme'.

¹⁸ Scottish Government (2013) *Strategic Environmental Assessment*. See <https://www.gov.scot/publications/strategic-environmental-assessment-guidance/>

- A failure to implement a legislative ban on unconventional oil and gas development may be regarded by communities as a breach of the human rights of community members and could leave the Scottish Government open to the possibility of legal action by communities.

10.24 One NGO respondent attached a report setting out expert legal opinion on the matter, which concluded that it would be within the powers of the Scottish Government to legislate on this matter. This organisation argued that the use of primary legislation would be a 'surer way to defeat any further legal challenges' to the Government's policy.

10.25 Occasionally, respondents in this group agreed that the Scottish Government's finalised policy position should be reflected in the next iteration of the National Planning Framework. However, they **also** called for a 'full legal ban' since, in their view, this would be the most robust way to prevent the development of an unconventional oil and gas industry in Scotland. Others suggested that a 'permanent legal ban' on unconventional oil and gas extraction in Scotland would be most consistent with the recently announced climate emergency.

10.26 Among industry bodies, there was little comment on this point. One representative of an industry body explicitly stated that, since they 'profoundly disagree' with the Scottish Government's preferred policy position, they have no comment to make on 'how it is implemented'.

10.27 However, there was a view among a small number of individuals who supported the development of an unconventional oil and gas industry that the approach to potential future development implied in the addendum consultation paper (that it will be carried out in accordance with overall planning policy) may lead to confusion in the planning process, and could result in legal challenges or appeals to planning decisions – particularly since, as stated in paragraph 30, 'relevant mitigation measures could be applied to any planning applications considered under the preferred policy position'. This implies that there may be some flexibility within the process, which seems at odds with the narrow objectives of the preferred policy position.

Mitigation

10.28 Relatively few respondents commented on the points made in the addendum consultation in relation to mitigation.

10.29 Among those who did, community councils and other community groups, and a small number of individual respondents emphasised that, in their view, no form of mitigation would be able to satisfy communities across Scotland as to the acceptability of onshore unconventional oil and gas development.

10.30 One of the (two) industry bodies and one individual made very detailed comments in relation to the issue of mitigation. Both these respondents suggested that the decision to reject the 'Business as Usual' and 'Pilot Project' alternatives was 'unreasonable' as (they considered) it had been based on the unmitigated impacts of these two scenarios.¹⁹

¹⁹ Note that, the addendum explained that all existing regulatory controls had been taken into account in assessing the likely significant effects of unconventional oil and gas on the environment (in relation to both the 'Business as Usual' and 'Pilot Project' alternatives), and that the scope for further mitigation measures applicable to both options was set out in Chapter 15 of the Environmental Report.

These respondents argued that:

- In concluding that the only way to minimise impacts on the environment is to stop all unconventional oil and gas extraction, the Scottish Government had ignored the use of ‘well proven embedded mitigation measures’ used routinely in this industry.
- The Environmental Report had acknowledged that regulatory and consenting processes would enable some of the more significant environmental effects to be avoided or reduced in significance.
- The Environmental Report had ‘almost without exception, made recommendations for regulatory improvements which are already part of best practice for onshore oil and gas developments’.
- The ‘uncertainty’ referred to in the addendum consultation paper is debateable and is likely to alter over time as further mitigation techniques are developed, tested and proven.

10.31 The industry respondent noted the statement in the addendum that there is ‘considerable uncertainty’ as to the extent to which the additional mitigation measures set out in the Environmental Report could be successfully implemented. However, this respondent thought this statement misrepresented what is stated in Chapter 14 of the Environmental Report. Specifically, this respondent commented that the ‘considerable uncertainty’ about the effectiveness of mitigation was **also** associated with (i) the lack of detailed information available (to the authors of the report) about the scale of development and other site specifics and (ii) the effects on oil and gas prices and wider patterns of production and use. This respondent further commented that the Non-Technical Summary of the report (page 11) had stated that the effectiveness of (standard) mitigation measures ‘would depend on the characteristics of the development’. As the authors had no information about the scale of development or site specifics, they therefore could not be certain about the effectiveness of standard mitigation measures.

Other views

10.32 A range of other views – not directly related to the issues discussed in the addendum – were also expressed.

Views of community groups

10.33 Community council and other community groups expressed concern about the repeated consultations carried out in relation to this issue. This group acknowledged the importance of proceeding with due diligence but highlighted the negative impact of the lengthy process on the health and wellbeing of community respondents. Some of these respondents also cited additional evidence of the harmful impacts of “fracking”.

Views of industry bodies

10.34 Representatives of industry bodies expressed the view that the process of consulting on the Strategic Environmental Assessment (SEA) had been ‘fundamentally flawed in its approach’, and they called for a halt to the process in order that a ‘proper’ SEA could be carried out alongside a thorough review of the most recent recommendations of the Committee on Climate Change.

10.35 One industry respondent commented that the Scottish Government has awarded offshore oil and gas licences in the Scottish ‘inshore area’ as part of the OGA 31st Offshore Licensing Round.²⁰ This respondent noted that these licences are not subject to the preferred policy position, but that the partial BRIA should be updated, and further consultation carried out to assess the impact of the preferred policy position on these licences.

Views of individuals

10.36 In general, individuals who made other comments in response to the addendum consultation highlighted what (in their view) they regarded as the significant environmental, health, climate and economic impacts of unconventional oil and gas. These respondents (i) called for greater investment in renewable energy, (ii) believed that Scotland should lead the way in meeting climate change targets, and (iii) suggested that companies currently engaged in oil and gas extraction should be encouraged to apply their knowledge and technological skills to the development of sustainable energy.

10.37 Occasionally, individuals made a range of other diverse comments, including that (i) the suggestion that unconventional oil and gas production is needed to provide feedstocks for plastic and pharmaceutical production is ‘spurious’ given that the demand for oil and gas will drop sharply over the next few years, and there will be excess capacity from current production to supply the needs of these industries; (ii) the Scottish Government should proceed with onshore oil and gas extraction on a trial basis; and (iii) the Scottish economy would benefit from the development of an unconventional oil and gas industry. However, in each case, such comments were expressed by just one or two individuals.

²⁰ Note that these licences were, in fact, awarded by the UK Government, as offshore licensing powers have not been devolved to the Scottish Government. See: <https://www.ogauthority.co.uk/news-publications/news/2019/offer-of-awards-for-the-uk-s-frontier-31st-offshore-licensing-round/>

Annex 1: Friends of the Earth campaign response

Subject: Please end the fracking story with a full legal ban

Dear First Minister

Last year you told Parliament 'fracking is being banned in Scotland, end of story'. But only months later what your Energy Minister Paul Wheelhouse described as an 'effective ban' on fracking was exposed in court as having no legal force.

I understand your Government is now moving into the final stages of its decision making process on fracking, with a Strategic Environmental Assessment and partial Business and Regulatory Impact Assessment of the preferred policy position of no support for fracking out for consultation, and a final decision expected in the new year.

You and your Government have won praise from around the world for taking a stand against fracking, and I want to thank you for taking a strong personal interest and stance on the issue.

However, the time has come to draw a line under the issue for good by legislating to prohibit fracking. Without legislation any policy position of no support for fracking could be torn up by a future Scottish Government with no recourse to Parliament or the will of the people. Putting the policy position into the National Planning Framework, as your Government has already agreed to do, will make little difference since Parliament has no power to vote down any changes to it.

With powers over onshore oil and gas licensing having transferred to Holyrood earlier this year, it is clear that the devolved Government can act to ban fracking.

With over 60,000 people calling for a ban on fracking – the largest number of people ever to express a single opinion to an official Scottish Government consultation – there is clearly a strong mandate to do so.

Communities across Scotland who have been fighting the industry for 7 years, particularly in the central belt frontlines where it is proposed, deserve no less than full legal protection from this harmful industry. The severity of the climate crisis demands it.

A ban should cover all forms of unconventional oil and gas extraction, with no new licenses issued and existing licenses revoked. The French Government did this in 2012 and no legal challenges against that ban have been successful. Many other governments at national, regional and local level have since followed suit.

It's time for Scotland to do the same, and put an end to the story with a full legal ban on fracking.

I understand that you cannot act to ban fracking until the end of the SEA process, but I look forward to an announcement that your Government will legislate in the New Year.

Yours sincerely

Annex 2: Organisational respondents

There were 42 organisational respondents to the consultation.

Community councils (12)

- Bridge of Don Community Council
- Cambuslang Community Council
- Craigiebuckler and Seafield Community Council
- Fort William Community Council
- Hawick Community Council
- Juniper Green & Baberton Mains Community Council
- Kincardine Community Council
- Limekilns, Charlestown and Pattiesmuir Community Council
- Newburgh Community Council
- Scone and District Community Council
- Strathnairn Community Council
- A joint response signed by 34 community council signatories. Signatories are listed at the end of this annex.

Other community groups (12)

- Broad Alliance
- Fife Communities Climate Action Network
- Frack Free Pickering
- Frack Free Totnes
- Frack Off Fife
- Frackwatch Glasgow
- Friends of the Earth West Fife
- Keep Kirdford and Wisborough Green (KKWG)
- Our Forth Portobello Against Unconventional Gas
- Roseacre Awareness Group
- Transition Edinburgh
- Yes Kelty Campaign Group

Public bodies (7)

- Argyll and Bute Council
- Fife Council
- Glasgow City Council
- Historic Environment Scotland
- Perth & Kinross Council
- Scottish Environment Protection Agency (SEPA)
- Scottish Natural Heritage
- Scottish Water
- West Lothian Council

Third sector/NGOs (3)

- Food & Water Europe
- Friends of the Earth Scotland
- Scottish Environmental Link (response supported by Froglife Trust, Scottish Badgers, WWF Scotland)

Business / industry (3)

- Ineos Upstream Ltd
- Reach Coal Seam Gas Limited
- United Kingdom Onshore Oil and Gas (UKOOG)

Other organisations (2)

- Frack Free United
- Knitting Grannies and Grandads against Unconventional Gas (Facebook group)
- University of Stirling, Occupational and Environmental Health Research Group

Community council response signed by multiple signatories

The following community councils signed a joint submission to the consultation:

- (1) Association of East Dunbartonshire Community Councils
- (2) Airth Parish Community Council, Falkirk
- (3) Avonbridge & Standburn Community Council, Falkirk
- (4) Baldernock Community Council, East Dunbartonshire
- (5) Bathgate Community Council, West Lothian
- (6) Bearsden West Community Council, East Dunbartonshire
- (7) Bellsquarry and Adambrae Community Council, West Lothian
- (8) Bishopbriggs Community Council, East Dunbartonshire
- (9) Blackness Community Council, Falkirk
- (10) Bo'ness Community Council, Falkirk
- (11) Bonnybridge Community Council, Falkirk
- (12) Brightons Community Council, Falkirk
- (13) Charlestown, Limekilns and Pattiesmuir Community Council, Fife
- (14) Crossford Community Council, Fife
- (15) Grangemouth (Inc. Skinflats) Community Council, Falkirk
- (16) Granton & District Community Council, Edinburgh
- (17) Kincardine Community Council, Fife
- (18) Kirkintilloch Community Council, East Dunbartonshire
- (19) Knightsridge Community Council, West Lothian
- (20) Leith Links Community Council, Edinburgh
- (21) Low Valleyfield Community Council, Fife
- (22) Merchiston Community Council, Edinburgh
- (23) Mount Vernon Community Council, Glasgow
- (24) Pencaitland Community Council, East Lothian
- (25) Polmont Community Council, Falkirk
- (26) Reddingmuirhead & Wallacestone Community Council, Falkirk
- (27) Roslin & Bilston Community Council, Mid Lothian
- (28) Rosyth Community Council, Fife
- (29) Shieldhill & California Community Council, Falkirk
- (30) Silverton and Overtoun Community Council, West Dunbartonshire
- (31) Southside Community Council, Edinburgh
- (32) Torrance Community Council, East Dunbartonshire
- (33) Waterside Community Council, Eastern Dunbartonshire
- (34) Woodlands and Park Community Council, Glasgow

Annex 3: Number of responses to each question

Table A3.1 below shows the number of respondents who answered each of the consultation questions.

Note that the figures in this table are provisional and will be confirmed following analysis.

Table A3.1: Number of responses to each consultation question

Question		Number of responses			% of total (329)
		Orgs	Indivs	Total responses	
Q1	What are your views on the accuracy and scope of the information used to describe the SEA environmental baseline set out in the Environmental Report?	39	143	182	55%
Q2	What are your views on the predicted environmental effects as set out in the Environmental Report?	37	142	179	54%
Q3	What are your views on the 'reasonable alternatives' outlined in the Environmental Report? Please provide any other 'reasonable alternatives' which you think should be considered.	35	129	164	50%
Q4	What are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?	33	130	163	50%
Q5	Do you have any views on the proposals contained within the Scottish Government's preferred policy position statement? There is no need to restate views already expressed in relation to the Talking "Fracking" public consultation as these have been, and will continue to be, taken into account as we move towards finalising the Scottish Government's policy position.	36	133	169	51%
Q6	What are your views on the opportunities and challenges that each of the 3 options set out in the partial BRIA could have for businesses?	31	125	156	47%

Annex 4: Respondents to the addendum consultation

Organisational respondents (total = 15)

Community councils (5)

- Bathgate Community Council
- Blantyre Community Council
- Kincardine Community Council
- St Andrews Community Council
- A joint response signed by 34 community council signatories. Signatories are listed below.

Other community groups (3)

- Don't Frack the 'Briggs
- Our Forth Against Unconventional Gas
- The Broad Alliance

Regulatory bodies / statutory consultees (3)

- Historic Environment Scotland (HES)
- Scottish Environmental Protection Agency (SEPA)
- Scottish Natural Heritage (SNH)

Industry bodies (2)

- Reach Coal Seam Gas Limited
- UKOOG

Other organisations (2)

- Friends of the Earth Scotland
- Stirling Council

Community council response signed by multiple signatories

The following community councils signed a joint submission to the consultation response submitted by 34 community councils:

- (1) Association of East Dunbartonshire Community Councils
- (2) Airth Parish Community Council, Falkirk
- (3) Avonbridge & Standburn Community Council, Falkirk
- (4) Baldernock Community Council, East Dunbartonshire
- (5) Bathgate Community Council, West Lothian
- (6) Bearsden West Community Council, East Dunbartonshire
- (7) Bellsquarry and Adambrae Community Council, West Lothian
- (8) Bishopbriggs Community Council, East Dunbartonshire
- (9) Blackness Community Council, Falkirk
- (10) Bo'ness Community Council, Falkirk
- (11) Bonnybridge Community Council, Falkirk
- (12) Brightons Community Council, Falkirk
- (13) Charlestown, Limekilns and Pattiesmuir Community Council, Fife
- (14) Crossford Community Council, Fife

- (15) Grangemouth (Inc. Skinflats) Community Council, Falkirk
- (16) Granton & District Community Council, Edinburgh
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- (18) Kirkintilloch Community Council, East Dunbartonshire
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- (30) Silverton and Overtoun Community Council, West Dunbartonshire
- (31) Southside Community Council, Edinburgh
- (32) Torrance Community Council, East Dunbartonshire
- (33) Waterside Community Council, East Dunbartonshire
- (34) Woodlands and Park Community Council, Glasgow

Blank responses (11)

Eleven respondents (ten individuals and one organisation) submitted responses to the consultation that were blank. The respondents provided their names and contact details but made no comments in response to the consultation's single question.

The six individuals listed below provided consent for their name and response to be published.

- David Adam
- Dave Davies
- Robert Malcolm Kay
- Dale McGuire
- Ian McMahan
- Catherine Murphy

The following organisation – Cults, Bielside & Milltimber Community Council – submitted a blank response with consent to publish the response.

A further four individuals submitted blank responses but requested that their response and / or their name should not be published.



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