

Problematic Planning Officer Report: ‘Appendix 17 Public Health’

[Planning applications by Cuadrilla Bowland Limited to drill at Preston New Road no. LCC/2014/0096 and Roseacre Wood no. LCC/2014/0101]

Dr Damien Short

Reader in Human Rights, University of London

22nd June 2015

I am a university lecturer and researcher on human rights and have to date given two presentations on the human rights impacts of the above listed applications to the Planning Committee. Human rights are concerned with guaranteeing a ‘minimally good life’ for all, and as such health impacts are of vital concern when considering new developments and the public interest.

As the UK government is a signatory to the United Nations Economic Commission for Europe's *Aarhus Convention*, it is duty bound to " ... *to ensure that officials and authorities assist and provide guidance to the public in seeking access to information, in facilitating participation in decision-making and in seeking access to justice in environmental matters.*" **That guidance must be impartial and evidence based.**

Given these obligations, I wish to raise serious concerns over the evaluation of likely health impacts of the above applications in the reports of the Planning Officer - in particular ‘PNR/RW Appendix 17 Public Health.’

1) The Planning officer (PO) implicitly criticises those reports that raise serious concerns over the likely health impacts while uncritically accepting the more favourable Public Health England (PHE) report, which raises concerns over impartial evidence based decision making.

e.g. the PO writes:

‘The Medact report has not produced new epidemiological research’

but neither did Public Health England – as the PO is surely aware, it was a ‘Review’.

Indeed, both reports are reviews of existing academic literature. The difference between them is that Medact study’s conclusions actually flowed from the evidence they considered.

Which is why an editorial in the British Medical Journal described PHE’s report as

‘a leap of faith unsubstantiated by scientific evidence, its authors suggest that many of the environmental and public health problems experienced in the US would probably not apply to the UK. Unfortunately, the conclusion that shale gas operations present a low risk to public health is not substantiated by the literature.’

(<http://www.bmj.com/content/348/bmj.g2728>)

This is because PHE quite incredibly "rejected" fifty papers in chapter 13 of its review, which included some of the latest research highly critical of the environmental impacts of unconventional oil and gas development.

2) the PO's report also doesn't mention the recent New York State Department of Health report on High Volume Hydraulic Fracturing (HVHF), which produced conclusions similar to Medact but contrary to PHE's reading of the literature it selected:

'it is clear from the existing literature and experience that HVHF activity has resulted in environmental impacts that are potentially adverse to public health. Until the science provides sufficient information to determine the level of risk to public health from HVHF and whether the risks can be adequately managed, HVHF should not proceed in New York State.

See New York State Department of Health, 'A Public Health Review of High Volume Hydraulic Fracturing for Shale Gas Development',

https://www.health.ny.gov/press/reports/docs/high_volume_hydraulic_fracturing.pdf.

3) By not clearly identifying a full range of sources of risk, the PO's report, along with PHE's, fail to evaluate unconventional oil and gas as an inter-related system; and instead tries to differentiate exploration from production.

As Mobbs (2014) points out 'This approach misunderstands the basic application of [The Precautionary Principle](#), which is at the root the European environmental law. Put simply, going by the available evidence, exploratory drilling is an unnecessary risk at this time.

The tolerability of risk from exploratory drilling is codependent, not independent of the tolerability of risk from production operations. If we apply the precautionary approach then arguably the demonstrable impacts of unconventional oil and gas production are unacceptable due to the lack of evidence to prove their safety.

As outlined by PHE, exploration does have lower risk, but those risks are not "zero". If it cannot be demonstrated that unconventional oil and gas production can take place without causing harm to the environment and human health, then production cannot be permitted. **If production cannot be permitted because of its innate risks, then exploration cannot be permitted because it presents a positive risk to the environment which is currently unnecessary.'**

(See the detailed critique by independent environmental consultant Paul Mobbs – available here http://www.fraw.org.uk/mei/ecolonomics/2014/ecolonomics_15-extreme_energy_and_public_health.shtml)

Sincerely,

Dr Damien Short,

Human Rights Consortium,

School of Advanced Study,

University of London

Damien.short@sas.ac.uk