



Department
of Energy &
Climate Change

REDACTION

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Proposals for Underground Access Rights

Dear REDACTION,

Following on from our meeting on 21 July 2014, I am writing to you to confirm that the particular wording you pointed out in our press release accompanying the publication of the underground access consultation was indeed an oversight. The press release, dated 23 May 2014, stated that “any hydraulic fracturing would only occur at far greater depths of 1.5 kilometres (around 5000ft) or more”. The consultation document itself confirms that these works occur “typically more than a mile down”. My apologies for any confusion caused here. We have published a corresponding clarification on our consultation website to avoid any further confusion. Please see: <https://www.gov.uk/government/consultations/underground-drilling-access>.

The Department holds no view on the merits of operations at different depths. This is for the environmental regulator (in your case the Northern Ireland Environment Agency, NIEA) to assess on a case-by-case basis. Our proposals on access rights are about removing an existing obstacle and would apply to all activities below 300 metres. We consider it appropriate to keep the requirement in place for an operator to agree access with the individual landowners at depths above 300 metres, but this is not intended to preclude activities at these shallower depths. Please also note that petroleum and deep geothermal energy are transferred matters in Northern Ireland and that therefore our proposal on access rights will not apply in Northern Ireland.

The consultation is open until 15 August and I would welcome your contribution to the consultation response.

Please feel free to share this letter if you wish with your current and prospective investors and their advisers.

Yours sincerely,

Duarte Figueira, Head of OUGO