



House of Commons

NOTICES OF AMENDMENTS

given on

Tuesday 20 January 2015

*For other Amendment(s) see the following page(s) of Supplement to Votes:
1397-1406 and 1407*

CONSIDERATION OF BILL

INFRASTRUCTURE BILL, AS AMENDED

John Mann

- Clause 39, page 45, line 27, leave out from “it is” to “area” and insert— 47
- “(a) it is deep-level land,
 - (b) it is within a landward area, and
 - (c) the well shaft is not within two kilometres of any village or town.”

Norman Baker
Caroline Lucas

- Clause 39, page 45, line 36, at end insert— 48
- “(6) The Secretary of State shall prevent the exploitation of shale oil or gas if either a water company or the Environment Agency credibly asserts that to do otherwise would—
- (a) create substantial risks to public health due to potential contamination of groundwaters from the extraction process; or
 - (b) create substantial risks to nearby surface waters due to potential contamination from flowback and waste water arising from hydraulic fracturing activity; or
 - (c) create substantial risks to the nearby environment due to potential contamination from flowback and waste water arising from hydraulic fracturing activity.”

Norman Baker
Dr Julian Huppert
Caroline Lucas

To move the following Clause—

NC6

“Hydraulic Fracturing exclusion zones

- (1) The Petroleum Act 1998 is amended as follows.

Infrastructure Bill, continued

- (2) In Section 3, after subsection (4), insert—
- “(5) No licences shall be granted to search and bore for petroleum in protected areas using the process of hydraulic fracturing.
- (6) For the purposes of this section, “protected area” means—
- (a) special areas of conservation under the Conservation (Natural Habitats, &c) Regulations 1994,
 - (b) special protection areas under the Wildlife and Countryside Act 1981,
 - (c) sites of special scientific interest under the Wildlife and Countryside Act 1981,
 - (d) national parks under the National Parks and Access to the Countryside Act 1949,
 - (e) The Broads under the Norfolk and Suffolk Broads Act 1988, and
 - (f) areas of outstanding natural beauty under the Countryside and Rights of Way Act 2000.”

Caroline Lucas

49

Clause 39, page 45, line 36, at end insert—

- “(5A) The use of hydraulic fracturing in connection with the exploitation of unconventional petroleum shall be prohibited.
- (5B) For the purposes of subsection (5A), “unconventional petroleum” means petroleum which does not flow readily to the wellbore.
- (5C) In section 3 of the Petroleum Act 1998, at the end of subsection (4) add “and subsection (4A).
- (4A) Nothing in this section permits the grant of a licence to search and bore for and get unconventional petroleum in Great Britain.
- (4B) For the purposes of subsection (4A), “unconventional petroleum” has the meaning set out in section 38(5B) of the Infrastructure Act [2015].”

Member’s explanatory statement

This amendment would ban fracking (the use of high volume hydraulic fracturing to extract oil and gas) in the UK.

Caroline Lucas
Norman Baker

50

Page 39, line 12, leave out Clause 37.

Member’s explanatory statement

This deletes the Clause that puts into primary legislation a new duty to maximise the economic recovery of UK oil and gas.

Caroline Lucas
Norman Baker

51

Page 45, line 22, leave out Clauses 39 to 44.

Member’s explanatory statement

This deletes the Clauses that seek to change the trespass law and introduce a new right to use deep-level land, which would allow fracking companies to drill beneath people’s homes and land without their permission and to leave any substance or infrastructure in the land.

Infrastructure Bill, *continued*

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

52

Page 34, line 2, leave out Clauses 30 to 32.

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

53

Clause 28, page 27, line 9, at end insert “provided that any designated property, rights or liabilities to be transferred pursuant to a scheme—

- (a) have been classified as surplus;
- (b) do not compromise land forming part of a common, open space or fuel or field garden allotment;
- (c) do not extinguish any public right of way;
- (d) are subject to transparent reporting of all aspects of the transaction to the Land Registry; and
- (e) shall be subject to a test of viability that is underpinned by guidance and an open book approach.”

Roberta Blackman-Woods
Tom Greatrex
Richard Burden

54

Clause 33, page 34, line 36, at end insert “and shall relate to buildings or developments of any size”

Miss Anne McIntosh

55

Page 45, line 23, leave out Clauses 39 to 44.

Miss Anne McIntosh

56

Clause 39, page 45, line 29, at end insert—

- “(c) subject to the agreement of the owner of any land altered by the use.”

Miss Anne McIntosh

57

Clause 39, page 45, line 32, at end insert—

- “(3A) (a) The right of use shall be subject to the precautionary principle being applied;
- (b) The Environment Agency will determine whether the condition under paragraph (a) has been met; and
- (c) In this section, “precautionary principle” shall mean that no land is used for the purposes of exploiting petroleum or deep geothermal energy unless it is proved that it is not harmful to the environment.”

Miss Anne McIntosh

58

Clause 39, page 45, line 33, leave out “300” and insert “1000”

Infrastructure Bill, continued

Miss Anne McIntosh

59

Clause 40, page 45, line 17, at end insert—

“(3A) The right of use shall be conditional on operators ensuring the—

- (a) safe conveyance of wastewater from the site to a safe place of storage;
- (b) effective treatment and disposal of wastewater from the site; and
- (c) publication of the details of the treatment and disposal of wastewater under sub-paragraph (ii).”

Miss Anne McIntosh

60

Clause 40, page 46, line 6, at end insert—

“(f) any substance used for the purposes of paragraph (d) must be—

- (i) approved by the Environment Agency; and
- (ii) publicly declared by the operator.”

Miss Anne McIntosh

61

Clause 41, page 47, line 2, at end insert—

“(c) to compulsorily purchase properties in the event of blight from the activities of the extraction and exploitation of petroleum and geothermal energy in deep-level land.”

Miss Anne McIntosh

62

Clause 42, page 47, line 19, leave out sub-paragraphs (i) and (ii) and insert “to persons of specified descriptions”

Miss Anne McIntosh

63

Clause 42, page 47, line 22, leave out “within the area” and insert “on the Parish Council noticeboard”

Miss Anne McIntosh

64

Clause 42, page 47, line 24, at end insert—

“(2B) Failure to display or publish notice under the terms of subsection (2) will negate any right to exploit or extract petroleum or geothermal energy.”

Miss Anne McIntosh

NC7

To move the following Clause—

“Environmental Impact Assessment: publication

- (1) Any Environmental Statement undertaken in respect of the possible exploitation of petroleum or deep geothermal energy, under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, must be publicised before a planning application is submitted to the local planning authority and/or the Secretary of State.
- (2) The publication of an Environmental Statement under subsection (1) must be in accordance with the procedures set out in Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.”

Infrastructure Bill, *continued*

Miss Anne McIntosh

NC8

To move the following Clause—

“Impact on rural communities

The Secretary of State for Environment, Food and Rural Affairs must, within one month of this Act receiving Royal Assent, lay before the House of Commons the full report on Shale Gas Rural Economy Impacts.”
