

# Future of the Planet in Surrey hands?

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A Cumbrian coal mining firm is intervening in a landmark legal hearing to determine whether oil drilling should be allowed in **Surrey**. **The Horse Hill** drilling case is set for the **Supreme Court** in June with protesters hoping for a ruling that could severely restrict fossil fuel exploration in the UK.

West Cumbria Mining Ltd, the company behind Britain's first new prospective coal mine for decades has been given permission to intervene in the case over plans for oil drilling at Horse Hill, Surrey according to a Supreme Court order published earlier this month.

In law, an intervention is when a non-party joins ongoing litigation, as the case may affect their rights and they should have the right to be heard. The other intervening parties are Friends of the Earth, the Office for Environmental Protection (OEP) and Greenpeace.

The case is being brought by Redhill resident **Sarah Finch** on behalf of the **Weald Action Group**, which represents communities opposing onshore oil and gas projects.

Ms Finch is challenging **Surrey County Council's** 2019 decision to grant **UK Oil and Gas (UKOG)** planning permission for drilling - on the grounds that environmental impact assessments must take into account downstream emissions caused by burning extracted oil.



Horse Hill protest outside Surrey County Hall when planning application was being considered in September 2019. Credit Rebecca Curley.

Her fight has now reached the country's highest court after three judges were split over the lawfulness of the county council's decision to grant permission for 25 years of oil drilling and production - in the same year the county declared a climate emergency.

Carbon emissions from burning the extracted fossil fuels were not included in either the Horse Hill or Cumbrian coal mine's environmental impact assessments.

Ms Finch said: "The fact that **West Cumbria Mining** wants to have its say in a case about a small onshore oil development 370 miles from their proposed coal mine shows the national importance of this case. I hope that the **Supreme Court** will confirm that no fossil fuel development - coal, oil or gas - should be allowed without consideration of its full climate impact."

According to UKOG the Horse Hill site in **Reigate and Banstead** has so far produced about 185,000 barrels of oil. Approximately 1.362 million remain.

Friends of the Earth campaigner, **Tony Bosworth**, said: "The biggest climate impact from gas, coal and oil projects occurs when the fuel they produce is eventually burned - it's unbelievable that this is effectively ignored when planning decisions are made. This landmark legal challenge could have huge implications for fossil fuel developments across the

country, including the new coal mine in West Cumbria. West Cumbria Mining are clearly concerned, which is why they have intervened.

“West Cumbria Mining boast that they will build the world’s first zero carbon mine, which is a complete contradiction in terms. Their calculations also ignore emissions from when the coal produced is actually used – that’s like saying that we should ignore the health impacts of smoking cigarettes and just look at how they are produced.

“We need to stop burying our heads in the sand. Sarah Finch’s legal case could play a huge role in building a net zero future.”

OEP general counsel, **Peter Ashford**, said: “Environmental impact assessment is so important for integrating the environment into planning decision-making. We are interested in this case because of the opportunity to clarify the law here to ensure proper decision-making that enhances environmental protection. We hope that the Supreme Court will take this opportunity, and will develop principles for determining the proper approach to the assessment of indirect effects under the EIA legislation.”

The hearing is scheduled for **June 21**.

The coal firm is now battling on two legal fronts after a judge ruled on Friday May 19 to grant Friends of the Earth and South Lakes Action on Climate Change a hearing to challenge the UK Government’s decision to approve West Cumbria Mining’s deep coal plans.

That hearing is expected to last for three days when it is heard later this year.

A spokesperson for West Cumbria Mining Limited said it would be inappropriate to comment on a live legal case. UKOG have been approached for comment.

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