

Onshore Conventional Oil and Gas – Preferred Policy Position

Background Context

We are transitioning to a net zero emissions Scotland for the benefit of our environment, our people, and our prosperity, with Scotland's ambitious climate change legislation setting a target date for net zero emissions of all greenhouse gases by 2045. This means that our contribution to climate change will end, definitively, within one generation.

In line with this commitment, our Programme for Government 2021 to 2022 stated that: "unlimited extraction of fossil fuels is incompatible with our climate obligations and meeting the aims of the Paris Agreement"; it is more important than ever that we move towards this goal at pace, and continue to put words into actions.

This can be clearly demonstrated in the Bute House Agreement, formalised in September 2021, which states that: "given the urgency of the climate emergency, we accept that countries around the world, including the UK, cannot continue with unlimited recovery of hydrocarbons if the aims of the Paris Agreement are to be met - we cannot ignore the concern that unlimited extraction of fossil fuels is simply incompatible with protecting the planet."

Powers over onshore oil and gas licensing were devolved to Scottish Ministers in February 2018. Scottish Ministers are therefore the licensing authority for the two Petroleum Exploration and Development Licences (PEDLs) currently held in Scotland. There is currently no onshore oil and gas production in Scotland.

Position on Onshore Conventional Oil and Gas in Scotland

We are undertaking a full policy development process in order to reach a finalised position on onshore conventional oil and gas in Scotland, in line with statutory requirements. The first step in this process was the launch of a call for evidence which ran from 21 June to 02 August 2022, which invited stakeholders' views and expanded our evidence base in this policy area.

The call for evidence set onshore conventional oil and gas in its wider context of our statutory emissions targets and just transition, and highlighted our work to date in relevant policy areas, including energy security, climate change, and just transition.

The responses to the call for evidence, and the independent analysis report, are both publicly available. Having considered stakeholders' views and the evidence received alongside wider Scottish Government energy and climate change policies, our preferred policy position is no support for onshore conventional oil and gas development in Scotland. This means the development connected to the onshore exploration, appraisal or production of petroleum, or crude oil, and raw natural gas from the ground by conventional means and methods.

In October 2019, Scottish Ministers announced their finalised position of no support for unconventional oil and gas. This means development connected to the onshore exploration, appraisal or production of coal bed methane or shale oil or shale gas using unconventional oil and gas extraction techniques, including hydraulic fracturing and dewatering for coal bed methane. As unconventional oil and gas policy is finalised, this position remains unchanged.

National Planning Policy

Our National Planning Framework 4 (NPF4) signals a turning point for planning. NPF4 policy 1 makes clear that significant weight will be given to the global climate and nature crises when considering all development proposals, and Policy 33 sets out a policy of no support for the exploration, development and production of fossil fuels, other than in exceptional circumstances aligned with national policy on energy (including the policy position on onshore conventional oil and gas once finalised) and climate. NPF4 was approved by the Scottish Parliament on 11 January, and will form part of the statutory development plan.

We recognise that applications for planning and other necessary consents may be made by PEDL holders. Any such application will require to be determined by the relevant authorities, or decision-makers, according to the law and policy in force at the relevant time. As a matter of law, all planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. Should a planning authority receive a planning application for onshore conventional oil and gas development, and again should the authority subsequently propose to grant planning permission, the authority is required to notify the Scottish Ministers, who can consider whether to call the application in for their own determination.

Next Steps

This preferred policy position is subject to statutory and other assessments before the policy-making process can be completed. The preferred policy position on onshore conventional oil and gas has been included in the impact assessments, including Strategic Environmental Assessment (SEA) and Business and Regulatory Impact Assessment (BRIA) of the wider Energy Strategy and Just Transition Plan, the draft of which is now publicly available. The finalised policy position will be confirmed on conclusion of this process.

The public consultation on the draft Energy Strategy and Just Transition Plan and related impact assessments is a further opportunity for stakeholders to engage with us on the preferred policy position of no support for onshore conventional oil and gas extraction in Scotland. The draft ESJTP can be viewed here: [Draft Energy Strategy and Just Transition Plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/draft-energy-strategy-and-just-transition-plan/pages/12.aspx) the SEA and BRIA can be viewed here: [Supporting documents - Draft Energy Strategy and Just Transition Plan - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/supporting-documents-draft-energy-strategy-and-just-transition-plan/pages/12.aspx). Responses to the draft ESJTP and SEA can be submitted via Citizen Space here: [Draft Energy Strategy and Just Transition Plan consultation - Scottish Government - Citizen Space](https://www.gov.scot/citizen-space).