

# ISSUES RAISED IN MINERAL PROSPECTING NOTIFICATION FLINTRIDGE RESOURCES LTD OM4

## Introduction

Under the Mineral Development Act (Northern Ireland) 1969, the Department for the Economy, (DfE), grants Mineral Prospecting Licences, (MPLs), for the exploration of “base” metals as vested in the Department. Precious metals,(gold and silver), are vested in the Crown and the Crown Estate grants options or mining leases in relation to the exploration and /or development of these precious metals.

On 12 August 2016, Omagh Minerals/Flintridge Resources Ltd submitted an application to DfE for an MPL, covering parts of County Tyrone. As required under the Act DfE undertook a notification process on the application and the documents issued can be viewed at [Flintridge OM4 documents](#)

A map showing all existing and prospective licenses can be viewed at [Mineral licence Map.](#)

This document sets out the DfE responses to the main issues raised during notification period which ran from 02 October 2017 to 10 November 2017.

## Background

By the end of the notification period DfE had received the following number of responses:-

**Table 1: Number of responses received by MPL area**

	<b>Statutory</b>	<b>Other</b>	<b>Total</b>
OM4	10	11	21

## Departmental Response to Issues Raised

The following table details the main issues raised during the notification process and DfE response on each.

**Table 2: Issues Summary and Responses OM4**

<b>Issue</b>	<b>Response</b>
Inadequacy of the consultation process including insufficient information made	The specific notification arrangements for Mineral Prospecting Licences are as specified in sections 11 (3) and (4) of the

<p>available to enable people to come to a considered position.</p> <p>Some suggested the process employed wasn't fit for purpose.</p> <p>In this context, some respondents wanted to place on record formal reservations about this consultation, and ask that a subsequent consultation period is opened up to allow the community and their representatives to have their say about proposed prospecting in an Area of Outstanding Natural Beauty.</p>	<p>Mineral Development Act (Northern Ireland) 1969.</p> <p>In summary this requires the Department for the Economy ,(DfE), to:</p> <ol style="list-style-type: none"> <li>1. notify its intention to grant licences by publicising for two successive weeks in the Belfast Gazette and in one or more newspapers circulating in the locality where the land is situated,</li> <li>2. consult other Departments, public bodies and local authorities (Local Councils) concerning th intention to issue a licence,</li> <li>3. name a place or places (including at least one place in the locality) where maps identifying the land are available for inspection at all reasonable hours, and</li> <li>4. consider representations made to it within one month of publicising its intention in respect of the licence application when taking a decision.</li> </ol> <p>DfE has met all statutory requirements as outlined above. Additionally:</p> <ol style="list-style-type: none"> <li>1. all relevant documentation pertaining to this application was/is placed on the Department's website,</li> <li>2. the notification of the intention to award the licences was placed in 7 local newspapers for the required 2 week period, and</li> <li>3. the period of notification/consultation was extended to almost 8 weeks.</li> </ol>
<p>Exploration will damage the environment, the water table, the rivers, the air and the health of the population living in these areas. Removing blanket bog releases huge amounts of carbon into the atmosphere which adds to pollution of the air. Building roads for drill rigs disturbs the ecosystem and contaminates groundwater.</p>	<p>All mineral exploration and development takes place within a framework of environmental legislation. All mineral prospecting activities must comply with all relevant regulations and controls put in place by Government Departments and Local Councils. The document at the link</p>

<p>The noise and fumes from the drilling and the rigs can affect the mental and physical health of people.</p>	<p>below provides information on common exploration methods.</p> <p><a href="https://www.economy-ni.gov.uk/publications/mineral-prospecting-common-exploration-methods">https://www.economy-ni.gov.uk/publications/mineral-prospecting-common-exploration-methods</a></p>
<p>There is no effective, independent or objective regulation of mineral exploration. The enforcement process is not fit for purpose.</p>	<p>Effective regulation of mineral exploration is in place. Mineral Prospecting Licences are issued in line with existing legislation- Minerals Development Act (Northern Ireland) 1969. Due diligence is undertaken on all applicants in terms of financial and technical capacity. A work programme is agreed in advance of the exploration process and this ensures that the company takes account of all requirements to minimise and mitigate impacts. DfE meets with Licensees at least twice a year including undertaking a site visit. Compliance is also required with all other Regulations and mineral exploration takes place within the framework of planning and environmental legislation.</p> <p>DfE will closely monitor the work programme under this licence to ensure that all necessary regulations are being adhered to.</p>
<p>DfE has no environmental protection strategy in relation to prospecting licences, which they seem to issue casually. They have no meaningful engagement with local people.</p>	<p>Northern Ireland mineral exploration and development takes place within a rigorous framework of environmental legislation that is intended to protect the natural heritage and minimise environmental impact. A number of environmental European Directives are enforced through locally enacted rules and regulations. These are administered by the Department of Agriculture, Environment and Rural Affairs, the Department for Infrastructure, and Local Councils. Mineral development is also considered as part of the wider Local Development Plans.</p> <p>A full Environmental Impact Assessment (EIA), is required at planning stage for a mine. However, this is not required for</p>

	<p>exploration as it is small scale and low impact as outlined in the Common Exploration Methods Paper.  <a href="https://www.economy-ni.gov.uk/publications/mineral-prospecting-common-exploration-methods">https://www.economy-ni.gov.uk/publications/mineral-prospecting-common-exploration-methods</a></p> <p>DfE encourages prospecting companies to engage proactively with the local community. In addition landowner permission must be obtained for access onto private land.</p>
<p>The outcome of the DfI consultation on Permitted Development Rights is unknown and it is premature to consider the impacts of the prospecting licence prior to the conclusion of that consultation</p>	<p>DfE issues Mineral Prospecting Licences which confer limited rights on the Licensee to search for minerals, this is not a carte blanche permission to carry out all exploration related activities. Licensees are required to obtain a range of further separate permissions for more advanced operations from DfE and other regulatory authorities.</p> <p>The applicant will be required to adhere to all relevant regulations in place at the time the activity is being undertaken including any changes resulting from the consultation on Permitted Development rights.</p>
<p>No Prospecting Licences should be granted until the conclusion of the inquiry into the Gold Mine Planning application. (raised by MLAs and local MP)</p>	<p>Planning approval given for a specific project in a given area does not impact on wider activities such as mineral prospecting activity. In addition, the applications concerned are for Mineral Prospecting Licences for base metals only and not gold. Prospecting for gold/silver is carried out under an option from the Crown Estate, (CE), and any application for a Mining Lease from CE is subject to all other relevant planning and environmental regulations.</p>
<p>Due Diligence of the Prospecting Companies should be completed by the Department and in the public domain. A self-determination process by the companies is viewed as neither adequate nor lawful for fulfilling the requirements for due diligence.</p>	<p>DfE carries out due diligence checks on companies applying for a Mineral Prospecting Licence including where appropriate seeking a Parent Company Guarantee for the monies required to deliver the agreed Work Programme over the full term of the licence.</p>

	<p>This due diligence is undertaken by DfE in line with all current regulations in terms of the operational programme.</p>
<p>Failure to look at cumulative effect of granting MPL's in the region is contrary to best practice and likely contrary to Aarhus rules governing MPL's and for the Department to proceed to grant MPL's when there is no Assembly and so an accountability vacuum is further damaging.</p>	<p>DfE has made available all information in relation to the application for mineral prospecting licences and has used the notification process to inform its decision making. Exploration activities and their potential impacts are continually monitored and assessed with a view to promoting sustainability. Exploration has been carried out throughout Northern Ireland for over 40 years and to date DfE has no evidence to indicate that adverse cumulative effects have resulted from exploration activity.</p>
<p>The Habitats Directive and Conservation Regulations (NI) 1995 introduce a strict requirement for any plan or programme not directly associated with a European protected habitat to be subject to "Appropriate Assessment". The grant of a prospecting licence falls within the scope of a plan or programme as envisaged by the Habitats Directive. No information has been provided as to whether any such process has been, or will be undertaken as part of the Department's consideration of the applications.</p>	<p>DfE considers all licence applications against the Habitats Regulations. Habitats Regulations Assessments are carried out against specific work activities and in consultation with the Northern Ireland Environment Agency. Not all exploration activities require assessment and DfE ensures that assessment in accordance with the Habitats Regulations is carried out where a Mineral Prospecting Licence includes any activities that are likely to cause a significant disruption or disturbance to a protected species or area.</p> <p>The Company must comply with the outcome of any Habitats Regulations assessment made by DfE.</p>
<p>Don't grant mining licences by the back door. (Green Party online petition with some 1500 names submitted)</p>	<p>This petition is based on the premise that the granting of a Mineral Prospecting Licence automatically assures companies of a mining licence. We can give an assurance that this is not the case and that two separate process are involved. All information pertaining to the granting of a Mineral Prospecting Licence and to the granting of a Mining Licence is available on the DfE website.</p>