

# CONSULTATION SUMMARY REPORT

for

## Mineral Prospecting Licence Applications

from

**Dalradian Gold Limited**

## **MPLA1/19 & MPLA2/19**

### **Introduction**

Under the Mineral Development Act (Northern Ireland) 1969 (the Act), the Department for the Economy (the Department), grants Mineral Prospecting Licences (MPLs), for the exploration of base metals as vested in the Department.

Please note that precious metals i.e. gold and silver, are vested in the Crown and the Crown Estate Commissioners is the authority for the granting for Options for the exploration of both gold and silver in Northern Ireland.

On 31 July 2019, Dalradian Gold Limited submitted applications to the Department for two MPLs covering two areas in West Tyrone that Dalradian had previously held MPLs for. The previous MPLs, known as DG1 and DG2, expired on 31 December 2019.

As required under the Act, the Department undertook a notification, or public consultation, process on the two applications. The documentation issued to inform that process can be viewed at [Dalradian MPLA1/19 and MPLA2/19 documents](#). The public consultation period ran from 13 September 2021 to 05 December 2021.

A map showing all existing and prospective MPLs across Northern Ireland can be viewed at [Minerals Licence Map](#).

The objective of this document is to provide a summary of the issues and concerns raised during the consultation period and to set out the Departments' response to each.

### **Background**

When the consultation period closed on 05 December 2021, the Department had received a total of 259 responses in respect of both applications. As the notification/consultation documentation outlined, as well as allowing the general public to provide a response, the Department specifically requests a number of important stakeholder organisations to provide views on the intention to award the MPLs. Of the total 259 responses, seven were from those stakeholder organisations and the remaining 252 were from the general public.

As in previous licensing consultation processes, it is clear that a number of template letters have been produced and distributed to allow the public to make representations with regard to the applications. In this exercise, three such template letters were identified. In total, these accounted for 93% of all responses from the public.

**Table 1: Template Letters**

<b>Template</b>	<b>No of Responses</b>	<b>% of Overall Total</b>
<b>1</b>	130	50
<b>2</b>	110	42
<b>3</b>	2	1
<b>Total</b>	<b>242</b>	<b>93</b>

### **Departmental Response to Issues Raised**

The following table details the main issues raised during the notification process and DfE response to each. It should be noted that all of the issues raised were common to both the MPLA1/19 and MPLA2/19 applications.

**Table 2: Issues Summary and Departmental Response**

<b>Issue</b>	<b>Departmental Response</b>
<p>Inadequacy of the consultation process including insufficient information made available to enable people to come to a considered position.</p> <p>Some respondents suggested the process employed wasn't a meaningful consultation process.</p> <p>Some respondents argue that accessing information was difficult and limited.</p>	<p>The specific notification arrangements for Mineral Prospecting Licences are as specified in sections 11 (3) and (4) of the Mineral Development Act (Northern Ireland) 1969.</p> <p>In summary this requires the Department 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 the 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</li> </ol>

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	<p>intention in respect of the licence application when taking a decision.</p> <p>The Department has met all statutory requirements as outlined above. Additionally:</p> <ol style="list-style-type: none"> <li>1. all relevant documentation pertaining to the application was/is placed on the Department's website,</li> <li>2. the notification of the intention to award the licences was placed in 6 local newspapers for the required 2 week period, and</li> <li>3. the period of notification/consultation was extended to 12 weeks.</li> </ol>
<p>Most of the area is in the Sperrins AONB and should be protected because of this special designation, not exploited by mineral exploration. The landscape would be impacted adversely and indefinitely as a result. This area is teeming with wildlife as well as being rich in history, culture, archaeology and heritage.</p>	<p>The NI Government Departments have a statutory duty to carry out functions in a way that promotes sustainable development. In Northern Ireland mineral exploration and development takes place within a framework of environmental legislation that is intended to protect the natural heritage and minimise environmental impacts. 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 (DAERA), the Department for Infrastructure, and Local Councils.</p> <p>DAERA, including NIEA, response shows that they were content for the Department to award the licences subject to all other necessary approvals being obtained and all relevant regulations being adhered to.</p> <p>The Department will ensure that all exploration activity is carried out in strict accordance with the terms of the licence, subject to all regulatory consents and carried out to best practice and standards.</p>

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<p>Dalradian have held Prospecting Licences for DG3 &amp; DG4 since 2009. Planning permission should be required now, given the nature and scale of 'exploration' already carried out by Dalradian - over 700 boreholes, some of them left uncapped with orange discharge seeping out, miles of roads built on blanket bog, noise, fumes and oil leakages from rigs, etc.</p>	<p>The Department 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 the Department and other regulatory authorities.</p> <p>It should be noted that Dalradian Gold Limited undertake exploration work in connection with their gold operation. Gold is not vested in the Department. Gold (and Silver) is vested in the Crown and therefore the authority for Dalradian Gold Limited to carry on exploration activities in connection with their gold operation is provided by the Crown Estate Commissioners.</p> <p>A planning application has been submitted to the Department for Infrastructure by Dalradian Gold Limited for the development of a goldmine.</p>
<p>Acid water was identified as a problem at Dalradian's Curraghinalt exploration site back in 2013 but the associated problems were not addressed and it was presumed not to be significant.</p>	<p>The proposed licences are for mineral exploration and are not related to the proposed mine at Curraghinalt. Activities undertaken within the terms of a Minerals Prospecting Licence are monitored closely to ensure compliance with all relevant regulations and controls put in place by all statutory bodies, Government Departments and Local District Councils.</p> <p>NIEA report that it monitors the discharge from the site, including pH, which would flag any acid water generation and have stated that they have no concerns about this issue at the site.</p> <p>Furthermore the Company has previously advised the Department that it is unaware of</p>

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	any “acid water” being either generated or released as part of its exploration activities.
<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. The noise and fumes from the drilling and the rigs can affect the mental and physical health of people.</p>	<p>All mineral exploration and development takes place within a rigorous framework of environmental legislation. Any proposal to carry out such activities linked to this licence application will be subject to a number of regulations and the Department will ensure that the company complies with all requirements to ensure that the environment is protected. The document at the link below provides information on common exploration methods.</p> <p><a href="#">Mineral prospecting - common exploration methods</a></p>
<p>Mineral exploration would have a huge negative impact on tourism in the Sperrins. Fermanagh Omagh District Council which covers the area of MPLA 1 &amp; MPLA 2 is promoting sustainable tourism in the Local Development Plans and mineral exploration would ruin any tourism.</p>	<p>The geology of the Sperrins is unique in Britain and Ireland and the Department has evidence of this in itself attracting visitors to the area.</p> <p>The NI Government Departments are committed to the principles of sustainable development and environmental protection. In Northern Ireland mineral exploration and development takes place within a 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>One of the conditions of granting an MPL is that the prospecting company is required to make good any land or property impacted by its exploration activities. The Department will</p>

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	monitor the work programme of the company closely to ensure that this requirement is fulfilled.
<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. The Department meets with Licensees at least twice a year including undertaking site visits. 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 strategy in relation to prospecting licences which they seem to issue casually to Dalradian &amp; their likes. They have no meaningful engagement with the people who live in the affected areas. Dalradian has caused divisions in families and rural communities by their actions and activities in this area.</p> <p>The people who live in the area do not want Dalradian here. This is evidenced by the numerous campaign groups which have sprung up to oppose them across the Sperrins, as well as the 38,000 objections already lodged on the Public Planning Portal. The voice of the people has to be listened to and no more prospecting licences granted or renewed.</p>	<p>Northern Ireland mineral exploration and development takes place within a 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.</p> <p>NIEA is consulted on any relevant activities under the licence and as the Regulatory Body responsible for the environment they will advise DfE on impacts resulting from works including learning from previous activities</p>

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	<p>A full Environmental Impact Assessment (EIA), is required at planning stage for a mine. However, this is not required for exploration as it is small scale and low impact as outlined in the Common Exploration Methods Paper. <a href="#">Mineral prospecting - common exploration methods</a></p> <p>The Department encourages prospecting companies to engage proactively with the local community and the Department is aware of programmes that Dalradian has in place. In addition landowner permission must be obtained for access onto private land.</p>
<p>The ownership of Dalradian Gold has changed since Aug 2018 when it was taken over by Orion Mine Finance. It is impossible to identify or carry out due diligence on the real owners as they are listed in the Cayman Islands.</p>	<p>The Department 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>The issuing of Mineral Prospecting Licence application DG4,(Dalradian Ltd)), and any other such licences within the Mid Ulster area and that the issue of such licences cause division in the community and conflict amongst neighbours</p>	<p>The company has confirmed to the Department that it has a Community Engagement Programme in place and understands there can be different views on exploration as well as many other topics. The Company states that it 'does not seek to cause division and has looked to interact with many stakeholder groups to better explain its activities and the legislation under which it operates'.</p>
<p>Based on the Precautionary Principle, I object to the granting of the prospecting licence reference numbers MPLA1/19 and MPLA2/19.</p> <p>I believe that the competent authority has insufficient information to enable him to make statutory environmental determinations that</p>	<p>The Precautionary Principle is applied but it is applied at the specific field based task level when the actual exploration activities are taking place. The classic definition of the principle states that:</p> <p>"Where there are threats of serious or irreversible damage, lack of full scientific</p>

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<p>could fully comply with the State's obligations under the relevant national and EU legislation, and case law.</p> <p>Consenting to the proposed Licence would in effect circumvent the objectives of environmental directives and legislation that aim to protect the environment and the humans who live in it; in particular the Strategic Environmental Assessment Directive, the Environmental Impact Directive, the Habitats Directive, and the Water Framework Directive.</p>	<p>certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation" (UNEP 1992).</p> <p>The evidence from the last 50 years of exploration suggests that there is little chance of serious or irreversible damage to the environment. There is a risk, as damage cannot be ruled out, but the likelihood has been demonstrated to be negligible.</p> <p>The award of the licence is informed, not just by the licence application but by the history of exploration in Northern Ireland. The Department 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 the Department 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 the Department.</p> <p>The Department's position on Strategic Environmental Assessment (SEA) is that it applies to the overarching policy which defines the licencing regime. The granting of an individual licence does not fall within the remit of legislation requiring an SEA. It should be noted that the Department is currently reviewing the mineral licensing regime and any changes to the policy will require an SEA to be carried out.</p> <p>Environmental legislation exists not to restrict or limit development but to ensure that</p>



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	<p>development does not lead to environmental damage or harm. Legislation is designed to regulate the aspects of such activities that have the potential to damage the environment. In the case of activity that might relate to the Water Framework Directive, any abstraction or discharge of water connected with exploration drilling is carried out under licence from NIEA, where required.</p>