

# **NOTICE**

## **CEASE AND DESIST**

**This is not a legal document**

**DATE JUNE 2nd 2015**



**Date: 2nd June 2015**

# **NOTICE**

## **CEASE AND DESIST**

**We are Protectors and wardens of the land**

**We are putting the addressed people on notice to cease and desist  
Exploratory well operations and unconventional oil and gas operations and also police action  
Within 48 hours of receipt of this letter.**

**These operations are at risk of causing serious environmental damage and**

**damage to the health and livelihoods of the people of the East Riding of Yorkshire and Hull.  
If harm is caused to the land, peoples or earth others of the East Riding of Yorkshire and Hull  
individuals may be held accountable and personally liable.**

The protection of ground water ( <http://en.wikipedia.org/wiki/Groundwater> ) in the UK is paramount and any threat to our ground water must necessarily be seen as a threat to our future. the local community and its surrounding villages. The Men and Women who reside in East Yorkshire are here under a DUTY OF CARE, performing DUE DILIGENCE out of NECESSITY and are exercising their legal right to peacefully voice their legitimate and valid concern to prevent long term and irreparable damage from unethical mining practices that threaten the ground water, and the invaluable national resource it represents. Any politician, public servant, corporate leader or decision maker who is acting in any way that can be construed as threatening the environment MUST be cognizant of the risks and the legal consequences of proceeding with this project without regard to that threat. They can be seen as being negligent in their duty of care, ignorant of precautionary principles, a threat to the security of this nation and appropriate legal action may be taken against them.

The overwhelming will of the people is clearly presented in Hedon ( <http://hedonblog.co.uk/2014/09/08/hedon-street-poll-88-say-no-to-fracking-in-the-east-riding/> ) In Beverley ( <http://beverleylabour.wordpress.com/2014/06/14/people-of-beverley-vote-on-fracking/> ) Evidence in multiple States of the United States clearly demonstrates long term damage to the environment with US courts ruling against unconventional gas mining companies awarding significant damages to those harmed by mining activities ( <http://edition.cnn.com/2014/04/25/justice/texas-family-wins-fracking-lawsuit/> )

The residents of East Yorkshire are acting in good faith on behalf of the community which expect the LAND TO BE PROTECTED whilst the government agencies including police are acting in support of corporate agenda. The threat of police action when people are exercising their right to peaceful protest is unacceptable. The police have a duty to the people to facilitate peaceful protest. The Men and Women of this region WILL PROTECT THE ENVIRONMENT appropriately and peacefully. We emphatically object to an unwelcome incompatible industry diminishing the culture and economy of the East Riding of Yorkshire, founded upon clean industry and agriculture created by generations of families and local businesses.

*"Those that have the privilege to know have the duty to act."*  
*Albert Einstein*

We recognize that our community is in imminent peril due to potentially irreparable damage to our water supply and the environment, impacting current Men and Women and putting at grave risk the future generations' use of these lands. This is a risk the community is not willing to allow.

The actions of corporations and local and national government in the UK has forced the Men and Women of this region to take responsible action to protect the environment and safe guard it where

government has failed to recognize the peril before us. Our community requires your assurance that:

1. You are of legal age and competent to testify if so called upon
2. You have first hand knowledge of the facts stated herein
3. You are competent and have lawful authority, not operating under the 'colour of law', to make the following statements/declarations
4. You are aware of the penalties of perjury
5. You have authority to participate or guide those participating in the decision making process supporting the unconventional gas mining industry in the UK
6. You are competent and have authority to be a participant in implementing the introduction and expansion of the unconventional gas mining industry in the United Kingdom
7. You have thoroughly researched the practices of the unconventional gas mining industry around the world and have thoroughly assessed and evaluated the impacts it has had on the environment and Men and Women living close to and associated with this extraction technique.
8. Unconventional gas mining in the UK will not cause any material damage to or be detrimental in any way to any Man, Woman or child living in the UK, to any farm livestock, crops, community property or earth others (ie any living being)
9. The unconventional gas mining process will not detrimentally effect the ground water table (aquifer) throughout the UK nor poison the groundwater supply to farming, any other community, earth others and is of no public threat to health and safety
10. You have given full consideration to the deleterious and detrimental effect unconventional gas mining has had on groundwater quality (aquifer) , soil contamination levels, human and animal health overseas (in particular in the USA) and this will not occur in the UK
11. You are aware of the following impacts of the unconventional gas mining industry:

a.

**East Riding of Yorkshire Council's planning application consultation response from Yorkshire Water regarding threats posed to penetration of the natural drift cover that protects the aquifer.**

[http://eastriding.limehouse.co.uk/portal/forward\\_planning/allocations\\_dpd/draftallocs?pointId=s1346328844399&do=view](http://eastriding.limehouse.co.uk/portal/forward_planning/allocations_dpd/draftallocs?pointId=s1346328844399&do=view)

"Yorkshire Water will object to any development that it believes poses an unacceptable risk to the public water supply. In any event foundations or other groundworks must not penetrate the natural drift cover that protects the aquifer"

- b. Rathlin's West Newton A well site has experienced a range of incidents which have not been resolved by the Environment Agency or East Riding of Yorkshire Council, or consultation from Hull City Council despite the fact that their residents' water supply is the same as the residents of East Riding of Yorkshire Council's. It is still the East Riding of Yorkshire Council's responsibility, whatever agency it falls under, to ensure that they protect the residents of East Riding. This includes a fire in the casing of the well and increased pressure , HSE confirmed, "formation movement"

<http://drillordrop.com/2015/02/05/investigation-what-went-wrong-at-west-newton/>

Independent report compiled by local residents on the effects of operations by Rathlin

Energy Ltd at West Newton well site Pipers Lane

<https://heyfrackoff.files.wordpress.com/2015/01/rathlinreportver1-35.pdf>

- c. In Texas USA, the Parr family sued Aruba Petroleum Inc. in 2011 claiming they were sickened because of pollution from hydraulic fracturing operations near their home. The Parr's should be awarded \$2.95 million for their troubles, a jury ruled. The jury returned a 5-1 verdict saying Aruba "intentionally created a private nuisance," awarding \$275,000 for losses on property value, \$2 million for past physical pain and suffering to the family, \$250,000 for future physical pain and suffering, and \$400,000 for mental anguish ( <http://edition.cnn.com/2014/04/25/justice/texas-family-wins-fracking-lawsuit/> )
- d. Between the 26<sup>th</sup> of March and the 31<sup>st</sup> May 2011 Cuadrilla Resources Ltd carried out a six stage hydraulic fracture treatment of the Preese hall 1 well in Lancashire. There were two seismic events caused by this operation . Between the 26<sup>th</sup> and the 31<sup>st</sup> of March 2011 Cuadrilla carried out two hydraulic fracture operations. On the 1<sup>st</sup> of April 2011 a 2.3 magnitude seismic event occurred . Between the 8<sup>th</sup> of April and the 26<sup>th</sup> of May 2011 Cuadrilla carried out a further two stages of hydraulic fracturing, this is after discovering they had actually deformed the well casing ( confirmed on the 4<sup>th</sup> April 2011 ) On the 27<sup>th</sup> May 2011 there was another seismic event this time a 1.5 magnitude occurrence, even after this Cuadrilla continued to carry out a further 2 stage hydraulic fracture operation between the 27<sup>th</sup> and 31<sup>st</sup> of May 2011.  
Review and recommendations for induced seismic mitigation  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/15745/5075-preese-hall-shale-gas-fracturing-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15745/5075-preese-hall-shale-gas-fracturing-review.pdf)
- e. All other harmful incidents of unconventional gas mining in the UK including West Newton well site and Crawberry Hill well site where numerous species of animals have perished including the protected brown hare

<http://www.frackfreeeastyorkshire.com/wp-content/uploads/2014/07/DSCF6117.jpg>

<http://www.frackfreeeastyorkshire.com/wp-content/uploads/2014/07/DSCF6116.jpg>

<http://www.frackfreeeastyorkshire.com/wp-content/uploads/2014/07/DSCF6118.jpg>

[http://www.frackfreeeastyorkshire.com/wp-content/uploads/2014/07/2014-07-05-dead-hare-in-West-Newton-ditch\\_low.jpg](http://www.frackfreeeastyorkshire.com/wp-content/uploads/2014/07/2014-07-05-dead-hare-in-West-Newton-ditch_low.jpg)

Removal of barn owls from Crawberry hill

<http://www.rathlin-energy.co.uk/wp-content/uploads/2014/03/Owl%20Saved.JPG>

Leaking drainage tanks at Crawberry hill well site directly onto farmers crops

<http://www.frackfreeeastyorkshire.com/leaky-tank/>

Local residents and protectors becoming ill from toxic fumes at West Newton and surrounding area.

<http://www.theguardian.com/environment/2014/sep/19/yorkshire-wolds-gas-fracking-shale>

Article from Drill or Drop and the Morning Star cataloguing breaches of permit regulations and the Environment Agency's continuing investigations into these breaches

<http://drillordrop.com/2015/02/19/investigation-underway-into-more-breaches-at-rathlin-energys-west-newton-drill-site/>

Independent report compiled by local residents on the effects of operations by Rathlin Energy Ltd at West Newton well site Pipers Lane

<https://heyfrackoff.files.wordpress.com/2015/01/rathlinreportver1-35.pdf>

12. You make your responses to this notice believing conscientiously that all the facts stated herein are true, correct, certain, complete and not in any way misleading and with first hand personal knowledge and under penalty of perjury
13. You are cognizant of your duty of care and moral duty to mankind and the environment to contribute to and maintain a pristine environment for the benefit and pleasure of future generations of mankind and the animal and plant kingdoms
14. You would not knowingly contribute to destroying, devastating or otherwise harming / damaging the UK's ecosystems or environment in any way
15. You will provide complete and transparent evidence to the public in support of the unconventional gas mining industry as part of your response to this notice **before** proceeding with supporting the further implementation and expansion of the unconventional gas mining industry within the East Riding of Yorkshire and the UK
16. You accept full and complete responsibility, accountability and liability personally , jointly and severally with all other participants within or without of the unconventional gas mining industry in the UK, that have contributed to establishing and maintaining the industry, for any and all harm, damage, disease and death caused to any man, woman or child, earth others (including livestock) as well as for any environmental and crop damage, soil, water and air contamination by your decision to support the unconventional gas mining industry within the UK
17. You accept all your share of the liability, jointly and severally with all participants, past and present within or without of the unconventional gas mining industry, for civil damages to damaged and affected victims of the unconventional gas mining industry as well as criminal charges for manslaughter and/or murder in any degree for any deaths proven to be attributed to the unconventional gas mining industry
18. You have fully investigated and have identified the causes of the damage the environment suffered from Rathlin Energy's well and boreholes at West Newton and that it will not occur again.
19. Water will remain free to all and not be commodified or access to it restricted

Our community requires answers to the following questions:

1. Is the future of the Men and Women of the region not paramount?
  - a. Both to the current generation; and
  - b. Future generations
2. Is the quality of water not crucial?
  - a. To the health and safety of the community; and
  - b. A basic Right to Life, protected under Law; and

- c. To the sustainability of agricultural commerce
- 3. Is it not each person's duty of care to protect our natural resources for perpetuity?
- 4. Do you not have a responsibility to the community?
  - a. Both current and future generations; and
  - b. Through those generations
- 5. Is it not the case that unconventional gas mining causes
  - a. Untold damage to the immediate environment
  - b. Proven gas leakage through water tables / aquifer
  - c. Detrimental health impacts to Men, Women, children and animals
  - d. A reduction in house prices
  - e. Seismic activity
- 6. Is it not the case that neither Rathlin Energy the local or national government or any other body, government or independent has failed to provide evidence that unconventional gas mining is safe and does not cause damage to the environment, including the land, water and water table (aquifer), surrounding agriculture, earth others.
- 7. Is the water not a national security issue?

As responsible Men and Women we believe we have a duty of care and an obligation to protect our country. We will and require that our elected officials and public servants ensure these activities are absolutely safe and will not damage the land, its productivity and the future security it provides for generations into the future. We require the same assurance from all government and corporate leaders who are involved in the unconventional gas mining industry. In particular, we require that you address the following areas of concern:

- 1. Provide to us, and publish in local newspapers, the result of independent peer reviewed studies conducted prior to commencement of the unconventional gas mining and exploration industry that shows CONCUSIVELY that these activities do not damage the environment including the land, water, air and earth others (now and for future generations)
- 2. Prove to us you are following proper and detailed precautionary principles with independent monitoring (ie not self monitoring by corporates)
- 3. Provide to us, and publish in local newspapers, evidence that damage done to the environment and people by unconventional gas mining over the last 3 years at Preese hall wellsite will not happen again anywhere in the UK and is not happening now
- 4. Provide to us evidence that any damage over the last 3 years including exploration for unconventional gas has been fully rectified and the environment has been remediated back to its previous natural state at no cost to the government or the Men and Women of the UK
- 5. Provide to us evidence that all currently operating unconventional gas mining and exploration is not and will not damage the environment including the land, water and air (now and for future generations)
- 6. Prove to us that there are more than sufficient safeguards to prevent any danger of mechanical failure or human error enabling or causing the mass and widespread genocide by poisoning and mass starvation of the UK population or any individual member of the general public within the UK and that you guarantee that no such poisoning will ever occur
- 7. Prove to us that the granting of any Petroleum Exploration and Development License (PEDL 183) in the East Riding of Yorkshire was lawful, corruption free, and government has the lawful rights to bestow or grant these PEDLs
- 8. Prove to us that the granting of any PEDLs is in alignment with the will of the people, through your due diligence and your duty of care
- 9. Prove to us that the local and regional communities of the East Riding of Yorkshire, support unconventional gas mining and exploration
- 10. Prove to us that unconventional gas mining and exploration in the East Riding of Yorkshire



has a social license

11. Prove to us that you have done a legitimate archaeological survey in consultation and supported by the local custodians inclusive of sacred, ritual and liveable dwellings
12. Prove to us that you have irrefutable evidence that Crawberry Hill and West Newton are not sacred sites
13. Prove to us that unconventional gas mining and exploration activities have a real economic benefit to the Men and Women of the East Riding of Yorkshire
14. Prove to us that if the above requests are not entirely substantiated to our satisfaction that the use of police force to quell opposition is not unlawful

Crawberry Hill, West Newton and its surrounding villages are an integral part of a responsible and caring community. In spite of the Nuremberg Principles, it may be easy to forgive many of the police officers, staff or agents of the government acting under direction from superiors due to their ignorance of the law. However, offences against our community of this nature, with the risk of irreparable consequences, will not be taken lightly by this community. Elected officials, commanding officers, directors, Chief Executive Officers (CEOs) and corporate leaders will be held personally liable and shall see ongoing lawful and legal action including but not limited to the offences outlined in Appendix B. Appendix A contains our fee schedule of services that we as protectors are providing out of necessity.

This letter is a transparent communication on behalf of our community and will be published in open and social media.

## **APPENDIX A**

### **SCHEDULE OF SERVICE AND FEES**

Whilst we are protecting the environment out of necessity we are providing a number of services. These services include:

1. Protection of biodiversity – flora and fauna
2. Protection of habitat including water, soils and atmosphere
3. Protection of eco-system integrity
4. Preservation and protection from further degeneration of existing culture and lifestyle including Origin and wide community
5. Maintenance of a level of community peace
6. Consultation with the community of East Yorkshire through public events and community gatherings
7. Infrastructure to support the protectors of the land and their activities
8. Set up and ongoing management of any future protector camp

Our fee for providing these services is £75,000 per day.

## **APPENDIX B – Offences**

Decision makers in and associated with the conventional and unconventional gas mining industry of all kinds will be held accountable to the following laws, including but not limited to:

*ENVIRONMENTAL PROTECTIONS ACT 1990*

*HUMAN RIGHTS ACT 1998 / EUROPEAN CONVENTION ON HUMAN RIGHTS*

### **ENVIRONMENTAL PROTECTIONS ACT 1990 - SECTION 34**

#### **Duty of care as respects waste**

(1) It shall be the duty of any person who imports, produces, carries, keeps, treats or disposes of controlled waste, or as a broker, has control of such waste, to take all such measures as applicable to him in that capacity as are reasonable in the circumstances---

(A) To prevent the escape of waste from his control or that of any other person; and

(B) On the transfer of the waste to secure-

(i) That the transfer is only to an authorised person, or to a person for authorised transport purposes; and

(ii) And there is transferred such a written description of the waste

(1A) It shall be the duty of any person that is responsible for the management of extractive waste to take all such measures applicable to him in that capacity as are reasonable in the circumstances--

(I) To prevent the escape of any waste in his control or that of any other person

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale

### **HUMAN RIGHTS ACT 1998**

#### **Article 1 Protection of property**

If a public authorities' negligence, this will include any permit permitted by a local council to another contractor or other body causes destruction to a residence, this will breach this right

(fee schedule commensurate on your personal present and future actions)

#### **Article 5 Right to liberty**

Article 5(5) provides that victims of unlawful arrest or detention have an enforceable right to compensation

When infringing on article 10 and 11 of the Human Rights Act 1998 we will class this as an enforceable right

(fee schedule commensurate on your personal present and future actions)

#### **Article 8 right to a private and family life**

We reserve the right not to be subject to unlawful state surveillance

(fee schedule commensurate on your personal present and future actions)

#### **Respect for the home**

We reserve the right not to have one's home life interfered with, including by unlawful surveillance and unlawful entry

(fee schedule commensurate on your personal present and future actions)

#### **Respect for correspondence**

We reserve the right to uninterrupted and uncensored communication with others, a right particularly in relevance to phone tapping, email surveillance and the reading of letters

(fee schedule commensurate on your personal present and future actions)

#### **Article 10 Freedom of expression**

We reserve the right to political and commercial expression and artistic expression

Any attempts to intervene on our rights as individuals or groups to free, artistic or commercial expression will be deemed an infringement on our rights. This also includes speech that might shock others. Interference on free expression includes but is not limited to, restrictions on publication, confiscation of material or confiscation such as video cameras or recording devices, this in itself infringes on the advice set out by the Association of Chief Police Officers on the 24<sup>th</sup> August 2010 signed by Chief Constable Andrew Trotter, Chair of ACPO Communication Advisory Group

(fee schedule commensurate on your personal present and future actions)

#### **Article 11 the right to protest and freedom of association**

Everyone has the right to freedom of peaceful assembly, the right includes but is not limited to the right to

protest marches and demonstration.

The right only applies to peaceful gatherings, as we are peaceful people we hold this right and will seek justice if our rights are infringed by any authority.

There may be interference with this right if any authority deems it necessary to prevent a demonstration, halt a demonstration or in advance seek to disrupt any demonstration and to also store personal information on people because of their involvement in a demonstration.

The right to peaceful assembly cannot be interfered with simply because any authority deems it to be inconvenient or may cause a nuisance.

(fee schedule commensurate on your personal present and future actions)